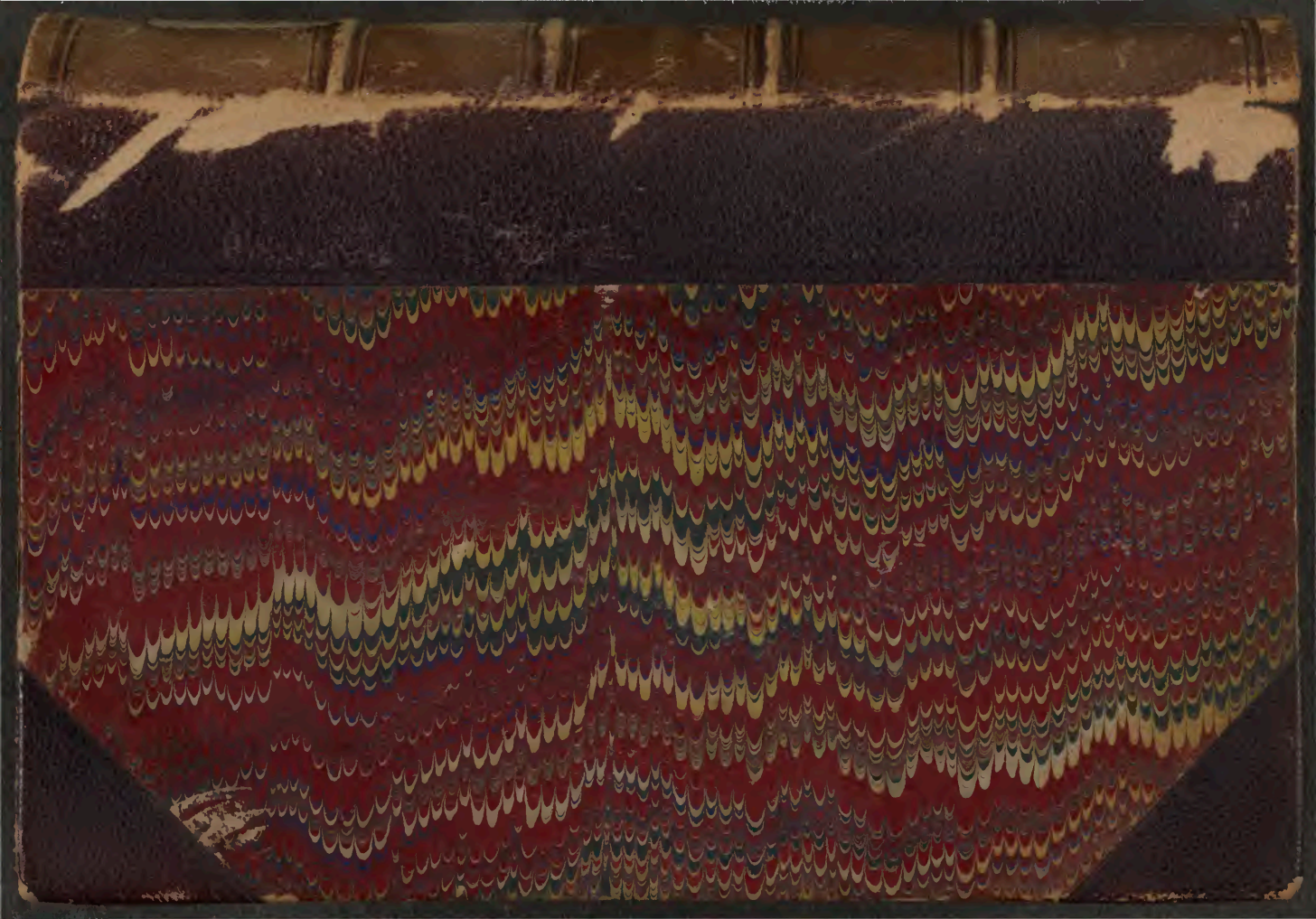


GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

U. S. Army

Dept. of the Cumberland.

1866.

INDEX OF GENERAL ORDERS.

NAMES.

NOTE.—The figures refer to the numbers of the Orders.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
MEMPHIS, TENN., June 15, 1866.

GENERAL ORDERS, No. 2.

I. Before a General Court Martial, which convened at the United States Navy Yard, Memphis, Tennessee, pursuant to Special Orders No. 105, from Headquarters Department of Tennessee, dated at Memphis, Tenn., May 28th, 1866, and of which Capt. THOMAS J. DURNIN, 16th U. S. Infantry, was President, were arraigned and tried:

1st—Private JOSEPH JOHNSON, Co. A, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Quitting his Guard.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private Joseph Johnson, Co. A, 3d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10,00) *of his pay for one* (1) *month, and to carry a log of wood weighing twenty-five* (25) *pounds for three* (3) *days from reveille until retreat, under charge of the guard.*

2d—Private PETER MONAHAN, Co. A, 3d Battallion, 16th U. S. Infantry.

CHARGE—*Quitting his Guard.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private Peter Monahan, Co. A, 3d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10,00) *of his pay for one* (1) *month, and to carry a log of wood weighing twenty-five* (25) *pounds for three* (3) *days, from reveille until retreat, under charge of the guard.*

3d—Private PATRICK O'BRIEN, Co. A, 3d Battalion, 16th U. S. Infantry.

CHARGE I—*Quitting his Post.*
CHARGE II—*Sleeping on Post.*

To which the accused pleaded as follows:

To the 1st charge. GUILTY.
To the 2d charge. NOT GUILTY.

Findings.

Of the 1st charge, GUILTY.
Of the 2d charge. NOT GUILTY.

Sentence.

And the Court does therefore sentence him, the said Private Patrick O'Brien, Co. A, 3d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10,00) *of his monthly pay for three* (3) *months, and to be confined at hard labor, in charge of the guard for the same period. The Court is thus lenient on account of the inexperience of the accused.*

4th—Private MICHAEL COLLINS, Co. H, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.

Findings.

Of the specification. GUILTY,
excepting the words "did desert the same," and substituting the words "absent himself without leave."
Of the charge NOT GUILTY,
but guilty of absence without leave.

Sentence.

And the Court does therefore sentence him, Private MICHAEL COLLINS, Co. H, 2d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10,00) *of his monthly pay for one* (1) *month, and to carry a log of wood weighing twenty-five* (25) *pounds for the period of seven* (7) *days, from reveille until retreat, under charge of the guard, allowing half an hour for breakfast and dinner each day.*

5th—Private JOHN LENNON, Co. H, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Larceny.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private John Lennon, Co. H, 2d Battalion, 16th U. S. Infantry, *to be dishonorably discharged the service of the United States, to forfeit all pay and allowances now due, and to be confined*

in such Penitentiary as the Commanding General may direct, for the period of four (4) years.

6th—JAMES A. FINDLEY, Co. A, 2d Battalion, 16th U. S. Infantry.

CHARGE I—*Violation of the 44th Article of War.*

CHARGE II—*Absence without leave.*

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

To which the accused pleaded, GUILTY.

Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private James A. Findley, Co. A, 2d Battalion, 16th U. S Infantry, *to be confined for the period of one (1) day in charge of the guard; the Court is thus lenient in view of the previous services and good character of the accused.*

II. The proceedings and findings in the foregoing cases are approved.

So much of the sentences in the cases of Privates Joseph Johnson and Peter Monahan, Co. A, 3d Battalion, 16th U. S. Infantry, as imposes the carrying of a log of wood weighing twenty-five (25) pounds, for the period of three (3) days, from reveille until retreat, and for seven (7) days in the case of Private Michael Collins, Co. H, 2d Battalion, 16th U. S. Infantry, not being recognized as a legal punishment by the 895th paragraph U. S. A. Regulations (1863), are disapproved. The remainder of the sentences in the respective cases are confirmed, and will be carried into effect by the proper officers in the detachments to which they belong.

The sentences in the cases of Privates Patrick O'Brien, Co. A, 3d Battalion, and John Lennon, Co. H, 2d Battalion, 16th U. S. Infantry, are approved and confirmed, and will be carried into execution by the proper officers. The Penitentiary at Nashville, Tenn., is designated as the place of confinement in the case of Private Lennon, whither the prisoner will be sent under suitable guard by the Commanding Officer of the Post of Memphis, Tenn.

In the case of Private James A. Findley, Co. A, 2d Battalion, 16th U. S. Infantry, the sentence is entirely inadequate to the grave offences with which the prisoner is charged, and to which he pleaded guilty, and is virtually

an acquittal. If the Court wished the proper sentence remitted, it should have recommended the prisoner to the mercy of the reviewing authority. The sentence is disapproved, and the prisoner will be restored to duty.

III. The General Court Martial of which Capt. DURNIN is President, is dissolved.

By command of Major General STONEMAN,

WM. L. PORTER,

Brevet Major and A. A. G.

OFFICIAL:

Wm L Porter
aaG

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
MEMPHIS, TENN., June 19th, 1866.

GENERAL ORDERS.)
No. 3.)

I. Before a General Court Martial, which convened at Nashville, Tennessee, pursuant to Special Orders, No. 109, Headquarters Department of Tennessee, dated at Memphis, Tennessee, June 4th, 1866, and of which Major and Brevet Brig. Gen. W. P. CARLIN, 16th U. S. Infantry, was President, were arraigned and tried:

1st—Private JAMES REYNOLDS, Co. D, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Sleeping on post.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private James Reynolds, Co. D, 3d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard, for the period of six* (6) *months; the first fourteen* (14) *days of each month to be solitary confinement on bread and water, and to forfeit to the United States ten dollars,* ($10) *per month of his monthly pay, for the same period.*

2d—Private JOHN CONNORS, Co. F, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Sleeping on post.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private John Conners, Co. F, 3d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard, for the period of six* (6) *months, the first fourteen* (14) *days of each month*

to be solitary confinement on bread and water, and to forfeit to the United States ten dollars ($10) *per month of his monthly pay, for the same period.*

3d—Private JAMES LONG, Co. C, 3d Battalion, 16th U. S. Infantry.

CHARGE 1ST—*Violation of the 45th Article of War.*
CHARGE 2D—*Conduct to the prejudice of good order and military discipline.*

To which the accused pleaded. GUILTY.
Finding. GUILTY.

Sentence.

And the court does therefore sentence him, Private James Long, Co. C, 3d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10) *of his monthly pay for two* (2) *months. The court is thus lenient in their sentence, in consideration of previous punishment having been given the prisoner, as shown in the testimony.*

4th—Private FREDERICK G. HARDEE, Co. C, 3d Battalion, 16th U. S. Infantry.

This case was dismissed by the court.

5th—Private ALFRED NEWGERMAIN, Co. B, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Sleeping on post.*

To which the accused pleaded. NOT GUILTY.
Finding. GUILTY.

Sentence.

And the court does therefore sentence him, Private Alfred Newgermain, Co. B, 3d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard for the period of six* (6) *months, the first fourteen* (14) *days of each month to be solitary confinement on bread and water, and to forfeit to the United States ten dollars* ($10) *per month of his monthly pay, for the same period.*

6th—Private JAMES MURPHY, Co. B, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Sleeping on post.*

To which the accused pleaded. GUILTY.
Finding. GUILTY.

Sentence.

And the court does therefore sentence him, Private James Murphy, Co. B, 3d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard for the period of two (2) months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.* The court is thus lenient in consideration of the good character and inexperience of the prisoner.

II. Proceedings, findings and sentences in each and all the foregoing cases are approved.

So much of the sentences in the cases of Privates James Reynolds, Co. D, John Connors, Co. F, Alfred Newgermain, Co. B, and James Murphy, Co. B, 3d Battalion, 16th U. S. Infantry, as directs solitary confinement on bread and water, and a stoppage of pay is, upon the recommendation of the Court that tried them to the clemancy of the approving authority, remitted. The remainder of their several sentences are confirmed, and will be carried into execution by the proper officers.

The sentence in the case of Private James Long, Co. C, 3d Battalion, 16th U. S. Infantry, is confirmed, and will be carried into execution by the proper officers.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant General.

OFFICIAL.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Memphis, Tenn., June 26th, 1866.

GENERAL ORDERS, }
No. 4. }

Before a General Court Martial which convened at Crittenden Barracks Louisville, Ky., pursuant to Special Orders, No. 114, from Head-Quarters Department of Kentucky, dated at Louisville, Ky., May 26th, 1866, and of which Major J. B. COLLINS, 2d Infantry, U. S. A., was President, was arraigned and tried:

George Dougherty, Unassigned Recruit, of the 15th Regiment U. S. Infantry.

CHARGE:—"*Desertion.*"

To which the accused pleaded, "*Not Guilty.*"
FINDING, "*Guilty.*"

SENTENCE:

And the Court does therfore sentence him, the said *George Dougherty*, Unassigned Recruit, 15th Regiment U. S. Infantry, "to forfeit to the United States all pay, bounty and allowances, that are now or may become due him, to be dishonorably discharged the service of the United States, and to be confined in such prison or penitentiary as the Commanding General may direct, for the term of ten (10) years."

Proceedings findings and sentence approved. So much of the sentence as imposes ten years imprisonment, is however, upon the recommendation of the Commanding General of the Military District of Kentucky, and on account of the peculiar circumstances attending the case, remitted. The remainder of the sentence is confirmed and will be carried into effect by the proper officer.

BY COMMAND OF MAJOR GENERAL STONEMAN;

WM. L. PORTER,
Assistant Adjutant General.

OFFICIAL:

.....

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
MEMPHIS, TENN., July 9th, 1866.

GENERAL ORDERS, No 5.

I. Before a General Court Martial, which convened at Nashville, Tennessee, pursuant to Special Orders No. 109, Headquarters Department of Tennessee, dated at Memphis, Tennessee, June 4th, 1866, and of which Major W. P. CARLIN, 16th U. S. Infantry, and Brevet Brig. General U. S. A., was President, were arraigned and tried:

1st—Private JOHN BILLINGSLY, Co. G, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Absence without leave.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him Private John Billingsly, Co. G, 3d Battalion, 16th U. S. Infantry, *to forfeit ten* (10) *dollars of his monthly pay for the period of six* (6) *months, and to be confined at hard labor in charge of the guard, for the period of two* (2) *months, fourteen* (14) *days of each month to be solitary confinement on bread and water.*

2d—Private DEWITT C. NILES, Co. D, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Robbery.*

SPECIFICATION—In this that he, Private DeWitt C. Niles, of Co. D, 2d Battalion, 16th U. S. Infantry, in company with Private Henry Layton of Co. D, 2d Battalion, 16th U. S. Infantry, in the county of Davidson, and State of Tennessee, on or about the fourteenth (14) day of April, 1866, did, with force and arms, on and upon the body of one Robert Weakley, (citizen), make an assault

in a felonious manner, by putting him, the said Robert Weakley, in bodily fear and danger of his life, did then and there feloniously and violently steal, take and carry away from the person, and against the will of the said Robert Weakley, (citizen,) currency of the United States, called greenbacks, of the value of ninety-seven dollars, ($97) property of the said Robert Weakley. All this against the form of the statute in such cases, made and provided, and against the peace and dignity of the people of the State of Tennessee.

To which the accused pleaded, NOT GUILTY.
Finding, NOT GUILTY.

And the court do therefore *acquit* him.

3d—Private HENRY MULL, Co. D, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Sleeping on post.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private Henry Mull, Co. D, 2d Battalion, 16th U. S. Infantry, *to be confined at hard labor in such military prison as the Commanding General may direct, for the period of six* (6) *months, the first ten* (10) *days of each month to be solitary confinement, and to forfeit to the United States ten dollars* ($10 00) *of his monthly pay for the same period.*

4th—Private JOHN DOLAN, Co. D, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Larceny.*

SPECIFICATION—In this that he, Private John Dolan, Co. D, 3d Battalion, 16th U. S. Infantry, did feloniously steal and take from Musician Thomas Remgin, Co. D, 3d Battalion, 16th U. S. Infantry, one flannel sack coat, the property of the said Thomas Remgin.

This at Sibley Barracks, Nashville, Tennessee, on or about the 15th day of June, 1866.

To which the accused pleaded, NOT GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private John Dolan, Co. D, 3d Battalion, 16th 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 him, and to be drummed out of the camp of his regiment, and to be confined in such penitentiary as the Commanding General may direct, for the period of three* (3) *years.*

5th—Private JAMES GOOLDRICH, Co. E. 5th U. S. Cavalry.

CHARGE—*Drunkenness on duty.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private James Gooldrich, Co. E, 5th U. S. Cavalry, *to forfeit ten dollars* ($10 00) *of his monthly pay for the period of two* (2) *months, and to be returned to duty.*

6th—Private DANIEL FITZPATRICK, Co. D, 5th U. S. Cavalry.

CHARGE—*Drunkenness on duty.*

To which the accused pleaded, NOT GUILTY.
Finding, NOT GUILTY.

And the court does therefore *acquit* him.

7th—Private JOHN C. FLOYD, Co. B, 5th U. S. Cavalry.

CHARGE—*Drunkenness on duty.*

To which the accused pleaded, NOT GUILTY.
Finding, NOT GUILTY.

And the Court does therefore *acquit* him.

8th—Private THOMAS MCLAUGHLIN, Co M, 5th U. S. Cavalry.

CHARGE 1ST—*Violation of the 46th Article of War.*

CHARGE 2D—*Desertion.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private Thomas McLaughlin, Co. M, 5th U. S. Cavalry, *to be discharged the service of the United States, with the loss of all pay and allowances now due or to become due. The court is thus lenient on account of the youth and evident imbecility of the prisoner.*

9th—Private JOHN TURNER, Co. B, 5th U. S. Cavalry.

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

To which the accused 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.

Findings.

Of the first specification,	GUILTY.
Of the second specification,	GUILTY.
Of the third specification,	GUILTY.
Of the fourth specification,	NOT GUILTY.

And it having been cleary shown to the court that the prisoner had been summarily punished for each and every offense at the time of occurrence, and that the charges have been allowed to accumulate not in accordance with Regulations of the Army. The court do, therefore, consider his punishment sufficient and return him to duty.

10th—Private WM. C. C. LEWIS, Co. M, 5th U. S. Cavalry.

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

To which the accused pleaded,	GUILTY.
Finding,	GUILTY.

Sentence.

And the court does therefore sentence him, Private Wm. C. C. Lewis, Co. M, 5th U. S. Cavalry, to forfeit to the United States *ten dollars* ($10) *of his monthly pay for the period of six* (6) *months and to be confined at hard labor, in charge of the guard, for the period of six* (6) *months.*

Proceedings and findings in the cases of Privates John

Billingsly, Co. G, 3d Battalion, 16th U. S. Infantry, Henry Mull, Co. D, 2d Battalion, 16th U. S. Infantry, and Wm. C. C. Lewis, Co. M, 5th U. S. Cavalry, are approved and sentence confirmed, and will be carried into execution by the proper officers. Private Mull will be confined in the military prison at Nashville, Tenn., under the direction of the Post Commander at Nashville.

The proceedings, findings and acquittals in the cases of Privates Dewitt C. Niles, Co. D, 2d Battalion, 16th U. S. Infantry, Daniel Fitzpatrick, Co. D, 5th U. S. Cavalry, and John C. Floyd, Co. B, 5th U. S. Cavalry, are approved. They will be released from custody and returned to duty.

In the case of Private John Dolan, Co. D, 3d Battalion, 16th U. S. Infantry, the proceedings, findings and sentence are approved. The period of imprisonment is, however, commuted to one year, in the Penitentiary at Nashville, Tenn., whither the prisoner will be sent, under proper guard, by the Post Commander of Nashville. The sentence as commuted is confirmed, and will be carried into effect by the proper officers.

Proceedings and findings in the case of Private James Gooldrich, Co. E, 5th U. S. Cavalry, are approved, and so much of the sentence as directs the stoppage of pay is confirmed. The remainder of the sentence is improper, as it does not come within the province of a court to sentence a prisoner to be returned to duty.

In the case of Private Thomas McLaughlin, Co. M, 5th U. S. Cavalry, the proceedings and findings are approved, but the sentence is disapproved, as the punishment is entirely inadequate to the crime. The court should have rendered a sentence in accordance with the nature of the offense, and if the members desired to have the punishment commuted should have made their recommendations to the reviewing authority. Private McLaughlin will be released from confinement and returned to duty.

In the case of Private John Turner, 5th U. S. Cavalry, the findings of the court are disapproved, as the proceedings and findings are irregular in this, that the prisoner did not plead to, and the court did not render a finding on the charge. The court should have sentenced the prisoner

according to his guilt, as it is improper for a court to return a prisoner to duty. Private Turner will be released from confinement and returned to duty.

By command of Major-General STONEMAN.

WM. L. PORTER.

Assistant Adjutant-General.

OFFICIAL:

Wm Porter
aad

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND.

MEMPHIS, TENN., July 9th, 1866.

GENERAL ORDERS, }
No 6. }

I. Before a General Court Martial, which convened at Nashville, Tennessee, pursuant to Special Orders No. 109, Headquarters Department of Tennessee, dated at Memphis, Tennessee, June 4th, 1866, and of which Major W. P. CARLIN, 16th U. S. Infantry, and Brevet Brig. General U. S. A., was President, were arraigned and tried:

1st—Private PERRY HEAD, Co. B, 3d Battalion, 16th U. S. Infantry.

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

SPECIFICATION.—In this that he, Private Perry Head, Co. B, 3d Battalion, 16th U. S. Infantry, used most vulgar and disrespectful language towards his superior officers in saying "that the officers are nothing but a lot of damned dogs, who want to drill men and don't know how to drill themselves," or words to that effect. This at Sibley Barracks, Nashville, Tenn., on or about the 5th day of June, 1866.

To which the accused pleaded, NOT GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private Perry Head, Co. B, 3d Battalion, 16th U. S. Infantry, *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 to him, to be drummed out of the camp of his regiment, and to be confined in such penitentiary or mili-*

tary prison, for the period of one (1) *year, as the Commanding General may direct.*

2d—Private DANIEL MAHAN, Co. C, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Conduct both prejudicial to good order and military discipline.*

SPECIFICATION 1st.—In this that he, Private Daniel Mahan, Co. C, 3d Battalion, 16th U. S. Infantry, did, wilfully and without any cause or provocation, and with intent, strike his superior, Sergeant Joseph Schofield, of same company and regiment. All this at the Headquarters Military Division of the Tennessee, Nashville, Tennessee, on or about the 15th day of June, 1866.

SPECIFICATION 2d.—In this that he, Private Daniel Mahan, Co. C, 3d Battalion, 16th U. S. Infantry, did, in presence of several enlisted men, and with intent, strike several times, his superior, Sergeant Joseph Schofield, of same company and regiment. All this at the Headquarters Military Division of the Tennessee, Nashville, Tennessee, on or about the 15th day of June, 1866.

To which the accused pleaded, NOT GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private Daniel Mahan, Co. C, 3d Battalion, 16th U. S. Infantry, *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 to him, and to be confined in such military prison or penitentiary as the Coommanding General may direct, for the period of three* (3) *years.*

3d—Private JOHN MCGEE, Co. E, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private John McGee, Co. E, 2d Battalion, 16th 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 him, to have his head shaved, and be drummed out of the camp of his regiment, and to be confined in such military prison or penitentiary as the Commanding General may direct for the period of three (3) years.

4th—Private ANDREW KRAUSE, Co. D, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, GUILTY.
Finding, GUILTY.

Sentence.

And the court does therefore sentence him, Private Andrew Krause, Co. D, 3d Battalion, 16th U. S. Infantry, *to be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances now due, or that may become due him, to have his head shaved, and be drummed out of the camp of his regiment, and to be confined in such military prison or penitentiary as the Commanding General may direct.*

II. Proceedings and findings in the foregoing cases are approved:

So much of the sentence in the case of Private Perry Head, Co. B. 3d Battalion, as directs that he "be dishonorably discharged the service of the United States" and "to be drummed out of the camp of his regiment, and to be confined in such penitentiary or military prison as the Commanding General may direct," is remitted. The remainder of the sentence is confirmed, and will be carried into effect by the proper officers. Private Head will be returned to duty.

So much of the sentence in the case of Private Daniel Mahan, Co. C, 3d Battalion, 16th U. S. Infantry, as directs that he "be dishonorably discharged from the service of the United States" and "to be confined in such military prison or penitentiary as the Commanding General may direct, for the period of three years," is deemed excessive punishment for the offense and is remitted. The remainder of the sentence is confirmed, and will be carried into effect by the proper officers. Private Mahan will be returned to duty.

The sentence in the case of Private John McGee, Co. E, 2d Battalion, 16th U. S. Infantry, is confirmed, and will be carried into execution under the direction of the Post Commander of Nashville. The penitentiary at Nashville is designated as the place of confinement, whither the prisoner will be sent under proper guard.

In the case of Private Andrew Krause, Co. D, 3d Battalion, 16th U. S. Infantry, the sentence is inoperative, inasmuch as it does not specify the period of time for which the prisoner shall be confined. Private Krause will be returned to duty.

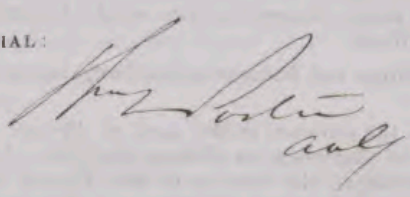
III. The General Court Martial of which Major W. P. Carlin, 16th U. S. Infantry, and Brevet Brig.-General U. S. A., is President, is dissolved.

By command of Major-General STONEMAN.

WM. L. PORTER,

Assistant Adjutant-General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE CUMBERLAND.

Memphis, Tenn., July 18th, 1866.

GENERAL ORDERS, No. 8.

The unexpired portions of the sentences in the cases of Privates CHARLES BEAUSFIELD, Company G, and THOMAS MORISSEY, Company D, 3d Battalion 16th U. S. Infantry, as promulgated in General Orders Nos. 9, and 25, and 30, respectively, series of 1866, from the Headquarters Department of Tennessee, are upon the recommendations of their Commanding Officers, remitted. Privates Beausfield and Morissey will be returned to duty.

By command of Major General STONEMAN:

WM. L. PORTER,
Assistant Adjutant General.

OFFICIAL:—

Wm L Porter
aadg

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

MEMPHIS, TENN., July 21st, 1866.

GENERAL ORDERS, }
No. 9. }

I. Before a General Court Martial which convened at United States Navy Yard, Memphis, Tennessee, pursuant to Special Orders No 9, from these Headquarters, dated at Memphis, Tennessee, July 5th, 1866, and of which Capt. ARTHUR W. ALLYN, 16th U. S. Infantry, was President, were arraigned and tried:

1st—Private ALBERT POLEND, Co. G, 2d Battalion, 16th U. S. Infantry.

CHARGE—*Violation of the 99th Article of War.*

SPECIFICATION 1st.—In this that he, Private Albert Polend, Co. G, 2d Battalion, 16th U. S. Infantry, did forge, or assist in forging, two certificates of Capt. Thomas J. Durnin, 16th U. S. Infantry, to the effect that he, Capt. Thomas J. Durnin, 16th U. S. Infantry, did as officer of the day at the camp of a Battalion of the 16th U. S. Infantry, U. S. Navy Yard, Memphis, Tenn., on the 2d day of June, 1866, receive from one John Wilson, as deserters from their Company and Regiment, Private Hartman Hentz, Co. D, 3d Battalion, 16th U. S. Infantry, and Private Thomas Morran, Co D, 3d Battalion, 16th U. S. Infantry. This at Memphis Tenn., on or about June 2d, 1866.

SPECIFICATION 2d.—In this that he, Private Albert Polend, Co. G, 2d Battalion, 16th U. S. Infantry, did present for payment, at the office of Brevet Brig. Gen. R. E. Clary, Deputy Quartermaster General, U. S. A., a disbursing officer of the United States, at Memphis, Tenn., two fraudulent claims to the amount of thirty dollars ($30,00) each, knowing them to be such against the United States, in favor of one John Wilson for the apprehension as deserters of

Private Hartman Hentz, Co. D, 3d Battalion, 16th U. S. Infantry, and Private Thomas Morran, Co. D, 3d Battalion, 16th U. S. Infantry. This at Memphis, Tenn., on or about June 4th, 1866.

SPECIFICATION 3d.—In this that he, Private Albert Polend, Co. G, 2d Battalion, 16th U. S. Infantry, did, in the name of John Wilson, receive from Brevet Brig. Gen. R. E. Clary, Deputy Quartermaster General, U. S. A., a disbursing officer of the United States at Memphis, Tenn., the amount of sixty dollars ($60,00) on false vouchers, knowing them to be such, for the apprehension as deserters of Private Hartman Hentz, Co. D, 3d Battalion, 16th U. S. Infantry, and Private Thomas Morran, Co. D, 3d Battalion, 16th U. S. Infantry.

This at Memphis, Tenn., on or about June 4th, 1866.

To which the accused pleaded as follows:

To the 1st Specification.	GUILTY.
To the 2d Specification.	GUILTY.
To the 3d Specification.	GUILTY.
To the Charge,	GUILTY.

Findings.

Of the 1st Specification.	GUILTY.
Of the 2d Specification.	GUILTY.
Of the 3d Specification.	GUILTY.
Of the Charge,	GUILTY.

Sentence.

And the Court does therefore sentence him, Private Albert Polend, Co. G, 2d Battalion, 16th U. S. Infantry, *to be dishonorably discharged from 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 for three* (3) *years in such Military Prison as the proper authority may designate.*

2d—Private FRANCIS DUFFY, Co. G, 2d Battalion, 16th U. S. Infantry.

CHARGE 1ST—*Violation of the 46th Article of War.*
CHARGE 2D—*Violation of the 45th Article of War.*

To which the accused pleaded,	GUILTY.
Findings,	GUILTY.

Sentence.

And the Court does therefore sentence him, Private Francis Duffy, Co. G, 2d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the police guard of his Regiment, for the period of six* (6) *months, with the forfeiture of ten dollars* ($10.00) *of his monthly pay for the period of three* (3) *months.*

3d—Private JAMES BRADY, Co. G, 2d Battalion, 16th U. S. Infantry.

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

To which the accused pleaded. GUILTY.
Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private James Brady, Co. G, 2d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard for the period of three* (3) *months.*

4th—Private JOHN PETERS, Co. G, 2d Battalion, 16th U. S. Infantry.

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

SPECIFICATION.—In this that he, Private John Peters, Co. G, 2d Battalion, 16th U. S. Infantry, being a member of the police guard of the 16th U. S. Infantry, at the U. S. Navy Yard, Memphis, Tenn., and belonging to the third (3d) relief of the aforesaid guard, and being duly posted on post No. seven (7) in front of the commissary warehouse as a sentinel, did permit 1st Sergeant George Hogan, Co. G, 2d Battalion, 16th U. S. Infantry, and Private John Dolan, Co. G, 2d Battalion, 16th U. S. Infantry, to remove and take away from his post four (4) barrels of pork, the property of the U. S. Government, which pork he, the said John Peters, had been instructed to take charge of and not allow to be moved except by the authorized agents of the Subsistence Department, the said George Hogan and John Dolan not being such authorized persons, and being knowingly permitted by the said John Peters to remove the aforesaid pork. All this at the U. S. Navy Yard, Memphis, Tenn., between the hours of one and three o'clock A.

M., June 23d, A. D. 1866, or about said time and place.

To which the accused pleaded, GUILTY.

Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private John Peters, Co. G, 2d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard for twelve* (12) *months, with the forfeiture to the United States of twelve dollars* ($12,00) *per month of his pay for the same period.*

II. Proceedings and findings in the foregoing cases are approved, and the sentences confirmed, and will be carried into execution by the proper officers. The Military Prison at Nashville, Tenn., is designated as the place of confinement in the case of Private Polend, whither the prisoner will be sent under proper guard.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant-General.

OFFICIAL:

Wm Porter
Asst Adj

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND.

Memphis, Tenn., July 23d, 1866.

GENERAL ORDERS, No. 10.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., pursuant to Special Orders, No. 114, Headquarters Department of Kentucky, dated at Louisville, Ky., May 26th, 1866, and of which Captain and Brevet Major JAMES W. LONG, 2d U. S. Infantry, was President, were arraigned and tried:

1st—Recruit THOMAS MURPHY, 18th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.

Finding, GUILTY.

Sentence

And the Court does therefore sentence him, Recruit Thomas Murphy, 18th U. S. Infantry, *to forfeit to the United States all pay and allowances that may be due him up to the order promulgating this sentence, after paying the amount paid for his apprehension, and to make good the time lost by desertion.*

2d—Recruit ISAAC CARSON, 18th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.

Finding, GUILTY.

Sentence.

And the Court does therefore sentence him, Recruit Isaac Carson, 18th U. S. Infantry, *to forfeit to the United States all pay and allowances that may be due him up to the date of the order promulgating this sentence, after paying the amount paid for his apprehension, and to make good the time lost by desertion.*

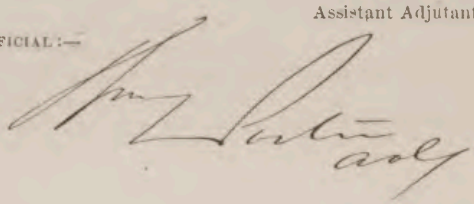
II. The proceedings and findings in the foregoing cases are approved, and the sentences confirmed, and will be carried into execution by the proper officers.

III. The General Court Martial of which Brevet Major Long is President, is dissolved.

By command of Major General STONEMAN:

WM. L. PORTER,
Assistant Adjutant General.

OFFICIAL:—



HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

MEMPHIS, TENN., August 1st, 1866.

GENERAL ORDERS, }
No. 11. }

Before a General Court Martial which convened at Nashville, Tennessee, pursuant to Special Orders No. 55, from Headquarters Department of Tennessee, dated at Memphis, Tenn., March 20th, 1866, and of which Major General A. C. GILLEM, U. S. Volunteers, was President, was arraigned and tried:

THOMAS J. CARLILE, late Captain, Brevet Major, and Assistant Quartermaster, U. S. Vols.

CHARGE 1st.—*Knowingly and wilfully misappropriating or applying to his own use and benefit property of the United States, furnished or to be used for the military service of the United States, in violation of Act of Congress, approved March 2d*, 1863.

SPECIFICATION.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster, and on duty at Chattanooga, Tenn., knowingly and wilfully misappropriate or apply to his own use and benefit, a large quantity of property belonging to the United States, furnished or to be used for the military service of the United States, to-wit:

One (1) black walnut wardrobe.
Two (2) enclosed black walnut washstands.
One (1) small black walnut stand.
One (1) mess chest.
One (1) hog pen.
One (1) flight of stairs.
One (1) sett turned bannisters.
Ten (10) window frames, used in stable, more or less.
Five (5) doors, more or less.
Five and one half (5½) kegs nails, more or less.

Three hundred (300) pounds paint, more or less.
Six (6) gallons oil, more or less.
Two (2) barrels hydraulic lime, more or less.
Four and one half ($4\frac{1}{2}$) loads lime, more or less.
Three (3) loads brick, more or less.
One (1) load mortar, more or less.
One (1) load laths, more or less.
Eight thousand (8000) feet lumber, more or less.
Two (2) stoves, more or less.

All of great value, to-wit: the value of one thousand dollars ($1,000), more or less.

This at or near Chattanooga, Tenn., on or about and during the months of June, July, August, September, October and November, A. D. 1865.

CHARGE II—*Knowingly and wilfully misappropriating or applying to his own use and benefit, money of the United States, furnished or to be used for the military service of the United States, in violation of Act of Congress, approved March 2d*, 1863.

SPECIFICATION.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster, and on duty at Chattanooga, Tenn., knowingly and wilfully misappropriate or apply to his own use and benefit, a large amount of money of the United States, furnished or to be used for the military service of the United States, to-wit: The amount of five hundred dollars ($500) more or less, which money was wrongfully paid by the said Carlile, for labor expended on the private dwelling and stable of the said Carlile, and upon other work of a private nature.

This at or near Chattanooga, Tenn., on or about and during the months of June, July, August, September, October and November, A. D., 1865.

CHARGE III.—*Making or causing to be made false entries, statements or certificates, knowing the same to be false, for the purpose of obtaining or aiding to obtain the payment of a false, fraudulent and fictitious claim against the United States, knowing the same to be false, fraudulent*

and fictitious, in violation of Act of Congress, approved March 2d, 1863.

SPECIFICATION.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster, and on duty at Chattanooga, Tenn., make or cause to be made false entries, statements or certificates, by entering or causing to be entered upon his receipt rolls the names of Robert Cockburn, John W. Massey, C. L. Davis, Tom Davis, James Rollins, James Jordon, Nelson Brison, —— Rahl, William H. Harris, B. M. Garrett, Alfred Bennett, William Lipp, B. M. Hughes and others whose names are unknown, and did certify that the same were employed by him in the service of the United States as Quartermaster's employees, and that they and each of them had performed public labor in the Quartermaster's Department for the time specified on said rolls, to-wit; for the months of June, July, August, September, October and November, A. D., 1865, when in truth and in fact the said Robert Cockburn, John W. Massey, C. L. Davis, Tom Davis, James Rollins, James Jordon, Nelson Brison, —— Rahl, William H. Harris, B. M. Garrett, Alfred Bennett, William Lipp, B. M. Hughes and others whose names are unknown, had not performed the labor as alleged, but had been employed by the said Carlile upon his own private work, for his own gain and benefit, and upon other private work—the said Carlile well knowing at the same time that the persons aforesaid had not performed public labor as alleged, but that they had been employed on the private work of the said Carlile and others. This for the purpose of obtaining or aiding to obtain the payment of false, fraudulent and fictitious claims against the United States, at or near Chattanooga, Tenn., on or about and during the months of June, July, August, September, October and November, A. D. 1865.

CHARGE IV.—*Wrongfully and knowingly selling, conveying or disposing of property of the United States, furnished or to be used for the military service of the United States, in violation of Act of Congress, approved March 2d, A. D.* 1863.

SPECIFICATION 1st.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster, at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property belonging to the United States, furnished or to be used for the military service of the United States, to-wit:

Fifty (50) sacks corn, more or less.
Five (5) bales heavy pressed hay, more or less.
Twenty-five thousand (25,000) shingles, more or less.
Fifteen hundred (1,500) feet lumber, more or less.
Two (2) U. S. mules, more or less. Of great value, to-wit: the value of one thousand dollars ($1,000) more or less, all of which property was sold, conveyed or disposed of by the said Carlile, to the firm of Lewis & Steel, livery stable keepers at Chattanooga, Tenn. This at or near Chattanooga, Tenn., on or about and during the year of 1865.

SPECIFICATION 2d.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property belonging to the United States, furnished or to be used for the military service of the United States, to-wit:

Ten (10) window blinds, more or less.
One (1) sett lattice work.
Ten (10) cords wood, more or less.
One (1) load laths, more or less.
Two (2) wagon loads flooring, more or less.
Two (2) wagon loads mortar, more or less.
Sixteen (16) boxes glass, more or less.
Eighteen (18) kegs nails, more or less.
Twenty-five thousand (25,000) feet lumber, more or less. Of great value to-wit: the value of one thousand five hundred dollars ($1,500), more or less, all of which property was wrongfully sold, conveyed or disposed of by the said Carlile to William H. Harris, late Superintendent of United

States Ship Yard at Chattanooga, Tenn.

This at or near Chattanooga, Tenn., on or about and during the year of 1865.

SPECIFICATION 3d.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property belonging to the United States, furnished or to be used for the military service of the United States, to-wit:

Twenty thousand (20,000) feet lumber, more or less.

Ten thousand (10,000) shingles, more or less.

Two (2) barrels oil, more or less.

Five (5) loads machinery, more or less, consisting of one box screws (one hundred and fifty (150) to two hundred (200) pounds weight,)

Five (5) cast belt wheels, &c. Of great value to-wit: the value of one thousand dollars ($1,000.) more or less, all of which property was wrongfully and knowing sold, conveyed or disposed of by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about and during the year of 1865.

SPECIFICATION 4th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property of the United States, furnished or to be used for the military service of the United States, to-wit:

One (1) tenon machine.

One (1) morticing machine.

One (1) steam engine, commonly called a pony engine. All of great value, to-wit: the value of four thousand dollars, ($4,000,) more or less; all of which property was wrongfully, feloniously and knowingly sold conveyed or disposed of by the said Carlile, to the firm of Lewis, Spitzer

& Co., at or near Chattanooga, Tenn., on or about the 1st day of October, A. D. 1865.

SPECIFICATION 5th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully, knowingly and feloniously sell, convey or dispose of a large amount of property of the United States, furnished or to be used for the use of the military service of the United States, to-wit:

Two [2] circular saws, of great value to-wit: the value of one hundred dollars, [$100.] more or less; all of which property was wrongfully, feloniously and knowingly sold, conveyed or disposed of by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about the 1st day of November, A. D., 1865.

SPECIFICATION 6th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, at or near Chattanooga, Tenn., whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully, feloniously and knowingly sell, convey or dispose of a large amount of property of the United States, furnished or to be used for the use of the military service of the United States, to-wit:

One hundred [100] feet, more or less, of one and a quarter [1¼] inch iron pipe of great value, to-wit: the value of seventy-five dollars, [$75.] more or less; all of which property was wrongfully, knowingly and feloniously sold, conveyed or disposed of, by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about the month of February, A. D. 1866.

SPECIFICATION 7th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, at or near Chattanooga, Tenn., whilst said Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property of the United States, furnished or be used for the use of the military service of the United States, to-wit:

One [1] shingle machine, of great value, which value is unknown; all of which property was wrongfully, feloniously and knowingly sold, conveyed or disposed of by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about the 1st day of January, A. D. 1866.

SPECIFICATION 8th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, at or near Chattanooga, Tenn., whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property of the United States, furnished or to be used for the use of the military service of the United States, to-wit:

One hundred [100] logs, more or less, of great value, to-wit: the value of five hundred dollars, [$500.] more or less; all of which property was wrongfully, feloniously and knowingly sold, conveyed or disposed of by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about the month of July, A. D. 1865.

SPECIFICATION 9th.—In this that he, Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers, did, at or near Chattanooga, Tenn., whilst such Captain and Assistant Quartermaster and on duty at Chattanooga, Tenn., wrongfully and knowingly sell, convey or dispose of a large amount of property of the United States, furnished for the use of the military service of the United States, to-wit:

One hundred [100] logs, more or less, of great value, to-wit: the value of five hundred dollars, [$500.] more or less; all of which property was wrongfully, feloniously and knowingly sold, conveyed and disposed of by the said Carlile, to the firm of Lewis, Spitzer & Co., at or near Chattanooga, Tenn., on or about the month of September, A. D. 1865.

To each and all of which charges and the specifications thereto, the accused pleaded, NOT GUILTY.

Findings, NOT GUILTY.

And the court does therefore *honorably acquit* him the said Thomas J. Carlile, late Captain and Assistant Quartermaster and Brevet Major U. S. Volunteers.

The proceedings, findings and acquittal in the foregoing case of Brevet Major Thomas J. Carlile, U. S. Volunteers, are approved.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant General.

OFFICIAL:

Wm L Porter
aadg

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND.

Memphis, Tenn., August 1st, 1866.

GENERAL ORDERS, No. 12.

I. So much of General Orders No. 5, c. s., from these Headquarters, as confirms the sentence in the case of Private JOHN BILLINGSLY, Company G, 3d Battalion 16th U. S. Infantry, is revoked as the sentence is invalid, and is therefore disapproved. The proceedings in this case are fatally defective, as the prisoner was arraigned on and plead to two distinct charges, "absence without leave," and "larceny," with their specifications, and the court rendered no findings on the second charge, as there was no evidence introduced, in which event the prisoner was entitled to an acquittal on that charge.

Private Billingsly will be returned to duty.

II. So much of General Orders No. 5, c. s., from these Headquarters, as confirms the sentence of stoppage of pay, in the case of Private JAMES GOOLDRICH, Company E, 5th U. S. Cavalry, is revoked, such sentence being inoperative, as corporeal punishment alone can be imposed for "drunkenness on duty."

By command of Major General STONEMAN:

WM. L. PORTER,
Assistant Adjutant General.

OFFICIAL:—

Wm L Porter
aad

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

MEMPHIS, TENN., August 4th, 1866.

GENERAL ORDERS, No. 14.

I. Before a General Court Martial which convened at U. S. Navy Yard, Memphis, Tennessee, pursuant to Special Order No. 9, curent series, from these Headquarters, dated at Memphis, Tennessee, July 5th, 1866, and of which Capt. ARTHUR W. ALLYN, 16th U. S. Infantry, was President, were arraigned and tried:

1st.—Private JAMES H. CAMPBELL, Co. A, 2d Battalion, 16th U. S. Infantry.

CHARGE 1st.—*Violation of the 45th Article of War.*

SPECIFICATION.—In this that he, the said Private James H. Campbell, Co. A, 2d Battalion, 16th U. S. Infantry, having been regularly detailed with the guard mounted on the morning of the 6th day of July, A. D. 1866, did, between the hours of nine o'clock A. M. and noon on that day, become so intoxicated as to incapacitate him from doing duty as a sentry.

This at or near the U. S. Navy Yard, Memphis, Tenn., on or about the 6th day of July, A. D. 1866.

CHARGE 2d.—*Neglect of duty to the prejudice of good order and military discipline.*

SPECIFICATION.—In this that he, the said Private James H. Campbell, Co. A, 2d Battalion, 16th U. S. Infantry, being on duty as sentinel in charge of certain prisoners, did, on or about the 6th day of July, 1866, permit prisoners to go outside the garrison without authority, and did also fail to notify the guard, by alarm or otherwise, of the fact, and did fail to make any effort, whatsoever, to prevent their going.

This at or near the U. S. Navy Yard, Memphis, Tenn., on or about the 6th day of July, A. D. 1866.

To which the accused pleaded, GUILTY.

Findings, GUILTY.

Sentence.

And the court does therefore sentence him, the said Private James H. Campbell, Co. A, 2d Battalion, 16th U. S. Infantry, *to forfeit to the United States seven dollars* ($7 00) *per month of his monthly pay for six* (6) *months, and to be confined at hard labor in charge of the guard for the same period.*

2d—Private WILLIAM C. LOYD, Co. C, 2d Battalion, 16th U. S. Infantry.

CHARGE 1st.—*Neglect of duty to the prejudice of good order and military discipline.*

SPECIFICATION.—In this that he, the said Private William C. Loyd, Co. C, 2d Battalion, 16th U. S. Infantry, being placed as a sentinel in charge of certain prisoners at this Post, did, while under instructions to hold said prisoners in the area in rear of the buildings used as quarters for the garrison of this Post, until further orders, permit said prisoners to leave said area, and escape, without proper authority, and without attempting to prevent their escape by force or alarming the guard.

This at or near the U. S. Navy Yard, Memphis, Tenn., on or about the 6th day of July, A. D. 1866.

CHARGE 2D—*Absence without leave.*

SPECIFICATION.—In this that he, the said Private William C. Loyd, Co. C, 2d Battalion, 16th U. S. Infantry, did, on or about the 6th day of July, A. D. 1866, and while on duty as a sentinel over prisoners at this Post, absent himself with the prisoners in his charge, without proper authority, from at or about one o'clock P. M. until at or about five o'clock P. M., on that day.

This at or near the U. S. Navy Yard, Memphis, Tenn., on or about the 6th day of July, A. D. 1866.

To which the accused pleaded, NOT GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private William C. Loyd, Co. C, 2d Battalion, 16th U. S. Infantry, *to be confined at hard labor in charge of the guard for the period of twelve* (12) *months, and to forfeit to the United*

States thirteen dollars ($13) *of his monthly pay for the same period.*

3d.—Private DANIEL MORIARTY, Co. H, 2d Battalion, 16th U. S. Infantry.

CHARGE 1ST—*Violation of the 44th Article of War.*

SPECIFICATION.—In this that he, Private Daniel Moriarty, Co. H, 2d Battalion, 16th U. S. Infantry, having been duly detailed for guard duty, did fail to obey said detail, on or about the 23d day of June, 1866.

This at U. S. Navy Yard, Memphis, Tenn., on or about the twenty-third 23d day of June, A. D. 1866.

CHARGE 2d.—*Absence without leave.*

SPECIFICATION.—In this that he, Private Daniel Moriarty, Co. H, 2d Battalion, 16th U. S. Infantry, did absent himself from his Company at guard-mount, after having been duly detailed for guard duty, and did remain absent until five o'clock P. M., on or about the 23d day of June, 1866.

This at U. S. Navy Yard, Memphis, Tenn., on or about the 23d day of June, 1866.

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private Daniel Moriarty, Co. H, 2d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10 00) *of his monthly pay per month for a period of two* (2) *months, and to be confined at hard labor in charge of the guard for the same period.*

II. The proceedings and findings in the foregoing cases are approved and the several sentences confirmed, and will be carried into effect by the proper officers.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
MEMPHIS, TENN., August 7th, 1866.

GENERAL ORDERS, }
No. 15. }

I. Before a General Court Martial which convened at Nashville, Tenn., pursuant to Special Order No. 13, current series, from these Headquarters, dated Memphis, Tenn., July 17, 1866, and of which Captain H. A. THEAKER, 16th U. S. Infantry, was President, were arraigned and tried:

1st—Musician JOHN MCCABE, Co. F, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Fifer John McCabe, Co. F, 3d Battalion, 16th U. S. Infantry, *that he 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 that he have his head shaved and be drummed out of the camp of his regiment, and that he be confined at hard labor in such military prison or penitentiary as the Commanding General may direct, for the period of thirty* (30) *months.*

2d—Private CHARLES H. COREY, Co. F, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private Charles H. Corey, Co. F, 3d Battalion, 16th U. S. Infantry, *that he be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due, except the just dues of the laundress and sutler, and*

that he be confined at hard labor in such military prison or penitentiary as the Commanding General may direct, for the period of thirty (30) *months.*

3d—Private JAMES KENNEDY, Co. H, 3d Battalion, 16th U. S. Infantry.

CHARGE 1st.—*Neglect of duty.*

SPECIFICATION.—In this that he, Private James Kennedy, Co. H, 3d Battalion, 16th U. S. Infantry, after having been duly detailed on police by the First Sergeant of his Company, did quit his work without permission, and remain absent until arrested by the First Sergeant of his Company.

All this at Sibley Barracks, Nashville, Tenn., on or about the 19th day of April, 1866.

CHARGE 2d—*Disobedience of orders.*

SPECIFICATION.—In this that he, Private James Kennedy, Co. H, 3d Battalion, 16th U. S. Infantry, having been ordered into confinement by his Company Commander, did refuse to do so by running away from the First Sergeant of his Company, who was then conducting him to the guard house, and did remain absent until brought back by a file of men in charge of a non-commissioned officer.

All this at Sibley Barracks, Nashville, Tenn., on or about the 19th day of April, 1866.

CHARGE 3d—*Mutinous conduct.*

SPECIFICATION.—In this that he, Private James Kennedy, Co. H, 3d Battalion, 16th U. S. Infantry, on being taken into confinement by the First Sergeant of his Company did run away from said Sergeant, and on being pursued by same did pick up stones, raise his hand, and threaten him (Sergeant) to fire them at his head should he continue to pursue him.

All this at Sibley Barracks, Nashville, Tenn., on or about the 19th day of April. 1866.

CHARGE 4th—*Violation of the 20th Article of War.*

SPECIFICATION.—In this that he, Private James Kennedy, Co. H, 3d Battalion, 16th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 25th day of April, 1866,

and remain absent until brought back by a guard, on or about the 8th day of May, 1866.

All this at Sibley Barracks, Nashville, Tenn.

To which charges and the specifications thereto the accused pleaded as follows:

To the specification to 1st charge,	GUILTY.
To the 1st charge,	GUILTY.
To the specification to 2d charge,	GUILTY.
To the 2d Charge,	GUILTY.
To the specification to 3d charge,	GUILTY.
To the 3d charge,	GUILTY.
To the specification to 4th charge,	NOT GUILTY.
To the 4th charge,	NOT GUILTY.

Findings.

Of each charge and specification thereto, GUILTY.

Sentence.

And the court does therefore sentence him, Private James Kennedy, Co. H, 3d Battalion, 16th U. S. Infantry, *that he be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due, except the just dues of the laundress and sutler, to have his head shaved and be drummed out of the camp of his regiment, and to be confined at hard labor in such military prison or penitentiary as the Commanding General may direct, for the period of five* (5) *years.*

II. The proceedings, findings and sentences in the foregoing cases are approved.

The sentence in the case of Musician McCabe is confirmed, and will be carried into execution under direction of the Post Commander of Nashville, Tenn. The military prison at Nashville is designated as the place of confinement.

The court are hereby reminded that the crime of desertion is not made punishable by confinement in a penitentiary—*vide* Penitentiary, III. (1) Digest of Opinions of the Judge-Advocate General, U. S. A., edition of 1866.

So much of the sentence in the case of Private Corey as directs "that he be dishonorably discharged the service of the United States," and "that he be confined at hard labor in such military prison or penitentiary as the Commanding

General may direct, for the period of thirty (30) months," is, upon the recommendation of the majority of the members of the court that tried the prisoner to the reviewing authority, that he is "a fit object of clemency on account of his youth and previous excellent character as a soldier as testified to by his Company Commander," remitted. The remainder of the sentence is confirmed, and will be carried into effect by the proper officers.

The sentence in the case of Private Kennedy is confirmed, and will be carried into execution under the direction of the Post Commander of Nashville, Tenn. The penitentiary at Nashville, Tenn., is designated as the place of imprisonment, whither the prisoner will be sent under proper guard.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND.

Memphis, Tenn., August 7th, 1866.

GENERAL ORDERS, No. 16.

I. Before a General Court Martial which convened at the camp of the 16th U. S. Infantry, Nashville, Tenn., by virtue of paragraph I, Special Orders No. 13, c. s., from these Headquarters, and of which Captain (Brevet Major) JOHN POWER, 16th U. S. Infantry, was President, was arraigned and tried:

Private CHARLES S. KINGSTON, Company F, 2d Battalion 16th U. S. Infantry.

CHARGE—*Forgery.*

SPECIFICATION:—In this that he, the said Charles S. Kingston, Company F, 2d Battalion 16th U. S. Infantry, did on the nineteenth (19th) day of June, 1866, write a note, requesting the loan of $1,50, to Mr. Charles E. Lewis, Mayor of the city of Chattanooga, Tenn., purporting to be from Lieutenant F. H. Ross, 16th U. S. Infantry, and did sign Lieutenant Ross' name thereto, and did present the note in person at the house of said Charles. E. Lewis. All this at or near Chattanooga, Tenn., July 19th, 1866.

To which the accused pleaded, NOT GUILTY.

Findings, GUILTY.

Sentence.

And the Court does therefore sentence him, Private Charles S. Kingston, Company F, 2d Battalion 16th U. S. 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, with the exception of the just dues of the Laundress and Sutler, and that he be confined at hard labor in such military prison or penitentiary as the Commanding General may direct, for the period of three* (3) *years.*

Proceedings and findings approved, and the sentence confirmed, and will be carried into execution by the proper officers. The Penitentiary at Nashville is designated as the place of imprisonment whither the prisoner will be sent under suitable guard.

By command of Major General STONEMAN:

WM. L. PORTER,
Assistant Adjutant General.

OFFICIAL:—

Wm Porter
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HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
MEMPHIS, TENN., August 14th, 1866.

GENERAL ORDERS, No. 17.

I. Before a General Court Martial which convened at Nashville, Tenn., pursuant to Special Order No. 13, current series, from these Headquarters, dated at Memphis, Tenn., July 17, 1866, and of which Captain H. A. THEAKER, 16th U. S. Infantry, was President, were arraigned and tried:

1st—Private JAMES BROWNING, Co. B, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Absence without leave.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private James Browning, Co. B, 3d Battalion, 16th U. S. Infantry, *that he forfeit to the United States twelve dollars* ($12 00) *of his monthly pay for one* (1) *month.*

2d—Private CHARLES CODAY, Co. H, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Desertion.*

To which the accused pleaded, NOT GUILTY.
Findings, NOT GUILTY.

And the court does therefore *acquit* him, the said Private Charles Coday, Co. B, 3d Battalion, 16th U. S. Infantry.

3d—Private GEORGE E. MCCUMBER, Co. B, 3d Battalion, 16th U. S. Infantry.

CHARGE 1st—*Violation of the 21st Article of War.*
CHARGE 2d—*Neglect of duty.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private George

E. McCumber, Co. B, 3d Battalion, 16th U. S. Infantry, *to forfeit to the United States ten dollars* ($10 00) *of his monthly pay for two* (2) *months, to be placed in solitary confinement on bread and water for the period of eight* (8) *days.*

4th—Private EDWARD ARBOR, Co. D, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Drunkenness on duty.*

To which the accused pleaded, GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him, Private Edward Arbor, Co. D, 3d Battalion, 16th U. S. Infantry, *that he be confined in charge of the guard at hard labor for the period of six* (6) *months, twelve* (12) *days of each month to be solitary confinement on bread and water.*

5th—Private MICHAEL MADDEN, Co. A, 3d Battalion, 16th U. S. Infantry.

CHARGE—*Neglect of duty.*

SPECIFICATION.—In this that he, Private Michael Madden, Co. A, 3d Battalion, 16th U. S. Infantry, being duly posted as a sentry inside the prisoner's dormitory at the guard house, did suffer three (3) prisoners to escape therefrom.

This at Sibley Barracks, Nashville, Tenn., on the morning of the 17th day of July, A. D. 1866.

To which the accused pleaded, NOT GUILTY.
Findings, GUILTY.

Sentence.

And the court does therefore sentence him Private Michael Madden, Co. A, 3d Battalion, 16th U. S. Infantry, *to be confined at hard labor in such military prison or penitentiary as the General Commanding may direct, for the period of twelve* (12) *months, fourteen* (14) *days of each of the first six* (6) *months—solitary confinement—and to forfeit to the United States twelve dollars* ($12 00) *of his monthly pay for the same period.*

II. The proceedings and findings in each and all the foregoing cases, and the acquittal in the case of Private

Charles Coday, Co. H, 3d Battalion, 16th U. S. Infantry, are approved. Private Coday will be returned to duty. The several sentences awarded in the cases of Privates Browning, McCumber, Arbor and Madden, are approved and confirmed, and will be carried into execution by the proper officers. The military prison at Nashville, Tenn., is designated as the place of confinement, in the case of Private Madden, whither the prisoner will be sent under proper guard.

By command of Major General STONEMAN.

WM. L. PORTER,

Assistant Adjutant General.

OFFICIAL:

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Cumberland.

1867.

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1st, Private GEORGE MACOMBER, of Company B, 34th U. S. Infantry.

2d, Private NORMAN STEPHENS, of Company K, 34th U. S. Infantry.

3d, Private PETER MEGLOM, of Company D, 34th U. S. Infantry.

4th, Private MICHAEL MCNAMARA, of Company A, 34th U. S. Infantry.

5th, Private EDWARD LAWTON, of Company A, 34th U. S. Infantry.

6th, Private MICHAEL MURPHY, of Company B, 34th U. S. Infantry.

7th, Private JAMES MURPHY, of Company B, 5th U. S. Cavalry.

8th, Private PETER COGAN, of Company B, 5th U. S. Cavalry.

9th, Lance Sergeant GEORGE SAYRES, of Company D, 5th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., March 20th, 1867.

GENERAL ORDERS, No. 2.

Before a General Court Martial which convened at Nashville, Tennessee, March 4th, 1867, pursuant to Special Orders, No. 36, Headquarters Department of the Tennessee, dated Louisville, Ky., February 25th, 1867, and of which Brevet Major N. L. DYKEMAN, Captain 34th U. S. Infantry, is President, and 1st Lieut. M. BARBER, 34th U. S. Infantry, Judge Advocate, were arraigned and tried:

3d, Private *George Macomber*, of Co. B, 34th U. S. Infantry.

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

Specification—In this, that Private *George Macomber*, of Co. B, 34th U. Infantry, having been posted as a sentinel of the guard over prisoners confined in the guard house of the 34th U. S. Infantry, did so negligently perform his duty as to permit the escape of five prisoners

from his custody. This at Cumberland Barracks, Nashville, Tenn., on the 19th day of February, 1867.

To which Charge and Specification the prisoner pleaded "*Not Guilty.*"

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *George Macomber*, of Co. B, 34th U. S. Infantry, of the charge and specification preferred against him.

The proceedings and findings in the case of Private *George Macomber*, of Co. B, 34th U. S. Infantry, are approved. Private *Macomber* having been acquitted by the Court will be released from confinement and restored to duty.

4th, Private *Norman Stephens*, of Co. K, 34th U. S. Infantry.

Charge 1*st*—Desertion.

Specification—In this, that he, Private *Norman Stephens*, of Co. K, 34th U. S. Infantry, while a member of the guard, did throw his musket and accoutrements away, and, in company with a prisoner under his charge, did desert the service of the United States, and did remain absent until apprehended by 1st Sergeant Louis F. Hass, of Co. I, 34th U. S. Infantry. All this at Cumberland Barracks, Nashville, Tenn., on or about the 23d day of February, 1867.

Charge 2*d*—Neglect of duty.

Specification—In this, that he, Private *Norman Stephens*, of Co. K, 34th U. S. Infantry, while a member of the guard, did willfully allow a prisoner to escape. This at Cumberland Barracks, Nashville, Tenn., on or about the 23d day of February, 1867.

To which Charges and Specifications the prisoner pleaded "*Guilty.*"

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Norman Stephens*, of Co. K, 34th U. S. Infantry, "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 and sutler; to be dishonorably discharged the service of the United States, and then confined at hard labor at such place as the commanding General may direct for the period of six months."

The proceedings and findings in the case of Private *Norman Stephens*, of Co. K, 34th U. S. Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due him up to March 20th,

1867, except the just dues of the laundress and sutler, and ten dollars ($10) per month for six months, during which time he will be confined at hard labor in charge of the guard at the post at which he may be serving, and on the expiration of his confinement he will be restored to duty with his company.

5th, Private *Peter Meglom*, of Co. D, 34th U. S. Infantry.

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

Specification—In this, that he, Private *Peter Meglom*, of Co. D, 34th U. S. Infantry, did steal a blouse, the property of Thomas Mantle, private of Co. D, 34th U. S. Infantry. All this at Cumberland Barracks, Nashville, Tenn., on the 27th day of February, 1867.

To which Charge and Specification the prisoner pleaded "*Not Guilty.*"

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Peter Meglom*, of Co. D, 34th U. S. Infantry, of the charge and specification preferred against him.

The proceedings and findings in the case of Private *Peter Meglom*, of Co. D, 34th U. S. Infantry, are approved. Private *Meglom* having been acquitted by the court, will be released from confinement and restored to duty.

6th, Private *Michael McNamara*, of Co. A, 34th U. S. Infantry.

Charge—Desertion.

Specification—In this, that Private *Michael McNamara*, of Co. A, 34th U. S. Infantry, did desert the service of the United States at or near Cumberland Barracks, Nashville, Tenn., on or about the 26th day of February, 1867, and did remain absent until he delivered himself up to the commanding officer of United States troops at or near Gallatin, Tenn., on or about the 27th day of February, 1867.

To which Charge and Specification the prisoner pleaded "*Guilty.*"

FINDINGS.

Of the CHARGE and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael McNamara*, of Co. A, 34th U. S. Infantry, "To forfeit to the United States all pay and allowances now due, except the just dues of the laundress and sutler; to be confined in the guard house of his regiment at hard labor for the period of three (3) months, and forfeit to the United States the sum of eight dollars ($8) per month of his monthly pay for the period of nine (9) months."

The proceedings and findings in the case Private *Michael McNamara*, of Co. A, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th, Private *Edward Lawton*, of Co. A, 34th U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *Edward Lawton*, of Co. A, 34th U. S. Infantry, did desert the service at or near Cumberland Barracks, Nashville, Tenn., on or about the 26th day of February, 1867, and did remain absent until he delivered himself up to the commanding officer of United States troops at or near Gallatin, Tenn., on or about the 27th day of February, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Edward Lawton*, of Co. A, 34th U. S. Infantry, "To forfeit to the United States all pay and allowances now due, except the just dues of the laundress and sutler; to be confined in the guard house of his regiment at hard labor for the period of three (3) months, and to forfeit to the United States the sum of eight dollars ($8) per month of his monthly pay for the period of nine (9) months.

The proceedings and findings in the case of Private *Edward Lawton*, of Co. A, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th, Private *Michael Murphy*, of Co. B, 34th U. S. Infantry.

Charge—Drunkenness on duty.

Specification—In this, that he, Private *Michael Murphy*, of Co. B, 34th U. S. Infantry, was found drunk on his guard and unable to perform his duty. This at Cumberland Barracks, Nashville, Tenn., on or about the 8th day of February, 1867.

To which Charge and Specification the prisoner pleaded "*Guilty*."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Michael Murphy*, of Co.

B, 34th U. S. Infantry. "To be confined at hard labor in charge of the guard of his regiment for the period of three (3) months."

The proceedings and findings in the case of Private *Michael Murphy*, of Co. B, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th, Private *James Murphy*, of Co. B, 5th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that he, Private *James Murphy*, of Co. B, 5th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 9th day of February, 1867, desert the said service, and did remain absent from said service until apprehended in citizen's clothing in the act of stealing a Government horse. All this at Ash Barracks, Nashville, Tennessee.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James Murphy*, of Co. B, 5th U. S. Cavalry, "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 and sutler, and to be dishonorably discharged the service of the United States, and then confined at hard labor at such place as the commanding General may direct, for the period of one year.

The proceedings and findings in the case of Private *James Murphy*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due up to the date of this order, and fifteen dollars ($15) per month of his monthly pay for six months, during which time he will be confined in charge of the guard at hard labor. On the expiration of his confinement he will be restored to duty. The sentence, as thus modified, will be carried into effect.

10th, Private *Peter Cogan*, of Co. B, 5th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that he, Private *Peter Cogan*, of Co. B, 5th U. S. Cavalry, did desert the service of the United States on or about the 10th day of November, 1866, and did remaim absent until apprehended in citizen's clothing and brought back, on or about the 25th day of February, 1867. This at Ash Barracks, Nashville, Tenn.

To which Charge and Specification the prisoner pleaded "*Not Guilty.*"

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Peter Cogan*, of Co. B, 5th U. S. Cavalry, "To be confined in the guard house of his command for the period of two (2) months, the first fourteen days of each month to be placed in solitary confinement, and forfeit to the United States the sum of twelve dollars ($12) per month of his monthly pay for the period of one year."

The proceedings and findings in the case of Private *Peter Cogan*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed, but mitigated to confinement in charge of the guard for two months, and forfeiture of eight dollars ($8) per month of his monthly pay for nine (9) months. The sentence, as thus modified, will be carried into effect.

11th, Lance Sergeant *George Sayres*, of Co. D, 5th U. S. Cavalry.

Charge 1st—Neglect of duty.

Specification—In this, that he, Lance Sergeant *George Sayres*, of Co. D, 5th U. S. Cavalry, being sergeant of the guard on the 10th of March, 1867, did allow Private John Leonard, Co. D, 5th U. S. Cavalry, a prisoner, to escape from the guard house. This at Ash Barracks, Nashville, Tenn., on or about the 10th of March, 1867.

Charge 2d—Disobedience of orders.

Specification—In this, that he, Lance Sergeant *George Sayres*, of Co. D, 5th U. S. Cavalry, being sergeant of the guard on the 10th of March, 1867, did allow Private John Leonard, Co. D, 5th U. S. Cavalry, a prisoner, to remain in the prisoners' room of the guard house with the door open—violation of orders—that the men should always be kept under lock and key. This at Ash Barracks, Nashville, Tenn., on or about March 10th, 1867.

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

FINDINGS.

Of the CHARGES and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Lance Sergeant *George Sayres*, of Co. D, 5th U. S. Cavalry, of the charges and specifications preferred against him.

The proceedings and findings in the case of Lance Sergeant *George Sayres*, of Co. D, 5th U. S. Cavalry, are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

BY COMMAND OF MAJ. GEN'L THOMAS.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

OFFICIAL:

A. von Schrader
Maj 39th U. S. Infantry
A. A. A. G. Dept of the Cumbd

1st, Private JAMES RODDY, of Company D, 5th U. S. Cavalry.

2d, Private WALTER STUART, of Company D, 5th U. S. Cavalry.

3d, Private CHARLES CAST, of Company E, 5th U. S. Cavalry.

4th, Private JOSEPH V. HOME, of Company D, 5th U. S. Cavalry.

5th, Private JOHN MCDONALD, of Company D, 5th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., March 26th, 1867.

GENERAL ORDERS, NO. 4.

I. Before a General Court Martial which convened at Nashville, Tennessee, March 4th, 1867, pursuant to Special Orders, No. 36, Headquarters Department of the Tennessee, dated Louisville, Ky., February 25th, 1867, and of which Brevet Major N. L. DYKEMAN, Captain 34th U. S. Infantry, is President, and 1st Lieut. M. BARBER, 34th U. S. Infantry, Judge Advocate, were arraigned and tried:

12th, Private *James Roddy*, of Co. D, 5th U. S. Cavalry.

Charge—Neglect of duty.

Specification—In this, that he, Private *James Roddy*, of Co. D, 5th U. S. Cavalry, being duly posted as a sentinel on No. 1, in front of the guard house, did allow Private John Leonard, of Co. D, 5th U. S. Cavalry, a prisoner, to escape from the guard house. This at Ash Barracks, Nashville, Tenn., on or about the 10th of March, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *James Roddy*, of Co. D, 5th U. S. Cavalry.

13th, Private *Charles Cast*, of Co. E, 5th U. S. Cavalry.

Charge—Neglect of duty.

Specification—In this, that he, Private *Charles Cast*, of Co. E, 5th U. S. Cavalry, being duly posted as a sentinel on post No. 1, in front of the guard house, did allow Private John Leonard, Co. D, 5th U. S. Cavalry, a prisoner, to escape from the guard house. All this at Ash Barracks, Nashville, Tenn., on or about the 10th of March, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Charles Cast*, of Co. E, 5th U. S. Cavalry.

14th, Private *Walter Stuart*, of Co. D, 5th U. S. Cavalry.

Charge—Neglect of duty.

Specification—In this, that he, Private *Walter Stuart*, of Co. D, 5th U. S. Cavalry being duly posted as a sentinel on No. 2, in rear of the guard house, did allow Private John Leonard, Co. D, 5th U. S. Cavalry, a prisoner, to escape from the guard house. This at Ash Barracks, Nashville, Tenn., on or about the 10th of March, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Walter Stuart*, of Co. D, 5th U. S. Cavalry.

15th, Private *Joseph V. Home*, of Co. D, 5th U. S. Cavalry.

Charge—Neglect of duty.

Specification—In this, that he, Private *Joseph V. Home*, of Co. D, 5th U. S. Cavalry, being duly posted as a sentinel on No. 2, in rear of the guard house, did allow Private John Leonard, Co. D, 5th U. S. Cavalry, a prisoner, to escape from the guard house. This at Ash Barracks, Nashville, Tenn., on or about the 10th of March, 1867.

To which Charge and Specification the prisoner pleaded "*Not Guilty.*"

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Joseph V. Home*, of Co. D, 5th U. S. Cavalry.

16th, Private *John McDonald*, of Co. D, 5th U. S. Cavalry.

Charge—Absence without leave.

Specification—In this, that he, Private *John McDonald*, of Co D, 5th U. S. Cavalry, did absent himself without proper authority, at Tattoo, March 7th, Reveille and Stable Call, March 8th, and from Tattoo, March 8th, until Retreat, March 9th, 1867. This at Ash Barracks, Nashville, Tenn.

To which Charge and Specification the prisoner pleaded "*Guilty*."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John McDonald*, of Co. D, 5th U. S. Cavalry, "To forfeit to the United States, the sum of twelve dollars ($12) per month of his monthly pay for the period of one month."

II. The proceedings and findings in the foregoing cases of Privates *James Roddy*, *Walter Stuart*, *Joseph V. Home*, and *John McDonald*, of Co. D, and Private *Charles Cast*, of Co. E, all of the 5th U. S. Cavalry, are approved. In the case of Private *James McDonald*, of Co. D, 5th U. S. Cavalry, the sentence is confirmed and will be carried into effect. Privates *James Roddy*, *Walter Stuart*, *Joseph V. Home*, and *Charles Cast*, having been acquitted by the Court, will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GEN'L THOMAS.

WM. D. WHIPPLE,

Brv't Maj. Gen'l U. S. A & A. A. G.

OFFICIAL:

1st, Private PETER MCCANN, of Company D, 5th U. S. Cavalry.

2d, Private WILLIAM HENRY, of Company M, 5th U. S. Cavalry.

3d, Private GEORGE DAUB, of Company I, 34th U. S. Infantry.

4th, Private CHARLES H. EATON, of Company I, 34th U. S. Infantry.

5th, Private VITAL GILBERT, of Company M, 5th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., March 29th, 1867.

GENERAL ORDERS, No. 5.

Before a General Court Martial which convened at Nashville, Tennessee, March 4th, 1867, pursuant to Special Orders, No. 36, Headquarters Department of the Tennessee, dated Louisville, Ky., February 25th, 1867, and of which Brevet Major N. L. DYKEMAN, Captain 34th U. S. Infantry, is President, and 1st Lieut. M. BARBER, 34th U. S. Infantry, Judge Advocate, were arraigned and tried:

17th, Private *Peter McCann*, of Co. D, 5th U. S. Cavalry.

Charge 1st.—Violation of the 45th Article of War.

Specification—In this, that he, Private *Peter McCann*, of Co. D, 5th U. S. Cavalry, was found drunk on his guard and unable to properly perform the duties of a soldier. All this at Ash Barracks, Nashville, Tenn., on or about the 13th day of March, 1867.

Charge 2d.—Violation of the 50th Article of War.

Specification—In this, that Private *Peter McCann*, of Co. D, 5th U. S. Cavalry, did, while a member of the guard, quit his guard without urgent necessity, and without permission from the proper authority, and remain away until apprehended and brought back by the corporal of the guard. All this at Ash Barracks, Nashville, Tenn., on or about the 13th day of March, 1867.

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

FINDINGS.

Of the CHARGES and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Private *Peter McCann*, of Co. D, 5th U. S. Cavalry.

In the case of Private *Peter McCann*, of Co D, 5th U. S. Cavalry, the proceedings and findings on the 1st charge and its specification are approved. The Major General commanding cannot agree with the Court in its findings on the 2d charge and specification. It appears in the testimony that the only authority the prisoner had for being absent was that of the corporal of the guard, who authorized him "to go to his dinner, and, as soon as he got it, he was to come right back." He left the guard at about 12 o'clock M., and did not return until about 8½ o'clock P. M., when he was brought back by the corporal of the guard. It is therefore evident that the prisoner is guilty of the 2d charge and its specification. The findings on this charge and specification are disapproved. Private *McCann* will be released from confinement and restored to duty.

18th, Private *William Henry*, of Co. M, 5th U. S. Cavalry.

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

Specification—In this, that Private *William Henry*, of Co. M, 5th U. S. Cavalry, did forcibly and feloniously take from Private Henry Moyne, 38th U. S. Infantry, one pistol, while the said Private Henry Moyne was in the execution of his duty as Orderly for the recruiting officer of the 38th U S. Infantry at Nashville, Tenn. All this at or near Nashville, Tenn., on or about the 9th day of March, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *William Henry*, of Co. M, 5th U. S. Cavalry.

The proceedings and findings in the case of Private *William Henry*, of Co. M, 5th U. S. Cavalry, are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

19th, Private *George Daub*, of Co. I, 34th U. S. Infantry.

Charge—Desertion.

Specification—In this, that Private *George Daub*, of Co. I, 34th U. S. Infantry, being duly enlisted in the service of the United States, did desert

the same on or about the 10th day of March, 1867, and did remain absent until apprehended and brought back to the regiment by Sergeant Thomas Donaldson, of Co. I, 34th U. S. Infantry, on or about the 13th day of March, 1867. This at or near Nashville, Tennessee.

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

FINDINGS.

Of the *Specification*, erase the word "desert" therein and insert the words "absent himself from" in lieu thereof, "Guilty."

Of the CHARGE, not guilty of "desertion," but "Guilty" of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *George Daub*, of Co. I, 34th U. S. Infantry, "To forfeit to the United States the sum of ten dollars per month of his monthly pay for the period of three months."

The proceedings and findings in the case of Private *George Daub*, of Co. I, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

20th, Private *Charles H. Eaton*, of Co. I, 34th U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *Charles H. Eaton*, of Co. I, 34th U. S. Infantry, being duly enlisted in the service of the United States, did desert the same on or about the 10th day of March, 1867, and did remain absent until apprehended and brought back by Sergeant Thomas Donaldson, of Co. I, 34th U. S. Infantry, to the regiment, on or about the 13th day of March, 1867. This at or near Nashville, Tenn.

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

FINDINGS.

Of the *Specification*, erase the word "desert" therein and insert the words "absent himself from" in lieu thereof, "Guilty,"

Of the CHARGE, not guilty of "desertion," but "Guilty" of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Eaton*, of Co. I, 34th U. S. Infantry, "To forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of three months."

The proceedings and findings in the case of Private *Charles H. Eaton*, of

Co I, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

21st, Private *Vital Gilbert*, of Co. M, 5th U. S. Cavalry.

Charge—Violation of the 45th Article of War.

Specification—In this, that Private *Vital Gilbert*, of Co. M, 5th U. S. Cavalry, did, while a member of the stable guard, mounted at the camp of Company M, 5th U. S. Cavalry, on the morning of March 12th, 1867, become so drunk as to be rendered unfit for the proper discharge of his duty. This at the camp of Company M, 5th U. S. Cavalry, at Gallatin, Tenn., on or about the 12th of March, 1867.

To which Charge and Specification the prisoner pleaded "*Not Guilty.*"

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Vital Gilbert*, of Co. M, 5th U. S. Cavalry, "To be confined at hard labor under charge of the guard of his regiment for the period of four (4) months."

The proceedings and findings in the case of Private *Vital Gilbert*, of Co. M, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GEN'L THOMAS.

WM. D. WHIPPLE,
Brv't Maj. Gen'l U. S. A & A. A. G.

OFFICIAL:

1st, Private MICHAEL DAWSON, of Company C, 25th U. S. Infantry.

2d, Private JAMES KELLEY, of Company H, 25th U. S. Infantry.

3d, Private CHARLES GRISWOLD, of Company G, 25th U. S. Infantry.

4th, Private EDWARD WILLIAMS, of Company G, 25th U. S. Infantry.

5th, Private WILLIAM BROWN, of Company B, 24th U. S. Infantry.

6th, Private FRANK NOLL, of Company C, 25th U. S. Infantry.

7th, Private JOHN BYRNE, of Company H, 25th U. S. Infantry.

8th, Private KENNEDY BRENOCK, of Company A, 25th U. S. Infantry.

9th, Private EDWARD WILLIAMS, of Company G, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., March 30th, 1867.

GENERAL ORDERS, NO. 6

Before a General Court Martial which convened at Memphis, Tennessee, February 25th, 1867, pursuant to Special Orders No. 31, Headquarters, Department of the Tennessee, dated Louisville, Ky., February 18th, 1867, and of which Captain THOMAS J. DURNIN, 25th U. S. Infantry, is President, and 1st Lieut. GEORGE J. MADDEN, 25th U. S. Infantry, Judge Advocate, were arraigned and tried:

7th, Private *Michael Dawson*, of Co. C, 25th U. S. Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this, that he, Private *Michael Dawson*, of Co. C, 25th U. S. Infantry, having been duly detailed and placed on duty as a member of the guard, did become so drunk as to unfit him for the proper discharge of a sentry's duty. This at or near the U. S. navy yard, Memphis, Tenn., on or about the 1st day of March, 1867.

To which Charge and Specification the prisoner pleaded "*Not Guilty*."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *Michael Dawson*, of Co. C, 25th U. S. Infantry, are approved. He will be released from confinement and restored to duty.

8th, Private *James Kelley*, of Co. H, 25th U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *James Kelley*, of Co. H, 25th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about May 1st, 1866, and did remain absent until he surrendered himself at Nashville, Tenn., January 17th, 1867. All this at or near Memphis or Nashville, Tenn., from about May 1st, 1866, until about January 17th, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James Kelley*, of Co. H, 25th U. S. Infantry, "To forfeit to the United States ten dollars ($10) of his monthly pay for six (6) months, 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 *James Kelley*, of Co. H, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th, Private *Charles Griswold*, of Co. G, 25th U. S. Infantry.

Charge 1st—Absence without leave.

Specification—In this, that he, Private *Charles Griswold*, of Co. G, 25th U. S. Infantry, did, without proper authority, absent himself from his quarters and barracks after Retreat, March 7th, 1867, and did remain absent until Reveille, March 9th, 1867. All this at or near Memphis, Tenn.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Private *Charles Griswold*, of Co. G, 25th U. S. Infantry, did violate the standing orders of the post of Memphis, Tenn., by absenting himself from his barracks between Tattoo and

Reveille, on the nights of the 7th and 8th of March, 1867, without a written pass signed by his 1st sergeant, company officer, and approved at Post Headquarters, as required, and published to him in General Orders, No. 8, dated Headquarters, Memphis, Tenn., July 12th, 1866.

To which Charges and Specifications the prisoner pleaded "*Guilty*."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Griswold*, of Co. G, 25th U. S. Infantry, "To forfeit to the United States twelve dollars ($12) of his monthly pay for one month."

The proceedings and findings in the case of Private *Charles Griswold*, of Co. G, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

10th, Private *Edward Williams*, of Co. G, 25th U. S. Infantry.

Charge 1st—Absence without leave.

Specification—In this, that he, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, did, without proper authority, absent himself from his quarters and barracks after Retreat, March 9th, 1867, and did remain absent until Reveille, March 11th, 1867. All this at or near Memphis, Tenn.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, did violate the standing orders of the post of Memphis, Tenn., by absenting himself from his barracks between Tattoo and Reveille, on the nights of the 9th and 10th of March, 1867, without a written pass signed by his 1st sergeant, company officer, and approved at Post Headquarters, as required of, and published to, him in General Orders No. 8, dated Headquarters, Memphis, Tenn., July 12th, 1866.

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

FINDINGS.

Of the CHARGES and *Specifications*. "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, "To forfeit to the United States twelve dollars ($12) of his monthly pay for one month."

The proceedings and findings in the case of Private *Edward Williams*, of Co. G, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th, Private *William Brown*, of Co. B, 25th U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *William Brown*, of Co. B, 24th U. S. Infantry, having been regularly enlisted into the service of the United States, did desert the same at or near Grenada, Miss., on or about the 1st day of December, 1866, and did remain absent until apprehended at Memphis, Tenn., on or about the 2d day of March, 1867.

To which Charge and Specification the prisoner pleaded "*Guilty*."

FINDINGS.

Of the CHARGE and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Brown*, of Co. B, 24th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for twelve months, and to be confined at hard labor in charge of the guard at the post or station of his regiment for the period of six (6) months."

The proceedings and findings in the case of Private *William Brown*, of Co. B, 24th U. S. Infantry, are approved, and the sentence is confirmed. The commanding officer of the Post of Memphis will cause the prisoner to be forwarded to his company (with a copy of this order) where the sentence will be carried into effect.

12th, Private *Frank Noll*, of Co. C, 25th U. S. Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Private *Frank Noll*, of Co. C, 25th U. S. Infantry, a member of the guard, did pass liquor to a prisoner confined in the prison room of the guard house. This at the United States navy yard, Memphis, Tenn., between 7 and 8 o'clock, on or about March 10th, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Frank Noll*, of Co. C, 25th U. S. Infantry.

The proceedings, findings and acquittal in the case of Private *Frank Noll*, of Co. C, 25th U. S. Infantry, are approved. He will be released from confinement and restored to duty.

13th, Private *John Byrne*, of Co. H, 25th U. S. Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that he, Private *John Byrne*, of Co. H, 25th U. S. Infantry, did create a disorder in his company quarters by talking aloud and in a boisterous tone for about ten minutes, at about 9½ o'clock P. M., at night. This at Memphis, Tenn., on or about March 14th, 1867.

Specification 2d—In this, that he, Private *John Byrne*, of Co. H, 25th U. S. Infantry, did repeatedly disobey the order of 1st Sergeant Frank Deicher, of Co. H, 25th U. S. Infantry, to cease making a noise in the company quarters, and did call the 1st Sergeant a "Dutch son of a bitch." This at Memphis, Tenn., on or about the 14th day of March, 1867.

Specification 3d—In this, that he, Private *John Byrne*, of Co. H, 25th U. S. Infantry, did maliciously tear 1st Sergeant Frank Deicher's blouse, and did offer violence to the 1st Sergeant, Frank Deicher, of Co. H, 25th U. S. Infantry, by seizing a musket and striking the 1st Sergeant with the same. All this at the U. S. navy yard, Memphis, Tenn., on or about the 14th day of March 1867.

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

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Byrne*, of Co. H, 25th U. S. Infantry, "To forfeit to the United States thirteen dollars ($13) of his monthly pay for one month."

The proceedings and findings in the case of Private *John Byrne*, of Co. H, 25th U. S. Infantry, are approved. The sentence, although too mild, is confirmed and will be carried into effect.

14th, Private *Kennedy Brenock*, of Co. A, 25th U. S. Infantry.

Charge—Absence without leave.

Specification—In this, that he, Private *Kennedy Brenock*, of Co. A. 25th U. S. Infantry, did, without proper authority from his commanding officer, absent himself from his company and quarters on or about

the 7th day of March, 1867, and did remain absent until apprehended at Memphis, Tenn., on the 13th day of March, 1867. All this at or near Memphis, Tenn., on or about the dates specified.

To which Charge and Specification the prisoner pleaded "*Guilty.*"

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Kennedy Brenock*, of Co. A, 25th U. S. Infantry, "To forfeit to the United States twelve dollars ($12) of his monthly pay for one month, and to be confined under charge of the guard at hard labor for fifteen (15) days."

The proceedings and findings in the case of Private *Kennedy Brenock*, of Co. A, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

15th, Private *Edward Williams*, of Co. G, 25th U. S. Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that he, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, did go to the house of one Margaret White, a colored woman, and did then and there obtain and carry away one infantry great coat belonging to and the property of Private Samuel Parker, of Co. G, 25th U. S. Infantry, and did appropriate the same to his own use. All this at or near Memphis, Tenn., on or about the 9th day of March, 1867.

Specification 2d—In this, that he, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, did sell, lose, or otherwise dispose of one infantry great coat belonging to Private Samuel Parker, of Co. G, 25th U. S. Infantry. All this at or near Memphis, Tenn., on or about the 9th day of March, 1867.

To which Charge and Specifications the prisoner pleaded "*Not Guilty.*"

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Williams*, of Co. G, 25th U. S. Infantry, "To forfeit to the United States ten dollars ($10) of his monthly pay for two (2) months."

The proceedings and findings in the case of Private *Edward Williams*, of Co. G, 25th U. S. Infantry, are approved. The sentence is confirmed and will

be carried into effect. The members of the Court unite in recommending that the "Department Commander direct, in orders, Private *Williams* to reimburse out of any pay he may receive from the United States, Private Parker for the loss of his coat." It is believed that the commanding officer of Co G. 25th Infantry, has authority, under the 32d Article of War, to cause reparation to be made to Private Parker, and this opinion is confirmed by the opinion of the Judge Advocate General of the Army, as set forth, p. 4, 32d Article (1) of the Digest. The fact of Private Parker being a soldier cannot, in justice, deprive him of the ordinary privilege of a citizen under the 32d Article of War.

By Command of Maj. Gen'l Thomas.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

Official:

1st, Private DAVID YOUNCE, of Company D, 34th U. S. Infantry.

2d, Private CHARLES H. PEMBROKE, of Company D, 34th U. S. Infantry.

3d, Private JUNIUS B. SLACK, of Company B, 5th U. S. Cavalry.

4th, Private CHARLES TRUEMAN, of Company E, 34th U. S. Infantry.

5th, Private JOHN TURNER, of Company B, 5th U. S. Cavalry.

6th, Musician RICHARD HENNESSY, of Company I, 34th U. S. Infantry.

7th, Private EDWARD BURNS, of Company I, 34th U. S. Infantry.

8th, Private THOMAS CALLAGHAN, of Company D, 34th U. S. Infantry.

9th, Private HENRY HARTLOIN, of Company D, 5th U. S. Cavalry.

10th, Sergeant GEORGE STALLWOOD, of Company D, 34th U. S. Infantry.

11th, Private JAMES MOORE, of Company M, 5th U. S. Cavalry.

12th, Corporal HENRY A. MORGAN, of Company H, 34th U. S. Infantry.

13th, Private WILLIAM LEWIS, of Company I, 34th U. S. Infantry.

14th, Sergeant WILLIAM H. SNODGRASS, of Company E, 5th U. S. Cavalry.

15th, Private WILLIAM H. REHN, of Company E, 5th U. S. Cavalry.

16th, Private JOHN SMITH, of Company G, 34th U. S. Infantry.

17th, Private JAMES WALLACE, of Company E, 5th U. S. Cavalry.

18th, Private JOHN McDONALD, of Company D, 5th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., April 13th, 1867.

GENERAL ORDERS, NO. 7.

I. Before a General Court Martial which convened at Nashville, Tennessee, March 4th, 1867, pursuant to Special Orders, No. 36, Headquarters Department of the Tennessee, dated Louisville, Ky., February 25th, 1867, and of which Brevet Major N. L. DYKEMAN, Captain 34th U. S. Infantry, is President, and 1st Lieut. M. BARBER, 34th U. S. Infantry, Judge Advocate, were arraigned and tried:

22d, Private *David Younce*, of Co. D, 34th U. S. Infantry.

Charge 1st—Drunkenness on duty.

Specification—In this, that he, Private *David Younce*, of Co. D, 34th U. S. Infantry, was found drunk on his guard and wholly unfit to perform his duty. All this at Cumberland River National Cemetery, Fort Donelson, Dover, Tennessee, on or about the 6th of March, 1867.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Private *David Younce*, of Co. D, 34th U. S. Infantry, after being confined in his quarters by Sergeant Loveaire, did become very noisy, and when ordered by Lance Corporal Alfred Neugermain, of Co. B, 34th U. S. Infantry, to be quiet, did use disrespectful and reproachful language by saying, "I don't give a damn for Sergeant Loveaire, or you either, you French bastard" (meaning Corporal Neugermain), or words to that effect. All this at the Cumberland River National Cemetery, Fort Donelson, Dover, Tennessee, on or about the 6th day of March, 1867.

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

FINDINGS.

Of the *Specification*, 1st charge,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification*, 2d charge.	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David Younce*, of Co. D, 34th U. S. Infantry, "To be confined at hard labor under charge of the guard of his regiment for the period of four (4) months."

The proceedings and findings in the case of Private *David Younce*, of Co. D, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

23d, Private *Charles H. Pembroke*, of Co. D, 34th U. S. Infantry.

Charge—Drunkenness on duty.

Specification—In this, that he, Private *Charles H. Pembroke*, of Co. D, 34th U. S. Infantry, was found drunk on his guard and wholly unfit for duty. All this at the Cumberland River National Cemetery, Fort Donelson, Dover, Tennessee, on or about the 6th day of March, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Pembroke*, of Co. D, 34th U. S. Infantry, "To be confined in charge of the guard at the station of his company for the period of one month, and to carry a log of wood, weighing not less than twenty-five (25) pounds, on his shoulder from Reveille to Retreat each day, except for thirty minutes, which are allowed him for each daily meal."

The proceedings and findings in the case of Private *Charles H. Pembroke*, of Co. D, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

24th, Private *Junius B. Slack*, of Co. B, 5th U. S. Cavalry.

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

Specification 1st—In this, that he, Private *Junius B. Slack*, of Co. B, 5th U. S. Cavalry, was drunk and did behave in a disorderly manner. This at Corinth, Miss., on or about the 1st day of March, 1867.

Specification 2d—In this, that he, Private *Junius B. Slack*, of Co. B, 5th U. S. Cavalry, did pass through the streets of Corinth, Miss., drunk, and said that he came in town for the purpose of getting drunk and there was not people enough in Corinth to arrest him, or words to that effect, and did draw his pistol and discharge the same in the streets of Corinth, thereby endangering the lives of the citizens. This at Corinth, Miss., on or about the 1st day of March, 1867.

Specification 3d—In this, that he, Private *Junius B. Slack*, of Co. B, 5th U. S. Cavalry, did use threatening language toward Lieut. Almy and Sergeant Ryan, saying "I will burst their heads yet," or words to that effect, and did also say to Sergeant Ryan (in charge of the guard at the time), "If I ever get out of the guard house I will take good care that you are never over me again, for I will put you out of the way," or words to that effect. All this at the camp of a detachment of Unnited States troops near Corinth, Miss., on or about the 6th day of March, 1867.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

Of the 2d *Specification*, "Guilty,"

except the words "and saying that he came in town for the purpose of getting drunk, and there were not people enough in Corinth to arrest him, or words to that effect."

Of the 3d *Specification*, "Guilty,"

except the words "saying I will burst their heads yet, or words to that effect, and did say to Sergeant Ryan (in charge of the guard at the time), 'If I ever get out of the guard house I will take good care that you are never over me again, for I will put you out of the way,' or words to that effect."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Junius B. Slack*, of Co B, 5th U. S. Cavalry, "To be confined at hard labor in charge of the guard for the period of two (2) months, and forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for a period of six (6) months."

The proceedings and findings in the case of Private *Junius B. Slack*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

25th, Private *Charles Trueman*, of Co. E, 34th U. S. Infantry.

Charge—Absence without leave.

Specification—In this, that he, Private *Charles Trueman*, of Co. E, 34th U. S Infantry, did absent himself from his command without permission from his commanding officer, and did remain absent without authority from the 15th to the 19th day of March, 1867. This at Nashville, Tenn.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles Trueman*, of Co. E, 34th U. S. Infantry, "To forfeit to the United States the sum of eight dollars ($8) per month of his monthly pay for the period of four (4) months."

The proceedings and findings in the case of Private *Charles Trueman*, of Co E, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

26th, Private *John Turner*, of Co. B, 5th U. S. Cavalry.

Charge 1st—Absence without leave.

Specification—In this, that he, Private *John Turner*, of Co. B, 5th U. S. Cavalry, did absent himself without proper authority from camp, and remain absent until arrested by the guard. This at Corinth, Miss., on or about the 6th day of March, 1867.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this, that he, Private *John Turner*, of Co. B, 5th U. S. Cavalry, did resist a guard sent to arrest him, and did draw his revolver, cock it, and swear that he would shoot the first man that would attempt to arrest him. This at Corinth, Miss., on or about the 6th day of March, 1867.

Specification 2d—In this, that he, Private *John Turner*, of Co. B, 5th U. S. Cavalry, was drunk and disorderly, and did say that he would kill Lieut. Almy and the guard placed over him the first opportunity that he got, or words to that effect. This at the camp of a detachment of United States troops near Corinth, Miss., on or about the 6th day of March, 1867.

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

FINDINGS.

Of the *Specification*, 1st charge, "Not Guilty,"

Of the 1st CHARGE, "Not Guilty."

Of the 1st *Specification*, 2d charge, "Guilty,"
except the words "did resist a guard sent to arrest him."

Of the 2d *Specification*, 2d charge, "Guilty,"
except the words "and did say that he would kill Lieut. Almy and the guard placed over him the first opportunity he got, or words to that effect."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Turner*, of Co. B, 5th U. S. Cavalry, "To forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of three (3) months."

The proceedings and findings in the case of Private *John Turner*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

27th, Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry.

Charge 1st—Absence without leave.

Specification—In this, that he, Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry, did absent himself from his company and the camp of his regiment without permission. This at or near Nashville, Tenn., on the afternoon of February 20th, 1867.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry, did maliciously attempt to create a disturbance in the streets of the city of Nashville, Tenn., by molesting and assaulting a party of negro soldiers in the peaceful performance of their duty, by striking and stoning, or aiding and abetting in striking and stoning them, and by using violent and profane language toward the said negro soldiers calculated to provoke a breach of the peace, without any provocation whatever. This at or near Nashville, Tenn., on or about the 20th of February, 1867.

Charge 3d—Desertion.

Specification—In this, that he, Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same while a prisoner in charge of the guard, awaiting trial, in company with one Private Norman Stevens, of Co. K, 34th U. S. Infantry, on or about the 23d day of February, 1867, the said Norman Stevens being sentinel in charge of said Musician *Richard Hennessy*, and did remain absent until on or about the 27th of February, 1867, when he delivered himself up. This at Nashville, Tenn.

To which charges and specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*,	"Guilty."
To the 2d CHARGE and *Specification*,	"Not Guilty."
To the 3d CHARGE and *Specification*,	"Guilty."

FINDINGS.

Of the 1st CHARGE and *Specification*,	"Guilty."
Of the 2d CHARGE and *Specification*,	"Not Guilty."
Of the 3d CHARGE and *Specification*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry, "To be confined at hard labor in charge of the guard for the period of two (2) months, and to forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of five (5) months."

The proceedings and findings in the case of Musician *Richard Hennessy*, of Co. I, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

28th, Private *Edward Burns*, of Co. I, 34th U. S. Infantry.

Charge 1st—Desertion.

Specification—In this, that he, Private *Edward Burns*, of Co. I, 34th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 10th day of March, 1867, and did remain absent until apprehended and brought back to the regiment by 1st Sergeant Louis F. Hass, of Co I, 34th U. S. Infantry, on the 11th instant. This at or near Nashville, Tenn.

Charge 2d—Disobedience of orders.

Specification—In this, that he, Private *Edward Burns*, of Co. I, 34th U. S Infantry, did leave the barracks after having positive orders not to do so, and remained absent from 3 P. M. on the 10th inst. until apprehended and brought back by 1st Sergeant Louis F. Hass, on the 11th inst. This at Cumberland Barracks, Nashville, Tenn., on or about the 10th day of February, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."

To the *Specification*, 2d charge, "Guilty," except the words "and remained absent until apprehended and brought back by 1st Sergeant Louis F. Hass, on the 11th inst."

To the 2d CHARGE, "Guilty."

FINDINGS.

Of the *Specification*, 1st charge, erase the word "desert" therein, and insert the words "absent himself from," in lieu thereof, "Guilty."

Of the 1st CHARGE, Not guilty of "desertson," but "Guilty" of absence without leave.

Of the *Specification*, 2d charge, "Guilty," except the words "and remained absent from 3 P. M. on the 10th inst., until apprehended and brought back by 1st Sergeant Louis F. Hass, on the 11th inst."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Burns*, of Co. I, 34th U. S. Infantry, "To forfeit the sum of ten dollars ($10) per month of his monthly pay for the period of two (2) months."

The proceedings and findings in the case of Private *Edward Burns*, of Co. I. 34th U. S. Infantry, on Charge 1st and its specification are approved. With reference to the 2d charge and specification, the findings are disapproved, in as much as neither in the specification nor in the testimony does it appear by whom the order to remain in camp or garrison was given to the prisoner. The Major General Commanding the Department cannot find in the record that the prisoner disobeyed the lawful orders of his superior officer. [Holt's Digest, p. 177, (8), and p. 108, (21).] The sentence being warranted by the findings on Charge 1st and the specification thereunder, is confirmed and will be carried into effect. Disobedience of the orders of a non-commissioned officer should be brought under the 99th Article of War.

29th, Private *Thomas Callaghan*, of Co. I, 34th U. S. Infantry.

Charge 1st—Desertion.

Specification—In this, that he, Private *Thomas Callaghan*, of Co. I, 34th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 10th day of March, 1867, and did remain absent until apprehended and brought back to the regiment by Sergeant Joseph Lauder, of Co. I, 34th U. S Infantry, on the 11th inst. This at or near Nashville, Tenn.

Charge 2d—Disobedience of orders.

Specification—In this, that he, Private *Thomas Callaghan*, of Co. I, 34th U. S Infantry, did leave, after having positive orders not to do so, and remained absent from 3 o'clock P. M., on the 10th inst., until 5 o'clock P. M., on the 11th inst., and from 3 P. M., on the 12th inst., until arrested and brought back by Sergeant Joseph Lauder, of Co. I. 34th U. S. Infantry, at 7 P. M., on the 12th inst. This at Cumberland Barracks, Nashville, Tenn., on or about the 10th day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."
To the 2d CHARGE and *Specification*, "Guilty."

FINDINGS.

Of the *Specification*, 1st charge, erase the word "desert" therein, and insert the words "absent himself from," in lieu thereof, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the 2d CHARGE and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Callaghan*, of

Co. I, 34th U. S. Infantry, "To be confined at hard labor under charge of the guard at the station of his company for the period of two (2) months, and to forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of three (3) months."

In the case of Private *Thomas Callaghan*, of Co. I, 34th U. S. Infantry, the proceedings, findings and sentence are disapproved, and for the following reasons: The prisoner is found not guilty of the specification, which sets forth desertion, but guilty of one setting forth absence without leave. He should therefore be found not guilty of the 1st charge (desertion), but guilty of "absence without leave," whereas, by the findings on the charge he is found guilty of desertion, which the evidence fail to support. The specification under the 2d charge fails to show whose order was disobeyed by the prisoner, and the testimony does not afford the necessary information. The Major General Commanding is therefore unable to determine if the order disobeyed by the prisoner was a lawful order of his superior officer. He will be released from confinement and restored to duty. Disobedience of the orders of a non-commissioned officer should be brought under the 99th Article of War.

30th, Private *Henry Hartloin*, of Co. D, 5th U. S. Cavalry.

Charge—Absence without leave.

Specification—In this, that he, Private *Henry Hartloin*, of Co. D, 5th U. S. Cavalry, did absent himself from his company quarters without proper authority, at 3 o'clock P. M., on the 18th of March, 1867, and did not return until apprehended in the city of Nashville, Tenn., by Brevet Major S. S. Sumner, Captain 5th U. S. Cavalry, on the 21st day of March, 1867. This near Ash Barracks, Nashville, Tenn.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Henry Hartloin*, of Co. D, 5th U. S. Cavalry, "To forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of four (4) months."

The proceedings and findings in the case of Private *Henry Hartloin*, of Co. D, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

31st, Sergeant *George Stallwood*, of Co. D, 34th U. S. Infantry.

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

Specification—In this, that he, Sergeant *George Stallwood*, of Co. D, 34th U. S. Infantry, did assault and threaten to shoot, without cause or provocation, Corporal Thomas Morrissey, of the same company and regiment. All this at the city of Nashville, Tenn., on or about the 16th day of March, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Sergeant *George Stallwood*, of Co. D, 34th U. S. Infantry, "To be reduced to the ranks as a private soldier."

The proceedings and findings in the case of Sergeant *George Stallwood*, of Co. D, 34th U. S. Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court, based upon the previous good character of the accused, the Major General Commanding is pleased to remit the entire sentence in his case. He will be released from arrest and restored to duty.

32d, Private *James Moore*, of Co. M, 5th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that he, Private *James Moore*, of Co. M, 5th U. S. Cavalry, did desert from Co. M, 5th U. S. Cavalry, at or near Gallatin, Tenn., on or about the 13th day of January, 1867, and remained absent until apprehended as a deserter, at Nashville, Tenn., on or about the 20th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "until apprehended as a deserter at Nashville, Tenn."

To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James Moore*, of Co. M, 5th U. S. Cavalry, "To forfeit to the United States all pay and allowances due at the time of his apprehension, except the just dues of the laundress and sutler, and the sum of ten dollars ($10) per month of his monthly pay for the period of six (6) months immediately succeeding that event, and to be confined at hard labor at such place as the Commanding General may direct for a like period."

The proceedings and findings in the case of Private *James Moore*, of Co. M, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect. He will be confined in the guard house at the post of his company.

33d, Corporal *Henry A. Morgan*, of Co. H, 34th U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Corporal *Henry A. Morgan*, of Co. H, 34th U. S. Infantry, being duly enlisted as a soldier in the service of the United States, did desert the same on or about the 27th day of October, 1866, and did remain absent until the first day of March, 1867, when he delivered himself up to his company commander at Nashville, Tenn.

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

FINDINGS.

Of the *Specification*, erase the word "desert," therefrom, and insert the words "absent himself from" in lieu thereof, and erase the words "first day of March," and insert the words "12th day of January" in lieu thereof; and except the words "when he delivered himself up to his company commander at Nashville, Tenn., "Guilty."

Of the CHARGE, not guilty of "desertion," but "Guilty" of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Corporal *Henry A. Morgan*, of Co. H, 34th U. S. Infantry, "To forfeit to the United States the sum of ten dollars ($10) per month of his monthly pay for the period of four (4) months."

The proceedings and findings in the case of Corporal *Henry A. Morgan*, of Co. H, 34th U. S. Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court, based upon the mitigating circumstances developed in the trial, the Major General Commanding is pleased to remit the entire sentence in his case. Corporal *Morgan* will be released from arrest and restored to duty.

34th, Private *William Lewis*, of Co. I, 34th U. S. Infantry.

Charge 1st—Sleeping on post.

Specification—In this, that he, Private *William Lewis*, of Co. I, 34th U. S. Infantry, having been duly posted as a sentinel, was found asleep on his post. All this at Cumberland Barracks, Nashville, Tenn., between the hours of 1 and 2 o'clock A. M., February 15th, 1867.

Charge 2*d*—Desertion.

Specification—In this, that he, Private *William Lewis*, of Co. I, 34th U. S. Infantry, being duly enlisted into the service of the United States, did desert the same, and did remain absent until recognized and apprehended by Sergeant John Brennan, of Co. G, 34th U. S. Infantry, on or about the 30th of March, 1867. This at or near Cumberland Barracks, Nashville, Tenn.

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

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Lewis*, of Co. I, 34th U. S. Infantry, "To forfeit to the United States all pay and allowances due at the date of his apprehension, except the just dues of the laundress and sutler, and then forfeit to the United States the sum of twelve dollars ($12) per month of his monthly pay for the period of one year, and be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in the case of Private *William Lewis*, of Co. I, 34th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect. The crime of desertion is aggravated by sleeping on post, and the period of confinement can be any time less than one year. [See General Orders, No. 4, War Department, 1867.]

35th, Sergeant *William H. Snodgrass*, of Co. E, 5th U. S. Cavalry.

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

Specification 1*st*—In this, that he, Private *William H Snodgrass*, of Co. E, 5th U. S. Cavalry, was drunk and disorderly at the stables of Co E, 5th U. S Cavalry. This at Ash Barracks, Nashville, Tennessee, April 3d, 1867.

Specification 2*d*—In this, that he, Sergeant *William H. Snodgrass*, of Co. E, 5th U. S. Cavalry, did stab Private James Wallace, of Co. E, 5th U. S. Cavalry, with a knife, inflicting on the said Private James Wallace serious bodily injury. This at Ash Barracks, Nashville, Tenn., April 3d, 1867.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Guilty" of the fact, but pleads that it was done in self-defense.

To the CHARGE, "Not Guilty."

FINDINGS.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty" of the facts, but attach no criminality thereto the same being in self-defense.

Of the CHARGE, "Not Guilty."

And the Court does therefore acquit him, Sergeant *William H. Snodgrass*, of Co. E, 5th U. S. Cavalry.

The proceedings and findings in the case of Sergeant *William H. Snodgrass*, of Co. E, 5th U. S. Cavalry, are approved. Sergeant *Snodgrass* having been acquitted by the Court, will be released from confinement and restored to duty.

36th, Private *William H. Rehn* of Co. E, 5th U. S. Cavalry.

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

Specification—In this, that he, Private *William H. Rehn*, of Co. E, 5th U. S. Cavalry, did take from the hospital of the detachment, at various times, rations and fuel belonging to the sick of the command, and did dispose of the same without authority. All this at Ash Barracks, Nashville, Tenn., from March 1st to March 26th, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, the prisoner pleads in bar of trial: That the same does not set forth any specific offense, and is so vague and uncertain in point of time that it does not admit of a particular defense, and prays the Court to reject it, and cited in support of said plea Holt's Digest, title "Specification," paragraph 8.

The Court was then cleared and closed, and after mature deliberation the doors were opened and the prisoner appeared in Court, and the decision of the Court was announced to him by the Judge Advocate. "That the Court sustains his plea in bar of trial on the specification, and rejects the same for uncertainty and double pleading."

To the CHARGE, the prisoner pleads in bar of trial, That there is no specification to sustain it, and prays the Court to reject the same.

The Court was then cleared and closed, and after mature deliberation the doors were opened and the prisoner appeared in Court, and the decision of the Court was announced to him by the Judge Advocate. "That the Court sustains his plea in bar of trial on the charge, and rejects the same for want of specification;" whereupon the prisoner, Private *William H. Rehn*, of Co. E, 5th U. S. Cavalry, was remanded to the custody of the guard.

The action of the Court in the case of Private *William H. Rehn*, of Co. E, 5th U. S. Cavalry, is approved. The carelessness of the officer who preferred

the charges cannot be too strongly condemned. The valuable time of the Court was consumed by considering a vague charge and specification, which set forth no specific offense. The Judge Advocate should have endeavored to correct the specification before arraignment of the prisoner, and if unable to do so he would have been justifiable in not bringing the case before the Court. Private *Rehn* will be released from confinement and restored to duty.

37th, Private *John Smith*, of Co. G, 34th U. S. Infantry.

Charge 1*st*—Violation of the 30th Article of War.

Specification—In this, that he, Private *John Smith*, of Co. G, 34th U. S. Infantry, did, while a member of the guard, quit his guard without leave, and did remain absent until after his relief was posted. All this at Cumberland Barracks, near Nashville, Tenn., on or about the 1st day of April, 1867.

Charge 2*d*—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, Private *John Smith*, of Co. G, 34th U. S. Infantry, while a member of the guard, did leave his guard without permission and enter the quarters of Co. E, 34th U. S. Infantry, and attack Corporal Lathrop, of said company, with a stone. All this at Cumberland Barracks, Nashville, Tenn., on or about the 1st day of April, 1867.

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

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Smith*, of Co. G, 34th U. S. Infantry, "To forfeit to the United States the sum of twelve dollars ($12) per month of his monthly pay for the period of twelve months, and to be confined in the guard house of his regiment for the period of six (6) months, fourteen (14) days of each to be in solitary confinement on bread and water diet."

The proceedings and findings in the case of Private *John Smith*, of Co. G, 34th U. S. Infantry, on charge 1st and the specification thereunder, are fatally irregular, in as much as he is tried for "quitting his guard without leave," but found guilty of "neglecting to see that all persons permitted to suttle shall supply the soldiers with good and wholesome provisions, or other articles, at a reasonable price." His offense should have been brought under the 50th Article of War. The proceedings and findings on the 2d charge and its specification are approved. The sentence is confirmed, but mitigated to for-

feiture of twelve dollars ($12) per month for six months and confinement in charge of the guard for the same period, fourteen (14) days of each month to be solitary confinement on bread and water diet. On the expiration of his confinement he will be released and restored to duty.

38th, Private *James Wallace*, of Co. E, 5th U. S. Cavalry.

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

Specification—In this, that he, Private *James Wallace*, of Co. E, 5th U. S. Cavalry, was drunk and disorderly at the stable of Co. E, 5th U. S. Cavalry, at evening stable call, and did strike Sergeant William H. Snodgrass, of Co. E, 5th U. S. Cavalry. All this at Ash Barracks, Nashville, Tenn., April 3d, 1867.

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

FINDINGS.

Of the *Specification*, erase the words "drunk and," and erase the word "strike" therein, and insert the word "assault," in lieu thereof, "Guilty,"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Wallace*, of Co. E, 5th U. S. Cavalry, "To forfeit to the United States the sum of five dollars ($5) per month of his monthly pay for the period of one month."

The proceedings and findings in the case of Private *James Wallace*, of Co. E, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

39th, Private *John McDonald*, of Co. D, 5th U. S. Cavalry.

Charge 1st—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, Private *John McDonald*, of Co. D, 5th U. S. Cavalry, did take and hide a carbine belonging to Private Henry Hayman, of the said company. This at Ash Barracks, Nashville, Tenn., on the 7th of April, 1867.

Charge 2d—Disobedience of orders.

Specification—In this, that he, Private *John McDonald*, of Co. D, 5th U. S. Cavalry, being ordered by his 1st Sergeant to return a carbine which he had taken from Private Henry Hayman, of the same company, refused to do so, replying "I will not do it," or words to that effect.

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

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John McDonald*, of Co. D, 5th U. S. Cavalry, "To forfeit to the United States the sum of one dollar ($1) per month of his monthly pay for the period of one month."

The proceedings and findings in the case of Private *John McDonald*, of Co. D, 5th U. S. Cavalry, are disapproved. The 2d charge should have been brought under the 99th Article of War. [See Holt's Digest, p 2, 9th article.] The proceedings and findings having been disapproved, the sentence is inoperative. Private *McDonald* will be released from confinement and restored to duty.

II. The General Court Martial of which Brevet Major N. L. DYKEMAN, Captain 34th U. S. Infantry, is President, and 1st Lieut. M. BARBER, 34th U. S. Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GEN'L THOMAS.

WM. D. WHIPPLE,
Brv't Maj. Gen'l U. S. A & A. A. G.

OFFICIAL:

A. von Schrader
Maj. 39th U. S. Inf
Bvt Col. U. S. A
A. A. I. G. D. C.

1st, Recruit WILLIAM O'BRIEN, General Service U. S. A.

2d, Private EDWARD JOHNSON, of Company I, 3d U. S. Infantry.

3d, Private JOHN COYNE, of Company I, 7th U. S. Cavalry.

4th, Recruit JOSEPH HOFFWEINER, General Service U. S. A.

5th, Private MICHAEL D. RAFTER, of Company C, General Service U. S. A.

6th, Private ROBERT DIXON, of Company A. General Service U. S. A.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., April 16th, 1867.

GENERAL ORDERS, No. 8.

Before a General Court Martial which convened at Newport Barracks, Ky., March 8th, 1867, pursuant to Special Orders, No. 40, Headquarters Department of the Tennessee, dated Louisville, Ky., March 2d, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d U. S. Artillery, is President, and 1st Lieutenant J. P. STORY, 16th U. S. Infantry, is Judge Advocate, were arraigned and tried:

1st, Recruit *William O'Brien*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that he, Recruit *William O'Brien*, General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same from the recruiting rendezvous at Chicago, Ill., March 11th, 1867, and did remain absent until apprehended on the 31st day of March, 1867, at Chicago, Ill. The sum of thirty dollars ($30) has been paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, the said *William O'Brien*, Recruit

General Service U. S. A., "To forfeit fifteen dollars ($15) per month of his monthly pay for six months, and to be confined at hard labor under charge of the guard for the same period."

The proceedings and findings in the case of Recruit *William O'Brien*, General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect.

2d, Private *Edward Johnson*, of Co. I, 3d U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *Edward Johnson*, of Co. I, 3d U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same from his company and regiment, at Fort Riley, Kansas, on or about July, 1866, and did remain absent until apprehended at Chicago, Ill., on or about April 4th, 1867. Thirty dollars ($30) paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Edward Johnson*, of Co. I, 3d U. S. Infantry, "To be confined at hard labor under charge of the guard at the headquarters of his regiment, or such other place as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for ten (10) months."

The proceedings and findings in the case of Private *Edward Johnson*, of Co. I, 3d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect, at the place at which he may be serving.

3d, Private *John Coyne*, of Co. I, 7th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that he, Private *John Coyne*, of Co. I, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at or near Fort Riley, Kansas, on or about February 14th, 1867, and did remain absent till apprehended at Chicago, Ill., March 27th, 1867. Thirty dollars ($30) has been paid for his apprehension and delivery.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Coyne*, of Co. I, 7th U. S. Cavalry, "To be confined at hard labor under charge of the guard for six (6) months at the headquarters of his regiment, or such other place as the Commanding General may direct, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John Coyne*, of Co. I, 7th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect, at the place at which he may be serving.

4th, Recruit *Joseph Hoffweiner*, of General Service U. S. A.

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

Specification—In this, that he, Recruit *Joseph Hoffweiner*, of General Service U. S. A., did, while detailed as office orderly at the United States Recruiting Rendezvous, Freeport, Ill., by means unknown, enter the clothing rooms in the said recruiting office and did steal, and take, and carry away, at various times, seven (7) infantry great coats, two (2) blankets, eight (8) flannel sack coats, seven (7) pairs of infantry trowsers, two (2) pairs of drawers, and two (2) pairs of stockings, the property of the United States government, to the value of one hundred and seventy-three dollars and eighty-one cents ($173 81), and did sell, lose, or otherwise dispose of said articles. This at or near the city of Freeport, Ill., on or about the 20th day of February, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Recruit *Joseph Hoffweiner*, of General Service U. S. A., "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances at the date of discharge, and to be confined in such penitentiary as the Reviewing Officer may direct for one year."

The proceedings and findings in the case of Recruit *Joseph Hoffweiner*, of General Service U. S. A., are approved. The sentence is mitigated to forfeiture of all pay and allowances due him up to the date of this order, and fifteen dollars ($15) per month of his monthly pay for six (6) months, during

which time he will be confined in charge of the guard at the post at which he may be serving, and on the expiration of his confinement he will be restored to duty.

5th, Private *Michael D. Rafter*, of Co. C, Select General Service U. S. A.

Charge—Drunkenness on duty.

Specification—In this, that he, Private *Michael D. Rafter*, of Co. C, Select, having been regularly detailed for guard, became so drunk as to be unable to perform his duty. All this at Newport, Ky., on the 25th of January, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Guilty.'

SENTENCE.

And the Court does therefore sentence him, Private *Michael D. Rafter*, of Co. C, Select, "To be confined in charge of the guard at hard labor for thirty (30) days."

The proceedings and findings in the case of Private *Michael D. Rafter*, of Co. C, Select General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect.

6th, Private *Robert Dixon*, of Co. A, Permanent Party U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that he, Private *Robert Dixon*, of Co. A, Permanent Party, General Service U. S. A., did have secretly in his possession one flannel sack coat, three pairs of stockings, one flannel shirt and a smoking pipe, the property of Corporal and Lance Sergeant Charles B. Paul, of Co. A, Permanent Party, General Service U. S. A. This at Newport Barracks, Ky., on or about the 22d day of January, 1867.

Specification 2d—In this, that he, Private *Robert Dixon*, of Co. A, Permanent Party, General Service U. S. A., did, on or about the 22d day of January, 1867, enter the room of Corporal and Lance Sergeant Charles B. Paul, and take therefrom one flannel sack coat, three pairs of stockings, one flannel shirt, and a smoking pipe, the property of Corporal and Lance Sergeant Charles B. Paul, of Co. A, Permanent Party, General Service U. S. A. This at Newport Barracks, Ky., on or about the 22d day of January, 1867.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*,	"Guilty."
To the 2d *Specification*,	"Not Guilty."
To the CHARGE,	"Not Guilty."

FINDINGS.

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the CHARGE,	"Guilty,"

SENTENCE.

And the Court does therefore sentence him, Private *Robert Dixon*, of Co. A, Permanent Party, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances due at the date of discharge, and to be confined in such penitentiary as the Reviewing Officer may direct for the period of six (6) months."

The proceedings and findings in the case of Private *Robert Dixon*, of Co. A, Permanent Party, General Service U. S. A., are approved. The sentence is mitigated to forfeiture of all pay and allowances due him up to the date of this order, and fifteen dollars ($15) per month of his monthly pay for six months, during which time he will be confined in charge of the guard at the post at which he may be serving, and on the expiration of his confinement he will be restored to duty.

BY COMMAND OF MAJ. GEN'L THOMAS.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

OFFICIAL:

R. von Schrader
Maj. 39th U.S. Inf.
Bvt Col. U.S.A.
A. A. I. G. D.C.

Corporal WILLIAM HAMBURG, Co. A, P. P. G. S., U. S. A.
Private BENJAMIN HARMAN, Co. H, 6th U. S. Cavalry.
Lance Sergeant ANDREW WAGER, Co. K, 27th U. S. Infantry.
Recruit JOHN BENNETT, General Service, U. S. A.
Recruit THOMAS JOHNSON, General Service, U. S. A.
Private WILLIAM J. ANDERSON, Co. B, 4th Artillery.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, April 17th, 1867.

GENERAL ORDERS, No. 9.

Before a General Court Martial which convened at Newport Barracks, Ky., March 11th, 1867, pursuant to Special Orders No. 40, Head-Quarters Department of the Tennessee, dated Louisville, Ky., March 2d, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d U. S. Artillery, is President, and 1st Lieutenant J. P. STORY, 16th U. S. Infantry, Judge Advocate, were arraigned and tried:

7th...Corporal *William Hamburg*, of Co. A, Permanent Party, General Service, U. S. A.

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

Specification.—"In this, that he, Corporal *William Hamburg*, of Co. A, Permanent Party, General Service, U. S. A., did appear on dress parade, on or about the 24th day of March, 1867, so much under the influence of intoxicating liquors, as not to be capable to perform the duties of a soldier. This at Newport Barracks, Ky., on or about the 24th day of March, 1867."

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

FINDING:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Conrt does therefore sentence him, Corporal *William Hamburg* of Co. A, Permanent Party, General Service, U. S. A., "to be reduced to the ranks as a private soldier."

The proceedings and findings in the case of Corporal *William Hamburg*, of Co. A, Permanent Party, General Service, U. S. A., are disapproved, the specification setting forth an offence under the 45th Article of War, or drunkenness on duty, while he is charged with a violation of the 99th Article of War, see Holt's Digest, page 7, "Forty-fifth Article," (1.) The proceedings and findings being disapproved, the sentence is inoperative. Corporal *Hamburg* will be released from confinement and restored to duty.

8th...Private *Benjamin Harman*, of Co. H, 6th U. S. Cavalry.

CHARGE.—"*Desertion.*"

Specification.—"In this, that Private *Benjamin Harman*, of Co. H, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the ——— day of November, 1866, at or near Huntsville, Texas, and did remain absent until he was apprehended at Cincinnati, Ohio, on or about the 24th day of January, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS;

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Private *Benjamin Harman*, of Co. H, 6th U. S. Cavalry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment, or such other place as the Reviewing Officer may direct for six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Benjamin Harman*, of Co. H, 6th U. S. Cavalry, are approved, and the sentence is confirmed. The sentence will be carried into effect in the guard house at the post at which he may be serving.

9th...Lance Sergeant *Andrew Wager*, of Co. K, 27th U. S. Infantry.

CHARGE.—"*Desertion*."

Specification.—"In this, that he, Lance Sergeant *Andrew Wager*, of Co. K, 27th U. S. Inf, having been duly enlisted as a soldier in the service of the United States, did desert the same at Dunkirk, N. Y., October 5th, 1866, while enroute for Fort Leavenworth, Kansas, and did remain absent until apprehended at Cleveland, Ohio, January 16th, 1867. Thirty dollars ($30) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Lance Sergeant *Andrew Wager*, of Co. K, 27th U. S. Infantry, "to be confined at hard labor at the Head-Quarters of his regiment, or such other place as the Reviewing Officer may direct, for six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Lance Sergeant *Andrew Wager*, of Co. K, 27th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

10th...Recruit *John Bennett*, of General Service, U. S. A.

CHARGE.—"*Desertion*."

Specification.—"In this, that he, Recruit *John Bennett*, of General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., January 28th, 1867, and did remain absent until apprehended at Indianapolis, Ind., February 1st, 1867. Thirty dollars ($30) has been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, the said Recruit *John Bennett*, of General Service, U. S. A., "to be confined at hard labor in charge of the guard for thirty (30) days."

The proceedings and findings in the case of Recruit *John Bennett*, of the General Service, U. S. A., are approved. The Major General Commanding is at a loss to understand why the court should award a sentence in this case so unusually light. The prisoner pleaded guilty to the charge and specification, and had no excuse to offer to palliate his offence. In order that he shall not entirely escape punishment, the sentence is confirmed and will be duly executed.

11th...Recruit *Thomas Johnson*, of General Service, U. S. A.

CHARGE.—"*Desertion.*"

Specification.—"In this, that he, Recruit *Thomas Johnson*, of General Service, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 20th day of February, 1867, at Newport Barracks, Ky., and did remain absent until he was apprehended in Columbus, Ohio, on or about the 3d day of April, 1867. Thirty Dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Recruit *Thomas Johnson*, of General Service, U. S. A., "to be confined at hard labor under charge of the guard for four (4) months, at such place as the Reviewing Officer may direct, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Thomas Johnson*, of General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect in the guard house at the post where he may be serving.

12th...Private *William J. Anderson*, of Co. B, 4th U. S. Artillery.

CHARGE.—"*Desertion.*"

Specification.—"In this, that Private *William J. Anderson*, of Co. B, 4th U. S. Artillery, having been duly enlisted as a soldier in the service of the United States, did desert the same at Camp Bailey, Md., July 29th, 1865, and did remain absent until apprehended at Cleveland, Ohio, January 10th, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Private *William J. Anderson*, of Co. B, 4th U. S. Artillery, "to be confined at hard labor in charge of the guard at the Head-Quarters of his regiment, or such other place as the Reviewing Officer may direct, for the period of one (1) year, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *William J. Anderson*, of Co. B, 4th U. S. Artillery, are approved. The sentence is mitigated to comply with General Orders, No. 4, War Department, 1867, to forfeiture of fifteen dollars ($15.) per month of his monthly pay for six (6) months, and confinement at hard labor in charge of the guard for the same period.

BY COMMAND OF MAJ. GEN. THOMAS:

WM. D. WHIPPLE,

OFFICIAL: *Bvt. Maj. Gen. U. S. A., Asst. Adjt. Gen.*

1st, Recruit FRANCIS A. BAKER, General Service U. S. A.

2d, Recruit DAVID R. PORTER, General Service U. S. A.

3d, Recruit JOSEPH SPITZNAGEL, General Service U. S. A.

4th, Private AUGUSTUS LANG, of Company B, 3d U. S. Cavalry.

5th, JONAS M. HARTZELL, of Company E, 8th U. S. Infantry.

6th, Recruit ALFRED DRIESBACH, General Service U. S. A.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., April 18th, 1867.

GENERAL ORDERS, NO. 10.

Before a General Court Martial which convened at Newport Barracks, Ky., March 11th, 1867, pursuant to Special Orders, No. 40, Headquarters Department of the Tennessee, dated Louisville, Ky., March 2d, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d U. S. Artillery, is President, and 1st Lieutenant J. P. STORY, 16th U. S. Infantry, is Judge Advocate, were arraigned and tried:

13th, Recruit *Francis A. Baker*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that Recruit *Francis A. Baker*, General Service U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 10th day of March, 1867, at Newport Barracks, Ky., and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 13th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty,"
To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Recruit *Francis A. Baker*, General Service U. S. A.

The proceedings and findings in the case of Recruit *Francis A. Baker*, General Service U. S. A., are approved. The prisoner having been acquitted by the Court, will be released from confinement and restored to duty.

14th, Recruit *David R. Porter*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that Recruit *David R. Porter*, General Service U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 27th day of March, 1867, and did remain absent until apprehended in Cincinnati, Ohio, on or about the 27th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Recruit *David R. Porter*, General Service U. S. A.

The proceedings and findings in the case of Recruit *David R. Porter*, General Service U. S. A., are disapproved. It was probably not the intention of the prisoner to desert, but he was, by his own statement, absent without leave, and the Court should have found him accordingly. He will be released from confinement and restored to duty.

15th, Recruit *Joseph Spitznagel*, General Service U. S. A.

Charge 1st—Desertion.

Specification—In this, that *Joseph Spitznagel*, Recruit General Service U. S. A. having been duly enlisted in the service of the United States at Lafayette, Indiana, on the 4th day of December, A. D., 1866, to serve for three years, did desert the same on the 17th day of January, 1867, at Indianapolis, Indiana, while en route from Lafayette, Indiana, to Newport Barracks, Ky., to which latter place he was ordered, with others, in charge of Lance Sergeant Epharim McLaughlin, U. S. A., and remained absent from said service until arrested by said Lance Sergeant McLaughlin, U. S. A., on January 20th, 1867.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that *Joseph Spitznagel*, Recruit General Service U. S. A., aforesaid, after deserting said service as aforesaid, at Indianapolis, Ind., while en route as aforesaid from Lafayette, Ind., to Newport Barracks, Ky., did return to Lafayette, Ind., and when asked by Lance Sergeant Epharim McLaughlin why he, the said *Spitznagel*, was back here (meaning at Lafayette, Ind.), he, the said *Spitznagel*, replied, "That is none of your business; that is my business," and this in a rude and disrespectful manner, he, the said *Spitznagel*, well knowing at the time that the said Lance Sergeant McLaughlin, U. S. A., had such authority as Lance Sergeant, and in his capacity had full authority to make this demand of him, the said *Spitznagel*, to obey his command and respect his authority.

Specification 2d—In this, that after he, *Spitznagel*, used this insulting language to him, the said Lance Sergeant McLaughlin, U. S. A., he, the said Lance Sergeant McLaughlin, laid his hand on the shoulder of the said *Spitznagel* and told him that he arrested him, the said *Spitznagel*, as a deserter from the United States Army; that thereupon the said Recruit *Joseph Spitznagel*, U. S. A., aforesaid, said to Lance Sergeant McLaughlin, U. S. A., in an insulting manner, "I (*Spitznagel*) will let you (Sergeant McLaughlin) know that I am not under your authority or orders, or under Captain May's (meaning Brevet Captain J. H. May, U. S. A., and 1st Lieut. 12th Infantry, Recruiting Officer at Lafayette, Ind.,) orders either."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1st charge,	"Not Guilty."
To the 1st CHARGE,	"Not Guilty."
To the 1st *Specification*, 2d charge,	"Guilty."
To the 2d *Specification*, 2d charge,	"Guilty."
To the 2d CHARGE,	"Guilty,"

FINDINGS.

Of the *Specification*, 1st charge,	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the 1st *Specification*, 2d charge,	"Guilty."
Of the 2d *Specification*, 2d charge,	"Guilty."
Of the 2d CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Recruit *Joseph Spitznagel*, General Service U. S. A., "To forfeit to the United States ten dollars ($10) per month of his monthly pay for two (2) months."

The proceedings and findings in the case of Recruit *Joseph Spitznagel*, General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect.

16th, Private *Augustus Lang*, of Co. B, 3d U. S. Cavalry.

Charge—Desertion.

Specification—In this, that the said Private *Augustus Lang*, of Co. B, 3d U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 17th day of January, 1867, from Newport Barracks, Ky., and did remain absent from said depot until he surrendered himself on or about the 23d day of January, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Private *Augustus Lang*, of Co. B, 3d U. S. Cavalry.

The proceedings and findings in the case of Private *Augustus Lang*, of Co. B, 3d Cavalry, are approved. The prisoner having been acquitted by the Court, will be released from confinement and restored to duty.

17th, *Jonas M. Hartzell*, of Co. E, 8th U. S. Infantry.

Charge—Desertion.

Specification—In this, that *Jonas M. Hartzell*, having been duly enlisted as a soldier in the service of the United States, did desert the same at Baltimore, Md., on or about the 16th day of March, 1866, and did remain absent until apprehended at Pittsburg, Pa., January 15th, 1867, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, the said *Jonas M. Hartzell*, of Co. E, 8th U. S. infantry, "To be confined at hard labor under charge of the guard at such place as the Reviewing Officer may direct for six (6) months,

and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for the same period."

The specification in the case of *Jonas M. Hartzell*, of Co. E, 8th Infantry, is defective in form, in not describing him by his rank, company and regiment, but his plea of guilty cures the defect. [See Holt's Digest, p. 177 (7).] The proceedings and findings are approved. The sentence is confirmed and will be carried into effect.

18th, Recruit *Alfred Driesbach*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that Recruit *Alfred Driesbach*, General Service U. S. A. having been duly enlisted as a soldier in the service of the United States, did desert the same at Newport Barracks, Ky., 26th November, 1866, and did remain absent until he surrendered himself to Lieut. Byron, 2d infantry, Recruiting Officer, Madison, Wis., 11th February, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty,"

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, the said Recruit *Alfred Driesbach*, General Service U. S. A., "To be confined at hard labor under charge of the guard at such place as the Reviewing Officer may direct for four (4) months, and to forfeit to the United States ten dollars ($10) per month for the same period."

The proceedings and findings are approved. The sentence is confirmed and will be carried into effect in the guard house at the post at which he may be serving.

BY COMMAND OF MAJ. GEN'L THOMAS.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

OFFICIAL:

A. van Schwaden
Maj. 39th U S Inf
Bvt Col. USA
a a A G. D.C

1st, Private JAMES H. H. NICHOLS, of Company H, 11th U. S. Infantry.

2d, Recruit ALEXANDER DECKER, alias WM. BECKER, General Service U. S. A.

3d, Recruit HENRY DROSS, General Service U. S. A.

4th, Recruit JULIUS HUMAL, of Company B, Music Boys' General Service U.S.A.

5th, Private LEWIS HARRIS, of Company G, 7th U. S. Cavalry.

6th, Private JACOB WOODRING, 7th U. S. Cavalry.

7th, Private ARTHUR W. FLEETWOOD, of Company F, 6th U. S. Cavalry.

8th, Recruit JOHANNES ROTH, General Service U. S. A.

9th, Private PETER DALEY, of Company G, 35th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., April 22d, 1867.

GENERAL ORDERS, No. 11.

Before a General Court Martial which convened at Newport Barracks, Ky., March 11th, 1867, pursuant to Special Orders, No. 40, Headquarters Department of the Tennessee, dated Louisville, Ky., March 2d, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d U. S. Artillery, is President, and 1st Lieutenant J. P. STORY, 16th U. S. Infantry, is Judge Advocate, were arraigned and tried:

19th, Private *James H. H. Nichols*, of Co. H, 11th U. S. Infantry.

Charge—Desertion.

Specification—In this, that Private *James H. H. Nichols*, of Co. H, 11th 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 1st day of March, 1867, at Richmond, Va., and did remain absent until he was apprehended in Peoria, Ill., on or about the 22d day of March, 1867, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James H. H. Nichols*, of Co. H, 11th U. S. Infantry, "To be confined at hard labor under charge of the guard at the headquarters of his regiment, or such other place as the Reviewing Officer may direct, for the period of four (4) months, and to forfeit to the United States ten dollars ($10) per month of his monthly pay for the same time."

The proceedings and findings in the case of Private *James H. H. Nichols*, of Co. H, 11th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect in the guard house of the post at which he may be serving.

20th, Recruit *Alexander Decker*, alias Wm. Becker, General Service U. S. A.

Charge—Desertion.

Specification—In this, that said Recruit *Alexander Decker*, alias Wm. Becker, General Service U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 17th day of November, 1866, at Newport Barracks, Ky., and did remain absent until he was apprehended at Newport Barracks, Ky., after having enlisted in the General Service U. S. A., under the name of William Becker, on or about the 27th day of February, 1867, thirty dollars ($30) having been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Recruit *Alexander Decker*, alias William Becker, General Service U. S. A., "To be confined at hard labor under charge of the guard at such place as the Reviewing Officer may direct for six (6) months, and to forfeit to the United States ten dollars ($10) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Alexander Decker*, alias

William Becker, General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect in the guard house of the post at which he may be serving.

21st, Recruit *Henry Dross*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that Recruit *Henry Dross*, General Service U. S. A. having been duly enlisted as a soldier in the service of the United States, did desert or absent himself from the same at Newport Barracks, Ky., on or about the 10th day of March, 1867, and did remain absent until on or about the 14th day of March, when he voluntarily returned to his command at Newport Barracks, Ky.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty,"
except "did desert."
Of the CHARGE, "Not Guilty."
but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Recruit *Henry Dross*, General Service U. S. A., "To forfeit to the United States five dollars ($5) per month of his monthly pay for one month."

The proceedings in the case of Recruit *Henry Dross*, General Service U. S. A., are fatally defective, in as much as the record fails to show that the order convening the Court was read to the prisoner. [See Holt's Digest, p. 202, Record IV, (6).] Aside from this fatal irregularity, the finding on the specification is defective. Excluding the words excepted by the Court in its finding, the remainder of the specification fails to set forth an offense known to the military law. The proceedings being disapproved the sentence is inoperative. The prisoner will be released from confinement and restored to duty.

22d, Recruit *Julius Humal*, of Co. B, Music Boys' General Service U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this, that Recruit *Julius Humal*, of Co. B, Music Boys' General Service U. S. A., did take and appropriate to his own use, on or about the 18th day of February, 1867, from the quarters of Co. B, Music Boys', Newport Barracks, Ky., one overcoat, the property

of Recruit William Dean, of Co. B, Music Boys' General Service U. S. A. All this at Newport Barracks, Ky., on or about the 18th day of February, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty,"
To the CHARGE, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Recruit *Julius Humal*, of Co. B, Music Boys' General Service U. S. A., "To forfeit to the United States ten dollars ($10) per month of his monthly pay for two (2) months."

The proceedings and finding in the case of Recruit *Julius Humal*, of Co. B, Music Boys' General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect.

23d, Private *Lewis Harris*, of Co. G, 7th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that Private *Lewis Harris*, of Co. G, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of November, 1866, at Fort Riley, Kansas, and did remain absent until he was apprehended in Anderson, Ind., on or about the 11th day of March, 1867, thirty dollars being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, the said Private *Lewis Harris*, of Co. G, 7th U. S. Cavalry, "To be confined at hard labor under charge of the guard at the headquarters of his regiment, or such other place as the Reviewing Officer may direct, for six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for ten (10) months."

The proceedings in the case of Private *Lewis Harris*, of Co. G, 7th U. S. Cavalry, are disapproved, the record failing to show that the order convening the Court was read in the presence of the prisoner. This omission renders the action of the Court fatally defective. [See Holt's Digest, Record IV, (6)

p. 202.] The proceedings being disapproved the sentence is inoperative. The prisoner will be released from confinement and restored to duty.

24th, Private *Jacob Woodring*, 7th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that Private *Jacob Woodring*, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of June, 1866, at Pendelton, Ind., and did remain absent until he was apprehended in Anderson, Ind., on or about the 16th day of March, 1867, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Jacob Woodring*, 7th U. S. Cavalry, "To be confined at hard labor under charge of the guard at the headquarters of his regiment, or such other place as the Reviewing Officer may direct, for six (6) months, and to forfeit fifteen dollars ($15) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Jacob Woodring*, 7th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect. The confinement clause of his sentence will be executed in the guard house of the post at which he may be serving.

25th, Private *Arthur W. Fleetwood*, of Co. F, 6th U. S. Cavalry.

Charge—Desertion.

Specification—In this, that Private *Arthur W. Fleetwood*, of Co. F, 6th U. S Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 3d day of December, 1866, at Jacksonborough, Texas, and did remain absent until he was apprehended in Covington, Ky., on or about the 8th day of April, 1867, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Arthur W. Fleetwood*, of Co. F, 6th U. S. Cavalry, "To be confined under charge of the guard at hard labor at the headquarters of his regiment, or such other place as the Reviewing Officer may direct, for six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Arthur W. Fleetwood*, of Co. F, 6th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect. The confinement clause will be executed in the guard house of the post at which he may be serving.

26th, Recruit *Johannes Roth*, General Service U. S. A.

Charge—Desertion.

Specification—In this, that Recruit *Johannes Roth*, General Service U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert or absent himself without permission from the same, at Newport Barracks, Ky., on or about the 9th day of December, 1866, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 29th day of December, 1866.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except "did desert."

To the CHARGE, "Not Guilty," but guilty of "absence without leave."

FINDINGS.

Of the *Specification*, "Guilty," except "did desert."

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

SENTENCE.

And the Court does therefore sentence him, Recruit *Johannes Roth*, General Service U. S. A., "To forfeit to the United States fifteen dollars ($15) of his monthly pay for one (1) month.

The proceedings and findings in the case of Recruit *Johannes Roth*, General Service U. S. A., are disapproved. After excluding the words excepted by the Court in its finding on the specification, the remainder of it does not pre-

sent an offense known to the military law. The proceedings being disapproved the sentence is inoperative. The prisoner will be released from confinement and restored to duty.

27th, Private *Peter Daley*, of Co. G, 35th U.S. Infantry.

Charge—Desertion.

Specification—In this, that Private *Peter Daley*, of Co. G, 35th 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 October, 1866, at Miligan, Texas, and did remain absent until he was apprehended in Atlanta, Ga., on or about the 9th day of January, 1867, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Peter Daley*, of Co. G, 35th U. S. Infantry, "To be confined at hard labor under charge of the guard at the headquarters of his regiment, or such other place as the Reviewing Officer may direct, for six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for ten (10) months."

The proceedings and findings in the case of Private *Peter Daley*, of Co. G, 35th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

BY COMMAND OF MAJOR GEN'L THOMAS.

WM. D. WHIPPLE,
Brv't Maj. Gen'l U. S. A & A. A. G.

OFFICIAL: A. von Schrader
Maj 39th U.S. Inf
Brt Col U.S.A.
a.a.I.G.D.C.

1st, Private WILLIAM SCHIRMACHER, of Company E, 28th U. S. Infantry.

2d, Private JOHN CONNELL, of Company I, 2d U. S. Infantry.

3d, Private HUGH L. WIGGINS, of Company B, 2d U. S. Infantry.

4th, Private JOHN SHANNON, of Company B, 45th U. S. Infantry, V. R. C.

5th, Private CORNELIUS HERRON, of Company A, 45th U. S. Infantry, V. R. C.

6th, Private JAMES MCINTIRE, of Company A, 45th U. S. Infantry, V. R. C.

7th, Private LORENZO BURKLIN, of Company C, 2d U. S. Infantry.

8th, Musician GEORGE C. CHRISTY, of Company E, 2d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., April 25th, 1867.

GENERAL ORDERS, NO. 12.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., April 16th, 1867, pursuant to Special Orders, No. 16, Headquarters Department of the Cumberland, dated Louisville, Ky., April 9th, 1867, and of which Lieutenant Colonel GEO. A. WOODWARD, 45th U. S. Infantry, V. R. C., is President, and Brevet Major A. W. KROUTINGER, Captain 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

1st, Private *William Schirmacher*, of Co. E, 28th U. S. Infantry, (late 2d Bat., 19th U. S. Infantry.)

Charge—Desertion.

Specification—In this, that he, Private *William Schirmacher*, of Co. E, 28th U. S. Infantry, (late 2d Bat., 19th U. S. Infantry,) having been duly enlisted in the military service of the United States, August 2d, 1865, at Milwaukee, Wis., by Captain Cummings, 19th U. S. Infantry, did desert the same while on regimental recruiting service, at Lexington, Ky., on or about January 14th, 1866. All this at Lexington, Ky., on or about January 14th, 1866.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *William Schirmacher*, of Co. E, 28th U. S. Infantry, (late 2d Bat., 19th U. S. Infantry,) "To be confined at hard labor in charge of the guard of his regiment for six (6) months, and to forfeit to the United States all pay and allowances that are or may become due him during the same period, except the just dues of the laundress and sutler.

The proceedings and findings in the case of Private *William Schirmacher*, of Co. E, 28th Infantry, are approved. The sentence is confirmed and will be carried into effect. The confinement clause of the sentence will be executed in the guard house of the post at which he may be serving.

2d, Private *John Connell*, of Co. I, 2d U. S. Infantry.

Charge—Disobedience of orders.

Specification—In this, that he, Private *John Connell*, of Co. I, 2d U. S. Infantry, being at the time on extra duty as teamster in the Quartermaster Department, and on being ordered by Acting Quartermaster Sergeant John McDonnell, 2d Infantry, pursuant to instructions given him by Brevet Captain Mitchell, A. A. Q. M., to hitch up one of the Quartermaster's teams, to perform certain official duties, did disobey said order, and did reply to said Sergeant, "I will not do it; I will drive no man's team but my own," and did not obey said order. This at Taylor Barracks, Louisville, Ky., on the morning of the 25th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Connell*, of Co. I, 2d U. S. Infantry, "To forfeit to the United States fifteen dollars ($15) of his pay for three months."

The proceedings and findings in the case of Private *John Connell*, of Co. I, 2d U. S. Infantry, are approved. The sentence is confirmed but on the

recommendation of the Court, based upon the previous good character of the prisoner, the Major General commanding the Department is pleased to remit the sentence in his case. He will be released from confinement and restored to duty.

3d, Private *Hugh L. Wiggins*, of Co. B, 2d U. S. Infantry.

Charge 1st—Desertion.

Specification—In this, that he, Private *Hugh L. Wiggins*, of Co. B, 2d U. S. Infantry, being a duly enlisted soldier in the army of the United States, did desert the same on or about the 12th day of March, 1867.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Private *Hugh L. Wiggins*, of Co. B, 2d U. S. Infantry, was arrested in Louisville, Ky., on the 12th day of March, 1867, with a traveling satchell in his possession, containing the following articles of Government clothing: two pairs of drawers, two flannel shirts, and one pair of shoes. This at Louisville, Ky., on or about the date above specified.

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1st charge,	"Not Guilty."
To the 1st CHARGE,	"Not Guilty."
To the *Specification*, 2d charge,	"Guilty."
To the 2d CHARGE,	"Not Guilty."

FINDINGS.

Of the *Specification*, 1st charge,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification*, 2d charge,	"Guilty,"
but attach no criminality thereto.	
Of the 2d CHARGE,	"Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh L. Wiggins*, of B, 2d U. S. Infantry, "To be confined at hard labor in charge of the guard of his regiment for six (6) months, and to forfeit to the United States all pay and allowances that are or may become due him for the same period, except the just dues of the laundress and sutler.

The proceedings and findings in the case of Private *Hugh L. Wiggins*, of Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th, Private *John Shannon*, of Co. B, 15th Infantry, V. R. C.

Charge—Violation of the 46th Article of War.

Specification—In this, that he, Private *John Shannon*, of Co. B, 45th U. S. Infantry, V. R. C., being a member of the guard, and having been duly and properly posted as sentinel in front of the Commissary buildings, Jeffersonville, Ind., did lie down and go to sleep upon his post, and did remain in that condition until awakened by the commanding officer of the post of Jeffersonville. All this at or near Jeffersonville, between the hours of twelve and one o'clock A. M., on or about the 11th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Shannon*, of Co. B, 45th U. S. Infantry, V. R. C., "To forfeit to the United States six (6) months' pay proper, and to be confined at hard labor in charge of the guard for the same period, in such prison as the Commanding General may direct."

The proceedings and findings in the case of Private *John Shannon*, of Co. B, 45th U. S. Infantry, V. R. C, are approved. The sentence is confirmed, but on the recommendation of the Court the same is mitigated to forfeiture of fifteen dollars ($15) per month of his monthly pay for two months, and confinement in charge of the guard for the same period.

5th, Private *Cornelius Herron*, of Co. A, 45th U. S. Infantry, V. R. C.

Charge—Desertion.

Specification—In this, that he, Private *Cornelius Herron*, of Co. A, 45th U. S. Infantry, V. R. C., did go to Louisville without permission and in violation of orders, for the purpose of deserting the service of the United States, and did not return until arrested by Sergeant Wm. N. Collins, of Co. A, 45th U. S. Infantry, V. R. C., as a deserter, and confined in the guard house at the post of Jeffersonville, Ind. This at or near Jeffersonville, Ind., on or about the 18th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE, and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Cornelius Herron*, of Co. A, 45th U. S. Infantry, V. R. C.

The proceedings in the case of Private *Cornelius Herron*, of Co. A, 45th Infantry, V. R. C., are fatally defective, in as much as the record fails to show how many members were present and took part in the trial. [Holt's Digest, Record IV, p. 202, (9).] The prisoner will be released from confinement and restored to duty.

6th, Private *James McIntire*, of Co. A, 45th U. S. Infantry, V. R. C.

Charge 1st—Violation of the 45th Article of War.

Specification—In this, that he, Private *James McIntire*, of Co. A, 45th U. S. Infantry, V. R. C., being a member of a guard mounted at the post of Jeffersonville, Ind., did get drunk. This at Jeffersonville, Ind., on or about the 21st day of March, 1867.

Charge 2d—Violation of the 50th Article of War.

Specification—In this, that he, Private *James McIntire*, of Co. A, 45th U. S. Infantry, V. R. C., while a member of a guard mounted at the post of Jeffersonville, Ind., did leave said guard repeatedly without permission and go to his company quarters, and did remain absent from said guard until ordered to return by Sergeant Joseph Gearing and Corporal Charles C. Fulton, of Co. A, 45th U. S. Infantry, V. R. C. This at the post of Jeffersonville, on or about the night of the 21st day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1st charge, "Not Guilty."
To the 1st CHARGE, "Not Guilty."
To the *Specification*, 2d charge, "Not Guilty."
To the 2d CHARGE, "Not Guilty,"

FINDINGS.

Of the CHARGES and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Private *James McIntire*, of Co. A, 45th U. S. Infantry, V. R. C.

The record in this case is fatally defective, in as much as it fails to show that the Court or the Judge Advocate were sworn. [See Holt's Digest, Record IV, p. 202 (1).] As the evidence clearly establishes the innocence of the prisoner, it is not thought necessary to return the record for correction.

The proceedings being disapproved, the prisoner will be released from confinement and restored to duty.

7th, Private *Lorenzo Burklin*, of Co. C, 2d U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *Lorenzo Burklin*, of Co. C, 2d U. S. Infantry, a regularly enlisted soldier in the United States service, did desert the same at Louisville, Ky., on the 25th day of March, 1867, and did remain absent until apprehended at Saint Louis, Mo., on the 27th day of March, 1867, and delivered under guard at Taylor Barracks, Louisville, Ky., on the 12th day of April, 1867. All this on or about the times and places above specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty,"
To the CHARGE, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Lorenzo Burklin*, of Co. C, 2d U. S. Infantry, "To be confined at hard labor in charge of the guard for six (6) months, with the loss of all pay and allowances that are or may become due him for the same period, except the just dues of the laundress and sutler."

The proceedings and findings in the case of Private *Lorenzo Burklin*, of Co. C, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th, Musician *Geo. C. Christy*, of Co. E, 2d U. S. Infantry.

Charge—Desertion.

Specification—In this, that Musician *Geo. C. Christy*, of Co. E, 2d U. S. Infantry, having been duly enlisted as a musician in the service of the United States, did desert the same on or about the 30th September, 1866, at or near Bowling Green, Ky., and did remain absent until apprehended at or near Bowling Green, Ky., on or about the 28th day of March, 1867, thirty dollars ($30) having been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Musician *Geo. C. Christy*, of Co. E, 2d U. S. Infantry, "To forfeit to the United States ten dollars ($10) of his monthly pay for the period of one (1) year."

The proceedings and findings in the case of Musician *Geo. C. Christy*, of Co. E, 2d U. S. Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court, based upon the youth and previous good conduct of the prisoner, as well as on account of the brutal treatment of his 1st Sergeant, the Major General commanding is pleased to remit the sentence in his case. This is the second time that the tyrannical and overbearing conduct of the officers and non-commissioned officers of Company E, 2d Infantry, has been brought to the notice of the Department Commander. This must be corrected at once.

II. The General Court Martial of which Lieutenant Colonel GEO. A. WOODWARD, 45th U. S. Infantry, V. R. C., is President, and Brevet Major A. W. KROUTINGER, Captain 2d U. S. Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN'L THOMAS.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

OFFICIAL:

R. von Schrader
Maj 39th U S Inf
Bvt Col U S A
A. A. A. G. D. C.

1st, Private JOHN WALSH, of Company E, 2d U. S. Infantry.

2d, Private ANDREW J. SPEED, of Company E, 2d U. S. Infantry.

3d, Artificer MARTIN J. SCHLEIFFE, of Company G, 2d U. S. Infantry.

4th, Private GEORGE W. STEWARD, of Company H, 2d U. S. Infantry.

5th, Private MARTIN REDDINGTON, of Company H, 2d U. S. Infantry.

6th, Private HENRY A. STEWART, of Company I, 2d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., May 4th, 1867.

GENERAL ORDERS, NO. 15.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., April 29th, 1867, pursuant to Special Orders, No. 29, Headquarters Department of the Cumberland, dated Louisville, Ky., April 24th, 1867, and of which Brevet Major A. W. KROUTINGER, Captain 2d U. S. Infantry, is President, and Brevet Captain W. W. MITCHELL, 1st Lieutenant 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

1st, Private *John Walsh*, of Co. E, 2d U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *John Walsh*, of Co. E, 2d U. S. Infantry, having been duly enlisted as a soldier in the United States service, did desert the same at or near Bowling Green, Ky., on or about the night of the 7th of April, 1867, and did remain absent until apprehended at or near Louisville, Ky., on or about the 13th day of April, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Walsh*, of Co. E, 2d U. S. Infantry, "To forfeit to the United States all pay and allowances that are or may become due him for the period of six (6) months, excepting the just dues of the laundress and sutler, and to be confined at hard labor under charge of the guard at the post of his company for the same period."

The proceedings and findings in the case of Private *John Walsh*, of Co. E, 2d U. S. Infantry, are approved. The members of the Court unite in recommending this case to the clemency of the reviewing authority. After a careful examination of the testimony, the Major General Commanding fails to find the "mitigating circumstances" referred to by the Court. The sentence is confirmed and will be carried into effect.

2d, Private *Andrew J. Speed*, of Co. E, 2d U. S. Infantry.

Charge—Absence without leave.

Specification—In this, that he, Private *Andrew J. Speed*, of Co. E, 2d U. S. Infantry, did absent himself from his company and post at or near Bowling Green, Ky., on or about the 19th day of April, 1867, and did remain absent until he was apprehended at or near Louisville, Ky., on or about the 20th of April, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Guilty.

SENTENCE.

And the Court does therefore sentence him, Private *Andrew J. Speed*, of Co. E, 2d U. S. Infantry, "To forfeit to the United States ten dollars ($10) of his monthly pay for one month, and to be confined in charge of the guard for the same period, carrying a log of wood weighing twenty-five pounds every alternate hour from Reveille until Retreat."

The proceedings and findings in the case of Private *Andrew J. Speed*, of Co. E, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d, Artificer *Martin J. Schleiffe*, of Co. G, 2d U. S. Infantry.

Charge 1st—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, Artificer *Martin J. Schleiffe*, of Co. G, 2d U. S. Infantry, being confined in the guard house in charge of the guard, when ordered by the Corporal of the guard to go to work and clear away the snow from around the guard house did refuse

to obey said order, and when ordered a second time by the sentinel in whose charge he was, did reply in the following words, "Go to hell; I wont go to work." This at the post of Danville, Ky., on the 6th day of March, 1867.

Charge 2d—Violation of the 6th Article of War.

Specification—In this, that he, Artificer *Martin J. Schleiffe*, of Co. G, 2d U. S. Infantry, did, when told by his commanding officer, Lieutenant M. Norton, 2d U. S. Infantry, if he did not obey the sentinel and go to work as ordered, he would have him tied up, reply in the following words, "Why in hell don't you do it, I would like to see you at it," and did not go to work. This at the post of Danville, Ky., on the 6th day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Guilty."

To the 2d CHARGE and *Specification*, "Not Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Artificer *Martin J. Schleiffe*, of Co. G, 2d U. S. Infantry, "To forfeit to the United States ten dollars ($10) per month of his monthly pay for the period of six (6) months."

The proceedings and findings in the case of Artificer *Martin J. Schleiffe*, of Co. G, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *George W. Steward*, of Co. H, 2d U. S. Infantry.

Charge—Quitting his guard.

Specification—In this, that he, Private *George W. Steward*, of Co. H, 2d U. S. Infantry, having been duly mounted as a member of the guard, and having received permission of Sergeant George Timoney to proceed to the laundress' quarters on business, did, after going to said quarters, take off his belts, and, in company with Private Martin Reddington, of Co. H, 2d U. S. Infantry, visit the town of Warsaw, Ky., and did remain absent until arrested by 1st Sergeant Thomas Brown, of Co. H, 2d U. S. Infantry. All this at Warsaw, Ky., on or about the 13th day of March, 1867.

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

FINDINGS.

Of the CHARGE and *Specification*, "Guilty.

SENTENCE.

And the Court does therefore sentence him, Private *George W. Steward*, of Co. H, 2d U. S. Infantry, "To forfeit to the United States ten dollars ($10) per month of his monthly pay for the period of three (3) months."

The proceedings and findings in the case of Private *George W. Steward*, of Co. H, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th, Private *Martin Reddington*, of Co. H, 2d U. S. Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that he, Private *Martin Reddington*, of Co. H, 2d U. S. Infantry, did strike and otherwise abuse Sergeant Benjamin A. Hey, of his company, in the company bake house, said Sergeant Hey being in charge of it and in the execution of his duty.

Specification 2d—In this, that Private *Martin Reddington*, of Co. H, 2d U. S. Infantry, was drunk and disorderly. All this at Warsaw, Ky., on or about the 18th day of March, 1867.

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

FINDINGS.

Of the 1st *Specification*, "Guilty," except the words "strike and otherwise."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Martin Reddington*, of Co. H, 2d U. S. Infantry, "To forfeit to the United States ten dollars ($10) per month of his monthly pay for the period of three (3) months, and to be confined under charge of the guard for the same period."

The proceedings and findings in the case of Private *Martin Reddington*, of Co. H, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th, Private *Henry A. Stewart*, of Co. I, 2d U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, Private *Henry A. Stewart*, of Co. I, 2d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 11th day of April, 1867, at Louisville, Ky., and did remain absent until apprehended on or about the 19th day of April, 1867. This on or about the dates and place above mentioned.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert."

To the CHARGE, "Not Guilty of desertion,"
but guilty of "absence without leave."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Henry A. Stewart*, of Co. I, 2d U. S. Infantry, "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 all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, during the same period."

The proceedings and findings in the case of Private *Henry A. Stewart*, of Co. I, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJ. GEN'L THOMAS.

WM. D. WHIPPLE,
Brev't Major General U. S. A.,
Assistant Adjutant General.

OFFICIAL:

1. Private THOMAS MURPHY, of Co. H, 2d U. S. Infantry.
2. Private WILLIAM GILSON, of Co. C, 2d U. S. Infantry.
3. Corporal WILLIAM SMITH, of Co. B, 2d U. S. Infantry.
4. Private PATRICK DUNN, of Co. I, 2d U. S. Infantry.
5. Private DWIGHT SEAMANS, of Co. I, 2d U. S. Infantry.
6. Sergeant MICHAEL REDMAN, of Co. I, 2d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., May 11th, 1867.

GENERAL ORDERS, No. 16.

I. Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., April 29th, 1867, pursuant to Special Orders No. 29, Headquarters Department of the Cumberland, dated Louisville, Ky., April 24th, 1867, and of which Brevet Major A. W. KROUTINGER, Captain 2d U. S. Infantry, is President, and Brevet Captain W. W. MITCHELL, 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

7th. Private *Thomas Murphy*, of Co. H, 2d U. S. Infantry.

Charge.—Disobedience of Orders.

Specification.—In this, that he, private *Thomas Murphy*, of Co. H, 2d U. S. Infantry, did on the 19 day of March, 1867, visit the town of Warsaw, Ky., in violation of the following order issued and read to the company at retreat roll call, on the 18th day of March, 1867, thereby showing a wanton and wilful disregard of the lawful orders of his commanding officer, viz:

HEADQUARTERS U. S. TROOPS,
Camp Collins, Warsaw, Ky., March 18th, 1867.

SPECIAL ORDERS, No. 12.

During the term of the Circuit Court beginning to-day and until the company is officially notified of its ending, no member of this company will be al-

lowed to go to the town of Warsaw, or any further in the direction of town than the Laundress' quarters, under pain of being tried by General Court Martial for disobedience of orders.

By order of MAJOR LONG,

(Signed.) CHAS. L. NOGGLE,
1st Lieut. 2d Infantry, Post Adjutant.

All this at Warsaw, Ky., on or about the 19th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Thomas Murphy*, of Co. H, 2d U. S. Infantry, to forfeit to the United States, five dollars ($5) per month of his monthly pay for three (3) months.

The proceedings and findings in the case of private *Thomas Murphy*, of Co. H, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *William Gilson*, of Co. C, 2d U. S. Infantry.

Charge.—Sleeping on Post.

Specification.—In this, that he, private *William Gilson*, Co C, 2d U. S. Infantry, being regularly posted as a sentry at the Headquarters Department of the Cumberland, Louisville, Ky., was found sleeping on his post. This at Louisville, Ky., on or about the 19th day of April, 1867.

To which charge and specification the prisoner pleaded as follows,

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *William Gilson*, of Co. C, 2d U. S. Infantry, to forfeit to the United States ten dollars ($10) per month of his monthly pay for six (6) months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings and findings in the case of private *William Gilson*, Co. C, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th. Corporal *William Smith*, of Co. B, 2d U. S. Infantry.

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

Specification.—In this, that he, *William Smith*, corporal of Co. B, 2d U. S. Infantry, did, while on duty as corporal of the guard at Crittenden Barracks, Louisville, Ky., neglect said duty by secreting or allowing to be secreted, two (2) women in the guard room, at or about the hour of 1 o'clock on the night of the 8th of April, 1867. This at Crittenden Barracks, Louisville, Ky., between 8th of April, 1867, and 9th of April, 1867, near or about midnight.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, corporal *William Smith*, of Co. B, 2d U. S. Infantry.

The proceedings and findings in the case of corporal *William Smith*, of Co. B, 2d U. S. Infantry, are approved. Corporal *Smith* having been acquitted by the Court, will be released from confinement and restored to duty.

10th. Private *Patrick Dunn*, of Co. I, 2d U. S. Infantry.

Charge.—Violation of the 46th Article of War.

Specification.—In this, that he, private *Patrick Dunn*, of Co. I, 2d U. S. Infantry, having been regularly detailed for guard and posted as a sentinel at Headquarters Department of the Cumberland, Louisville, Ky., did sit down while on duty and go to sleep. This at Headquarters Department of the Cumberland, Louisville, Ky., between the hours of 11 P. M., April 14th, 1867, and 1 A. M., April, 15th, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Patrick Dunn*, of Co. I, 2d U. S. Infantry, to forfeit to the United States, ten dollars ($10) per month of his monthly pay for six (6) months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings and findings in the case of private *Patrick Dunn*, of Co. I, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th. Private *Dwight Seamans*, of Co. I, 2d U. S. Infantry.

Charge 1st.—Neglect of duty to the prejudice of good order and military discipline.

Specification.—In this, that he, private *Dwight Seamans*, of Co. I, 2d U. S. Infantry, having been duly posted as a sentinel, did fail to come to attention and give the proper salute on the appearance of the Officer of the Day at his post, but did remain inattentive with the butt of his gun resting on the ground. This at Crittenden Barracks, Louisville, Ky., on the 8th day of April, 1867.

Charge 2d.—Drunkenness on duty.

Specification.—In this, that he, private *Dwight Seamans*, of Co. I, 2d U. S. Infantry, being at the time a member of the guard, duly mounted and posted as a sentinel at Crittenden Barracks, Louisville, Ky., on the 8th day of April, 1867, was found by the Officer of the Day so much under the influence of intoxicating liquor, as to be unable to perform the duties as a sentinel in a proper manner. This at Crittenden Barracks, Louisville, Ky., on the 8th day of April, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1st charge,	"Guilty."
To the 1st CHARGE,	"Guilty."
To the *Specification*, 2d charge,	"Not Guilty."
To the 2d CHARGE,	"Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Dwight Seamans*, of Co. I, 2d U. S. Infantry, to carry a log of wood weighing thirty (30) pounds, every alternate hour from reveille to retreat in front of the guard house for the period of three (3) months.

The proceedings and findings in the case of private *Dwight Seamans*, of Co. I, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

12th. Sergeant *Michael Redman*, of Co. I, 2d U. S. Infantry.

Charge.—Neglect of duty.

Specification 1st.—In this, that he, sergeant *Michael Redman*, Co. I, 2d U. S. Infantry, while sergeant of the guard at Taylor Barracks, Louisville, Ky., did permit seven prisoners to go to their company quarters contrary to instructions.

Specification 2d.—In this, that he, the said sergeant *Redman*, did through neglect, while sergeant of the guard at Taylor Barracks, Louisville, Ky., allow a prisoner under his charge to escape. All this at Taylor Barracks, Louisville, Ky., on or about the 21st day of April, 1867.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, sergeant *Michael Redman*, of Co. I, 2d U, S. Infantry, to be reduced to the rank of a private soldier, and to forfeit to the United States ten dollars ($10) per month of his monthly pay for three months.

The proceedings and findings in the case of sergeant *Michael Redman*, of Co. I, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which Brevet Major A. W. KROUTINGER, is President, and Brevet Captain W. W. MITCHELL, is Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A. A. G.

Private JESSE PERDUE, of Co. A, 45th Infantry, V. R. C.
Artificer THOMAS CONNERS, of Co. A, 45th Infantry, V. R. C.
Private EDWIN B. PHELPS, of Co. C, 45th Infantry, V. R. C.
Private HERMAN GROEN, of Co. A, 45th Infantry, V. R. C.
Private JOSEPH LEWIS, of Co. A, 45th Infantry, V. R. C.
Private THOMAS LEECH, of Co. D, 45th Infantry, V. R. C.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., May 23d, 1867.

GENERAL ORDERS, No. 18.

Before a General Court Martial, which convened at Nashville, Tenn., May 13, 1867, pursuant to Special Orders No. 36, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 16, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th U. S. Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th U. S. Infantry, V. R. C., Judge Advocate, were arraigned and tried:

1st. Private *Jesse Perdue*, of Co. A, 45th U. S. Infantry, V. R. C.

CHARGE 1ST.—"*Violation of the 42d Article of War.*"

Specification.—"In this, that he, the said Private *Jesse Perdue*, Co. A, 45th U. S. Infantry, V. R. C., did leave his Company without permission on the 15th day of March, 1867, and did not return until the evening of the 16th day of March, 1867. This at Jeffersonville, Ind., on or about the dates above mentioned."

CHARGE 2D.—"*Conduct prejudicial to good order and military discipline.*"

Specification 1st.—"In this, that he, Private *Jesse Perdue*, Co. A, 45th U. S. Infantry, V. R. C., did spoil, or cause to be spoiled, by neglect, the clothing issued by the United States, in violation of the 38th Article of War. This at Jeffersonville, Ind., on or about the 16th day of March, 1867."

Specification 2d.—"In this, that he, Private *Jesse Perdue*, Co. A, 45th U. S. Infantry, V. R. C., did steal from the quarters of his Company, one great coat, said coat being the property of Private *Gilbert Bertholf*, Co. A, 45th U. S. Infantry, V. R. C. This at Jeffersonville, Ind., on or about the 15th day of March, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1st *Charge*,	"Guilty."
To the 1st *Charge*,	"Guilty."
To the 1st *Specification*, 2d *Charge*,	"Not Guilty."
To the 2d *Specification*, 2d *Charge*,	"Not Guilty."
To the 2d *Charge*,	"Not Guilty."

FINDINGS:

Of the *Specification*, 1st *Charge*,	"Guilty."
Of the 1st *Charge*,	"Guilty."
Of the 1st *Specification*, 2d *Charge*,	Not Guilty."
Of the 2d *Specification*, 2d *Charge*,	"Not Guilty."
Of the 2d *Charge*,	"Not Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Jesse Perdue*, Co. A, 45th U. S. Infantry, V. R. C., "to forfeit five dollars ($5.) of his monthly pay for one month."

The proceedings and findings in the case of Private *Jesse Perdue*, of Co. A, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

2d...Artificer *Thomas Conners*, of Co. A, 45th U. S. Infantry, V. R. C.

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

Specification 1st.—"In this, that he, Artificer *Thomas Conners*, Co. A, 45th U. S. Infantry, V. R. C., was drunk and disorderly in Quarters. This on or about the 13th day of April, 1867, at Jeffersonville, Ind."

Specification 2d.—"In this, that he, Artificer *Thomas Conners*, Co. A, 45th U. S. Infantry, V. R. C., on being ordered to retire to his bunk, by Corporal *Charles C. Fulton*, Co. A, 45th U. S. Infantry, V. R. C., did say to said Corporal, "I am watching you and have got it laid in for you, and am going to give you a pulling over the first chance I get," or words to that effect. This on or about the13th day of April 1867, at Jeffersonville, Ind."

Specification 3rd.—"In this, that he, Artificer *Thomas Conners*, Co. A, 45th U. S. Infantry, V. R. C., on being taken hold of by Corporals *John R. Roe* and *Charles C. Fulton*, Co. A, 45th U. S. Infantry, V. R. C., for the purpose of conveying him (*Conners*) to the Guard House, did resist said Corporals and did seize said Corporals by the throat saying "I'll be damned if any Corporal can put me in the Guard House," or words to that effect. This on or about the 13th day of April, 1867, at Jeffersonville, Ind."

Specification 4th.—In this, that he, Artificer *Thomas Conners*, Co. A, 45th U. S. Infantry, V. R. C., on being taken hold of by Sergeant *Wm. M. Collins*, Co. A, 45th U. S. Infantry, V. R. C., for the purpose of conveying him (*Conners*) to the Guard House, did resist said Sergeant *Collins*, striking him once and attempting to do so several times. and did continue to resist until overpowered and bound with a rope. This at Jeffersonville, Ind., on or about the 13th day of April, 1867."

To which charge and specifications the prisoner pleaded as follows :

To the 1*st Specification*,	"Guilty."
To the 2*d Specification*,	"Not Guilty."
To the 3*d Specification*,	"Not Guilty."
To the 4th *Specification*,	"Not Guilty."
To the *Charge*,	"Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Artificer *Thomas Conners*, Co. A, 45th U. S. Infantry, V. R. C., "to forfeit ten dollars, ($10.) of his monthly pay for four (4) months, and to suffer solitary confinement on bread and water diet for forty-eight (48) hours."

The proceedings and findings in the case of Artificer *Thomas Conners*, of Co. A, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

3d..Private *Edwin B. Phelps*, of Co. C, 45th U. S. Infantry, V. R. C.

CHARGE.—"*Violation of the 46th Article of War.*"

Specification.—"In this, that he, Private *Edwin B. Phelps*, Co. C, 45th U. S Infantry, V. R. C., having been regularly detailed for guard and posted as a sentinel at Taylor Barracks, Louisville, Ky., did sit down while on post, and go to sleep. This at Taylor Barracks,

Louisville, Ky., between the hours of nine and eleven, P. M., April 14th, 1867."

To which charge ond specification the prisoner pleaded as follows :

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him Private *Edwin B. Phelps*, of Co. C, 45th U. S. Infantry, V. R. C., "To be confined at hard labor under the charge of the guard for twelve (12) months."

The proceedings and findings in the case of Private *Edward B. Phelps*, of Co. C, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed, but on the recommendation of the Court, the same is mitigated to confinement at hard labor under the charge of the guard for four (4) months.

4th...Private *Herman Groen*, of Co. A, 45th U. S. Infantry, V. R. C.

CHARGE :—"*Violation of the 50th Article of War.*"

Specification.—"In this, that he, Private *Herman Groen*, Co. A, 45th U. S. Infantry, V. R. C., having been regularly detailed and mounted as a member of the Guard, did without permission leave his proper quarters and could not be found when his turn came to go on duty. This at or near Cumberland Barracks, Nashville, Tenn., on or about the 11th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Herman Groen*, Co. A, 45th U. S. Infantry, V. R. C.

The proceedings and findings in the case of Private *Herman Groen*, Co. A, 45th U. S. Infantry, V. R. C., are disapproved. The prisoner will be released from confinement and restored to duty.

5th...Private *Joseph Lewis*, of Co. A, 45th U. S. Infantry, V. R. C.

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

Specification.—In this that he Private *Joseph Lewis*, Co. A, 45th U. S. Infantry, V. R. C., did steal from the clothes line of *Miss Mary McKee*, the following articles of Clothing, viz : "Three (3) white shirts, two (2) under shirts, two (2) pairs stockings, one (1) pair drawers, one (1) shawl, one (1) towel, said property belonging to Corporal *John Oran*, Co. A, 45th U. S. Infantry, V. R. C., and *Miss Mary McKee*, of Jeffersonville, Indiana. This at or near Jeffersonville, Indiana, on or about the 22d day of March 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Charge and Specification*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Not Guilty" as laid, but "Guilty" of stealing from a clothes line in Jeffersonville, Ind., one white shirt, and one woolen shirt, the property of Corporal *John Oran*, Co. A, 45th U. S. Infantry, V R. C., on or about the 22d day of March 1867.

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Joseph Lewis*, Co. A, 45th U. S. Infantry, V. R. C., "to forfeit one month's pay except the just

dues of the Laundress and Sutler and to be dishonorably discharged the military service of the United States."

The proceedings and findings in the case of Private *Joseph Lewis*, of Co A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to be dishonorably discharged, which is hereby remitted.

6th...Private *Thomas Leech*, of Co. D, 45th U. S. Infantry, V. R. C.

CHARGE :—"*Drunkenness on Duty.*"

Specification.—"In this, that he, Private *Thomas Leech*, Co. D, 45th U.S. Infantry, V. R. C., being at the time a member of the Guard, got so drunk as to be unable to perform the duties of a Sentinel. This at or near Cumberland Barracks, Nashville, Tenn., on or about the 11th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him Private *Thomas Leech*, of Co. D, 45th U. S, Infantry, V. R. C., "to be confined at hard labor in charge of the guard for the period of six (6) months'."

The proceedings and findings in the case of Private *Thomas Leech*, of Co. D, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed, but on the recommendation of the Court based upon the previous good conduct and faithful service of the prisoner, the Major General Commanding the Department, is pleased, to remit the entire sentence in his case. Private *Leech* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Sergeant JOHN SCHOOLCRAFT, Co. B, 5th U. S. Cavalry.
Sergeant James A. MCMILLAN, Co. B, 5th U. S. Cavalry.
Private JOSEPH GATCH, Co. A, 45th Infantry, V. R. C.
Private HENRY R. SPENCER, Co. D, 45th Infantry, V. R. C.
Private JACKSON ARNOLD, Co. C, 45th Infantry, V. R. C.
Private WILLIAM SCHREIBER, Co. A, 45th Infantry, V. R. C.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 1st, 1867.

GENERAL ORDERS,
No. 19.

Before a General Court Martial, which convened at Nashville, Tenn., May 13th, 1867, pursuant to Special Orders No. 36, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 16th, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th U. S. Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th U. S. Infantry, V. R. C., Judge Advocate, were arraigned and tried :

1st...Sergeant *John Schoolcraft*, Co. B, 5th U. S. Cavalry.

CHARGE.—"*Absence without leave.*"

Specification.—"In this, that Sergeant *John Schoolcraft*, Co. B, 5th U.S. Cavalry, did absent himself without proper authority from reveille roll-call and stable call. This at Ash Barracks, Nashville, Tenn., on or about the 8th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification* and *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *John Schoolcraft*, Co. B, 5th U. S. Cavalry, "to forfeit ten dollars, ($10.) of his monthly pay for one (1) month, and to be publicly reprimanded before his company by his commanding officer."

The proceedings and findings in the case of Sergeant *John Schoolcraft*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to be reprimanded, which is remitted.

2d...Sergeant *James A. McMillan*, Co. B, 5th U. S. Cavalry.

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

Specification.—"In this, that he, Sergeant *James A. McMillan*, Co. B, 5th U. S. Cavalry, did absent himself without proper authority, from reveille roll-call and stable call. This at Ash Barracks, Nashville, Tenn., on or about the 8th day of May, 1867."

CHARGE 2D.—"*Breach of arrest.*"

Specification.—"In this, that Sergeant *James A. McMillan*, Co. B, 5th U. S. Cavalry, did, after being placed in arrest, absent himself from the camp and quarters of his company. This at Ash Barracks, Nashville, Tenn., on or about the night of the 9th and 10th day of May, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1*st Charge*, "Guilty."
To the 1*st Charge*, "Guilty."
To the *Specification*, 2*d Charge*, "Not Guilty."
To the 2*d Charge*, "Not Guilty."

FINDINGS:

Of the *Specification*, 1*st Charge*, "Guilty."
Of the 1*st Charge*, "Guilty."
Of the *Specification*, 2*d Charge*, Not Guilty."
Of the 2*d Charge*, "Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *James A. McMillan*, Co. B, 5th U. S. Cavalry, "to forfeit ten dollars ($10.) of his monthly pay for one month, and to be publicly reprimanded before his company by his commanding officer."

The proceedings on the 1st Charge and its Specification, in the case of Sergeant *James A. McMillan*, of Co. B, 5th U. S. Cavalry, are approved. Non-Commissioned officers should not be charged with "breach of arrest," as that would bring their offences under the 77th Article of War, which applies to *Commissioned* Officers only. Offences of this class should be laid under the 99th, as "conduct to the prejudice of good order and military discipline." The sentence is confirmed and will be carried into effect.

3d...Private *Joseph Gatch*, of Co. A, 45th U. S. Infantry, V. R. C.

CHARGE.—"*Violation of the 46th Article of War.*"

Specification.—In this, that he, Private *Joseph Gatch*, Co. A, 45th U. S. Infantry, V. R. C., being at the time a member of the guard, at Cumberland Barracks, Nashville, Tenn., and regularly posted as guard or sentinel, did go to sleep, and did continue to sleep until awakened by the escort of the officer of the day in making grand rounds. This at or near Cumberland Barracks, Nashville, Tenn, on or about the 11th day of May 1867."

To which charge and specification the prisoner pleaded as follows:

To the *Specification* of the *Charge*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification* and *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Gatch*, Co. A, 45th U. S. Infantry, V. R. C., "to be confined at hard labor in charge of the guard, for the period of 3 months, (with the exception of the first and last fourteen (14) days, said days to be solitary confinement on bread and water diet) and to forfeit ten dollars ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Joseph Gatch*, Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried in effect.

4th...Private *Henry R. Spencer*, Co. D, 45th Infantry, V. R. C.

CHARGE.—"*Violation of the 45th Article of War.*"

Specification.—"In this, that he, Private *Henry R. Spencer*, Co. D, 45th U. S. Infantry, V. R. C., while on duty with the Field Music of the 45th U. S. Infantry, V. R. C., did appear at guard mount, (mounting) so drunk as to disqualify him for the discharge of his duty. This at Cumberland Barracks, Nashville, Tenn., on or about the 11th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Not Guilty."

To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Specification* and *Charge*, "Not Guilty."

And the Court does therefore acquit him, Private *Henry R. Spencer*, Co. D, 45th Infantry, V. R. C.

The proceedings and findings in the case of Private *Henry R. Spencer*, of Co. D, 45th U. S. Infantry, are approved. Private *Spencer* having been acquitted by the Court will be released from confinement and returned to duty.

5th...Private *Jackson Arnold*, Co. C, 45th U. S. Infantry, V. R. C.

CHARGE :—"*Desertion.*"

Specification.—"In this, that he, *Jackson Arnold*, an enlisted soldier in the service of the United States, Private of Co. C, 45th U. S. Infantry, V. R. C., did desert the said service from the guard at Cumberland Barracks, Nashville, Tenn., on or about the 18th day of May, 1867, and did remain absent until delivered up as a prisoner at Cumberland Barracks, Nashville, Tenn., on or about the 18th day of May, 1867. This at Cumberland Barracks, Nashville, Tenn., on or about the dates above mentioned."

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Jackson Arnold*, Co. C, 45th U. S. Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of six months, excepting the first and last fourteen days, said days to be solitary confinement on bread and water diet; at the expiration of said time to have his head shaved and to be dishonorably discharged the service of the United States, with loss of all pay and allowances, now due or become due, except the just dues of the laundress and sutler.

The proceedings and findings in the case of Private *Jackson Arnold*, of Co. C, 45th Inf., V. R. C., are approved. The sentence is confirmed but in order that it may comply with Gen. Orders, No. 4, War Department, current series, the same is mitigated to forfeiture of all pay and allowances due him up to June 1st, 1867, and ten dollars ($10.) per month for six month, during which period he will be confined at hard labor in charge of the guard, except the first and last fourteen (14) days, which will be solitary confinement on bread and water diet. On the expiration of his confinement he will be restored to duty.

6th...Private *William Schreiber*, Co. A, 45th U. S. Infantry, V. R. C.

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

Specification.—"In this, that he, Private *William Schreiber*, Co. A, 45th U. S. Inf., V. R. C., did leave his company quarters without permission on the 11th day of May, 1867, and did not return until the 12th day of May, 1867. This at Cumberland Barracks, Nashville, Tenn., on or about the dates above mentioned."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

Specification.—"In this, that Private *William Schreiber*, Co. A, 45th U. S. Inf., V. R. C., did come into his company quarters after Taps on the 12th day of May, 1867, and did walk up to the men saying in a loud voice, "I can whip any son-of-a-bitch in Co. A," and did continue to make a noise until ordered to the guard house, by Sergeant *Wm. M. Collins*, Co. A, 45th U. S. Infantry, when he said, '*Collins*, you son-of-a-bitch, I can whip you, God damn you.' This at Cumberland Barracks, Nashville, Tenn., on or about the dates above mentioned."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1*st Charge*,	"Guilty."
To the 1*st Charge*,	"Guilty."
To the *Specification*, 2*d Charge*,	"Not Guilty."
To the 2*d Charge*,	"Not Guilty."

FINDINGS:

Of the *Specification*, 1*st Charge*,	"Guilty."
Of the 1*st Charge*,	"Guilty."
Of the *Specification*, 2*d Charge*,	"Guilty,"

with the exception of the words, "God damn you," and substituting therefor the words, "any how."

Of the *Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Schreiber*, Co. A, 45th U. S. Infantry, V. R. C., "to forfeit ten dollars ($10.) of his monthly pay for two months, and to be confined at hard labor in charge of the guard for the same period, with the exception of the first and last ten days, which are to be in solitary confinement, on bread and water diet."

The proceedings and findings in the case of Private *William Schreiber*, Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. Thomas

W. Coe Foote

1..Private WILLIAM T. KEYSER, of Co. B, 2d U. S. Infantry.
2..Private CHARLES WILLIAMS, of Co. B, 2d U. S. Infantry.
3..Private JOHN CASEY, of Co. B, 2d U. S. Infantry.
4..Private JOSEPH BOWEN, of Co. B, 2d U. S. Infantry,
5..Private CHARLES HUNT, of Co. K, 2d U. S. Infantry.
6..Private JOHN CUTURE, of Co. K, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 3d, 1867.

GENERAL ORDERS,
No. 20.

Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., May 23, 1867, pursuant to Special Orders No. 49, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 21, 1867, and of which Brevet Major A. W. KROUTINGER, Captain, 2d U. S. Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

1st..Private *William T. Keyser*, of Co. B, 2d U. S. Infantry,

CHARGE 1ST.—"*Violation of the 50th Article of War.*"

Specification.—"In this, that he, Private *William T. Keyser*, Co. B, 2d U. S. Infantry, did absent himself from his guard, at Taylor Barracks, Louisville, Ky., from about 1 o'clock P. M., of the 15th day of May, 1867, until about 7 o'clock P. M. of the same date."

CHARGE 2D.—"*Violation of the 38th Article of War.*"

Specification.—"In this, that he, Private *William T. Keyser*, Co. B, 2d U. S. Infantry, did throw away or destroy the following accoutrements, viz: one waist belt, one waist belt plate, one cartridge box, one cap pouch and one bayonet scabbard."

CHARGE 3D.—"*Desertion.*"

Specification.—"In this, that he, Private *William T. Keyser*, Co. B, 2d U. S. Infantry, did desert the service of the United States, at Taylor Barracks, Louisville, Ky., about one o'clock P. M., of the 15th of May, 1867, and did remain absent until apprehended at the Rail Road Depot, at Jeffersonville, Ind., attired in civilians' clothes, about five o'clock P. M., of the same date. All this at Taylor Barracks, Louisville, Ky., on or about the date above specified."

To which charges and specifications the prisoner pleaded as follows:

To the *Charges* and *Specifications*, "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *William T. Keyser*, of Co. B, 2d U. S. Infantry, "to be confined at hard labor under charge of the guard for the remainder of his term of service, and to forfeit all pay and allowances that are now, or may hereafter become due him for the same period, except the just dues of the sutler and laundress, and on the expiration of his term of service, to be dishonorably discharged."

The proceedings and findings in the case of Private *William T. Keyser*, of Co. B, 2d U. S. Inf., are approved. The Major General commanding the Department is unable to determine whether or not the sentence conforms with General Orders No. 4, War Department, 1867, in-as-much as the date of the prisoner's enlistment is not of record at these Head-Quarters. The prisoner will forfeit all pay and allowances due him up to the date of this order. The remainder of the sentence is disapproved. The prisoner will be released from confinement and restored to duty.

2d..Private *Charles Williams*, of Co. B, 2d U. S. Infantry.

CHARGE.—" *Violation of the 46th Article of War.*"

Specification.—" In this, that he, Private *Charles Williams*, Co. B, 2d U. S. Infantry, being a member of the Guard duly mounted at Taylor Barracks, Louisville, Ky., on the 16th day of May, 1867, and being duly posted as a sentinel at Crittenden Barracks, Louisville, Ky., did go to sleep while on post, between the hours of twelve and two o'clock at night. All this at Crittenden Barracks, Louisville, Ky., on or about the times and places specified."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, " Guilty."

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Charles Williams*, of Co. B, 2d U. S. Infantry, " to be confined at hard labor under charge of the guard for the period of four (4) months, and to forfeit ten dollars ($10.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Charles Williams*, of Co. B, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d..Private *John Casey*, of Co. B, 2d U. S. Infantry.

CHARGE —" *Violation of the 46th Article of War.*"

Specification.—"In this, that he, Private *John Casey*, Co. B, 2d U. S. Infantry, being a member of the guard regularly mounted at Taylor Barracks, Louisville, Ky., and being regularly posted as a sentinel at Crittenden Barracks, Louisville, Ky.. did go to sleep while on said post between the hours of twelve and two o'clock by night. All this at Crittenden Barracks, Louisville, Ky., on or about the times and places specified."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, " Guilty."

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him Private *John Casey*, of Co. B, 2d U. S. Infantry, " to be confined at hard labor under charge of the guard for the period of four (4) months, and to forfeit ten dollars ($10) of his monthly pay for the same period."

The proceedings and findings in the case of Private *John Casey*, of Co. B, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Private *Joseph Bowen*, of Co. B, 2d U. S. Infantry.

CHARGE.—" *Desertion.*"

Specification.—" In this, that he, Private *Joseph Bowen*, Co. B, 2d U. S. Infantry, being a duly enlisted soldier in the Army of the United

States, did desert the same at Louisville, Ky., about one o'clock P. M., of the 15th day of May, 1867, and did remain absent until apprehended at the Rail Road Depot, Jeffersonville, Ind., on the evening of the same date. This at Taylor Barracks, Louisville, Ky., on the 15th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, "Guilty,"

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Joseph Bowen*, of Co. B, 2d U. S. Infantry, "to be confined at hard labor under charge of the guard for the period of six (6) months, and to forfeit all pay and allowances that are, or may become due him, except the just dues of the laundress, for the same period."

The proceedings and findings in the case of Private *Joseph Bowen*, of Co. B, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *Charles Hunt*, of Co. K, 2d U. S. Infantry,

CHARGE.—"*Violation of the 45th Article of War.*"

Specification,—"In this, that he, Private *Charles Hunt*, Co. K, 2d U. S. Infantry, being a member of the guard mounted on the 16th day of May, 1867, and while posted at Department Head-Quarters, in the city of Louisville, Ky., did get so much under the influence of liquor as to be unfit to perform his duty as a sentinel. All this on or about the time and place specified."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Charles Hunt*, of Co. K, 2d U. S. Infantry.

The proceedings and findings in the case of Private *Charles Hunt*, of Co. K, 2d U. S. Infantry, are approved. Private *Hunt* having been acquitted by the Court, will be released from confinement and restored to duty.

6th. Private *John Cuture*, of Co. K, 2d U. S. Infantry.

CHARGE.—"*Violation of the 45th Article of War.*"

Specification.—"In this, that he, Private *John Cuture*, Co. K, 2d U. S. Infantry, being a member of the guard at Crittenden Barracks, Louisville, Ky., on the 16th day of May, 1867, did get so drunk as to be unfit to perform his duties as a sentinel. All this on or about the time and place specified."

To which charge and specification the prisoner pleaded as follows :

To the *Charge* and *Specification*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Cuture*, of Co. K, 2d U. S. Infantry, "to walk with Sentinel Number one, of the guard, for the period of six (6) months, carrying a knapsack weighing twenty-five (25) pounds, every alternate hour from reveille to retreat during that period."

The proceedings and findings in the case of Private *John Cuture*, of Co. K, 2d U. S. Infantry, are approved. The sentence is confirmed, but miti-

gated to three (3) months confinement, carrying a knapsack weighing twenty-five (25) pounds, every alternate hour from reveille to retreat each day, Sundays excepted.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. L. Hunt

B. McCreadie

1..Private JAMES WARD, of Co. C, 2d U. S. Infantry.
2..Private DANIEL NEVINS, of Co. B, 2d U. S. Infantry.
3..Private ROBERT FIELD, of Co. D, 2d U. S. Infantry.
4..Private PETER DEARY, of Co. F, 2d U. S. Infantry.
5..Corporal JAMES L. BLACKSTONE, of Co. D, 2d U. S. Infantry.
6..Private WINFIELD SWANAGAN, of Co. B, 45th U. S. Infantry, V. R, C.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 3d, 1867.

GENERAL ORDERS, No. 21.

1. Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., May 23, 1867, pursuant to Special Orders No. 49, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 21, 1867, and of which Brevet Major A. W. KROUTINGER, Captain, 2d U. S. Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

1st..Private *James Ward*, of Co. C, 2d U. S. Infantry,

CHARGE 1ST.—"*Violation of the 45th Article of War.*"

SPECIFICATION:—"In this, that he, Private *James Ward*, Co. C, 2d U. S. Infantry, being a member of the guard at Crittenden Barracks, Louisville, Ky., on the 18th day of May, 1867, did get so drunk as to be unfit to perform his duties as a sentinel. All this on or about the time specified."

CHARGE 2D.—"*Absence without leave.*"

SPECIFICATION:—"In this, that he, the said Private *James Ward*, Co. C, 2d U. S. Infantry, did absent himself without permission from proper authority from his company and regiment, at Taylor Barracks, Louisville, Ky., on the 18th day of May, 1867, and did remain absent until the 21st day of May, 1867. All this on or about the times and placesspecified."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification* of the 1*st Charge*,	"Guilty."
To the 1*st Charge*,	"Guilty."
To the *Specification* of the 2*d Charge*,	"Guilty."
To the 2*d Charge*,	"Guilty."

FINDINGS:

Of the *Specification* of the 1*st Charge*,	"Guilty."
Of the 1*st Charge*,	"Guilty."
Of the *Specification*, of the 2*d Charge*,	"Guilty."
Of the 2*d Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him Private *James Ward*, Co. C, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit fifteen dollars ($15.) of his monthly pay for the same period."

2d..Private *Daniel Nevins*, Co. B, 2d U. S. Infantry.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this, that he, Private *Daniel Nevins*, Co. B, 2d U. S.

Infantry, being a duly enlisted soldier in the army of the United States, did desert the same at Louisville, Ky., on or about the 16th day of May, 1867, and did remain absent until apprehended at Jeffersonville, Ind., on or about the 17th day of May, 1867. This at Taylor Barracks, Louisville, Ky., on or about the dates above specified."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty."
Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Daniel Nevins*, Co. B, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit all pay and allowances that are, or may become due him during the same period, except the just dues of the laundress."

3d. Private *Robert Field*, Co. D, 2d U. S. Infantry.

CHARGE.—"*Violation of the 45th Article of War.*"

SPECIFICATION:—"In this, that he, Private *Robert Field*, Co. D, 2d U. S. Infantry, did, while a member of the guard at Lexington, Ky., on or about the 5th day of May, 1867, become so intoxicated as to unfit him for the proper performance of his duty. This at Lexington, Ky., on or about the 5th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty."
Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Robert Field*, Co. D 2d U. S. Infantry, "to carry a log of wood weighing thirty (30) pounds every alternate hour from reveille to retreat, for the period of four (4) months, opposite the guard house of his company."

4th. Private *Peter Deary*, Do. F, 2d U. S. Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION:—"In this, that he, Private *Peter Deary*, Co. F, 2d U. S. Infantry, having been regularly enlisted in the service of the United States, did desert the same at or near Franklin, Ky., on or about the 15th day of May, 1867, and did remain absent until apprehended at Louisville, Ky., on the 22d day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty."
Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Peter Deary*, Co. F 2d U. S. Infantry, "to be confined at hard labor under charge of the guard for the period of six (6) months, and to forfeit all pay and allowances that that are now or may become due him, for the same period, except the just dues of the laundress."

5th. Corporal *James L. Blackstone*, Co. D, 2d U. S. Infantry

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

SPECIFICATION :—"In this, that he, Corporal *James L. Blackstone*, Co. D, 2d U. S. Infantry, did absent himself without permission from proper authority, from retreat on the 12th day of May, 1867, until about 11 o'clock A. M., on the 13th day of May, 1867. This at the Head-Quarters of Co. D, 2d U. S. Infantry, at Lexington, Ky."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this, that he, Corporal *James L. Blackstone*, Co. D, 2d U. S. Inf., did, after being ordered to his quarters in arrest by Lt. *P. H. Flood*, 2d U. S. Infantry, at the time his commanding officer, did leave said quarters, and did remain absent until brought back by the guard. This on or about the 13th day of May, 1867, at the Head-Quarters of Company D, 2d U. S. Infantry, at Lexington, Ky."

To which charges and specifications the prisoner pleaded as follows :

To the *Specification*, 1st *Charge*,	"Guilty."
To the 1st *Charge*,	"Guilty."
To the *Specification* 2d *Charge*,	"Guilty."
To the 2d *Charge*,	"Guilty."

FINDINGS:

Of the *Specification*, 1st *Charge*,	"Guilty."
Of the 1st *Charge*,	"Guilty."
Of the *Specification*, 2d *Charge*,	"Guilty."
Of the 2d *Charge*,	"Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *James L. Blackstone*, Co. D, 2d U. S. Infantry, "to be reduced to the ranks as a private soldier, and to forfeit five dollars ($5.) of his monthly pay for the period of four (4) months.

6th. Private *Winfield Swanagan*, Co. B, 45th U. S. Infantry, V. R. C.

CHARGE.—"*Desertion.*"

SPECIFICATION:—'In this, that he, Private *Winfield Swanagan*, Co. B, 45th U. S. Infantry, V. R. C., a duly enlisted soldier in the service of the United States, did desert from his company stationed at post of Jeffersonville, Ind., May 14th, 1867, and did remain absent until apprehended at Louisville, Ky., on or about the 17th day of May, 1867. Thirty dollars ($30.) being paid for his apprehension. This at or near the post of Jeffersonville, Ind."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*,	"Not Guilty."
To the *Charge*,	"Not Guilty."

FINDINGS :

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 *Winfield Swanagan*, Co. B, 45th U. S. Infantry, V. R. C., "to be confined at hard labor under charge of the guard for the period of four (4) months, and to forfeit fifteen dollars ($15.) of his monthly pay for the same period."

II. The proceedings and findings in the cases of Privates *James Ward*, C, 2d U. S. Infantry, *Daniel Nevins*, Co. B, 2d U. S. Infantry, *Robert Field*, Co. D, 2d U. S. Infantry and *Peter Deary*, Co. F, 2d U. S. Infantry, Corpo-

ral *James L. Blackstone*, Co. D, 2d U. S. Inf., and Private *Winfield Swanagan*, Co. B, 45th U. S. Infantry, V. R. C., are approved. The sentences are confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

L. C. Kellogg
1st Lieut 18th Inf
aide-de-Camp

1..Private Wm. M. Ritenour, Co. C, 45th Infantry, V. R. C.
2..Private Peter Hickman, Co. A, 45th Infantry, V. R. C.
3..Private Jas. C. Fagen, Co. F, 45th Infantry, V. R. C.
4..Private John P. Hagerty, Co. B, 5th U. S. Cavalry.
5..Private Columbus Swanger, Co. F, 45th Infantry. V. R. C.
6..Private William Floyd, Co. F, 45th Infantry, V. R. C.
7..Private John O'Brien, Co. F, 45th Infantry, V. R. C.
8..Sergeant Michael McGahey, Co. M, 5th U. S. Cavalry.
9..Corporal John Killian, Co. M, 5th U. S. Cavalry.
10..Private Francis Jaihle, Co. B, 5th U. S. Cavalry.

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Head-Quarters Department of the Cumberland,
Louisville, Ky., June 6d, 1867.

General Orders, No. 22.

Before a General Court Martial, which convened at Nashville, Tenn., May 13th, 1867, pursuant to Special Orders No. 36, par. 3, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 6th, 1867, and of which Captain G. S. Carpenter, 45th U. S. Infantry, V. R. C., is President, and 2d Lieut. W. H. Bower, 45th U. S. Infantry, V. R. C., Judge Advocate, were arraigned and tried:

1st..Private *William M. Ritenour*, Co. C, 45th U. S. Infantry, V. R. C.

Charge:—"*Desertion.*"

Specification:—"In this, that he, Private *William M. Ritenour*, Co. C, 45th U. S. Infantry, V. R. C., having been duly enlisted as a soldier in the service of the United States, did desert the same on the 24th day of March 1867, and remain absent until apprehended on the 30th day of March, 1867. This at Louisville, Ky., on or about the 24th day of March, 1867."

To which charge and specification the prisoner pleaded as follows:

To the *Specification* of the *Charge*, "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Specification* to the *Charge*, "Guilty," except the words, "desert the same," and substituting therefor the words "absent himself from his proper post and duties without authority."

"Not Guilty" of desertion, but "Guilty" of "Absence without leave."

SENTENCE:

And the Court does therefore sentence him, Private *William M. Ritenour*, Co. C, 45th U. S. Infantry, V. R. C., "to forfeit to the United States ten dollars ($10.) of his monthly pay for one (1) month."

The proceedings and findings in the case of Private *William M. Riterour*, of Co. C, 45th U. S. Infantry, V. R. C., are hereby approved. The sentence is confirmed and will be carried into effect.

2d...Private *Peter Hickman*, Co. A, 45th U. S. Infantry, V. R. C.

Charge.—"*Drunkenness on duty.*"

Specification:—"In this, that he, Private *Peter Hickman*, Co. A, 45th U. S. Infantry, V. R. C., having been duly detailed and mounted as a member of the guard, at Cumberland Barracks, Nashville, Tenn.,

did become so drunk as to be unable to perform his duties. This at or near Cumberland Barracks, Nashville, Tenn , on or about the11th day of May 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification* of the *Charge*, "Guilty,"

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Peter Hickman*, Co. A, 45th U. S. Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of six (6) months.

The proceedings and findings in the case of Private *Peter Hickman*, Co. A, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

3d..Private *James C. Fagen*, of Co. F, 45th U. S. Infantry, V. R. C.

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

SPECIFICATION :—"In this, that he, Private *James C. Fagen*, Co. F, 45th U. S. Infantry, V. R. C., did steal a pair of government trowsers, from the clothing room of Co. F, 45th U. S. Infantry, V. R. C. This at Cumberland Barracks, Nashville, Tenn., on or about the 20th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, of the *Charge*, "Not Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification* to the *Charge*, "Guilty."

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James C. Fagen*, Co. F, 45th U. S. Infantry, V. R. C., "to forfeit all pay and allowances that are now due or may become due, except the just dues of the laundress and sutler, to be confined at hard labor in charge of the guard for the period of two months, except the first and last fourteen days thereof, during which time he is to be placed in solitary confinement, on bread and water diet; and at the expiration of that term, to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *James C. Fagen*, Co. F, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried in effect, except that portion requiring him, at the expiration of his confinement to be dishonorably discharged, which is hereby remitted; when he shall have been confined two months, he will be released and returned to duty with his company.

4th...Private *John P. Hagarty*, Co. B, 5th U. S. Cavalry.

CHARGE.—" *Desertion.*"

SPECIFICATION :—" In this, that he, Private *John P. Hagarty*, Co. B, 5th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same from his Company, at Ash Barracks, Nashville, Tenn., May 12th, 1867. and did remain absent until apprehended on the 15th day of May, 1867, near Nashville, Tenn. All this at Ash Barracks, Nashville, Tenn., on or about the 13th day of May, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Not Guilty."

To the *Charge*, "Not Guilty,'

FINDINGS :

Of the *Specification* of the *Charge*, "Guilty,"
except the words "did desert the service," and substituting therefor "did absent himself with proper authority."

"Not Guilty" of "Desertion," but "Guilty of Absence without leave."

SENTENCE :

And the Court does therefore sentence him, Private *John P. Hagarty* Co. B, 5th U. S. Cavalry, "to be confined for seven (7) days on bread and water diet, and to forfeit to the U. S. ten dollars ($10.) per month of his monthly pay for two months.

The proceedings and findings in the case of Private *John P Hagarty*, of Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *Columbus Swanger*, Co. F, 45th U. S. Infantry, V. R. C.

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

SPECIFICATION:—"In this, that he, Private *Columbus Swanger*, Co. F, 45th U. S. Infantry, V. R. C., did, when ordered by 1st Sergeant *John Shorten*, Co. F, 45th U. S. Infantry, V. R. C., to sweep up some dirt in the quarters say "he would be damned if he would do it," and when again told by the 1st Sergeant, that "he should do it" said "he would be God damned if he would," that "he would go to the guard house first," or words to that effect. This at Cumberland Barracks, Nashville, Tenn., on or about the 25th day of May, 1867.

To which charge and specification the prisoner pleaded as follows :

To the *Specification* of the *Charge*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Columbus Swanger*, Co. F, 45th U. S. Infantry, V. R. C., "to suffer fourteen (14) days solitary confinement on bread and water diet, and to forfeit ten dollars ($10.) of his monthly pay for one month."

The proceedings and findings in the case of Private *Columbus Swanger*, of Co. F, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

6th. Private *William Floyd*, of Co. F, 45th U. S. Infantry, V. R. C.

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

SPECIFICATION :—"In this, that he, the said Private *William Floyd*, Co. F, 45th U. S. Infantry, V. R. C., did absent himself without proper authority from his company and regiment on the night of the 24th day of May, 1867, and did remain absent until arrested by the guard on the evening of the 25th day of May, 1867."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this, that he, the said Private *William Floyd*, Co. F, 45th U. S. Infantry, V, R. C., did, when arrested by Sergeant *John Conley*, Co. F, 45th U. S. Infantry, V. R. C., in the city of Nashville, Tenn., for being absent from camp, resist the guard, and strike the said Sergeant *John Conley*, Co. F, 45th U. S. Infantry, V. R. C., with his fist in the face, while in the execution of his office, and call him, the said Sergeant *Conley*, Co. F, 45th U. S. Infantry, V, R. C., a 'damned son-of-a-bitch.' The said Private *William Floyd*, Co. F, 45th U. S. Infantry, V. R. C., then slipped the bayonet

from the scabbard of the said Sergeant *Conley*, and tried to thrust him through hte body. All this at Nashville, Tenn.,on or about the 25th day of May, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification* of the 1*st Charge*,	"Guilty."
To the 1*st Charge*,	"Guilty."
To the *Specification* of the 2*d Charge*,	"Not Guilty."
To the 2*d Charge*,	"Not Guilty."

FINDINGS:

Of the *Specification*, 1*st Charge*,	"Guilty."
Of the 1*st Charge*,	"Guilty."
Of the *Specification*, 2*d Charge*,	"Guilty."
Of the 2*d Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him Private *William Floyd*, Co. F, 45th U. S. Infantry. V. R.C., "to be confined in charge of the guard for the period of three months, fourteen days of each month to be solitary confinement on bread and water diet, and to forfeit twelve dollars ($12.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *William Floyd*, Co. F, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

7th..Private *John O'Brien*, Co. F, 45th U. S. Infantry, V. R. C.,

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

SPECIFICATION:—"In this, that he, Private *John O'Brien*, Co. F, 45th U. S. Infantry, V. R. C., did absent himself from his company and regiment on the night of the 24th day of May 1867, and did remain absent until arrested by a guard on the evening of the 25th day of May, 1867."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION:—"In this, that he, Private *John O'Brien*, Co. F, 45th U. S. Infantry, V. R. C., when arrested in the city of Nashville, Tenn., by Sergeant *John Conley*, Co. F, 45th U. S. Infantry, V. R. C., for being absent without leave, was so drunk that he was unable to walk, and had to be brought to camp in a hack. All this at Nashville, Tenn., on or about the 25th day of May, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the *Specification*, 1*st Charge*,	"Guilty."
To the 1*st Charge*,	"Guilty."
To the *Specification* 2*d Charge*,	"Guilty."
To the 2*d Charge*,	"Guilty."

FINDINGS:

Of the *Specification* 1*st Charge*,	"Guilty."
Of the 1*st Charge*,	"Guilty."
Of the *pecification*, 2*d Charge*,	"Guilty."
Of the 2*d Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John O'Brien*, Co. F, 45th U. S. Infantry, V. R. C., "to suffer seven (7) days solitary confinement, on bread and water diet, and to forfeit ten dollars ($10.) per month of his monthly pay for two months."

The proceedings and findings in the case of Private *John O'Brien*, Co. F, 45th U. S. Infantry, V. R. C. are approved. The sentence is confirmed and will be carried into effect.

8th...Sergeant *Michael McGahey*, Co. M, 5th U. S. Cavalry.

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

SPECIFICATION:—"In this, that he Sergt. *Michael McGahey*, Co. M, 5th U. S. Cavalry, did without cause or provocation strike, beat, and otherwise maltreat *John Epperson*, a colored man. This at Gallatin, Tenn., on or about the 22d day of May, 1867..'

To which charge and specification the prisoner pleaded as follows:

To the *Specification* of the *Charge*, "Not Guilty."

To the *Charge*, "Not Guilty,'

FINDINGS:

Of the *Specification* of the *Charge*, "Guilty,"

except the words "beat and otherwise maltreat."

Of the Charge, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *Michael McGahey*, of Co. M, 5th U. S. Cavalry, "to forfeit five dollars ($5.) of his monthly pay, and to be reprimanded by his commanding officer."

The proceedings and findings in the case of Sergeant *Michael McGahey*, Co. M, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

9th..Corporal *John Killian*, Co. M, 5th U. S. Cavalry.

CHARGE.—"*Disorderly conduct to the prejudice of good order and military discipline.*"

SPECIFICATION.—"In this, that he, Corporal *John Killian*, Co. M, 5th U. S. Cavalry, did hold by the arm, *John Epperson*, a colored man, in the streets of Gallatin, Tenn., while said *Epperson* was beaten in a brutal manner by Sergeant *Michael McGahey* of the same company."

To which charge and specification the prisoner pleaded as follows:

To the *Specification* of the *Charge*, "Not Guilty."

To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty,"

And the Court does therefore acquit him, Corporal *John Killian*, Co. M, 5th U. S. Cavalry.

The proceedings and findings in the case of Corporal *John Killian* are approved. Corporal *Killian* having been acquitted by the Court will be released from confinement and returned to duty.

10th..Private *Francis Jaihle*, Co. B, 5th U. S. Cavalry.

CHARGE.—"*Absence without leave.*"

SPECIFICATION:—"In this, that he, Private *Francis Jaihle*, Co. B, 5th U. S. Cavalry, did on the evening of the 25th day of May, 1867, absent himself without proper authority from his company quarters, at Ash Barracks, Nashville, Tenn., and did remain absent until after tattoo roll-call, on the evening of the 27th of May, 1867. All this at Ash Barracks, Nashville, Tenn., on or about the dates above mentioned."

To which charge and specification the prisoner pleaded as follows:

To the *Specification* of the *Charge*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *Francis Jaihle*, Co.

B, 5th U. S. Cavalry, "to forfeit ten dollars ($10.) per month of his monthly pay for one month, and to be confined at hard labor for five days, and to make good the time lost by his absence."

The proceedings and findings in the case of Private *Francis Jaihle*, Co. B, 5th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which Captain G. S. CARPENTER, 45th U. S. Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th U. S. Infantry, V. R. C., Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

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1..Private JAMES CONLIN, Co. C, 25th U. S. Infantry.
2..Private HARVEY HUXLEY, Co. K, 25th U. S. Infantry.
3..Private DAVID H. KEARNES, Co. I, 25th U. S. Infantry.
4..Private CHRISTIAN WIGOLD, Co. D, 25th U. S. Infanry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 10th, 1867.

GENERAL ORDERS,
No. 23.

Before a General Court Martial, which convened at Memphis, Tenn., May 27th, 1867, per Special Orders No. 44, Head-Quarters Department of the Cumberland, dated Louisville, Ky., May 15th, 1867, and of which Captain C. A. M. ESTES, 25th U. S. Infantry, is President, and 1st Lieut. W. J. KYLE, 25th U. S. Infantry, Judge Advocate, were arraigned and tried :

1st..Private *James Conlin*, Co. C, 25th U. S. Infantry,

CHARGE 1ST.—" *Violation of the 45th Article of War.*'

SPECIFICATION :—" In this, that he, Private *James Conlin*, Co. C, 25th U. S. Infantry, while on duty as one of the garrison guards, was so much under the influence of intoxicating liquor as not to be capable of performing the duties of a soldier. This at Memphis, Tenn., on or about the 1st day of May, 1867."

CHARGE 2D.—" *Violation of the 50th Article of War.*"

SPECIFICATION :—"In this, that he, Private *James Conlin*, Co. C, 25th U. S. Infantry, did absent himself from his guard without leave from proper authority, and did remain absent, from 11 P. M. until 11½ P. M. All this at Memphis Tenn., on or about May 1st, 1867."

To which charges and specifications the prisoner pleaded as follows :

To the *Specification*, 1*st Charge*,	" Not Guilty."
To the 1*st Charge*,	" Not Guilty."
To the *Specification*, 2*d Charge*,	" Guilty."
To the 2*d Charge*,	" Guilty."

FINDINGS:

Of the 1*st Charge* and *Specification*,	" Not Guilty."
Of the 2*d Charge* and *Specification*,	" Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Conlin*, Co. C, 25th U. S. Infantry, "to forfeit to the United States, five dollars ($5.) of his monthly pay for one month."

The proceedings and findings in the case of Private *James Conlin*, Co. C, 25th U. S. Infantry, on the 1st Charge and Specification are approved. The findings on the 2d Charge, and the Specification thereunder are disapproved, as the testimony fails to establish a violation of the 50th Article of War. Private *Conlin* will be released from confinement and restored to duty.

2d..Private *Harvey Huxley*, Co. K, 25th U. S. Infantry.

CHARGE 1ST.—" *Violation of the 45th Article of War.*"

SPECIFICATION:—" In this, that he, Private *Harvey Huxley*, Co. K , 25th

U. S. Infantry, while on duty as one of the garrison guards was so much under the influence of intoxicating liquor, as not to be capable of performing the duties of a soldier. This at Memphis, Tenn., on or about the 1st day of May, 1867."

CHARGE 2D.—" *Violation of the 50th Article of War.*"

SPECIFICATION:—"In this, that he, Private *Harvey Huxley*, Co. K, 25th U. S. Infantry, did absent himself from his guard without leave from proper authority, and did remain absent from 11 P. M., until 11½ P. M. All this at Memphis, Tenn., on or about May 1st, 1867."

To which *Charges* and *Specifications* the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Harvey Huxley*, Co. K, 25th U. S. Infantry, "to forfeit to the United States twelve dollars ($12.) of his monthly pay for the period of three (3) months, and to be confined at hard labor under charge of the guard for the period of one (1) month."

The proceedings and findings in the case of Private *Harvey Huxley*, of Co. K, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d..Private *David W. Kearnes*, Co. I, 25th U. S. Infantry.

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

SPECIFICATION:—"In this, that he, Private *David H. Kearns*, Co. I, 25th U. S. Infantry, did allow Sergeant *Edgar H. Thompson*, Co. I, 25th U. S. Infantry, to sell one box of axes, property of the United States, and did fail to report to his company commander or any other commissioned officer, of the proposed sale of the said axes, property of the United States, and by said failure, did become accessory to said unlawful sale, to the prejudice of good order and military discipline. This at Memphis Tenn., on or about May 10th, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *David H. Kearnes*, Co. I, 25th U. S. Infantry, "to forfeit to the United States twelve dollars ($12.) of his monthly pay for one month and to be confined at hard labor under charge of the guard for one month."

The proceedings and findings in the case of Private *David H. Kearnes*, of Co. I, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th...Private *Christian Wigold*, Co. D, 25th U. S. Infantry.

CHARGE 1ST.—"*Desertion.*"

SPECIFICATION:—"In this, that he, Private *Christian Wigold*, Co. D, 25th U. S. Infantry, did desert from his company in camp near Humboldt, Tenn., on or about the evening of the eleventh (11) day of May, 1867, and did remain absent until apprehended and brought back under guard on the twelvth (12) day of May, 1867."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION:—"In this, that he, Private *Christian Wigold*, Co. D, 25th U. S. Infantry, did obtain from *Gurdo F. Neif*, Private. Co. D, 25th U. S. Infantry, money to the amount of twenty-five and one-half dollars, ($25½.) on the false pretence that it would have been stolen from him (he being under the influence of liquor) and after receiving said money, did desert the service, carrying said money with

him. All this at or near camp, Detachment 25th U. S. Infantry, Humboldt, Tenn., on or about the 11th day of May, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Christian Wigold* Co. D, 25th U. S. Infantry, "to forfeit to the United States twelve dollars ($12.) of his monthly pay for the period of four (4) months 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 *Christian Wigold*, Co. D, 25th U. S. Infanry, are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple

A. A. G.

1..Private WILLIAM POWELL, Co. G, 2d U. S. Infantry.
2..Recruit PETER BRADY, 41st U. S. Infantry.
3..Recruit PERRIE HILL, 41st U. S. Infantry.
4..Private DAVID BURGIN, Co. B, 45th Infantry, V. R. C.
5..Private JOHN KRONESS, Co. G, 2d U. S. Infantry.
6..Private CHARLES GONZALES, Co. G, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 12th, 1867.

GENERAL ORDERS, No. 24.

1. Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., June 6th, 1867, per Special Orders No. 61, par. 3, dated Head-Quarters Department of the Cumberland, June 4th, 1867, and of which Bvt. Maj. A. W. KROUTINGER, Capt. 2d U. S. Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d U. S. Infantry, Judge Advocate, were arraigned and tried :

1st..Private *William Powell*, Co. G, 2d U. S. Infantry.

CHARGE.—" *Desertion.*"

SPECIFICATION :—" In this, that he, Private *William Powell*, Co. G, 2d U. S. Infantry, a regularly enlisted soldier in the United States Army, did desert the same at Danville, Ky., on or about the night of the 24th or the morning of the 25th day of May, 1867. Thirty dollars ($30.) paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him Private *William Powell*, Co. G, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard with his company, for the period of six (6) months, and to forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress for the same period."

2d..Recruit *Peter Brady*, 41st U. S. Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this, that he, *Peter Brady*, Unassigned Recruit, 41st U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same from Taylor Barracks, Louisville, Ky., on the 1st day of February, 1867, and did remain absent until apprehended on the 8th day of May, 1867, at or near Jessamine County, Ky. Thirty dollars ($30.) reward claimed for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Peter Brady*, 41st Regiment U. S. Infantry, " to be confined at hard labor under charge of the guard with his regiment, for the period of six (6) months, and to

forfeit all pay and allowances that are or may become due him, except the just dues of the laundress for the same period."

3d .Recruit *Perrie Hill*, 41st U. S. Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this, that he, *Perrie Hill*, unassigned Recruit 41st U. S. Infantry, being duly enlisted in the service of the United States, did desert the same from Taylor Barracks, Louisville, Ky., on the 1st of February, 1867, and did remain absent until apprehended on the 8th day of May, 1867, at or near Jessamine County Ky. Thirty dollars ($30.) reward claimed for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty,"

SENTENCE :

And the Court does therefore sentence him, Recruit *Perrie Hill*, 41st U. S. Infantry, "to be confined at hard labor in charge of the guard, with his regiment for six (6) months, and to forfeit all pay and allowances that are now, or may become due him, except the just dues of the laundress for the same period."

4th...Private *David Burgin* Co. B, 45th U. S. Infantry, V. R. C.

CHARGE.—" *Desertion.*"

SPECIFICATION :—" In this, that he, Private *David Burgin*, Co. B, 45th U S. Infantry, V. R. C., a duly enlisted soldier in the service of the United States, did desert from his company, stationed at the post of Jeffersonville, Ind., May 14th, 1867, and did remain absent until apprehended at Louisville, Ky., on or about the 17th day of May, 1867. Thirty dollars ($30.) being paid for his apprehension. This at or near the post of Jeffersonville, Ind."

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

FINDINGS :

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 *David Burgin* Co. B, 45th U. S. Infantry, V. R. C., " to make good all expenses incurred by the government for his apprehension, and to forfeit fifteen dollars ($15.) of his monthly pay for the period of two (2) months."

5th..Private *John Kroness*, Co. G, 2d U. S. Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this, that he, Private *John Kroness*, Co. G, 2d U. S. Infantry, a regularly enlisted soldier in the army of the United States, did desert the same at Danville, Ky., on or about the night of the 24th, or the morning of the 25th day of May 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Kroness*, Co. G, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard with his company for the period of six (6) months, and to forfeit all pay and allowances that are now, or may become due him, except the just dues of the laundress, for the same period."

6th..Private *Charles Gonzales*, Co. G, 2d U. S. Infantry.

CHARGE :—" *Desertion.*"

SPECIFICATION :—"In this, that he, Private *Charles Gonzales*, Co. G, 2d U. S. Infantry, a regularly enlisted soldier in the army of the United States, did desert the same at Danville, Ky., on or about the night of the 24th or the morning of the 25th day of May, 1867. Thirty dollars ($30.) paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Charles Gonzales*, Co. G, 2d U. S. Infantry, "to be confined at hard labor under charge of the guard with his company for the period of six (6) months, and to forfeit all pay and allowances that are now, or may become due him, except the just dues of the laundress for the same period."

II. The proceedings and findings in the cases of Private *William Powell*, Co. G, 2d U. S. Infantry, Recruit *Peter Brady*, 41st U. S. Infantry, Recruit *Perrie Hill*, 41st U. S. Infantry, Private *David Burgin*, Co. B, 45th U. S. Infantry, V. R. C., Private *John Kroness*, Co. G, 2d U. S. Infantry, and Private *Charles Gonzales*, Co. G, 2d U. S. Infantry, are approved. The sentences are confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A. A. G.

1..Private FRANKLIN B. WAYNE, Co. B, 2d U. S. Infantry.
2..Private MICHAEL MCGOWAN, Co. C, 2d U. S. Infantry.
3..Private THOMAS MCELVEY, Co. I, 2d U. S. Infantry.
4..Private GEORGE E. LONGSDORF, Co. B, 45th U. S. Infantry, V. R. C.
5..Private WILLIAM ELLSWORTH, Co. I, 2d U. S. Infantry.
6..Private CHARLES IRVING, Co. H, 2d U. S. Infantry.
7..GEORGE SMITH, Unassigned Recruit, 2d U. S. Infantry.
8..Private JOHN QUINN, Co. H, 2d U. S. Infantry.
9..Private LOUIS PEDDALD, Co. F, 2d U. S. Infantry.
10..Private JOHN KASTNER, Co. B, 45th U. S. Infantry, V. R. C.
11..Private JOHN KUNKLE, Co. B, 45th U. S. Infantry, V. R. C.
12..Private BENJAMIN H. WILLIAMS, Co. F, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., June 22d, 1867.

GENERAL ORDERS, No. 25.

Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., June 6th, 1867, pursuant to Special Orders No. 61, par. 3, dated Head-Quarters Department of the Cumberland, June 4th, 1867, and of which Bvt. Maj. A. W. KROUTINGER, Capt. 2d U. S. Infantry, is President. and 2d Lieut. W. R. DUNTON, 2d U. S. Infantry, Judge Advocate, were arraigned and tried :

1st..Private *Franklin B. Wayne*, Co. B, 2d U. S. Infantry.

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

SPECIFICATION :—"In this ; that he, Private *Franklin B. Wayne*, Co. B, 2d U. S. Infantry, has been so much under the influence of intoxicating liquor, as to be unable to perform his duties as a soldier from on or about the 16th day of May, 1867, to the 20th day of May, inclusive. This at Lebanon Ky., from on or about the 16th day of May, to the 20th day of May, 1867, inclusive. "

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Franklin B. Wayne*, Co. B, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard, for the period of two months, and to forfeit fifteen dollars, ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Franklin B. Wayne*, Co. B, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d..Private *Michael McGowan*, Co. C, 2d U. S. Infantry.

CHARGE :—" *Disobedience of orders.*"

SPECIFICATION :— " In this; that he, Private *Michael McGowan*, Co. C, 2d U. S. Infantry, having been ordered by Sergeant *William Tobin*, Co. F, 2d U. S. Infantry, he being at the time in the performance of his duty, and in charge of the detachment, to go into the detachment mess room and kitchen, as cook for the detachment, it being his regular turn on duty, did wilfully disobey said order, and would

not go and perform this duty, and continued to refuse to do this duty. All this at Lebanon, Ky., in the quarters of the detachment on or about the 20th day of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the court does therefore sentence him, Private *Michael McGowan*, Co. C, 2d U. S. Infantry, "to forfeit fifteen dollars ($15.) of his monthly pay for the period of three (3) months.

The proceedings, findings and sentence in this case are disapproved. A soldier who violates, or disobeys the the orders of a non-commissioned officer, should be charged under the 99th Article of War, with "conduct to the prejudice of good order and military discipline." When the charge is "disobedience of orders," it comes under the 9th Article of War, in which the officer referred to, means a *commissioned officer* only. See Holt's Digest, p. 2. (3.)

3d..Private *Thomas McElvey*, Co. I, 2d U. S. Infantry.

CHARGE.—" *Violation of the 45th Article of War.*"

SPECIFICATION :—"In this ; that he, Private *Thomas McElvey*, Co. I, 2d U. S. Infantry, having been regularly detailed for police duty, in the mess room and kitchen of the detachment, did become so drunk as to be entirely unable to perform any duty. This at Lebanon, Ky., on or about the 20th day of May, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings, findings and acquittal, in the case of Private *Thomas McElvey*, of Co. I, 2d U. S. Infantry, are approved. Private *McElvey* will be released from confinement and returned to duty.

4th..Private *George E. Longsdorf*, Co. B, 45th U. S. Infantry, V. R. C.

CHARGE.—" *Violation of the 50th Article of War.*"

SPECIFICATION.—" In this: that he, Private *George E. Langsdorf*, Co. B, 45th U. S. Infantry, V. R. C., having been regularly detailed and mounted as a member of the guard, did, without permission from proper authority, leave his proper quarters about 12 o'clock on the night of the 6th day of June, 1867, and could not be found when his turn came to go on duty at 4 o'clock in the morning. He did not return until 5 o'clock. This at or near the post of Jeffersonville, Ind., on the morning of the 7th day of June, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *George E. Langsdorf*, Co. B, 45th U. S. Infantry, V. R C., "to forfeit ten dollars ($10.) of his monthly pay for the period of four (4) months, and to be confined at hard labour under charge of the guard for the same period,"

The proceedings and findings in the case of Private *George E. Langsdorf*, of Co. B, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

5th..Private *William Ellsworth*, Co. I, 2d U. S. Infantry.

CHARGE.—" *Desertion.*"

SPECIFICATION.—" In this; that he, Private *William Ellsworth*, Co. I, 2d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 10th day of November, 1866, at Jeffersonville, Ind. This at the date and place above mentioned."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Ellsworth*, Co. I, 2d U. S. Infantry, " to forfeit to the United States all pay and allowances that are now due him, and to be confined in such military prison as the Commanding General may direct."

The proceedings and findings in the case of Private *William Ellsworth* are approved. The sentence is disapproved, inasmuch as it is so carelessly stated as not to specify the period of confinement to which he is sentenced. The prisoner will be released from confinement and restored to duty. See Holt's Digest, page 216. (9.)

6th..Private *Charles Irving*, Co. H, 2d U. S. Infantry.

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

SPECIFICATION 1ST :—" In this; that he, Private *Charles Irving*, of Co. H, 2d U. S. Infantry, while a prisoner in the guard house, did leave said guard house by an unfinished door and go to the cook fire, and on being ordered by Bvt. Maj. *James W. Long*, Capt. 2d U. S. Infantry, his commanding officer, to go into a certain part of the guard house, did say, ' I would like to know what you call that part of the guard house?' (or building) but did not obey said order, and on being pushed by Major *Long* toward that part of the house referred to, did say, in the presence of enlisted men, " I'll have you to know Major *Long*, that I have my rights, and I'll show Regulations to you, I'll have you up for this," and upon Major *Long* giving an order for him, Private *Irving*, to be tied up, did say, " you can't tie me up according to regulations," and did proceed in like manner, until Major *Lony* gave the order to have the said Private *Irving* to be ' bucked and gagged,' when he the said Private *Irving* did resist the guard, saying, " I'll have Major *Long* to know that he can't buck and gag me according to regulations, and I'll have you up for it, by God, I'll get even with you some day," and words of like import, and did also continue his forcible resistence, and did in conjunction with Privates *Quinn* and *Burns* of said company behave in so disorderly a manner as to make it necessary for the guard to use force to knock them down and bind them to keep them in order."

SPECIFICATION 2D :—"That Private *Charles Irving*, Co. H, 2d U. S. Infantry, did, when ordered by 1st Sergeant *Thomas Brown*, Co. H, 2d U. S. Infantry, the Sergeant having been placed in charge of the guard, and afterwards being ordered by Lt. *Charles L. Noggle*, 2d U. S. Infantry, to ' keep still ' did not obey said order, but did continue to use threatening and disrespectful language towards Major *Long*, and did also say to Lieut. *Charles L. Noggle*, 2d U. S. Infantry, 'I had some respect for you once Lieut. *Noggle*, but I have none now,' or words to that effect. All this at Camp Burbank, Warsaw, Ky, on or about the 24th day of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specifications*, " Guilty."

SENTENCE :

And the Court does therefore sentence him Private *Charles Irving*, Co. H, 2d U. S. Infantry, "to forfeit thirty dollars ($30.) of his pay and to be confined at hard labor in charge of the guard for one month.

The proceedings and findings in the case of Private *Charles Irving*, Co. H, 2d U. S. Infantry are approved. The sentence is confirmed and will be carried into effect.

7th..*George Smith*, Unassigned Recruit, 2d U. S. Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—" In this; that he, *George Smith*, Unassigned Recruit, 2d U. S. Infantry, a regularly enlisted man in the service of the United States, did desert the said service at Newport Barracks, Ky., on or about the 26th day of July, 1866, and remain absent therefrom until he surrendered himself at Albany, New York, on or about the 11th day of February, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George Smith*, Unassigned Recruit, 2d U. S. Infantry, " to be confined at hard labor under charge of the guard for the period of six (6) months, and to forfeit all pay and allowances that are now or may become due him for the same period, and to make good the time lost by desertion."

The proceedings and findings in the cases of Private *George Smith*, Unassigned Recruit, 2d U. S. Infantry, are approved. The sentence is confirmed but mitigated to forfeiture of all pay and allowances due up to the date of this order, and ten dollars ($10.) per month for six (6) months, during which period he will be confined at hard labor in charge of the guard. He will also make good the time lost by desertion.

8th..Private *John Quinn*, Co. H, 2d U. S. Infantry.

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

SPECIFICATION 1ST —"In this; that he, Private *John Qninn*, Co. H, 2d U. S. Infantry in conjunction with certain enlisted men of Co. H, 2d U. S. Infantry, did enter the premises of *Andrew Beyer* a citizen of Warsaw, Ky., and did assault said *Andrew Beyer*, and did catch hold of Mrs. *Ann Beyer*, when she came to the rescue of her husband *Andrew Beyer*, and fling her away saying : ' God damn you what do you want.' All this at Warsaw, Ky., on the 22d day of May, 1867."

SPECIFICATION 2D :—"In this; that the said Private *John Quinn*, Co. H, 2d U. S. Infantry, having been arrested by a guard, did on his way to Camp Burbank, Warsaw, Ky., make frequent halts, rendering it necessary for the guard to push him along, and he the said *Quinn* did abuse the guard by profane and threatening language."

SPECIFICATION 3D :—"In this; that the said Private *John Quinn*, Co. H, 2d U. S. Infantry, did, when ordered by the Corporal of the guard to keep quiet, abuse said Corporal, and did disobey said order, and when repeatedly ordered away from the guard house door, did keep coming to said door, and did forcibly resist Sergeant *Brown*, being in the execution of his duty, did attempt to tie him up, and did use resistance to such an extent as to render manual strength necessary to knock him down, and assistance to tie him."

SPECIFICATION 4TH :—"In this; that he, Private *John Quinn*, Co. H, 2d U. S. Infantry, did use threatening language towards 1st Sergeant *Thomas Brown*, Co. H, 2d U. S. Infantry, to the effect what he would do when he got a chance. All this at Camp Burbank, Warsaw, Ky., on the 25th day of May, 1867.

To which charges and specifications the prisoner pleaded as follows :

To the 1*st Specification*, "Not Guilty.

To the 2*d*, 3*d and* 4*th Specifications*, "Guilty.

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Quinn*, Co. H, 2d U. S. Iafantry, "to forfeit ten dollars ($10.) of his monthly pay, per month, for the period of six (6) months, and to be confined in the military prison for the same period, the first and last months to be fed on bread and water in solitary confinement, fourteen (14) days in each of said months."

The proceedings and findings in the case of Private *John Quinn*, Co. H, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect in the guard house at the post of his company.

9th..Private *Louis Peddald*, Co. F, 2d U. S. Infantry.

CHARGE.—"*Violation of the 45th Article of War.*"

SPECIFICATION :—"In this; that he, Private *Louis Peddald*, Co. F, 2d U. S. Infantry, having been duly detailed as a member of the guard, did become so drunk as to be unable to perform the duties of a sentinel. This at Franklin, Ky., on or about the 28th day of May, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Louis Peddald*, Co. F, 2d U. S. Infantry.

The proceedings, findings and acquittal, in the case of Private *Louis Peddald*, of Co. F, 2d U. S. Infantry, are approved. The prisoner will be released from confinement and restored to duty.

10th..Private *John Kastner*, Co. B, 45th U. S. Infantry, V. R. C.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *John Kastner*, Co. B, 45th U. S. Infantry, V. R. C., a regularly enlisted soldier in the U. S. Army, did desert from his company stationed at the Post of Jeffersonville, Ind., on the morning of the 8th of June, 1867, and did remain absent until apprehended at Louisville, Ky., on or about the 10th day of June, 1867. This at or near Jeffersonville, Ind., on or about the times above specified."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
except the words "did desert."

To the *Charge*, "Not Guilty,"
but "Guilty" of "Absence without leave."

FINDINGS :

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 *John Kastner*, Co B, 45th U. S. Infantry, V. R. C., "to forfeit fifteen dollars ($15.) per month of his montly pay for the period of two months, 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 *John Kastner*, of Co. B, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

11th . Private *John Kunkle*, Co. B, 45th U. S. Infantry, V. R. C.

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

SPECIFICATION :—" In this; that he, the said Private *John Kunkle*, Co. B, 45th U. S, Infantry, V. R. C., did steal a 'copper boiler' belonging to the United States Government. This at or near the post of Jeffersonville, Ind., on or about the 24th day of April, 1867."

NO PLEA RECORDED.

FINDINGS :

Of the *Charge* ard *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Kunkle*, Co. B, 45th U. S. Infantry, V. R. C., " to forfeit to the United States the cost of the boiler, and to be confined at hard labor in charge of the guard for the period of four (4) months, with a placard having the word 'Thief,' marked thereon upon the back."

The proceedings and findings in the case of Private *John Kunkle*, Co. B, 45th U. S. Infantry, V. R. C., are disapproved. The record is fatally defective, in as much as it does not show that the prisoner was allowed to plead. See Digest of Opinions, page 203, (18.)

12th . . Private *Benjamin H. Williams*, Co. F, 2d U. S. Infantry.

CHARGE :—" *Violation of the 45th Article of War.*'

SPECIFICATION :—"In this; that he, Private *Benjamin H. Williams*, having been regularly detailed and mounted as a member of the guard and posted as a sentinel over important prisoners at the jail in Franklin, Kentucky, did become so drunk as to be unable to perform his duties as a sentry. This at Franklin, Ky., on or about the 29th day of May, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, " Not Guilty."

And the Court does therefore acquit him, Private *Benjamin H. Williams*, Co. F, 2d U. S. Infantry.

The proceedings and finding in the case of Private *Benjamin H. William*, Co. F, 2d U. S. Infantry, are approved. The prisoner will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
A. A. G.

1..Private MICHAEL NOLAN, Co. K, 25th U. S. Infantry.
2..Private JAMES J. LOMBARD, Co. I, 25th U. S. Infantry.
3..Private JOHN CROSSEY, Co. D, 25th U. S. Infantry.
4..Private GEO. C. MEYER, Co. K, 25th U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., June 24th, 1867.

GENERAL ORDERS,
No. 26.

Before a General Court Martial which convened at Memphis, Tenn., May, 27th 1867, pursuant to Special Orders, No. 44, dated Head-Quarters Department of the Cumberland, Louisville, Ky., May, 15th, 1867, and of which Captain C. A. M. ESTES, 25th U. S. Infantry, is President, and 1st Lieut. W. J. KYLE, Judge Advocate were arraigned and tried :

1st..Private *Michael Nolan*, Co. K, 25th U. S. Infantry.

CHARGE.—"*Absence without leave.*"

SPECIFICATION :—"In this ; that he, Private *Michael Nolan*, Co. K, 25th U. S. Infantry, did absent himself from his command and did remain absent without authority from the 4th to the 6th day of May, 1867. This at Memphis, Tenn."

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

FINDINGS :

Of the *Specification*, "Guilty,"
except the words, "4th to the 6th," and substituting the words, "5th to the 7th."

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Michael Nolan*, Co. K, 25th U. S. Infantry, "to forfeit to the United States, ten dollars ($10.) of his monthly pay for the period of two months, and to be confined at hard labor in charge of the guard for the period of one month."

The proceedings and findings in the case of Private *Michael Nolan* Co. K, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d..Private *James J. Lombard*, Co. I, 25th U. S. Infantry.

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

SPECIFICATION :—"In this; that he, Private *James J. Lombard*, Co. I, 25th U. S. Infantry, did assault on the morning of the 9th day of May, 1867, Corporal *Benjamin Hardee*, Co. K, 25th U. S. Infantry, with a sling shot and inflict a severe blow therewith on the left side of said

Corporal *Hardee's* head, knocking him down, an rendering him unfit for duty. All this when the said Corporal *Benjamin Hardee*, Co. K, 25th U. S. Infantry, was in the performance of his duty, without cause or provocation, on or about the time above stated."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James J. Lombard*, Co. I, 25th U. S. Infantry, "to forfeit to the United States, ten dollars ($10.) of his monthly pay for the period of six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in the case of Private *James J. Lombard*, Co. I, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *John Crossey*, Co. D, 25th U. S. Infantry.

CHARGE.—"*Desertion*."

SPECIFICATION.—"In this; that he, Private *John Crossey*, Co. D, 25th U. S. Infantry, did desert his company in camp near Humboldt, Tenn., on or about the evening of the 11th day of May, 1867, and did remain absent until apprehended, and brought back under guard on the 12th day of May, 1867. All this at or near camp, detachment 25th U. S. Infantry, Humboldt, Tenn., on or about the 11th day of May, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the court does therefore sentence him, Private *John Crossey*, Co. D, 25th U. S. Infantry, "to forfeit to the United States ten dollars ($10.) of his monthly pay for the period of four (4) months, and to be confined at hard labor in charge of the guard for thirty (30) days.

The proceedings and findings in the case of Private *John Crossey*, Co D, 25th U. S. Infantry are approved. The sentence is confirmed and will be carried into effect.

4th. Private *George C. Meyer*, Co. K, 25th U. S. Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *George C. Meyer*, Co. K, 25th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 5th day of May, 1867, and did remain absent until apprehended and brought back to the Regiment by 1st Sergeant *William Wheeler*, Co. K, 25th U. S. Infantry, on the 6th inst. This at or near Memphis, Tenn."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George C. Meyer*, Co. K, 25th U. S. Infantry, "to forfeit to the United States ten dollars ($10.) of his monthly pay for the period of three (3) months.

The proceedings and findings in the case of Private *George C. Meyer*, Co. K, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple
A. A. G.

1..Sergeant EDGAR H. SAMPSON, Co. I, 25th U. S. Infantry
2..Sergeant JOSEPH GRAEFF, Co. E, 25th U. S. Infantry.
3..Private GEORGE ROSS, Co. H, 25th U. S. Infantry,
4..Private ANTHONY SUGAR, Co. H, 25th U. S. Infantry.
5..Private MARTIN MCGOWAN, Co. I, 25th U. S. Infantry.
6..Private REILLY BEACH, Co. H, 25th U. S. Infantry.
7..Private WILLIAM D. ANDERSON, Co. E, 25th U. S. Infantry.
8..Corporal JOHN SULLIVAN, Co. I, 25th U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., June 25th, 1867.

GENERAL ORDERS, No. 27.

Before a General Court Martial, which convened at Memphis, Tenn., May 27th, 1867, pursuant to Special Orders No. 44, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., May 15th, 1867, and of which Captain C. A. M. ESTES, 25th U. S. Infantry, is President, and 1st Lieut. W. J. KYLE, 25th U. S. Infantry, Judge Advocate, were arraigned and tried :

1st..Sergeant *E. H. Sampson*, Co. I. 25th U. S. Infantry.

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

SPECIFICATION.—" In this; that he, Sergeant *E. H. Sampson*, Co. I, 25th U. S. Infantry, did sell one box of axes, the property of the United States, and appropriate to his own use, the proceeds of the sale, to the prejudice of good order and military discipline. This at Memphis, Tenn., on or about the 10th day of May, 1867"

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *E. H. Sampson*, Co. I, 25th U. S. Infantry, " to be reduced to the ranks, and to forfeit to the United States ten dollars ($10.) of his monthly pay, for the period of three (3) months,"

The proceedings and findings in the case of Sergeant *E. H. Sampson*, Co. I, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d..Sergeant *Joseph Graeff*, Co. E, 25th U. S. Infantry.

CHARGE .—" *Desertion.*"

SPECIFICATION :—" In this ; that he, Sergeant *Joseph Graeff*, Co. E, 25th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 22d day of February, 1866, at Nashville, Tenn., and did remain absent until he was apprehended in Cincinnati, Ohio, on or about the 8th day of May, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Graeff*, Co. E, 25th U. S. Infantry, "to be reduced to the ranks, and to forfeit to the United States ten dollars ($10.) of his monthly pay for a period of two (2) months."

The proceedings and findings in the case of Sergeant *Joseph Graeff*, of Co. E, 25th U. S. Infantry, are approved. The sentence is too mild, but in order that he may not escape punishment entirely, the same is approved and will be carried into effect.

3d.. Private *George Ross*, Co. H, 25th U. S Inlantry.

CHARGE 1ST.—"*Violation of the 6th Article of War.*"

SPECIFICATION:—"In this;,that he, the said Private *George Ross*, Co. H, 25th U. S. Infantry, did contemptuously behave himself toward his Commanding Officer, Captain *F. H. Torbett*, 25th U. S. Infantry, by kicking about parts of the men's fire and by saying at the same same time, 'that will do for Mr. Torbett's starvation rations.' he the said *Ross* knowing at the same time that his conduct was observed by his Commanding Officer. This at or near Union City, Tenn., on or about the 7th day of April, 1867."

CHARGE 2D.—"*Violation of the 7th Article of War.*"

SPECIFICATION:—"In this; that he, Priva,e *George Ross*, Co. H, 25th U. S. Infantry, did begin a mutiny in his company by making violent gestures before the company, and by using violent language, saying so as to be heard by the company, 'This is the first commencement of meeting,' or words to that effect. This at or near Union City, Tenn., on or about the 7th day April, 1867."

CHARGE 3D:—"*Violation of the 45th Article of War.*'

SPECIFICATION.—"In this; that he, Private *George Ross*, Co. H, 25th U. S. Infantry, did, while a member of the Post guard, at Union City, Tenn., become so drunk as to be unable to perform his duties as a soldier properly. This at or near Union City, Tenn,, on or about the 25th day of May, 1867."

CHARGE 4TH.—"*Violation of the 50th Article of War.*"

SPECIFICATION:—"In this. that he, Private *George Roes*, Co. H, 25th U S. Infantry, did, while a member of the Post guard, at Union City, Tenn., wilfully disobey the order of the Sergeant of the guard, Sergeant *Charles Spillman*, Co. H, 25th U. S. Infantry, to remain with his guard, and did leave his guard, saying to the Sergeant, 'Who are you? I don't care for you.' All this at or near Union City, Tenn., from about April 7th, 1867, to May, 25th, 1867.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George Ross*, Co. H, 25th U. S. Infantry, "to forfeit to the United States twelve dollars ($12.) of his monthly pay for the period of twelve (12) months, and to be confined at hard labor in charge of the guard for six (6) months, fifteen (15) days of the time carrying a log of wood weighing twenty-five (25) pounds, from 9 o'clock in the morning, until retreat, one half hour allowed for each meal."

The proceedings and findings in the case of Private *George Ross*, Co H, 25th U. S. Infantry are approved. The sentence is confirmed and will be carried into effect.

4th.. Private *Anthony Sugar*, Co. H, 25th U. S. Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Anthony Sugar*, Co. H, 25th U. S. Infantry, did desert the service of the United States, on or about the 31st day of August, 1866, at camp, near Memphis, Tenn, and did remain absent until he surrendered himself at Post of Union City, Tenn., May 24th, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Anthony Sugar*, Co. H, 25th U. S. Infantry, "to forfeit ten dollars ($10.) of his monthly pay for the period of six (6) months, and to be confined at hard labor in charge of the guard for thirty (30) days."

The proceedings and findings in the case of Private *Anthony Sugar*. Co. H, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th..Private *Martin McGowan*, Co. I, 25th U. S. Infantry.

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

SPECIFICATION :—"In this; that he, Private *Martin McGowan*, Co. I, 25th U. S. Infantry, did on or about the 23d day of May, 1867, steal, or attempt to steal, one woolen blanket, the property of Private *Richard Nagle*, Co. K, 25th U. S. Infantry. All this at Memphis, Tenn., on or about the time above mentioned."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Martin McGowan*, Co. I, 25th U. S. Infantry, "to be confined at hard labor in charge of the guard, for the period of one (1) month, and to forfeit ten dollars, ($10.) per month of his monthly pay for the period of two (2) months, and to carry a placard with the word "thief" written on it, for one week."

The proceedings and findings in the case of Private *Martin McGowan*, Co. I, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th..Private *Reilly Beach*, Co. A, 25th U. S. Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Reilly Beach*, Co. H, 25th U. S. Infantry, having been a duly enlisted soldier in the service of the United States and having received pay thereof, did desert the same at or near Paducah, Ky., on or about the 17th day of May, 1867, and did remain absent until May, 27th 1867, at which time he voluntarily delievered himself."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Reilly Beach*, Co. H, 25th U. S. Iafantry, "to forfeit to the United States twelve dollars, ($12.) of his montly pay for the period of four (4) months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings and finding in the case of Private *Reilly Beach*, Co. H, 25th U. S. Infantry, are approved. The sentence is confirmed and will carried into effect.

7th. Private *Wm. D. Anderson*, Co. E, 25th U. S. Infantry.

CHARGE.—" *Desertion.*"

SPECIFICATION :—"In this; that he, Private *Wm. D. Anderson*, Co. E, 25th U. S. Infantry, having been duly edlisted in the service of the United States, did desert the same on or about the 30th day of May, 1867, at Paducah, Ky., and did remain absent until apprehended at Columbus, Ky., on or about the 2d day of June, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him. Private *Wm. D. Anderson*, Co. E, 25th U. S. Infantry, "to forfeit to the United States twelve dollars ($12.) of his monthly pay for the period of four (4) months, 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 *Wm. D. Anderson*, Co. E, 25th U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect."

8th..Corporal *John Sullivan*, Co. I, 25th U. S. Infantry.

CHARGE.—" *Highway robbery, to the prejudice of good order and military discipline.*"

SPECIFICATION :—" In this ; that he, Corporal *John Sullivan*, Co. I, 25th U. S. Infantry, did on or near the Rail Road Track of the Memphis and Ohio Rail Road about three miles distant from the city of Memphis, Tenn., on or about the 22d day of May, 1867, take by force from, or oblige one *Henry May*, a citizen, to give him, the said Corporal *John Sullivan*, Co. I, 25th U. S. Infantry, one (1) coat, one (1) hat, one (1) pair of shoes, one (1) knife, and money consisting of Bank notes and silver coin amounting to a sum between fifty (50) cents and six (6) dollars. All this at or near the place mentioned above, on or about the 22d day of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Corporal *John Sullivan*, Co. I, 25th U. S. Infantry.

The proceedings and findings in the case of Corporal *John Sullivan*, Co. I, 25thU. S. Infantry, are approved. Corporal *John Sullivan*, having been acquitted by the Court will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A. A. G.

1..Recruit CHARLES F. ROMER, Co. C, Select General Service, U. S. A.
2..Private JOHN FARRELL, Co. F. 3d U. S. Cavalry.
3..Private JOHN KELLY, Co E. 20th U S. Infantry.
4..Recruit JAMES R. WILEY, 7th U. S. Cavalry.
5..Recruit STEPHEN WELCH, General Service, U. S. A.
6..Private JOHN GUESS, Co, G, 7th U. S. Cavalry.
7..Recruit JOHN ROACH, General Service, U. S. A.
8..Recruit JOHN N. DETRICK, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, June 26, 1867.

GENERAL ORDERS, }
No. 28. }

Before a General Court Martial which convened at Newport Barracks, Ky., June 19th 1867, pursuant to Special Orders, No. 65, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and 1st Lieutenant J. P. STORY, 34th U. S. Infantry, Judge Advocate, were arraigned and tried :

1st: Recruit *Charles F. Romer*, Co. C, Select General Service, U. S. A.

CHARGE 1ST :—" *Desertion.*"

SPECIFICATION :—"In this ; that he, said Recruit *Charles F. Romer*, Co. C, Select General Gervice, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 20th day of September, 1866, and did remain absent until apprehended at Chicago Ill., on or about the 14th day of June, 1867. Thirty dollars ($30.) being paid for his apprehension."

CHARGE 2D:—" *Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this; that he, Recruit *Charlet F. Romer*, Co· C, Select G. S. U. S. A., did take and appropriate for his own use, on or about the 29th day of September, 1866, from the Depot Library, Newport Barracks, Ky,, the following articles, viz : one (1) over coat, two (2) dress coats and one (1) pair of trowsers, the property of Sergeant *S. C. Tarbell*, Co. H, Per manent Party, U. S. A. All this at Newport Barracks, Ky., on or about the 20th day of September, 1866."

To which charges and specifications the prisoner pleaded as follows :

To the 1*st Charge* and *Specification*, " Guilty."
To the 2*d Charge* and *Specification*, " Not Guilty."

FINDINGS :

Of the 1*st Charge* and *Specification*, "Guilty,"
Of the 2*d Charge* and *Specification*, "Not Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Charles F. Romer*, Co. C, Select G. S. U. S. A., " 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 for the same period."

The proceedings and findings in the case of Recruit *Charles F. Romer*,

Co. C, Select G. S., U. S. A., are approved. The sentence is confirmed and will be carried into effect.

2d..Private *John Farrell*, Co F,3d U. S Cavalry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Private *John Farrell*, Co. F, 3d U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 29th day of September, 1865, at Little Rock, Arkansas, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 25th day of May, 1867. Thirty Dollars ($30.) reward beir g paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,'

SENTENCE :

And the Court does therefore sentence him, Private *John Farrell*, Co. F, 3d U. S. Cavalry, "to be confined at hard labor under charge of the guard for six (6) months, and to forfeit fifteen dollars per month for the same period."

The proceedings and findings in the case of Private *John Farrell*, Co. F, 3d U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect.

3d..Private *John Kelly*, Co E, 20thU S Infantry

CHARGE 1ST :—"*Desertion.*"

SPECIFICATION :—"In this; that he, the said Private *John Kelly*, Co. E, 20th 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——day ofSeptember, 1866, at Richmond, Va., and did remain absent until he surrendered himself at Chicago, Ill., on or about the 19th day of April, 1867."

CHARGE 2D :—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, the said Private *John Kelly*, Co. E, 20th U. S. Infantry, did, on or about the 14th day of June, 1867, steal and appropriate to his own use one (1) blouse, the property of *John Williams*, Recruit, General Service, U. S. A. All this at Newport Barracks, Ky."

To which charges and specifications the prisoner pleaded as follows:

To the 1*st Charge* and *Specification*, "Guilty"

To the 2*d Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Kelly*, Co. E, 20th U. S. Infantry, "to be confined at hard labor under charge of the guard for one (1) year, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John Kelly*, Co. E. 20th U. S. Infantry, are approved. The sentence is confirmed but mitigated to hard labor in charge of the guard for ten (10) months, and forfeiture of fifteen dollars ($15.) per month for the same period.

4th..Recruit *James R. Wiley*, 7th U. S. Cavalry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, the said Rcruit *James R. Wiley*, 7th U. S. Cavalty, having been duly enlisted in the service of the United States, did desert the same on or about the——day of——— 1866, at Indianapolis, Ind., (while *en roate* to Fort Riley, Kansas,)

and did remain absent until apprehended at Wilford, Ind., on or about the 20th day of May, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *James R. Wiley*, 7th U. S. Cavalry, "to be confined at hard labor in charge of the guard at such place as the Commanding General may direct, for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month, of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *James R. Wiley*. 7th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect in the guard house at the post at which he may be serving.

5th..Recruit *Stephen Welch*, General Service, U. S. A.

CHARGE:—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION :—"In this ; that he, the said Recruit *Stephen Welch*, General Service, U. S. A., at Newport Barracks, Ky., on or about the 15th day of June, 1867, did steal and appropriate to his own use, one (1) woolen blanket, said blanket being the property of Recruit *Ira McDonnuld*, V. R. C. This at Newport Barracks, Ky., on or about the 15th day of June, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Stephen Welch*, General Service, U. S. A., "to be confined at hard labor in charge of the guard, for the period of two (2) months, and to forfeit to the U. S., ten dollars, ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Stephen Welch*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

6th..Private *John Guess*, Co. G, 7th U. S. Cavalry.

CHARGE:—"*Desertion.*"

SPECIFICATION :—"In this ; that he, the said Private *John Guess*, Co. G, 7th U. S Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of —— 1866, at Fort Ellsworth, Kansas, and did remain absent until he was apprehended at Wilford, Indiana, on or about the 20th day of May, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the court does therefore sentence him, Private *John Guess*, Co. G, 7th U. S. Cavalry, "to be confined under charge of the guard at such place as the Commanding General may direct, for six (6) months, and to forfeit to the United States fifteen dollars ($15.) of his monthly pay for the same period."

The proceedings and finding in the case of Private *John Guess*, Co. G, 7th U. S. Cavalry, are approved. The sentence is confirmed and will be carried into effect in the guard house at the post at which he may be serving.

7th. Recruit *John Roach*, General Service, U. S. A.

CHARGE.—"*Desertion.*"

SPECIFICATION :—"In this; that he, Recruit *John Roach*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same from the Recruiting Rendezvous at Chicago. Illinois, February 13th, 1867, (This after having previously surrendered himself as a deserter February 2d,) and did remain absent until apprehended at Chicago, Illinois, June 7th, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *John Roach*, General Service, U. S. A., "to be confined at hard labor under charge of the guard for six (6) months, and to forfeit fifteen dollars, ($15.) of his montly pay for the same period."

The proceedings and findings in the case of Recruit *John Roach*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

8th. Recruit *John N. Detrick*, General Service, U. S. A.

CHARGE:—"*Desertion.*"

SPECIFICATION :—"In this; that he, Recruit *John N. Detrick*, General Service, U. S. A., having been enlisted into the service of the United States, at Johnstown, Pa., by Lieut. *Gagely*, October 10th, 1866, serve for the period of three years, did while awaiting the action of the War Department in his case, he having been rejected on first examination desert the service on or about the 23d day of October, 1866, at Newport Barracks, Ky., and did remain absent until apprehended at Fairfield, Pa., on or about the 30th day of November, 1866. Thirty dollars, ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *John N. Detrick*, General Service, U. S. A., "to be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now due him or may become due him.,'

The proceedings and findings in the case of Recruit *John Detrick* General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

R. M. Johnson Bvt. Maj.

A. A. A. G.

1..Private JOHN CRAWLEY, Co. B, 2d U. S. Cavalry.
2..Private WM. H. AMES, Co D, 34th U S. Infantry.
3..Recruit JOSEPH MORRISON, General Service, U. S. A.
4..Private EDWIN THOMPSON, Co. A, P. P., General Service, U. S. A.
5..Private JOSEPH PENELL, Co, B, 4th U. S. Infantry.
6..Private JOSEPH B. TOWNSEND, Co. E, 16th U. S. Infantry.
7..Private MARCUS WEISS, Co. G, 7th U. S. Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, June 27, 1867.

GENERAL ORDERS, }
No. 29. }

Before a General Court Martial which convened at Newport Barracks, Ky., June 19th 1867, pursuant to Special Orders, No. 65, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and 1st Lieutenant J. P. STORY, 34th U. S. Infantry, Judge Advocate, were arraigned and tried :

9th..Private *John Crawley*, Co B, 2d Cavalry.

CHARGE:—" *Desertion.*"

SPECIFICATION :—"In this ; that he, Private *John Crawley*, Co. B, 2d Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the —— day of September, 1865, at Monroeville, Md., and did remain absent until apprehended at Cincinnati, Ohio, on or about the 2d day of May, 1867. Thirty Dollars ($30.) reward beir g paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty,'

SENTENCE :

And the Court does therefore sentence him, Private *John Crawley*, Co. B, 2d Cavalry, " to be confined at hard labor under charge of the guard for six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John Crawley*, Co. B, 2d Cavalry, are approved. The sentence is confirmed and will be carried into effect.

10th..Private *Wm. H. Ames*, Co. D, 34th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Private *Wm. H. Ames*, Co. D, 34th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the —— day of September, 1866, at Nashville, Tenn., and did remain absent until he was apprehended in Olmstead Falls, Ohio, on or about the 9th day of March, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Wm. H. Ames*, Co. D, 34th Infantry, "to be confined at hard labor under charge of the guard for six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Wm. H. Ames*, Co. D, 34th Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th..Recruit *Joseph Morrison*, General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION :—"In this ; that he, Recruit *Joseph Morrison*, General Service, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 2d day of January, 1867, at Chicago, Ill., and did remain absent until apprehended at Chicago, Ill. on or about the 24th day of April, 1867. Thirty dollars, ($30.) reward being paid for his apprehension."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, " Guilty."

To the *Charge*, " Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Joseph Morrison*, General Service, U. S. A., "to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States, fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Joseph Morrison*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

12th..Private *Edwin Thompson*, Co. A, P. P., General Service, U. S. A.

CHARGE:—"*Desertion.*"

SPECIFICATION :—" In this; that he, Private *Edwin Thompson*, Co. A, Permanant Party, General Service, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 24th day of March, 1867, at Newport Barracks, Ky., and did remain absent until apprehended at Chicago, Ill., on or about the 2d day of June, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Edwin Thompson*, Co. A, Permanent Party, General Service, U. S. A., " to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month, of his monthly pay for the same period."

The proceedings and finding in the case of Private *Edwin Thompson*, Co. A, Permanent Party, General Gervice, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

13th..Private *Joseph Penell*, Co. B, 4th Infantry.

CHARGE:—" *Desertion.*"

SPECIFICATION :—" In this ; that he, Private *Joseph Penell*, Co. B, 4th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 5th day of April, 1867, at Omaha, Nebraska, and did remain absent until he was apprehended at Chicago, Ill., on or about the 11th day of April, 1867. Thirty dollars ($30.) being paid for his apprehension."

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except 'was apprehended,' substituting therefor, 'surrendered himself.'

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"

except 'was apprehended,' substituting therefor, 'surrendered himself.'

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Penell*, Co. B, 4th Infantry, "to be confined at hard labor under charge of the guard for four (4) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Joseph Penell*, Co. B, 4th Infantry, are approved. The sentence is confirmed and will be carried into effect.

14th..Private *Joseph B. Townsend*, Co. E, 16th Infantry.

CHARGE.—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *Joseph B. Townsend*, Co. E, 16th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 29th day of April, 1867, at Macon, Ga., and did remain absent until apprehended in Cincinnati, Ohio, on or about the 9th day of June, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph B. Townsend*, Co. E, 16th Infantry, "to be confined at hard labor under charge of the guard for six (6) months and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Joseph B. Townsend*, of Co. E, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

15th..Private *Marcus Weiss*, Co. G, 7th Cavalry.

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *Marcus Weiss*, Co. G, 7th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 25th day of March, 1867, at Fort Ellsworth, Kansas, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 27th day of May, 1867."

To which charge and specification the prisoner pleaded as follows;

To the *Specification*, "Guilty,"

except "was apprehended," substituting therefor "surrendered himself."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"

except "was apprehended" substituting therefor "surrendered himself."

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Marcus Weiss*, Co. G, 7th Cavalry, " to be confined at hard labor under charge of the guard for four (4) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Marcus Weiss*, of Co. G, 7th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

A. A. A. G.

1..Private JOHN HARTSELL, Co. B, 45th U. S. Infantry, V. R. C.
2..Private JAMES WALSH, Co. F, 2d U. S. Infantry.
3..Private THOMAS DUNCAN, Co. B, 2d U. S. Infantry.
4..Private SOLOMON PETTIT, Co. I, 2d U. S. Infantry.
5..Sergeant ROBERT HEFFERNAN, Co. B, 45th U. S. Infantry, V. R. C.
6..Private JOHN KASTNER, Co. B, 45th U. S. Infantry, V. R. C.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., June 25th, 1867.

GENERAL ORDERS, No. 30.

Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., June, 6th, 1867, pursuant to Special Orders No. 61, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June, 4th, 1867, and of which Bvt. Major A. W. KROUTINGER, Captain 2d U. S. Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

1st..Private *John Hartsell*, Co B, 45th U. S. Infantry, V. R. C.

CHARGE:—"*Violation of the 45th Article of War.*"

SPECIFICATION:—"In this: that he, Private *John Hartsell*, Co. B, 45th U. S. Infantry, V. R. C., having been regularly summoned to appear as a witness before a General Court Martial in the case of the United States against Private *Peter Burgin*, Co. B, 45th U. S. Infantry, V. R. C., did appear before the said Court so drunk, as to be in the opinion of a Medical Officer incompetent as a witness, and unable to perform the duty as a witness. This at the General Court Martial Rooms at Taylor Barracks, Louisville, Ky., on the 10th day of June, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Hartsell*, Co. B, 45th U. S. Infantry, V. R. C., "to be confined at hard labor under charge of the guard for the period of four (4) months."

The proceedings and findings in the case of Private *John Hartsell*, Co. B, 45th U. S. Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

2d..Private *James Walsh*, Co. F, 2d Infantry.

CHARGE 1ST.—"*Violation of the 45th Article of War.*"

SPECIFICATION:—"In this: that he, Private *James Walsh*, Co. F, 2d Infantry, having been detailed as cook for the detachment did become so drunk as to be unable to perform his duty and did neglect the same. This at Lebanon, Ky., on or about the 20th day of May, 1867."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST:—"In this; that he, Private *James Walsh*, Co. F, 2d Infantry, having been ordered by Sergeant *William Tobin*, Co. F, 2d Infantry, while in the performance of his duty, and in charge of the Detachment to go and perform his duty, did willfully refuse to obey said order, and did reply in words or figures, to wit: 'I dont give a damn for you or any one else,' and that he, (Sergt. *Tobin*,) and all

of them might go to hell, or words to that effect. This at Lebanon Ky., on or about May 20th, 1867."

SPECIFICATION 2D :—"In this ; that he, Private *James Walsh*, Co. F, 2d Infantry, having been placed in arrest, and ordered not to leave his quarters, and being under charge of a guard, posted at the front door of the quarters, did tie some six or seven blankets together, and did let himself down from the second story windows to the ground, outside of said quarters, and did remain absent from his quarters until near one o'clock, A. M. This at Lebanon, Ky., on or about the night of the 20th of May, 1867."

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

FINDINGS :

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the 1st *Specification*, 2d *Charge*, "Guilty,"

except the words, "having been ordered by Sergeant *Wm. Tobin*, Co. F, 2d Infantry, while in the performance of his duty, and in charge of the detachment to go and perform his duty, did willfully refuse to obey said order."

Of the 2d *Specification*, 2d *Charge*, "Not Guilty."

Of the 2d *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Walsh*, Co. F, 2d Infantry, "to forfeit ten dollars ($10.) of his monthly pay for the period of one month."

The proceedings and findings in the case of Private *James Walsh*, Co. F, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect."

3d..Private *Thomas Duncan*, Co. B, 2d Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION :—"In this ; that he, Private *Thomas Duncan*, Co. B, 2d Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Jeffersonville, Ind., on or about the 13th day of May, 1866, and did remain absent until on or about the 24th day of October, 1866, when he surrendered himself at Fort Columbus, New York Harbor."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas Duncan*, Co. B, 2d Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this order, and to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit ten dollars ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Tomas Duncan*, Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Private *Solomon Pettit*, Co. I, 2d Infantry.

CHARGE.—" *Neglect of Duty*."

SPECIFICATION :—"In this ; that he, Private *Soiomon Pettit*, Co. I, 2d Infantry, and at the time a member of the guard, did allow a general prisoner, *Anthony Heitz*, Co. I, 2d Infantry to escape from his custody while at the privy, and after he had been particulary instructed by the Sergeant of the guard *Daniel Ryan*, Co. C, 2d Infantry, to keep an eye on him and not allow the prisoner to escape. This at Taylor Barracks Louisville, Ky., on or about the 23d day of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Solomon Pettit*, Co. I, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit ten dollars ($10.) per month of his monthly pay for the same period. The Court is thus lenient in consideration of the youth of the accused."

The proceedings and findings in the case of Private *Solomon Pettit*, of Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect. In this case the Court states that it is thus lenient on account of the youth of the accused. The age of the prisoner is not to be taken into consideration in awarding a sentence. Extreme youth, or other mitigating circumstances, may justify a court in recommending to clemency but should not influence the sentence. The sentence of a court is passed upon a prisoner "without partiality, favor or affection," and should be commensurate with the magnitude of the offence committed.

5 .Sergeant *Robert Heffernan*, Co. B, 45th Infantry, V. R. C.

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

SPECIFICATION :—"In this; that he, Sergeant *Robert Heffernan*, Co. B, 45th Inf., V. R. C., being in command of a guard having prisoners in charge from Taylor Barracks, Ky., to Jeffersonville, Ind., did allow one prisoner to escape, viz : *John O'Rielly*, Co. B, 45th Infantry, V. R. C. This at or near Louisville, Ky., on or about the 11th day of June, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Sergeant *Robert Heffernan*, Co. B, 45th Infantry, V. R. C.

The proceedings and findings in the case of Sergeant *Robert Heffernan*, Co. B, 45th Infantry, V. R. C., are approved. Sergeant *Heffernan* having been acquitted by the Court will be released from confinement and restored to duty.

6th..Private *John Kastner*, Co. B, 45th Infantry, V. R. C.

CHARGE 1ST:—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *John Kastner*, Co. B, 45th Infantry, V. R. C., did desert the service of the United States at the post of Jeffersonville, Ind., on or about the 17th day of June, 1867, and did remain absent until arrested at Louisville, Ky., June 18th, 1867, by policemen *Sheridan* and *Coleman* and brought back to Jeffersonville, Ind. Thirty dollars ($30.) being paid for his apprehension."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this; that he, Private *John Kastner*, Co. B, 45th Infantry, V. R. C., did break from confinement in the guard house at the post of Jeffersonville, Ind., while awaiting trial by General Court Martial."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Kastner*, Co. B, 45th Infantry, V. R. C., "to be confined at hard labor in charge of the

guard for the period of six (6) months, and to forfeit all pay and allowances that may become due him for the same period."

The proceedings and findings in the case of Private *John Kastner*, Co. B, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

W M Johnson Brig. Gen
A A A G

1. Private JOHN N. SNYDER, Co. C, 42d Infantry, V. R. C.
2. Private JOHN ANDERSON, Co. K, 3d Infantry.
3. Private JOHN W. GANT, Co. E, 41st Infantry.
4. Recruit WILLIAM JACOBS, 22d Infantry.
5. Recruit NATHAN M. WILCOX, U. S. Army.
6. Private JOHN BOON, Co. C, 25th Infantry.
7. Private JAMES CONLIN, Co. C, 25th Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 1st, 1867.

GENERAL ORDERS, No. 31.

I. Before a General Court Martial which convened at Newport Barracks, Ky., June 19th, 1867, pursuant to Special Orders No. 65, dated Headquarters Department of the Cumberland, June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and 1st Lieutenant J. P. STORY, 34th Infantry, Judge Advocate, were arraigned and tried:

1st. Private *John N. Snyder*, Co. C, 42d Infantry, V. R. C.

Charge.—Desertion.

Specification.—In this, that he, the said private *John N. Snyder*, of Co. C, 42d Infantry, V. R. C. having been duly enlisted in the service of the United States, did desert the same on or about the 13th day of May, 1867, at Madison Barracks, Sacketts Harbor, N. Y., and did remain absent until he was apprehended at Cincinnati, Ohio, on or about the 13th day of June, 1867, thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John N. Snyder*, of Co. C, 42d Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of six months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *John N. Snyder*, Co. C, 42d Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

2d. Private *John Anderson*, Co. K, 3d Infantry.

Charge.—Desertion.

Specification.—In this, that he, the said private *John Anderson*, Co. K, 3d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 19th day of September, 1866, at Fort Leavenworth, Kansas, and did remain absent until apprehended at Chicago, Illinois, on or about the 16th day of April, 1867, thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John Anderson*, Co. K, 3d Infantry, to be confined at hard labor for six months under charge of the guard, at such place as the reviewing officer may direct, and to forfeit to the United States fifteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *John Anderson*, of Co. K, 3d Infantry, are approved. The sentence is confirmed and will be carried into effect in the guard house at the post at which he may be serving.

3d. Private *John W. Gant*, Co. E, 41st Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *John W. Gant*, Co. E, 41st Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 3d day of May, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 2d day of June, 1867, thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John W. Gant*, Co. E, 41st Infantry, to be confined at hard labor in charge of the guard for six months, at the Headquarters of his Regiment, or such place as the Reviewing officer may direct, and to forfeit to the United States fifteen dollars per month of his monthly pay for the same period

The proceedings and findings in the case of private *John W. Gant*, Co. E, 41st Infantry, are approved. The sentence is confirmed and will be carried into effect in the guardhouse at the post at which he may be serving.

4th. Recruit *Wm. Jacobs*, 22d Infantry.

Charge.—Desertion.

Specification.—In this, that he the said recruit *Wm. Jacobs*, 22d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 10th day of March, 1867, at Fort Snelling, Minn., and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 15th day of April, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Wm. Jacobs*, 22d 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 fifteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of recruit *Wm. Jacobs*, 22d Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Recruit *Nathan M. Wilcox*, U. S. Army.

Charge—Desertion.

Specification.—In this, that he, Recruit *Nathan M. Wilcox*, U. S. A., after being duly enlisted on or about the 10th day of January, 1867, at Boston, Mass, did desert the said service at Columbus, Ohio, while *en-route* to Omaha, Neb., on or about the 5th day of April, 1867, and did remain absent until arrested as a deserter on or about the 6th day of April, 1867, at Cleveland Ohio, thirty dollars paid for his apprehension.

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

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore aquit him, recruit *Nathan M. Wilcox*, U. S. A.

The proceedings and findings in the case of recruit *Nathan M. Wilcox*, U. S. A., are approved. He will be released from confinement and restored to duty.

II. Before a General Court Martial, which convened at Memphis, Tenn., May 27th, 1867, per Special Orders No. 44, dated Headquarters Department of the Cumberland, Louisville, Ky., May 15th, 1867, and of which Captain C. A. M. ESTIS, 25th Infantry, is President, and 1st Lieut. W. J. Kyle, 25th Infantry, Judge Advocate, were arranged and tried:

6th. Private *John Boon*, Co. C, 25th Infantry.

Charge.—Desertion.

Specification.—In this, that he, the said private *John Boon*, Co. C, 25th Infantry, having been duly enlisted in the service of the U. S., did desert the same, on or about the 28th day of May, 1867, and did remain absent until on or about the 3d day of June, 1867, when he delivered himself up to his commanding officer, all this at or near Memphis, Tenn.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John Boon*, Co. C, 25th Infantry, to forfeit to the United States, twelve dollars ($12) per month of his monthly pay for four months, and to be confined at hard labor in charge of the guard for sixty (60) days.

The proceedings and findings in the case of private *John Boon*, of Co. C, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

III. So much of General Orders No. 23, current series from these Headquarters as promulgates the "decision" and "orders" in the case of private *James Conlin*, of Co. C, 25th Infantry, is so amended as to read as follows:

"The proceedings and findings in the case of private *James Conlin*, of Co. C, 25th Infantry, are approved. The sentence is confirmed and will be caried into effect."

By Command of
MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Grn. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

P. W. Johnson
Bvt. Lt. USA
A. A. A. G.

1. Private LUTHER SEGELKEN, Co. F, 4th Infantry.
2. Recruit ERNST PORSCH, General Service, U. S. A.
3. Private WM. LAFAYETTE PEASE, Co. G, 28th Infantry.
4. Recruit WM. B. FRAZIER, General Service, U. S. A.
5. Private JAMES WILSON, Co. D, 10th Inf., alias JAMES STORNS, G, S., U.S.A.
6. Sergeant DANIEL C. NEAL, Co. H. 7th Cavalry.
7. Recruit HENRY R. DETRICK, General Service, U. S. A.
8. Private THOMAS DOBESH, —— 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 3d, 1867.

GENERAL ORDERS, No. 32.

Before a General Court Martial, which convened at Newport Barracks, Ky., June 19th, 1867, pursuant to Special Orders No. 65, dated Head-quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Capt. 2d Artillery, is President, and 1st Lieut. J. P. STORY, 34th Infantry, Judge Advocate, were arraigned and tried:

1st. Private *Luther Segelken*, Co. F, 4th Infantry.

Charge.—Desertion.

Specification.—In this, that he, the said private *Luther Segelken*, Co. F, 4th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same, on or about the 20th day of April, 1867, at Omaha, Neb., and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 1st day of May, 1867.

To which charge and Specification the prisoner pleaded "Guilty.'

FINDINGS.

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

SENTENCE.

And the Court dôes therefore sentence him, private *Luther Segelken*, Co. F, 4th Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States ($15) per month of his monthly pay for the same period.

2d. Recruit *Ernst Porsch*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Ernst Porsch*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same, on or about the 31st of January, 1867, at Newport Barracks, Ky., and did remain absent until apprehended at St. Louis, Mo., on or about the 11th day of June, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Ernst Porsch*, General Service, U. S. A., to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay, for the same period.

3d. Private *Wm. Lafayette Pease*, Co. G, 28th Infantry.

Charge.—Desertion.

Specification.—In this, that he, the said private *Wm. Lafayette Pease*, Co. G, 28th, Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 1st day of June, 1866, at Little Rock, Ark., and did remain absent until apprehended at Chicago, Ill., on or about the 17th day of April, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Wm. Lafayette Pease*, to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for the same period.

4th. Recruit *Wm. B. Frazier*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Wm. B. Frazier*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 13th day of April 1867, at Chicago, Ill., and did remain absent until apprehended at Michigan City, Ind., on or about the 15th day of April, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Wm. B. Frazier*, General

Service, U. S. A., to be confined at hard labor under charge of the guard for one month, and to forfeit to the United States $10 per month for the same period.

5th. Private *James Wilson*, Co. D, 10th Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *James Wilson*, Co. D, 10th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 7th day of May, 1867, at Fort Snelling, Minn., and did remain absent until apprehended at Newport Barracks, Ky., (he having re-enlisted in the General Service, under the alias of *James Stevens*,) on the 19th day of May, 1867, thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James Stevens*, Co. D, 10th Infantry, to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States $15 per month of his monthly pay for the same period.

6th. Sergeant *Daniel C. Neal*, Co. H, 7th Cavalry.

Charge.—Desertion.

Specification.—In this, that he, sergeant *Daniel C. Neal*, Co. H, 7th Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 1st day of February, 1867, and did remain absent until apprehended at Indianapolis, Ind., on or about the 13th day of May, 1867, thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, sergeant *Daniel C. Neal*, of Co. H, 7th Cavalry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States $15 per month of his monthly pay for the same period.

7th. Recruit *Henry R. Detrick*, General Service, U. S. A.

Charge.—Desertion.

Specification,—In this, that he, *Henry R. Detrick*, having been duly enlisted in the service of the United States, at Johnstown, Pa., did while awaiting the action of the War Department in his case, he having been rejected on first examination, desert the same on or about

the 23d day of October, 1866, at Newport Barracks, Ky., and did remain absent until apprehended at Fairfield, Pa., on or abou Nov. 30th, 1866, thirty dollars being paid for his apprehension.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Henry R. Detrick*, General Service, U. S. A., to be dishonorably discharged the service of the United States.

8th. Private *Thomas Dobesh*, —— 2d Cavalry.

Charge—Desertion.

Specification.—In this, that he, private *Thomas Dobesh*, —— 2d Cavalry, having been duly enlisted in the service the United States, did desert the same on or about the 7th day of January, 1867, at or near Omaha, Neb, and did remain absent until apprehended at Chicago, Ill., on or about the 7th day of April, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Thomas Dobesh*, —— 2d Cavalry, to be confined at hard labor in charge of the guard for six months, and to forfeit to the United States $15 per month of his monthly pay for the same period.

II. The proceedings and findings in the cases of private *Luther Segelken*, Co. F, 4th Infantry; recruit *Ernst Porsch*, General Service, U. S. A.; private *Wm. Lafayette Pease*, Co. G, 28th Infantry; recruit *Wm. B. Frazier*, General Service U. S. A; private *James Wilson*, Co. D, 10th Infantry; sergeant *Daniel C. Neal*, Co. H, 7th Cavalry; recruit *Henry R. Detrick*, General Service, U. S. A.; and private *Thomas Dobesh*, 2d, Cavalry, are approved. The sentences are confirmed and will be carried into effect.

By Command of

MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,

Brevet Maj. Gen. U. S. A.,

Assistant Adjutant General.

OFFICIAL:

1. Recruit ARTHUR H. MEICK, General Service, U. S. A.
2. Private CHAS. EINLOTH, Co. D, 3d Infantry.
3. Private ANDREW DOYLE, Co. H, 1st Infantry.
4. Private THOS. GUESS, Co. G, 7th Cavalry.
5. Recruit WM. MULHOLLAND, 31st Infantry.
6. Recruit WESLEY WARD, Co. C, Select General Service.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 5th, 1867.

GENERAL ORDERS, No. 33.

I. Before a General Court Martial, which convened at Newport Barracks, Ky., June 19th, 1867, pursuant to Special Orders No. 65, dated Head-quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Capt. 2d Artillery, is President, and 1st Lieut. J. P. STORY, 34th Infantry, Judge Advocate, were arraigned and tried:

30th. Recruit *Arthur H. Meick*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Arthur H. Meick*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 8th day of August, 1866, at Newport Barracks, Ky., and did remain absent until apprehended at Cincinnati, Ohio, on or about the 22d day of April, 1867, thirty dollars reward being paid for his apprehension.

To which charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Arther H. Meick*, General Service U. S. A , to be confined at hard labor in charge of the guard for six months, and to forfeit to the United States, $15 per month of his monthly pay for the same period.

31st. Private *Charles Einloth*, Co. D, 3d Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Charles Einloth*, Co. D, 3d Infantry, having been duly enlisted in the service of the United States, did desert the same, on or about the 15th day of February 1867, at Fort Leavenworth Kansas, and did remain absent until he was apprehended at Cincinnati, Ohio, on or about the 6th day of April, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Charles Einloth*, Co. D, 3d Infantry, to be confined at hard labor, in charge of the guard for six months and to forfeit $15 per month of his monthly pay for the same period.

32d. private *Andrew Doyle*, Co. H, 1st Infantry.

Charge—Desertion.

Specification—In this, that he, private *Andrew Doyle*, Co H, 1st Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 5th day of April, 1867, at New Orleans, La., and did remain absent until apprehended at Columbus, Ky., on or about the 25th day of April, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Andrew Doyle*, Co. H, 1st Infantry to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States, $15 per month of his monthly pay for the same period.

33d. Private *Thomas Guess*, of Co. G, 7th U. S. Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *Thomas Guess*, Co. G, 7th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the——day of——1866, at Fort Ellsworth Kansas, and did remain absent until apprehended at Wilford Ind. on or about the 20th day of May, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

Of the CHARGE and *Specification*. "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Thomas Guess*, Co. G, 7th Cavalry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States, fifteen dollars ($15) per month of his monthly pay for the same period.

34th Recruit *William Mulholland*, 31st U. S. Infantry.

Charge—Desertion.

Specification—In this, that he, recruit *William Mulholland*, 31st Infantry, having been duly enlisted in the rervice of the United States, did desert the same on or about the 15th day of April, 1867, at Detroit Mich. and did remain absent until apprehended at Detroit Mich. on or about the 19th day of April, 1867, thirty dollars ($30] reward being paid for his apprehension.

To which charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except "desert," substituting theretor "absent himself without leave from."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"
except "desert," substituting therefor "absent himself without leave from."

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

SENTENCE.

And the Court does therefore sentence him, recruit *William Mulholland*, 31st Infantry, to be confined at hard labor under charge of the guard for three (3) months, and to forfeit to the Unitsd States, ten dollars ($10) per month of his monthly pay for the same period.

35th Recruit *Wesley Ward*, Co. C, select Genl. Service U. S. A.

Charge—Violation of the 46th Article of war.

Specification—In this, that he, recruit *Wesley Ward*, Co. C, Select General Service U. S. A., having been regularly posted as a sentinel at Newport Barracks Ky., did on or about the 23d day of June, 1867, between the hours of one (1) and two (2) A. M., neglect his duties as such sentinel by quitting his Arms, and sleeping on his post, in violation of the 46th Article of war. This at Newport Barracks, Ky., on or about the 23d day of June, 1867, between the hours above mentioned.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except "quitting his Arms and"

To the CHARGE, "Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"
except "quitting his Arms and"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, recruit *Wesley Ward*, Co. C, Select General Service, U. S. A., to be confined at hard labor under charge of the guard for four (4) months, and to forfeit to the United States fifteen dollars ($15) per month of his monthly pay for the same period.

II. The proceedings and findings in the cases of recruit *Arthur H. Meick*, General Service, U. S. A., private *Charles Einloth*, of Co. D, 3d Infantry, private *Andrew Doyle*, of Co. H, 1st Infantry, private *Thomas Guess*, of Co. G, 7th Cavalry, recruit *William Mulholland*, 31st Infantry, and recruit *Wesley Ward*, of Co. C, Select General Service, U. S. A., are approved. The sentences are confirmed and will be carried into effect.

BY COMMAND OF MAJ. GEN. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D. Whipple
A. A. G.

1. Sergeant James D. Ash, of Co. B, 45th U. S. Infantry, V. R. C.
2. Corporal William Wallace, of Co. H, 2nd U. S. Infantry.
3. Private Martin Whalen, of Co. E, 2d U. S. Infantry.
4. Private Thomas Nunn, Co. B, 45th U. S. Infantry, V. R. C.
5. Private Francis Baker, of Co. A, 29th U. S. Infantry.
6. Unassigned Recruit Orlanda Tolls, 9th U. S. Cavalry.
7. Private Thomas Morgan, of Co. K, 2d U. S. Infantry.
8. Musician Randolph H. Waters, of Co. G, 2d U. S. Infantry.
9. Private John W. Myers, of Co. G, 2d U. S. Infantry.
10. Private George Penn, of Co. I, 2d U. S. Infantry.
11. Private Richard Dubly, of Co. I, 2d U. S. Infantry.

Headquarters Department of the Cumberland,

Louisville, Ky., July 6th, 1867.

GENERAL ORDERS, No. 34.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 6th, 1867, pursuant to Special Orders No. 61, par. III, Headquarters Department of the Cumberland, dated Louisville, Ky., June 4th, 1867, and of which Brevet Major A. W. Kroutinger, Captain 2d U. S. Infantry, is President, and 2d Lieutenant W. R. Dunton, 2d U. S. Infantry, Judge Advocate, were arraigned and tried:

25th. Sergeant *James D. Ash*, of Co. B, 45th Infantry, V. R. C.

Charge.—Conduct to the prejudice of good order and Military Discipline.

Specification 1st.—In this, that he, the said sergeant *James D. Ash*, Co. B, 45th Infantry, V. R. C, being in command of a Guard duly mounted at the Post of Jeffersonville, Ind., did leave his guard without permission and go to the City of Jeffersonville, Indiana.

Specification 2d.—In this, that he, Sergeant *James D. Ash*, Co. B, 45th Infantry, V. R. C., while commanding a guard duly mounted and on guard at the guard house, Post of Jeffersonville, Indiana, did allow one of his prisoners to escape. All this at the Post of Jeffersonville, Indiana, on or about the 17th day of June, 1867.

To which charge and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1*st Specification*, "Guilty."
Of the 2*d Specification*, "Not Guilty."

With the following addenda: While the accused is constructively guilty of criminal carelessness in allowing the prisoners to sit outside of the Guard House until 9 o'clock in the evening, yet, owing to the defective character of the Specification, they can not find him guilty of it as worded, yet, at the same time the Court wishes to express its sense of the constructive guilt of the accused, and therefore the finding of "Not Guilty" is merely a technical one and owing entirely to the fault of the Officer preferring the charges.

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, sergeant *James D. Ash*, Co. B, 45th Infantry, V. R. C., to be reduced to the ranks of a private soldier.

The proceedings and findings in the case of sergeant *James D. Ash*, of Co. B, 45th Infantry, V. R. C., on the 1st Specification and the Charge are approved. The findings on the 2d Specification are dis-approved. Where the Court believes that the prisoner is Guilty, but not precisely as laid in the Specification the findings should be "Guilty," with such exceptions or substitutions as may be necessary to present the facts proven on the trial. If however it is found that none of the facts in the Specification are proven, then the prisoner would be entitled to an unqualified acquital. It may be well to remark in this connection, that the Judge Advocate of the Court should have made such changes in the Specification as he may have found necessary on his preliminary examination of the case. Owing to the previous good character of the prisoner, as testified to by his immediate commander, the Major General Commanding Department is pleased to remit the entire sentence in this case. He will be released from confinement and restored to duty with his company.

26th. Corporal *William Wallace*, of Co. H. 2d Infantry.

Charge.—Conduct prejudicial to good order and Military Discipline.

Specification.—In this, that he, corporal *William Wallace*, Co. H, 2d Infantry, when ordered by sergeant *George Timoney*, Co. H, 2d Infantry, to put his musket in the Gun Rack, did not obey said order, and when again told by Sergeant *Timony*, to do so and also told it was Lieutenant *Noggle's* order, did say "I will not do it," or words to that effect. This at Taylor Barracks, Louisville, Ky., on or about the 23d day of June, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, corporal *William Wallace*, Co. H, 2d Infantry, to be reduced to the rank of a private soldier, and to forfeit to the United States fifteen dollars ($15) of his monthly pay for one (1) month.

The proceedings and findings in the case of corporal *William Wallace*, Co. H, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

27th. Private *Martin Whalen*, of Co. E, 2d Infantry.

Charge.—Absence without leave.

Specification.—In this, that he, Private *Martin Whalen*, Co. E, 2d Infantry, did absent himself without permission from proper authority, from his Company and Post at Bowling Green, Ky., on the morning of 17th of June, 1867, and did remain absent until the morning of the 19th of June, 1867. All this on or about the time and place specified herein.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Martin Whalen*, of Co. E, 2d Infantry, to be confined at hard labor under charge of the guard for the period of one month, and to forfeit fifteen dollars ($15) of his monthly pay for the same period.

The proceedings and findings in the case of private *Martin Whalen*, of Co. E, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

28th. Private *Thomas Nunn*, of Co. B, 45th Infantry, V. R. C.

Charge.—Desertion.

Specification.—In this, that he, private *Thomas Nunn*, Co. B, 45th Infantry, V. R. C., a duly enlisted soldier in the service of the United States, did desert his company stationed at the Post of Jeffersonville, Indiana, on the 20th day of June, 1867, and did remain absent until apprehended in Louisville, Ky., by Policeman Sheridan and brought back to the Post of Jeffersonville Indiana, on the 25th day of June, 1867, Thirty dollars ($30) being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Thomas Nunn*, of Co. B, 45th Infantry, V. R. C., to forfeit all pay and allowances that are or may become due him for six months, 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 *Thomas Nunn*, of Co. B, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

29th. Private *Francis Baker*, of Co. A, 29th Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Francis Baker* Co. A, 29th Infantry, having been duly enlisted in the service of the United States, did desert his company and the said service, on or about the 11th day of June, 1867, at or near Camp Schofield, Lynchburg, Va., and did remain absent therefrom until apprehended on or about the 17th day of June, 1867, at Louisville, Ky. All this at or near Camp Schofield, Lynchburg, Va., on or about the 11th day of June, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Francis Baker*, Co. A, 29th Infantry, to forfeit all pay and allowances that are or may become due him for the period of six (6) months, 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 *Francis Baker*, of Co. A, 29th Infantry, are approved. The sentence is confirmed and will be carried into effect.

30th. Unassigned Recruit *Orlando Tolls*, 9th U. S. Cavalry.

Charge.—Desertion.

Specification.—In this that he, unassigned recruit *Orlando Tolls*, 9th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 20th day of January, 1867, at or near Lexington, Ky

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

FINDINGS.

The Court having been cleared decides to throw out the charges against *Orlando Tolls*, and declines to try the man further for want of jurisdiction—it being shown by the only witness for the prosecution, that the accused was

not a duly enlisted man in the service of the United States, and therefore not amenable to military law.

The proceedings of the Court in this case are approved. The prisoner not having drawn pay, clothing or rations, and not having been sworn in is clearly not a regularly enlisted soldier. He will be released from confinement and set at liberty.

31st. Private *Thomas Morgan*, of Co. K, 2d Infantry.

Charge 1st. Conduct prejudicial to good order and Military Discipline.

Specification.—In this. that he, private *Thomas Morgan*, Co. K, 2d Infantry, having been ordered by corporal *Charles Robbins*, while in the discharge of his duty to get tho broom and clean up the filth he made in the quarters, did reply in the words and figures to wit: "that he would not clean up the filth until he got ready," and that he (*Corporal Robbins*) "might kiss his arse and go to hell." This at the quarters of the Detachment of 2d Infantry, at Lebanon, Ky., on or about the 24th of June, 1867.

Charge 2d. Absence without leave.

Specification.—In this, that he, private *Thomas Morgan*, Co. K, 2d Infantry, did absent himself from his quarters after nine o'clock roll-call without permission from proper authority, and did remain absent until about the hour of half-past ten or eleven o'clock. This at Lebanon, Ky., on or about the 24th day of June, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Guilty."
To the 2d CHARGE and *Specification*, "Not Guilty."

FINDINGS.

Of the 1st CHARGE and *Specification*, "Guilty."
Of the 2d CHARGE and *Specification*, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Thomas Morgan*, Co. K, 2d Infantry, to forfeit fifteen dollars [$15] per month of his monthly pay for the period of three months, 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 *Thomas Morgan*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

32d. Musician *Randolph H. Waters*, of Co G, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, musician *Randolph H. Waters*, Co. G, 2d Infantry, a regularly enlisted soldier of the U. S. Army, did desert

the same from Danville, Ky., on or about the 27th day of June, 1867, thirty dollars [$30] being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert."

To the CHARGE, "Not Guilty."
but Guilty of "absence without leave."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, musician *Randolph H. Waters*, Co. G, 2d Infantry, to forfeit to the United States fifteen dollars [$15] per month of his monthly pay for six [6] months, and to be confined at hard labor in charge of the guard for the same period.

The proceedings and findings in the case of musician *Randolph H. Waters*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

33d. Private *John W. Myers*, of Co. G, 2d U. S. Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *John W. Myers*, Co. G, 2d Infantry, a regularly enlisted soldier of the U. S. Army, did desert the same from Danville, Ky., on or about the 27th day of June, 1867, thirty dollars [$30] paid for his apprehension.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert."

Of the CHARGE, "Not Guilty."
but guilty of "Absence without leave."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John W. Myers*, Co. G, 2d Infantry, to forfeit fifteen dollars [$15] per month of his monthly pay for six [6] months, 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 *John W. Myers*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

34th. Private *George Penn*, of Co. I, 2d Infantry.

Charge 1st.—Absence without leave.

Specification.—In this, that he, private *George Penn*, Co. I, 2d Infantry, did absent himself from his company without leave from proper authority, on the 1st day of July, 1867, from about the hour of 7 o'clock A. M., until between the hours of 8 and 9 o'clock P. M., thereby missing Drill and Dress Parade.

Charge 2d.—Conduct prejudicial to good order and Military Discipline.

Specification.—In this, that he, private *George Penn*, Co. I, 2d Infantry, when told by 1st sergeant *John McDonnell*, Co. I, 2d Infantry, between 8 and 9 o'clock P. M. on the 1st day of July, 1867, to get ready to go to the guard house, did, while the said 1st sergeant *McDonnell*, was engaged in arresting another private of the same company, this being all in obedience to the order of his company commander, said *Penn* did run off from his company quarters, out of sight, and remain absent until about 3 o'clock P. M. on the 2d day of July, 1867. All this at Taylor Barracks, Louisville, Ky., on the 1st and 2d days of July, 1867.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Guilty."

To the 2d CHARGE and *Specification*, "Not Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *George Penn*, Co. I, 2d Infantry, to be confined at hard labor in charge of the guard for the period of two [2] months, and to forfeit ten dollars [$10] of his monthly pay per month for the same period.

The proceedings and findings in the case of private *George Penn*, of Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

35th. Private *Richard Dubley*, of Co. I, 2d Infantry.

Charge 1st.—Absence without leave.

Specification.—In this, that he, private *Richard Dubley*, Co. I, 2d Infantry, did absent himself from his company and regiment at Taylor Barracks, Louisville, Ky., without permission, from about 9 o'clock, A. M., on the 1st day of July, 1867, until between the hours of 8 and 9 P. M. of the same day, thereby absenting himself from Drill and Dress Parade on the day aforesaid.

Charge 2d.—Conduct prejudicial to good order and Military Discipline.

Specification.—In this, that he, private *Richard Dubley*, Co. I, 2d Infantry, when ordered to put on his shoes and get ready to go to the guard house, by 1st sergeant *John McDonnell*, Co. I, 2d Infantry, while in the discharge of his duty having been ordered by his company commander, 2d Lieutenant *W. R. Dunton*, 2d Infantry, to confine said *Dubley*, did say "I will go when I get ready," or words to that effect, and upon being again ordered by 1st sergeant *McDonnell*, Co. I, 2d Infantry, to "hurry up," did jump up and say "God damn you lets see if you are man enough to take me there!" at the same time striking 1st sergeant *McDonnell* on the shoulder, and upon 1st sergeant *McDonnell*, taking hold of him, the said private *Richard Dubley*, Co. I, 2d Infantry, to take him to the guard house, did resist the said sergeant *McDonnell*, Co. I, 2d Infantry, and repeatedly *strike* him 1st sergeant *McDonnell*, saying "I have 'a dagger' or 'knife' that I will give you," or words to that effect, and did cut said 1st sergeant *McDonnell* in the face to such an extent as to make it necessary for him to go to the hospital for the purpose of having his wound dressed. All this at Taylor Barracks, Louisville, Ky., on the 1st day of July, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Guilty."

To the 2d CHARGE and *Specification*, "Not Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Richard Dubley*, of Co. I, 2d U. S. Infantry, to forfeit to the United States fifteen dollars [$15] of his monthly pay per month for twelve [12] months, and to be confined at hard labor under charge of the guard for the same period. The first and last fourteen [14] days of this period to be solitary confinement on bread and water, and to carry a log of wood weighing thirty [30] pounds on his shoulder in front of the guard house, every alternate hour from reveille to retreat, for the first ten days of the 2d, 4th, 6th, 8th, and 11th months of the time specified for his confinement in this sentence.

The proceedings and findings in the case of private *Richard Dubley*, Co. I, 2d Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of fifteen dollars [$15] per month for six [6] months, and confinement at hard labor in charge of the guard for the same period. The first and last

fourteen days of this period to be solitary confinement on bread and water, and to carry a log of wood weighing thirty pounds on his shoulder in front of the guard house, every alternate hour from reveille to retreat for the 1st ten [10] days of the 2d, 4th and 6th months of his confinement.

By Command of Maj. Gen. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

A. A. A. G.

1. Private ROBERT KENNEDY, Co. D, 4th Cavalry.
2. Private JOSEPH BRADY, Co. E, 4th Infantry.
3. Private WM. BERNT, Co B, 21st Infantry.
4. Private DANIEL W. PINCOTT, Co. H, 11th Infantry.
5. Private JOHN DONOHO, Co. F. 24th Infantry.
6. Private JOHN MURPHY, Co. G, 3d Artillery.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 7th, 1867.

GENERAL ORDERS, No. 35.

I. Before a General Court Martial, which convened at Newport Barracks, Ky. June 19th, 1867, pursuant to Special Orders No. 65, dated Head-quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Capt. 2d Artillery, is President, and 1st Lieut. J. P. STORY, 34th Infantry, Judge Advocate, were arraigned and tried:

36th. Private *Robert Kennedy*, Co. D, 4th Cavalry.

Charge.—Desertion.

Specification.—In this, that he, private *Robert Kennedy*, Co. D, 4th Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 22d day of September, 1866, at camp Sheridan, Meridian River, Texas, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 21st day of May, 1867, thirty dollars reward having been paid for his apprehension.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except "desert," substituting therefor "absent himself without leave."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except "desert," substituting therefor "absent himself without leave."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Robert Kennedy*, Co. D,

4th Cavalry, to be confined at hard labor in charge of the guard for the period of six months, and to forfeit $15 per month of his monthly pay for the same period.

37th. Private *Joseph Brady*, Co. E, 4th Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Joseph Brady*, Co. E, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of January, 1866, and did remain absent until apprehended at Chicago, Illinois, on or about the 18th day of June, 1867, thirty dollars reward being paid for his apprehension.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Joseph Brady*, Co. E, 4th Infantry, to be confined at hard labor in charge of the guard for six months, and forfeit $15 per month of his monthly pay for the same period.

38th. Private *Wm. Bernt*, Co. B, 21st Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Wm. Bernt*, Co. B, 21st Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 8th day of May, 1867, at City Point, Va., and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 31st day of May, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Wm. Bernt*, Co. B, 21st Infantry, to forfeit to the United States $10 per month of his monthly pay for three (3) months.

39th. Private *Daniel W. Pincott*, Co. H, 11th Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Daniel W. Pincott*, Co. H, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 21st day of September, 1866, at Richmond, Va., and did remain absent until he surrendered himself at Galesburg, Ill., on or about the 19th day of April, 1867.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Daniel W. Pincott*, Co. H, 11th Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States $15 per month of his monthly pay for the same period.

40th. Private *John Donoho*, Co. F, 2d Batt. 15th Infantry, now 24th Inf.

Charge.—Desertion.

Specification.—In this, that he, private *John Donoho*, Co. F, 2d Battallion 15th Infantry, now 24th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of January, 1866, at Mobile, Ala., and did remain absent until he surrendered himself at Cincinnati, Ohio, on or about the 5th day of June, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John Donoho*, Co. F, 24th Infantry, to be confined at hard labor in charge of the guard for six months, and to forfeit $15 per month of his monthly pay for the same period.

41st. Private *John Murphy*, Co. G, 3d Artillery.

Charge.—Desertion.

Specification.—In this, that he, private *John Murphy*, Co. G, 3d Artillery, having been duly enlisted in the service of the United States, did desert the same on or about the 23d day of March, 1867, at Fort Warren, Boston Harbor, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 6th day of June, 1867.

To which charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except "desert," substituting therefor "absent himself without leave from."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"
except "desert," substituting therefor "absent himself without leave from."

Of the CHARGE, "Guilty,"

SENTENCE.

And the Court does therefore sentence him, private *John Murphy*, Co. G, 3d Artillery, to forfeit to the United States, $10 per month of his monthly pay for six months.

II. The proceedings and findings in the foregoing cases of private *Robert Kennedy*, Co. D, 4th Cavalry; private *Joseph Brady*, Co. E, 4th Infantry; private *Wm. Bernt*, Co. B, 21st Infantry; private *Daniel Pincott*, Co. H, 11th Infantry; and private *John Donoho*, Co. F, 24th Infantry, are approved. The sentences are confirmed and will be carried into effect.

The proceedings and findings in the case of private *John Murphy*, of Co. G, 3d Artillery, are disapproved. The findings on the specifications does not justify the finding on the charge, the prisoner having been found guilty of absence without leave, according to the finding of the Court on the specification, he should have been found not guilty of the charge of (Desertion,) but guilty of absence without leave. There seems to have been no effort to secure witnesses in this case, and the entire proceedings are irregular and void. The prisoner will be released from confinement and restored to duty.

By Command of Maj. Gen. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

Wm D. Whipple
A. A. G.

1..Private STAFFORD GARRETT, Co. L, 6th U. S. Cavalry.
2..Recruit DANIEL KELLY, Veteran Reserve Corps, U. S. A.
3..Corporal WM. Y. CAMERON, Co. D, 28th U. S. Infantry.
4..Private HARRISON MCLOUD, Co. G, 7th U. S. Cavalry.
5..Recruit GEORGE CUMMINGS, General Service, U. S. A.
6..Private THOMAS BROGAN, Co. A, P. P. Newport Barracks, Ky.
7..Recruit GEORGE GORDON, General Service, U. S. A.
8..Recruit GEORGE ANDREWS, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, July 12, 1867.

GENERAL ORDERS,
No. 36.

I. Before a General Court Martial which convened at Newport Barracks, Ky., June 19th 1867, pursuant to Special Orders, No. 65, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 12th, 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and 1st Lieutenant J. P. STORY, 34th U. S. Infantry, Judge Advocate, were arraigned and tried:

42d. Private *Stafford Garrett*, Co. L, 6th Cavalry.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this: that he, Private *Stafford Garrett*, Co. L, 6th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the —— day of —— 1861, at Washington, D. C., and did remain absent until he was apprehended at Cleveland, Ohio, on or about the 28th day of February, 1867. Thirty Dollars ($30.) bein g paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Stafford Garrett*, Co. L, 6th Cavalry, "to be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Stafford Garrett*, Co. L, 6th Cavalry, are approved. The sentence is confirmed and will be carried into effect

43d..Recruit *Daniel Kelly*, Veteran Reserve Corps, U. S. Army.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this; that he, Recruit *Daniel Kelly*, V. R. C., U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 4th day of June, 1867, at Newport Barracks, Ky., and did remain absent until apprehended at Cincinnati, Ohio, on or about the 22th day of June, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Specification*, "Guilty,"
except 'desert' substituting therefor, 'absent himself without leave from.'

Of the *Charge*, "Not Guilty,"
but "Guilty" of 'Absence without leave.'

SENTENCE :

And the Court does therefore sentence him, Recruit *Daniel Kelly*, Veteran Reserve Corps, U. S. A., "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for three (3) months."

The proceedings and findings in the case of Recruit *Daniel Kelly*, Veteran Reserve Corps, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

44th..Coporal *William Y. Cameron*, Co. D, 28th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, Corporal *William Y. Cameron*, Co. D, 28th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 11th day of April, 1867, at Pine Bluff, Arkansas, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 1st day of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *Wm. Y. Cameron*, Co. D, 28th Infantry, to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for two (2) months."

The proceedings and findings in the case of Corporal *Wm. Y. Cameron*, Co. D, 28th Infantry, are approved. The record in this case shows no mitigating circumstances and the sentence is entirely too mild for the offence to which he pleaded "Guilty." In order that he shall not escape all punishment, the sentence is confirmed and will be carried into effect.

45th..Private *Harrison McCloud*, Co. G, 7th Cavalry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Harrison McCloud*, Co. G, 7th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the —— day of —— 1866, at Fort Riley, Kansas, and did remain absent until apprehended at Indianapolis, Ind., on or about the 13th day of June, 1867. Thirty dollars, ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Harrison McCloud*, Co. G, 7th Cavalry, "to be confined at hard labor under charge of the guard for four (4) months, and to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Harrison McCloud*, Co. G, 7th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

46th..Recruit *George Cummings*, General Servace, U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, the said Recruit *George Cummings*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 3d day of July, at Newport Barracks, Ky., and did remain absent until apprehended at Covington, Ky., on or about the 3d day of July, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Recruit *George Cummings*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month, of his monthly pay for the same period."

The proceedings and finding in the case of Recruit *George Cummings*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

47th..Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A.

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

SPECIFICATION :—" In this; that he, Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., did absent himself from his company without proper authority from 10 o'clock A. M. until 8.45 o'clock, P. M. This at Newport Barracks, Ky., on or about the 6th day of July, 1867."

CHARGE 2D.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this; that he, Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., did strike Sergeant *Charles B. Paul*, Co. A, Permanent Party, in the face, while the latter was in the act of arresting him, and did use profane language against said Sergeant. This at Newport Barracks, Ky., on as about the 6th day of July, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., "to forfeit to the United States five dollars ($5.) per month of his monthly pay for three (3) months."

The proceedings and findings in the case of Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

48th..Recruit *George Gordon*, General Service, U. S. A.

CHARGE:—" *Desertion.*"

SPECIFICATION :—" In this; that he, the said Recruit *George Gordon*, General Sereice, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 2d day of October, 1866, from the guard house, at Newport Barracks, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 24th day of December, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty,'

And the Court does therefore acquit him, Recruit *George Gordon*, General Service, U. S. A.

The proceedings and findings in the case of Recruit *George Gordon*, General Service, U. S. A., are disapproved. Under the ruling of the Judge Advocate General of the Army referred to by the Court, the prisoner was not technically guilty of desertion, but it is clear that he

was absent without leave, and the Court should have pronounced him guilty of that offence, and sentenced him accordingly. He will be released from confinement and restored to duty.

49th.. Recruit *George Andrews*, General Service, U. S. A.

CHARGE.—"*Desertion.*"

SPECIFICATION :—"In this; that he, Recruit *George Andrews*, General Service, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same at Cincinnati, Ohio, on or about the 25th day of J une, 186, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 6th day of July, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *George Andrews*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *George Andrews*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect

II. The General Court Martial of which Brevet Major JAMES THOMPSON, is President, and 1st Lieut. J. P. STORY, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Alfred Sturgis

A. A. A. G.

1. Private B. F. FRAZEY, Co. B, 45th U. S. Infantry, V. R. C.
2. Corporal LEWIS FOX, Co. B, 45th U. S. Infantry, V. R. C.
3. Private RALPH HANLEY, Co. K, 2d U. S. Infantry.
4. Private JOSHUA RANKIN, Co. B, 45th U. S. Infantry, V. R. C.
5. Sergeant GEORGE TIMONEY, Co. H, 2d U. S. Infantry.
6. Private THOMAS MCELVEY, Co. I, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 3d, 1867.

GENERAL ORDERS, No. 37.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders, No. 87, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Brevet Major JAMES W. LONG, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

1st. Private *B. F. Frazey*, Co. B, 45th Infantry, V. R. C.

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

SPECIFICATION 1ST:—"In this; that the said Private *B. F. Frazey*, Co B, 45th Infantry, V. R. C., being so much under the influence of intoxicating liquor as to be unfit for duty, or appear on dress parade on the evening of the 4th day of July, 1867. This at or near Jeffersonville, Indiana, on or about the 4th day of July, 1867."

SPECIFICATION 2D:—"In this: that the said Private *Benjamin F. Frazey*, Co, B, 45th Infantry, V. R. C., did resist Corporal *Robert Elliott* of said company, Acting Sergeant of the Guard, when ordered by Capt. *C. G. Freudenburg*, 45th Infantry, to confine him in the guard house, and told the Corporal that he was nothing but a God damned irish son-of-a-bitch,' or words to that effect. This at or near the post of Jeffersonville, Ind., on or about the 4th day of July, 1867."

SPECIFICATION 3D.—"In this; that he the said Private *Benjamin F. Frazey*, Co. B, 45th Infantry, V. R. C., did say 'that he would rather be shot right there in that room as serve under any such God damned officer as he was,' or words to that effect. This at or near the post of Jeffersonville, Ind., on or about the 4th day of July, 1867."

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, V. R. C., "to forfeit to the United States ten dollars ($10.) of his monthly pay for the period of six (6) months, 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 *Benjamin F. Frazey*, Co. B, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect

2d..Corporal *Lewis Fox*, Co. B, 45th Infantry, V. R. C.

CHARGE 1ST :—" *Violation of the 50th Article of War.*"

SPECIFICATION :—" In this ; that he the said Corporal *Lewis Fox*, Co. B, 45th Infantry, V. R. C., while in command of a guard at the commissary building on Market Street, in the city of Jeffersonville, Ind., did leave his guard and command about eleven o'clock P. M., on July 16th, 1867, without the leave of his superior officer, and did remain absent until half past five o'clock A. M., July 17th, 1867. This at or near the post of Jeffersonville, Ind., on or about the 16th and 17th days of July, 1867."

CHARGE 2D :—" *Violation of the 45th Article of War.*"

SPECIFICATION :—" In this ; that he the said Corporal *Lewis Fox*, Co. B, 45th Infantry, V. R. C., while in command of the guard at the commissary building on Market Street, in the city of Jeffersonville, Ind., was under the influence of intoxicating liquors. This at the post of Jeffersonville, Ind., on or about the 16th and 17th days of July, 1867."

The Judge Advocate entered a *nolle prosequi* on the second charge and its specification, as said specification did not support the charge.

The prisoner pleaded to the 1st charge and specification " Guilty."

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *Lewis Fox*, Co. B, 45th Infantry, V. R. C., "to forfeit to the United States ten dollars ($10.) of his monthly pay for four (4) months, and to be reduced to the ranks as a private soldier."

The proceedir gs and findings on the first charge and specification are approved and the sentence is confirmed and will be carried into effect. The Major General commanding the Department cannot agree with the Judge Advocate in his action on the second charge and specification. It is believed that had testimony been taken on that charge, the prisoner would have been found so much under the influence of liquor, as to be drunk, and the specification would have been found to sustain the charge under the 45th Article of War.

3d..Private *Ralph Hanley*, Co. K, 2d Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—" In this; that he, Private *Ralph Hanley*, Co. K, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the service on or about the 10th day of July, 1867, and did remain absent until apprehended by 1st Sergeant *Patrick Breen*, Co. C, 2d Infantry, (being at the time dressed in citizen's clothes.) This at or near Louisville, Ky., on or about the 11th day of July, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Ralph Hanley*, Co. K, 2d Infantry, " to be confined six (6) months at hard labor in charge of the guard and to forfeit all pay and allowances that are or may become due him for the same period."

The proceedings and findings in the case of Private *Ralph Hanley*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C.

CHARGE 1ST :—" *Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST :—" In this; that he, Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C., was so much under the influence of intoxicating liquor as to be unable to appear on inspection or dress parade. This at or near the post of Jeffersonville, Ind., on or about the 15th day of July, 1867."

SPECIFICATION 2D :—" In this; that he, Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C., did resist by force Sergeant *James D. Ash*, 45th Infantry, V. R. C., commanding guard at the post of Jeffersonville, Ind , when he was ordered by the Commanding Officer to put him (the said Private *Joshua Rankin*) into the guard house, and that he, (the said Private *Joshua Rankin*) did use the following language to the Sergeant of the Guard 'You are a damned son-of-a-bitch, I will shoot you the first chance I get,' or words to that effect. This at or near the post of Jeffersonville, Ind.. on or about the 15th day of July, 1867."

SPECIFICATION 3D :—" In this; that he the said Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C., did strike Corporal *Robert Elliott*, Co. B, 45th Infantry, V. R. C., when said Corporal *Elliott* was on duty as corporal of the guard, and was ordered to arrest the said Private *Joshna Rankin*, he, (the said Private *Joshua Rankin*,) did use the following language, 'you are a damned son-of-a-bitch,' or words to that effect. This at or near the post of Jeffersonville, Ind., on or about the 15th day of July, 1867."

CHARGE 2D :—" *Violation of the 9th Article of War.*"

SPECIFICATION :—" In this; that he, Private *Joshua Rankin*, Co. B, 45th Infantry, V, R. C., did offer violence to Captain *C. G. Freudenberg*, 45th Infantry, V. R. C., commanding post, while in the execution of his office by disobeying his orders and using the following language, 'you are a damned son-of-a-bitch,' and 'I will shoot you as soon as I get a chance,' or words to that effect. This at or near the post of Jeffersonville, Ind., on or about the 15th day of July, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C., "to be confined in the military prison for two (2) years, to forfeit all pay and allowances that are or may become due him during that period, and then to be dishonorably discharged the service of the United States."

The proceedings and finding in the case of Private *Joshua Rankin*, Co. B, 45th Infantry, V. R. C., are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due him up to the date of this order and fifteen dollars ($15.) per month, for twelve (12) months, during which time he will be confined in the guard house at the post at which he may be serving, and at the expiration of his confinement he will be restored to duty.

5th..Sergeant *George Timoney*, Co. H, 2d Infantry.

CHARGE :—" *Drunkenness on duty.*"

SPECIFICATION :—" In this; that he, Sergeant *George Timoney* Co. H, 2d Infantry, having been properly detailed as Sergeant of the Guard at Taylor Barracks, did appear upon parade ground at guard mounting, so much under the influence of liquor, as to be unable to perform his duty properly."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *George Timoney*, Co. H, 2d Infantry, "to be reduced to the ranks of a Private soldier."

The proceedings and findings in the case of Sergeant *George Timoney*, Co. H, 2d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, the Major General Commanding is pleased to remit the sentence in this case; Sergeant *Timoney* will be released from confinement and restored to duty.

6th. Private *Thomas McElvey*, Co. I, 2d Infantry.

CHARGE 1ST.—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST.—"In this; that he, Private *Thomas McElvey*, Co. I, 2d Infantry, was drunk, and did behave in a riotous and disorderly manner. This at Lebanon, Ky., on or about the 16th day of July 1867."

SPECIFICATION 2D.—"In this; that he, Private *Thomas McElvey*, Co. I, 2d Infantry, did pass through the streets of Lebanon, Ky., drunk, and did become engaged in a fight with a citizen of Lebanon, and did otherwise act in a drunken and riotous manner. This at Lebanon, Ky., on or about the 16th day of July, 1867."

SPECIFICATION 3D:—"In this; that he, Private *Thomas McElvey*, Co. I, 2d Infantry, did while a prisoner in charge of the guard, in the quarters of the detachment push aside the sentinel duly posted at the door of the quarters, and jump off the porch about 15 feet from the ground, into the yard in the rear of the quarters and attempted to run away; and upon being pursued by Lance Corporal *Myers*, who was in charge of the guard at the time, did try to conceal himself between two houses by climbing up the side of a house between two brick chimneys, and upon being discovered and ordered by the Lance Corporal to come down, did refuse to do so, and would not come down until the Lance Corporal threatened to shoot him. All this at Lebanon, Ky., on or about the 18th day of July, 1867."

CHARGE 2D:—"*Habitual drunkenness and general bad conduct.*"

SPECIFICATION:—"In this; that he, Private *Thomas McElvey*, Co. I, 2d Infantry has been drunk and under the influence of liquor for the past week, and that he does get drunk whenever he can get liquor, and by his drunken and unsoldierly conduct does disgrace the uniform he wears and brings odium and disgrace on the entire detachment by his disorderly, drunken, unsoldierly conduct. All this at Lebanon, Ky., on or about the 16th of July, and during the week ending July 16th, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas McElvey*, Co. I, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of four months, and to forfeit all pay and allowances which are or may become due him, and at the expiration of his term of confinement to be dishonorably discharged the service of the United States, have his head shaved and be drummed out of the camp of his regiment."

The proceedings and findings in the case of Private *Thomas McElvey*, Co. I, 2d Infantry, are aproved. The sentence is confirmed and will be carried into effect, except that portion requiring him to be dishonorably discharged, have his head shaved and to be drummed out of his regiment, which is hereby remitted. On the expiration of his confinement he will be restored to duty.

By command of Major General Thomas :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A. A. G.

1..Private PATRICK ENRIGHT, Co. G, 2d U. S. Infantry.
2..Private ALFRED WAIT, Co. H, 2d U. S. Infantry.
3..Private JOHN H. EMERICK, Co. G, 2d U S. Infantry.
4..Private THOMAS CODY, Co. G, 2d U. S. Infantry.
5..Private HENRY SHOANS, Co. G, 2d U. S. Infantry.
6..Private WILLIAM JOHNSON, Co. H, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 3d, 1867.

GENERAL ORDERS, }
No. 38. }

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders, No. 87, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Brevet Major JAMES W. LONG, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

7th..Private *Patrick Enright*, Co. 2d Infantry.

CHARGE:—"*Absence without leave.*"

SPECIFICATION:—"In this; that he, Private *Patrick Enright*. Co. G. 2d Infantry, did absent himself from the duties of his company and post without permission from proper authority, from on or about the 18th day of July, 1867, to on or about the 21st day of July, 1867. This at Danville, Ky.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,'

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Enright*, Co. G, 2d Infantry, "to forfeit to the United States five dollars ($5.) fo his monthly pay for the period of four (4) months."

The proceedings and findings in the case of Private *Patrick Enright*, Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th..Private *Alfred Wait*, Co. H, 2d Infantry.

CHARGE:—"*Drunkenness on duty.*"

SPECIFICATION:—"In this; that he, Private *Alfred Wait*, Co. H, 2d Infantry, having been duly detailed as a member of the guard, did appear on the parade and guard mounting so much under the influence of liquor as to be unable to perform his duty properly. This at Taylor Barracks, Ky., on or about the 13th of July, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Private *Alfred Wait*, Co. H, 2d Infantry, "to be confined in the military prison for two (2) months and to carry a knapsack weighing 25 pounds from reveille to retreat, during the last month of his confinement."

The proceedings and findings in the case of Private *Alfred Wait*, of Co. H, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect with the following modification: during the period he is to carry a knapsack, he will be allowed thirty minutes for each meal.

9th..Private *John H. Emerick*, Co. G, 2d Infantry.

CHARGE:—"*Violation of the 46th Article of War.*"

SPECIFICATION:—"In this; that he, Private *John H. Emerick*, Co. G, 2d Infantry, a member of the guard which mounted at Danville, Ky., on or about the 8th day of July, 1867, and having been regularly posted as a sentinel about three o'clock on the morning of the 9th of July, 1867, was found sleeping upon his post about four o'clock A. M., same day."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Private *John H. Emerick* Co. G, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit ten dollars ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John H. Emerick*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

10th..Private *Thomas Cody*, Co. G, 2d Infantry.

CHARGE:—"*Absence without leave.*"

SPECIFICATION:—"In this; that he, Private *Thomas Cody*, Co. G, 2d Infantry, having been regularly detailed for guard, did absent himself therefrom without permission from proper authority, from on or about the 17th to the 19th day of July, 1867. This at Danville, Ky."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Cody*, of Co. G, 2d Infantry, "to forfeit to the United States five dollars ($5.) per month of his monthly pay for four (4) months."

The proceedings and findings in the case of Private *Thomas Cody*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th..Private *Henry Shoans*, Co. G, 2d Infantry.

CHARGE:—"*Absence without leave.*"

SPECIFICATION:—"In this; that he, Private *Henry Shoans*, Co. G, 2d Infantry, did absent himself from the duties of his company and post without permission from proper authority, from on or about the 17th until on or about the 19th of July, 1867. This at Danville, Ky."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Shoans*, Co. G, 2d Infantry, "to forfeit to the United States five dollars ($5.) per month of his monthly pay for four (4) months."

The proceedings and findings in the case of Private *Henry Shoans*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect."

12th..Private *William Johnson*, Co. H, 2d Infantry."

CHARGE:—" *Drunkenness on duty*."

SPECIFICATION :—" In this ; that he, Private *William Johnson*, Co. H, 2d Infantry, having been regularly detailed for guard, did get so much under the influence of liquor as not to be able to perform his duties as a soldier. This at Taylor Barracks, Ky., on or about the 20th day of July,1 867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Johnson*, Co. H, 2d Infantry, " to be confined at hard labor under charge of the guard for the period of two (2) months, during the last month of the time to carry a log of wood weighing twenty-five pounds on his shoulder every alternate hour from reveille to retreat."

The proceedings and findings in the case of Private *William Johnson*, of Co. H, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect."

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A.A.G.

1..Private WILLIAM MCGRATH, Co. C, 2d U. S. Infantry.
2..Private JOHN LOONEY, Co. C, 2d U. S. Infantry.
3..Private JOHN MADDIX, Co. C, 2d U. S. Infantry.
4..Private OWEN CLARK, Co. B, 2d U. S. Infantry.
5..Private CHRISTIAN MILLER, Co. G, 2d U. S. Infantry.
6..Private WILLIAM NOVINGER, Co. K, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 6th, 1867.

GENERAL ORDERS,
No. 39.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders, No. 87, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Brevet Major JAMES W. LONG, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried :

13th..Private *William McGrath*, Co. C, 2d U. S. Infantr.y

CHARGE:—"*Absence without leave.*"

SPECIFICATION:—"In this ; that he, Private *William McGrath*, Co. C, 2d Infantry, did absent himself without permission from proper authority, from his company and regiment, from the 18th day of July, 1867, until the 22d day of July, 1867. All this at Taylor Barracks, Louisville, Ky., on or about the time above specified."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William McGrath*, Co. C, 2d Infantry, " to forfeit to the United States five dollars ($5.) of his monthly pay for the period of five (5) months."

14th..Private *John Looney*, Co. C, 2d Infantry.

CHARGE :—" *Violation of the 45th Article of War.*"

SPECIFICATION :—" In this ; that he Private *John Looney*, Co. C, 2d Infantry, having been duly posted as a sentinel was found asleep on his post, between the hours of half-past ten o'clock and half-past eleven o'clock P. M., of the 11th day of July, 1867. This at or near Taylor Barracks, Louisville, Ky."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Looney* ,Co· C, 2d Infantry, "to forfeit to the United States ten dollars ($10.) per month of his monthly pay for four (4) months."

15th..Private *John Maddix*, Co. C, 2d Infantry.

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

SPECIFICATION :—"In this; that he, Private *John Maddix*, Co. C, 2d Infantry, being duly detailed for guard on the morning of the 23d of July, 1867, did fail to appear and did absent himself from his company and quarters from 7½ o'clock A. M,, until 5 o'clock P. M. This at Taylor Barracks, Louisville, Ky., on the date above specified."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Maddix*, of Co. C, 2d Infantry, " to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the period of three (3) months."

16th..Private *Owen Clark*, Co. B, 2d Infantry.

CHARGE 1ST :—" *Violation of the 45th Article of War.*"

SPECIFICATION :—"In this; that he, Private *Owen Clark* Co. B, 2d Infantry having been posted as a sentinel, did become so intoxicated as to be totally unfit to do duty as such. This at Camp Collins, Warsaw, Ky., on or about the 13th day of July, 1867."

CHARGE 2D.—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION.—"In this; that he, Private *Owen Clark*, Co. B, 2d Infantry, did allow Private *Newton Laws*, Co. B, 2d Infantry, a prisoner, to escape while in his charge without trying to prevent it, and when asked by Sergeant *William Bohning* Co. B, 2d Infantry, where the prisoner was, repled, 'that he was in the rear,' thus trying to deceive the Sergeant, that the prisoner might have time to escape. This at Camp Collins, Warsaw, Ky., on or about the 13th day of July, 1867."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Owen Clark*, Co. B, 2d Infantry, " to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the period of three (3) months."

17th..Private *Christian Miller*, Co. G, 2d Infantry.

CHARGE :—" *Absence without leave.*"

SPECIFICATION :—"In this; that he, Private *Christian Miller*, Co. G, 2d Infantry, having been regularly detailed for guard, did absent himself therefrom and did remain absent without permission from proper authority, from on or about the 17th to the 18th day of July, 1867. This at Danville, Ky."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Christian Miller*, Co. G, 2d Infantry, " to forfeit to the United States five dollars ($5.) per month of his monthly pay for the period of two (2) months."

18th..Private *William Novinger*. Co. K, 2d Infantry.

CHARGE :—" *Conduct prejudicial to good order and military discipline.*'

SPECIFICATION :—" In this; that he, Private *William Novinger*, Co. K, 2d Infantry, did enter the shoe shop of *Patrick Ryan*, and did wilfully take a piece of leather (one calf skin) valued at nine dollars, ($9.) with the intention of stealing the same, and did keep the said piece of leather until found in his possession by *Charles Dubois*, a Private of Co. K, 2d Infantry, on the 12th day of July, 1867. All this at or near Lebanon, Ky., on or about the 12th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty"

SENTENCE :

And the Court does therefore sentence him, Private *William Novinger*, Co. K, 2d Infantry, " to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit all pay and allowances which are now or may become due him for the same period, after which, to be drummed out of the camp and dishonourably discharged the service of the United States."

II. The proceedings and findings in the case of Private *William McGrath*, of Co. C, Private *John Looney*, of Co. C, Private *John Maddix*, of Co. C, and Private *Christian Miller*, of Co, G, 2d Infantry, are approved. The sentences as awarded them are confirmed and will be carried into effect.

The proceedings and findinge in the case of Private *William Novinger*, of Co. C, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him " to be drummed out of the camp and dishonorably discharged the service of the United States," which is remitted. On the expitation of his confinement he will be restored to duty with his company.

In the case of Private *Owen Clark*, of Co, B, 2d Infantry, the proceedings and findings are approved. Corporeal punishment only can be awarded for a violation of the 45th Article of War. The prisoner will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A A G

1..Private WARREN McQUOWN, Co. D, 45th U. S. Infantry.
2..Private JAMES W. ROBERTSON, Co. C, 45th U. S. Infantry.
3..Private JOHN O'BRIEN, Co. F, 45th U. S. Infantry.
4..Private PHILIP O'DONNELL, Co. A, 45th U. S. Infantry.
5..Private WILLIAM JOHNSON, Co. A, 45th U. S. Infantry.
6..Private GEO. H. CARNEY, Co. C, 45th U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 8th, 1867.

GENERAL ORDERS, No. 40.

Before a General Court Martial which convened at Nashville, Tenn. July, 28th, 1867, pursuant to Special Orders, No. 86, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 11th, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President and 1st Lieut. C. H. FREDERICK, 45th Infantry, V. R. C., Judge Advocate were arraigned and tried :

1st..Private *Warren McQuown*, Co. D, 45th Infantry, V. R. C.

CHARGE ;—" *Violation of the 46th Article of War.*"

SPECIFICATION :—" In this ; that he, Private *Warren McQuown*, Co. D, 45th Infantry, V. R. C., having been duly posted as a sentinel over the prisoners in the guard house did go to sleep and did continue to sleep until awakened by the Corporal of the guard. This at or near Cumberland Barracks, Nashville, Tenn., on or about the night of the 23d of May, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty,'

SENTENCE :

And the Court does therefore sentence him, Private *Warren McQuown*, Co. D, 45th Infantry, V. R. C., "to forfeit two months pay excepting the just dues of the laundress and sutler, and to be confined for ten days at hard labor under charge of the guard of the regiment."

The proceedings and findings in the case of Private *Warren McQuown*, Co. D, 45th Infantry, V. R. C., are approved. The crime of sleepir g on post is generally regarded in the Army as one of great magnitude, but it seems that the court in this case, considers it a trifling offence judging from the mild sentence awarded the prisoner. Discipline in the Army can be maintained only by punishing crime in keeping with its turpitude. In order that the prisoner may not escape all punishment the sentence of the Court is approved and will be carried into effect.

2d..Private *James W. Robertson*, Co. C, 45th Infantry, V. R. C.,

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this ; that he, Private *James W. Robertson*. Co. C, 45th Infantry, V. R. C., having been duly enlisted as a soldier in the service of the United States did desert the same at Nashville, Tenn., on the 12th day of May, 1867, and remain absent until apprehended or surrendered himself at Spring Hill, Tenn., June 28th, 1867. All this at Nashville, Tenn., and Spring Hill, Tenn., on or about the dates above specified."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James W. Robertson*, Co. C, 45th Infantry, V. R. C., "to forfeit four month's pay except the just dues of the laundress and sutler and to be confined seven days in solitary confinement on bread and water diet in the guard house of his regiment."

The proceedings and findings in the case of Private *James W. Robertson*, Co. C, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

3d..Private *John O'Brien*, Co. F, 45th Infantry, V. R. C.,

CHARGE:—"*Absence without leave.*"

SPECIFICATION 1ST:—"In this; that he, Private *John O'Brien*, Co. F, 45th Infantry, V. R. C., having permission to go to the river to bathe on the evening of the 30th of June, 1867, did remain away from camp until after guard mounting of the 1st of July, 1867, without proper authority."

SPECIFICATION 2D:—"In this; that he, Private *John O'Brien*, Co. F, 45th Infantry, V. R. C., being regularly detailed for guard on the evening of the 30th of June, 1867, did fail to appear on guard mounting on the morning of the 1st of July, 1867. All this at Cumberland Barracks, Nashville, Tenn., on or about June, 30th 1867.

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John O'Brien*, Co. F 45th Infantry, V. R. C., "to forfeit ten dollars ($10.) of his monthly pay."

The proceedings and findings in the case of Private *John O'Brien*, Co. F, F, 45th Infantry, V. R. C., are approved. As the period of time during which the prisoner is to forfeit ten dollars of his pay is not fixed in the sentence, the same is hereby fixed for one month. With this modification the sentence is confirmed and will be carried into effect.

4th..Private *Philip O'Donnell*, Co. A, 45th Infantry, V. R. C.

CHARGE:—"*Desertion.*"

SPECIFICATION.—"In this; that he, Private *Philip O'Donnell*, Co. A, 45th Infantry, V. R. C., having been duly enlisted in the service of the United States, did desert the same on or about the 28th day of April, 1867, and did remain absent from his company and regiment until returned by a detective and confined in the guard house, at Cumberland Barracks, Nashville, Tenn., on or about the 13th day of June, 1867. This at or near Nashville, Tenn., on or about the dates above mentioned."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Private *Philip O'Donnell*, Co. A, 45th Infantry, V. R. C., "to be confined at hard labor for six (6) months, and to forfeit all pay and allowances for the same length of time except the just dues of the laundress and sutler."

The proceedings and findings in the case of Private *Philip O'Donnell* Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

5th..Private *William Johnson* Co. A, 45th Infantry, V. R. C.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this ; that he, Private *William Johnson*, Co. A, 45th Infantry, V. R. C., a duly enlisted soldier in the service of the United States, did desert said service at or near Cumberland Barracks, on or about the 14th day of May, 1867, and did without permission go to Louisville, Ky., and remain absent from his company and regiment until given up to the military authorities at that place by a citizen, on or about the 20th day of June, 1867. This at or near Nashville, Tenn., and Louisville, Ky., on or about the dates above mentioned."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *William Johnson*. Co. A. 45th Infantry, V. R, C., " to six (6) months confinement at hard labor in charge of the guard of his regiment, and loss of all pay for the same period except the just dues of the laundress and sutler."

The proceedings and findings in the case of Private *William Johnson*, Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

6th..Private *George H. Carney*, Co. C, 45th Infantry.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this ; that he, Private *George H. Carney*, Co. C, 45th Infantry, V. R. C., having been duly enlisted in the service of the United States, did desert on the 12th day of May, 1867, and did remain absent until apprehended or delivered himself up at Spring Hill, Tenn., June 28th, 1867. All this at Nashville, Tenn., and Spring Hill, Tenn., on or about the dates above specified."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George H. Carney*, Co. C, 45th Infantry, V. R. C. " to forfeit four (4) months pay except the just dues of the laundress and sutler, and to be confined seven (7) days in solitary confinement on bread and water diet in the guard house of his regiment."

The proceedings and findings in the case of Private *George H. Carney*, Co. C, 45th Infantry, V. R. C., are approved, The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A. A. G.

1..Private JOHN O'REILY, Co. B, 45th U. S. Infantry, V. R. C.
2..Private ANTHONY MONTZ, Co. K, 2d U. S. Infantry.
3..Private A. J. SPEED, Co. E, 2d U. S. Infantry.
4..Private JOHN THOMPSON, Co. I, 2d U. S. Infantry.
5..Corporal JEREMIAH SULLIVAN, Co. D, 2d U. S. Infantry.
6..Private JOHN T. JOHNSON, Co. B, 45th U. S. Infantry V. R. C.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 12th, 1867.

GENERAL ORDERS,
No. 41.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders, No. 87, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Brevet Major JAMES W. LONG, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

19th..Private *John O'Reily*, Co. B, 45th Infantry, V. R. C.,

CHARGE.—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *John O'Reily*, Co. B, 45th Infantry, V. R. C., did desert his company stationed at Jeffersonville, Ind., on or about the 10th day of May, 1867, and did remain absent until arrested in citizens clothes, on or about the 12th day of May, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS:

Of the *Specification*, "Guilty,"
except the words 'did desert,' substituting therefor the words, 'did absent himself without leave.'

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

SENTENCE:

And the Court does therefore sentence him, Private *John O'Reily*, Co. B, 45th Infantry, V. R. C., "to forfeit to the United States, five dollars ($5.) per month of his monthly pay for two months."

The proceedings and findings in the case of Private *John O'Reily*, Co B, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

20th..Private *Anthony, Montz*, Co. K, 2d Infantry.

CHARGE 1ST:—"*Violation of the 46th Article of War*."

SPECIFICATION:—"In this; that he, Private *Anthoney Montz*, Co. K, 2d Infantry, having been duly posted as a sentinel on post No. 2, in the main guard house, did, contrary to the instructions of the Sergeant of the guard, go to sleep while on post and permit two prisoners under sentence to make their escape. All this at Taylor Barracks, Louisville, Ky., on or about the 3d day of July, 1867."

CHARGE 2D:—"*Neglect of duty to the prejudice of good order and military discipline*."

SPECIFICATION:—"In this; that he, Private *Anthony Montz*, Co. K, 2d Infantry, having been duly posted as sentinel on post No. 2, in the

main guard house, did, contrary to the instructions of the Sergeant of the guard, go to sleep on his post, thereby neglecting his duty, and permitting two prisoners under sentence to make their escape. All this at Taylor Barracks, Louisville, Ky., on or about the 3d day of July, 1867."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Anthony Montz*, Co. K, 2d 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 fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Anthony Montz*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

21st..Private *A. J. Speed*, Co. E, 2d Infantry.

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

SPECIFICATION:—"In this; that he, Private *A. J. Speed*, Co. E, 2d Infantry, did absent himself from his company quarters without permission from proper authority from 10 o'clock in the evening until 8 o'clock on the following morning, thereby missing the Sunday morning inspection of his company. This at or near Bowling Green, Ky., on or about July 14th, 1867."

CHARGE 2D :—"*Disobedience of Orders.*"

SPECIFICATION :—"In this; that he, Private *A. J. Speed*, Co. E, 2d Infantry, did absent himself from his company quarters in violation of orders. This at Bowling Green, Ky., on or about July 14th, 1867."

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

FINDINGS :

Of the *Charges* and *Specifications*. "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *A. J. Speed*, Co. E, 2d 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 dollars ($10.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *A. J. Speed*, Co. E, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

22d..Private *John Thompson*, Co. I, 2d Infantry:

CHARGE 1ST :—"*Violation of the 50th Article of War.*"

SPECIFICATION :—"In this; that he, Private *John Thompson*, Co. I, 2d Infantry, while a member of the guard at Head-Quarters Military District of Kentucky, mounted at Taylor Barracks, Louisville, Ky., leave said guard while *en route* to said Head-Quarters without permission from proper authority. This on or about the 17th day of July, 1867."

CHARGE 2D:—"*Violation of the 45th Article of War.*"

SPECIFICATION :—"In this; that he, Private *John Thompson*, Co. I, 2d Infantry, was found drunk on his guard and wholly unfit for duty. This at Head-Quarters Military District of Ky., on or about the 17th day of July, 1867."

To which charges and specifications the prisoner pleaded as follows :

To the first *Charge* and *Specification*, "Guilty."

To the second *Charge* and *Specification*, "Not Guilty."

FINDINGS .

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Thompson*, Co. I, 2d Infantry, " to forfeit fifteen dollars ($15.) of his monthly pay for the period of six (6) months, and to be confined in the military prison for the same period."

The proceedings and findings in the case of Private *John Thompson*, Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect in the guard house at the station of his company.

23d..Corporal *Jeremiah Sullivan*, Co. D, 2d Infantry.

CHARGE 1ST :—"*Disobedience of Orders*."

SPECIFICATION.—"In this ; that he, Corporal *Jeremiah Sullivan*, Co. D, 2d Infantry, when ordered by 1st Lieut. *P. H. Flood*, 2d Infantry, A. A. Q. M. to explain why he did not work in his office, said Corporal being at the time Clerk in the office of the A. Q. M. did reply that if he had to drill with the company and write in the office too he did not like to do it, and when remonstrated with by Lieut. *Flood*, for his language did answer, 'and I will not do it,' or words to that effect. This at the Head-Quarters of his company at Lexington, Ky., on the 24th day of July, 1867."

CHARGE 2D:—" *Conduct prejudicial to good order and military discipline*."

SPECIFICATION :—"In this ; that he, Corporal *Jeremiah Sullivan*, Co. D, 2d Infantry, did when peremptorily ordered by Lieut. *Flood*, 2d Infantry, A. A. Q. M. to go and write in the office, did throw down the pen which he held in his hand and answer, 'you can suck my arse,' or words to that effect. This at the Head-Quarters of his company at Lexington, Ky., on the 24th day of July, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *Jeremiah Sullivan*, Co. D, 2d Infantry, " to forfeit all pay and allowances which are or may become due him, and to be confined under charge of the guard for the period of six (6) months and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Corporal *Jeremiah Sullivan*, Co. D, 2d Infantry are approved. The sentence is confirmed and will be carried into effect, with the understanding that the stoppage of pay and allowances cease on the expiration of the period of his confinement.

24th..Private *John T. Johnson* Co. B, 45th Infantry, V. R. C.

CHARGE :—" *Desertion*."

SPECIFICATION :—" In this : that he, Private *John T. Johnson*, Co. B, 45th Infantry, V. R. C., did desert from the Hospital at Nashville, Tenn., June, 1st. 1867, and did remain absent until arrested by Policeman *Thomas Ryan*, July 19th, 1867. Thirty dollars ($30.) being paid for his apprehension. This at or near the Post of Jeffersonville, Ind. and Cumberland Barracks, Nashville, Tenn., on or about the dates above specified."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John T. Johnson*, Co. B, 45th Infantry, V. R, C., "to forfeit all pay and allowances which are or may become due him, and to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John T. Johnson*, Co. B, 45th Infantry, V. R. C., are approved. The sentence awarded him will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple
A. A. G.

1. Private JOSEPH KREMER, Co. K, 2d Infantry.
2. Corporal ADAM NEIDER, Co. I, 2d Infantry.
3. Private DIETRICH RICKERS, Co. F, 2d Infantry.
4. Corporal ADAM NEIDER, Co. I, 2d Infantry.
5. Private JAMES PATTON, Co. C, 2d Infantry.
6. Private FERDINAND KOLB, Co. G, 2d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 16th, 1867.

GENERAL ORDERS, No. 42.

Before a General Court Martial convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders No. 87, dated Headquarters, Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Brt. Major A. W. KROUTINGER, Captain 2d Infantry, is President, and Brt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

25. Private *Joseph Kremer*, Co. K, 2d Infantry.

Charge.—Violation of the 46th Article of War.

Specification.—In this, that he, private *Joseph Kremer*, Co. K, 2d Infantry, being a member of the guard mounted at Taylor Barracks, Louisville, Ky., on the morning of the 26th of July, 1867, and being duly posted as a sentinel in front of District Headquarters, was found asleep on his post between the hours of 11 o'clock P. M., on the night of the 26th, and 1 o'clock A. M., on the morning of the 27th of July, 1867 All this at Louisville, Ky., on or about the times and place above specified.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Joseph Kremer*, Co. K, 2d Infantry, to forfeit $10 per month of his monthly pay for four months.

The proceedings and findings in the case of private *Joseph Kremer*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

26. Corporal *Adam Neider*, Co. I, 2d Infantry.

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

Specification 1st.—In this, that he, corporal *Adam Neider*, Co. I, 2d Infantry, did, when not in the performance of his duty and without provocation, did attempt to strike private *John G. Kimm*, Co. I, 2d Infantry, and when ordered by 1st sergeant *John McDonnell*, of said 'Co. I," to stop, did attempt again to strike private *Kimm*, and did say when ordered in arrest "I dont give a God damn," or words to that effect. This in the presence of said company "I."

Specification 2d.—In this, that he, corporal *Adam Neider*, Co. I, 2d Infantry, did get drunk and appear in the quarters of the company so drunk as to vomit on the floor of the quarters, in the presence of privates of the company. All this at Taylor Barracks, Louisville, Ky., on the 28th day of July, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him corporal *Adam Neider*, Co. I, 2d Infantry, to be reduced to the rank of a private soldier and to forfeit ten dollars per month of his monthly pay for three months.

The proceedings and findings in the case of corporal *Adam Neider*, of Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

27. Private *Dietrich Rickers*, Co. F, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Dietrich Rickers*, Co. F, 2d Infantry, did desert the service of the United States, at the post of Franklin, Ky., on or about the 5th day of March, 1867, and did remain absent from his proper command until the 10th day of June, 1867, when he surrendered himself as a deserter at Fort Brady, Michigan, he being at the time a private in the 45th Infantry, under the name of *Henry Cook*.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Dietrich Rickers*, Co. F,

2d Infantry, to forfeit all pay and allowances which are now or may become due him, to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit $15 per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Dietrich Rickers*, Co. F, 2d Infantry, are approved. The sentence is confirmed but mitigated to forfeiture of all pay and allowances due up to the date of this order, and fifteen dollars per month for six months during which time he will be confined at hard labor under charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

28. Corporal *Adam Neider*, Co. I, 2d Infantry.

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

Specification 1st.—In this, that he, corporal *Adam Neider*, Co. I, 2d Infantry, did, when not in the performance of his duty and without provocation, attempt to strike private *John G. Kimm*, Co. I, 2d Infantry, and when ordered by 1st sergeant *John McDonnell*, of said Co. "I." to stop, did attempt to strike private *Kimm*, and did say when ordered in arrest, "I dont give a God damn," or words to that effect. This in the presence of privates of said company "I."

Specification 2d.—In this, that he, corporal *Adam Neider*, Co. I, 2d Infantry, did get drunk, and appear in the Headquarters of the company so drunk as to vomit on the floor of Headquarters in the presence of privates of the company. All this at Taylor Barracks, Louisville, Ky., on the 28th day of July, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, corporal *Adam Neider*, Co. I, 2d Infantry, to be reduced to the rank of a private soldier, and to forfeit $10 of his monthly pay for the period of three months.

Corporal *Adam Neider* was tried by the Court for this offence twice, (see case 26 published in this order). The proceedings, findings and sentence therefore being carried out in the first instance, in this case the sentence is inoperative and void and will not be carried into effect.

29. Private *James Patton*, Co. C, 2d Infantry.

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

Specification 1st.—In this, that he, private *James Patton*, Co. C, 2d Infantry, being regularly detailed for guard on the morning of the 30th of July, 1867, did fail to appear with the detail of his company. All this at Taylor Barracks, on the morning of July 30th, 1867.

Specification 2d.—In this, that he, private *James Patton*, Co. C, 2d Infantry, being regularly detailed for guard on the morning of the 30th of July, 1867, did absent himself from said duty and from his company, and go to the city of Louisville, Ky., and did remain absent until brought back by sergeant *Burley*, of said company and regiment. All this at Taylor Barracks, Louisville, Ky., on or about the time and place specified.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *James Patton*, Co. C, 2d Infantry, to forfeit to the United States ten dollars of his monthly pay for the period of four months.

The proceedings and findings in the case of private *James Patton*, of Co. C, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

30. Private *Ferdinand Kolb*, Co. G, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Ferdinand Kolb*, Co. G, 2d Infantry, did desert the service of the United States at Danville, Ky., on or about the night of the 23d. or the morning of the 24th of July, 1867. Thirty dollars reward being paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Ferdinand Kolb*, Co. G, 2d Infantry, to be confined at hard labor in charge of the guard for the period of six months, and to forfeit to the United States $10 per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Ferdinand Kolb*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D. Whipple
A. A. G.

1. Recruit FRANK MCCOOLEY *alias* HENRY MCCORD, General Service, U. S. A.
2. Private JAMES W. MARGESON, Co. H, 4th Infantry.
3. Private JOSEPH MOORE, Co. A, 30th Infantry.
4. Recruit JOHN DOYLE, General Service, U. S. A.
5. Recruit GEORGE ROACH, Select General Service, U. S. A.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 17th, 1867.

GENERAL ORDERS, No. 43.

Before a General Court Martial which convened at Newport Barracks, Newport, Ky., August 8th, 1867, pursuant to Special Orders, No. 100, Headquarters, Department of the Cumberland, dated Louisville, Ky., July 31st, 1867, and of which Brt. Major JAMES THOMPSON, Captain 2d Artillery, is President, and Brt. Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

1. Recruit *Frank McCooley, alias Henry McCord*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Frank McCooley, alias Henry McCord*, having been duly enlisted in the General Service, U. S. A., did desert the same on or about the 2d day of March, 1867, at Newport Barracks, Ky., and did remain absent until apprehended at Louisville, Ky., on or about the 28th day of June, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Frank McCooley, alias Henry McCord*, General Service, U. S. A., "to be confined under charge of the guard at hard labor for the period of six [6] months, and to forfeit to the United States fifteen [$15] dollars per month of his monthly pay for the same period."

The proceedings and findings in the case of recruit *Frank McCooley, alias Henry McCord*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

2. Private *James W. Margeson*, of Co. H, 4th U. S. Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *James W. Margeson*, Co. H, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same, from his company and regiment, at or near Fort Wayne, Mich., on or about February 15th, 1867, and did remain absent until apprehended at Chicago, Ill., July 24th, 1867, the sum of thirty [$30] dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James W. Margeson*, Co. H, 4th Infantry, "to be confined under charge of the guard at hard labor for the period of six [6] months, and to forfeit to the United States fifteen [$15] dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *James W. Margeson*, Co. H, 4th Infantry, are approved The sentence is confirmed and will be carried into effect.

3. Private *Joseph Moore*, of Co. A, 30th U. S. Infantry.

Charge.—Desertion.

Specification.– In this, that he, private *Joseph Moore*, Co. A, 30th Infantry, having been duly enlisted in the service of the United States, did desert the same from his company and regiment, at or near Julesburg, Col. Ter., on or about the 3d day of July, 1867, and did remain absent until he surrendered himself at the recruiting station, Chicago, Ill., July 17th, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor "did absent himself from."

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

FINDINGS.

Of the *Specification*, "Guilty,"
except the words "did desert," substituting therefor "did absent himself from."

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

SENTENCE.

And the Court does therefore sentence him, private *Joseph Moore*, Co. A, 30th Infantry, to be confined at hard labor under charge of the guard for the period of three [3] months, and to forfeit to the United States fifteen [$15] dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Joseph Moore*, Co. A, 30th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4. Recruit *John Doyle*, General Service, U. S. A.

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

Specification.—In this, that he, recruit *John Doyle*, General Service, U. S. A., did introduce spiritous liquors among the prisoners in the depot guard house at Newport Barracks, Ky. This on or about the 15th day of July, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *John Doyle*, General Service, U. S. A., to forfeit to the United States ten [$10] dollars of his monthly pay for three [3] months.

The proceedings and findings in the case of recruit *John Doyle*, General Service U. S. A., are approved. The sentence is confirmed and will be carried into effect.

5. Recruit *George Roach*, of Co. C, Select General Service, U. S. A.

Charge.—Violation of the 21st Article of War.

Specification.—In this, that he, recruit *George Roach*, Co. C, Select General Service, U. S. A., having been duly detailed as a member of the guard and paraded as such, did leave his guard and garrison without permission from proper authority, and refused to halt when ordered by the sentinel to do so. This at Newport Barracks, Ky., on or about the 16th day of July, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *George Roach*, Co. C, Select General Service, U. S. A., to forfeit to the United States ten [$10] dollars per month of his monthly pay for three [3] months.

The proceedings and findings in the case of recruit *George Roach*, Select General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

By Command of Maj. Gen. Geo. H. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

Wm D Whipple
A. A. G.

1. Sergeant RICHARD JORDAN, Co. B, 25th Infantry.
2. Private HERMAN WAGONER, Co. F, 45th Infantry, V. R. C.
3. Private HENRY C. LIVINGSTON, Co. A, 45th Infantry, V. R. C.
4. Private JAMES MULLEN, Co. E, 45th Infantry, V. R. C.
5. Private MICHAEL RYAN, Co. C, 45th Infantry, V. R. C.
6. Private JOSEPH SHAW, Co. D, 45th Infantry, V. R. C.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 18th, 1867.

GENERAL ORDERS, No. 44.

I. Before a General Court Martial which convened at Nashville, Tenn., July 28th, 1867, per Special Orders No. 86, par. II, dated Headquarters, Department of the Cumberland, Louisville, Ky., July 11th, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President, and 1st. Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

1. Sergeant *Richard Jordan*, Co. B, 25th Infantry.

Charge 1st.—Drunkenness on duty, in violation of the 45th Article of War.

Specification.—In this, that he, sergeant *Richard Jordan*, Co. B, 25th Infantry, having been regularly detailed and mounted as sergeant of the guard, at Camp Swaine, Humboldt, Tenn., on the morning of the 26th day of June, 1867, was found to be drunk and unfit for duty, when the guard was turned over to the Officer of the day by the Adjutant.

Charge 2d.—Conduct to the prejudice of good order and military discipline.

Specification.—In this, that he, sergeant *Richard Jordan*, Co. B, 25th Infantry, having been placed under arrest from drunkenness on duty by the Officer of the day, "1st Lieutenant Henry H. Adams," did become disorderly and disrespectful, and did make use of disrespectful and insubordinate language towards Lieut. Adams, by saying: "If Lieut. Adams says that I am drunk he is a liar," and repeating said

language over several times, and also saying "If Lieut. Adams says I am drunk he is a God damned liar." All this at Camp Swaine, Humboldt, Tenn., on or about the 26th day of June, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."

To the *Specification*, 2d charge, "Guilty,"
with the exception of the words "God damned liar."

To the 2d CHARGE, "Guilty."

FINDINGS.

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

Of the *Specification*, 2d charge, "Guilty,"
except the words "God damned liar."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, sergeant *Richard Jordan*, Co. B, 25th Infantry, to be reduced to the ranks, and to forfeit all pay and allowances for the period of six months, except the just dues of the laundress and sutler.

2. Private *Herman Wagoner*, Co. F, 45th Infantry, V. R. C.

Charge.—Absence without leave.

Specification.—In this, that he, private *Herman Wagoner*, Co. F, 45th Infantry, V. R. C., having been properly detailed as a member of the field music of the 45th Infantry, did absent himself without proper authority, from his duties and garrison, July 6th, 1867, and remain absent until apprehended by corporal *Jacob Smith*, Co. F, 45th Infantry, V. R. C., on the night of July 9th, 1867. All this at or near Cumberland Barracks, Nashville, Tenn., on or about the dates above mentioned.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Herman Wagoner*, Co. F, 45th Infantry, V. R. C., to forfeit five dollars per month of his monthly pay for three months.

3. Private *Henry C. Livingston*, Co. A, 45th Infantry, V. R. C.

Charge 1st.—Conduct to the prejudice of good order and military discipline.

Specification.—In this, that he, private *Henry C. Livingston*, Co. A, 45th Infantry, V. R. C., having reported to the Surgeon at "sick call," and having been ordered by him (the Surgeon,) to remain in quarters, did not so remain, but did leave the garrison without permission from his commanding officer. This at Cumberland Barracks, Nashville, Tenn., on or about the 20th day of July, 1867.

Charge 2d.—Violation of the 45th Article of War.

Specification.—In this, that he, private *Henry C. Livingston*, Co. A, 45th Infantry, being on duty as company tailor, did become so drunk as to be unable to perform his duty properly. This at or near Cumberland Barracks, Nashville, Tenn., on or about the 18th and 19th days of July, 1867.

Charge 3d.—Violation of the 42d Article of War.

Specification.—In this, that he, private *Henry C. Livingston*, Co. A, 45th Infantry, did lie out of his quarters on the night of the 21st of July, 1867, without permission from his company officer. This at or near Cumberland Barracks, Nashville, Tenn., on or about the 21st day of July, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st and 2d CHARGES and *Specifications*, "Guilty."
To the 3d CHARGE and *Specification*, "Not Guilty."

FINDINGS.

Of the 1st and 2d CHARGES and *Specifications*, "Guilty."
Of the 3d CHARGE and *Specification*, "Guilty,"
but attach no criminality thereto.

SENTENCE.

And the Court does therefore sentence him, private *Henry C. Livingston*, Co. A, 45th Infantry, V. R. C., to forfeit $10 of his monthly pay for two months, and to be confined in solitary confinement on bread and water diet for three days.

4. Private *James Mullen*, Co. E, 45th Infantry, V. R. C.

Charge 1st.—Conduct to the prejudice of good order and military discipline.

Specification.—In this, that he, private *James Mullen*, Co. E, 45 Infantry, being a duly enlisted soldier in the service of the United States, did with murderous intent, cruelly beat and maltreat private *Thomas Allen*, of Co. E, 45th Infantry, by striking him, the said private *Allen* while in a defenceless state, two or more blows upon the head with a stone of the weight of one pound, held in the clenched hand of him, the said *Mullen*, thereby inflicting a severe and dangerous wound upon the head of him, the said private *Allen*. All this at the Post, Chattanooga, Tenn., on or about the 17th day of July, 1867.

Charge 2d.—Absence without leave.

Specification.—In this, that he, private *James Mullen*, Co. E, 45th Infantry, did absent himself from his quarters without leave during the nights of 16th and 17th of July, 1867, at Post Chattanooga, Tenn.

To which Charges and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, private *James Mullen*, Co. E, 45th Infantry, V. R. C.

5. Private *Michael Ryan*, Co. C, 45th Infantry, V. R. C.

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

Specification.—In this, that on the 7th day of July, 1867, the said *Michael Ryan*, Co. C, 45th Infantry, V. R. C., loaded his gun and threatened to kill a non-commissioned officer while in the discharge of his duty, that he also struck the said non-commissioned officer with his gun, cutting his face and bruising him about the head. All this at the quarters of the detatchment of the 45th Infantry, stationed at Fort Donelson, Tenn., on or about the 7th day of July, 1867.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Michael Ryan*, Co. C, 45th Infantry, V. R. C., to forfeit all pay now due, except the just dues of the laundress and sutler, and to be confined at hard labor for three months in charge of the guard at the post where his company may be stationed, and to forfeit all pay for the same period.

6. Private *Joseph Shaw*, Co. D, 45th Infantry, V. R. C.

Charge 1st.—Absence without leave.

Specification.—In this, that he, private *Joseph Shaw*, Co. D, 45th Infantry, V. R. C., did absent himself from tattoo roll call, on the night of August 1st and reveille roll call on the morning of August 2d, 1867, without permission. All this at Cumberland Barracks, Nashville, Tenn., on or about August 1st and August 2d, 1867.

Charge 2d.—Disobedience of orders.

Specification.—In this, that he, private *Joseph Shaw*, Co. D, 45th Infantry, V. R. C., being ordered by his company commander *Fred. E. Trotter*, 45th Infantry, V. R. C., not to leave camp, did in violation of said order, leave camp and visit Nashville, and did remain absent until reveille roll call on the morning of August 2d, 1867. All this at Cumberland Barracks, Nashville, Tenn., on or about August 1st and 2d, 1867.

To which Charges and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Joseph Shaw*, Co. D, 45th Infantry, V. R. C., to forfeit $10 per month of his monthly pay for one month, and to suffer solitary confinement on bread and water diet for three days.

II. The proceedings and findings in the cases of sergeant *Richard Jordan*, Co. B, 25th Infantry; privates *Herman Wagoner*, Co. F; *Henry C. Livingston*, Co. A; *James Mullen*, Co. E, and *Joseph Shaw*, Co. D, 45th Infantry, V. R. C., are approved. The sentences are confirmed and will be carried into effect. The proceedings and findings in the case of private *Michael Ryan*, of Co. C, 45th Infantry, V. R. C., are approved. The amount of stoppage per month, during his confinement is fixed at fifteen dollars. With this modification the sentence will be carried into effect.

By Command of Maj. Gen. Geo. H. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

A. A. A. G.

1. Private WILLIAM CHILL, of Co. B, 5th Cavalry.
2. Private CHARLES ALCORN, of Co. B, 5th Cavalry.
3. Private JOHN BRIGHTON, of Co. C, 45th Infantry, V. R. C.
4. Sergeant WILLIAM M. DOUGLAS, of Co. M, 5th Cavalry.
5. Private FRANCIS JAIHLE, of Co. M, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 19th, 1867.

GENERAL ORDERS, No. 45.

Before a General Court Martial which convened at Cumberland Barracks, Nashville, Tenn., July 28th, 1867, pursuant to Special Orders No. 86, par. II, Headquarters, Department of the Cumberland, dated Louisville, Ky., July 11th, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th U. S. Infantry, V. R. C., is President, and 1st Lieut. C. H. FREDERICK, 45th U. S. Infantry, V. R. C., Judge Advocate, were arraigned and tried:

7th. Private *William Chill*, of Co. B, 5th Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *William Chill*, Co. B, 5th Cavalry, did after having been enlisted and sworn into the service of the United States, desert therefrom, at or near Ash Barracks, Nashville, Tenn., on or about the 9th day of June, 1867, and remain absent from said service until apprehended in citizens clothing, at or near Springfield, Robertson County, Tenn, on or about the night of the 10th or 11th day of June, 1867, thirty dollars ($30) having been paid for his apprehension. All this at or near the places, and on or about the dates above mentioned.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *William Chill*, Co. B, 5th Cavalry, to six months confinement at hard labor, at such place as the

Commanding General may direct, with the loss of pay for the same time, except the just dues of the Laundress and Sutler.

The proceedings and findings in the case of private *William Chill*, of Co. B, 5th Cavalry, are approved. The sentence is too indefinite, in as much the amount of pay to be stopped is not stated. The stoppage is fixed at ten dollars ($10) per month during the period of his confinement. As thus modified the sentence will be duly executed and the guard house at the station of his company is designated as the place of his confinement.

8th. Private *Charles Alcorn*, of Co. B, 5th Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *Charles Alcorn*, Co. B, 5th Cavalry, did after having been enlisted and sworn into the service of the United States, desert therefrom at or near Ash Barracks, Nashville, Tenn., on or about the 9th day of June, 1867, and did remain absent from said service until apprehended in citizens clothing at or near Springfield, Robertson County, Tenn., on or about the night of the 10th or 11th day of June, 1867, thirty dollars ($30) having been paid for his apprehension. All this at or near the places, and on or about the dates above mentioned.

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

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Charles Alcorn*, Co. B, 5th Cavalry, to six months confinement at hard labor, at such place as the Commanding General may direct, with the loss of all pay for the same time, except the just dues of the Laundress and Sutler.

The proceedings and findings in the case of private *Charles Alcorn*, of Co. B, 5th Cavalry, are approved. The amount of pay to be stopped monthly is fixed at ten dollars ($10) per month. As thus modified the sentence will be carried into effect in the guard house at the post at which he may be serving.

9th. Private *John Brighton*, of Co. C, 45th Infantry, V. R. C.

Charge.—Desertion.

Specification—In this, that he, private *John Brighton*, Co. C, 45th Infantry, V. R. C., having been duly enlisted as a soldier in the service of the United States, did desert the same at Louisville, Ky., on the 23d day of April, 1867, and did remain absent until apprehended at Louisville, Ky., on the 21st day of June, 1867. This at Louisville, Ky., on or about the time above specified.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* of the CHARGE, "Guilty," omitting the word "desert" and substituting therefor the words "absent himself without proper permission from."

Of the CHARGE, "Not Guilty."

But guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, private *John Brighton*, Co. C, 45th Infantry, V. R. C., to forfeit ten dollars ($10) of his monthly pay for the period of two (2) months.

The proceedings and findings in the case of private *John Brighton*, Co. C, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

10th. Sergeant *William M. Douglas*, of Co. M, 5th Cavalry.

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

Specification 1st.—In this, that he, Sergeant *William M. Douglas*, Co. M, 5th Cavalry, did steal from the company rations entrusted to his charge, a quantity of flour, coffee and pork, and sell the same to one Ernest Pohl, a grocer in Nashville, Tenn. This at Nashville, Tenn., on or about the 31st day of May, 1867.

Specification 2d—In this, that he, Sergeant *William M. Douglas*, Co. M, 5th Cavalry, did fail to account for one hundred and seventy-eight (178) pounds of pork and bacon, sixteen (16) pounds of coffee and ninety (90) pounds of flour, company rations drawn by him in the capacity of Quartermaster Sergeant of Co. M, 5th Cavalry. This at Gallatin, Tenn., on or about the 10th day of June, 1867.

Specification 3d—In this, that he, Sergeant *William M. Douglas*, Co. M, 5th Cavalry, when asked by his company commander, Captain and Brevet Lieutenant Colonel *E. H. Leib*, if he was not looking on and standing near the scales when the rations were weighed out to him, stated that he was not within thirty or thirty-five yards of the scales, and that he would not be allowed to look on while the rations were being weighed, which statement was a gross falsehood. This at Gallatin, Tenn., on or about the 10th day of June, 1867.

Specification 4th—In this, that he, Sergeant *William M. Douglas*, Co. M, 5th Cavalry, when asked by his company commander, Captain and Brevet Lieutenant Colonel *E. H. Leib*, 5th Cavalry, if he sold rations to Pohl at any time he was not authorized to do so, stated that he did not, which statement was false. This at Nashville, Tenn., on or about the 13th day of June, 1867.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1*st Specification*, "Guilty."
To the 2*d Specification*, "Not Guilty."
To the 3*d Specification*, "Not Guilty."
To the 4*th Specification*, "Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *William M. Douglas*, Co. M, 5th Cavalry, "to be reduced to the ranks, his chevrons stripped from his uniform in the presence of the officers and men of his company, and to forfeit to the United States, the value of the stores stolen, and be dishonorably dismissed the service.

The proceedings and findings in the case of Sergeant *William M. Douglas*, of Co. M, 5th Cavalry, are approved. He will forfeit to the United States the value of the subsistence stores improperly disposed of by him, and be reduced to the rank of a private soldier. That portion of the sentence requiring him to be "dishonorably dismissed" is disapproved and will not be carried into effect. A sentence requiring an enlisted man "to be dismissed from the service" is equivalent to one requiring him to be discharged from the service. See Digest of opinions, page 216 (7), yet it is unusual. A Commissioned Officer is *dismissed* by the sentence of a Court, and an Enlisted man *discharged*.

11th. Private *Francis Jaihle*, of Co. M, 5th Cavalry.

Charge.—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, private *Francis Jaihle*, Co. M, 5th Cavalry, did, without permission from his commanding officer, absent himself from his company, from after tattoo on the night of July 22d, and go to Nashville, Tenn., and then get drunk and remain drunk until his return on July 27th, 1867, at 5 o'clock P. M. This at Gallatin, Tenn.

To which Charges and Specifications the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Francis Jaihle*, Co. M, 5th Cavalry, "to forfeit two (2) months pay, and to suffer fourteen (14) days solitary confinement.

The proceedings in the case of private *Francis Jaihle*, of Co. M, 5th Cavalry, are disapproved. The charge against the prisoner is laid under the 99th Article of War, whereas his offence is a violation of the 21st Article, or "absence without leave." The prisoner will be released from confinement and restored to duty.

By Command of Maj. Gen. Geo. H. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

W. D. Whipple
A. A. A. G.

1..Private JEROME DURFEY, Co. L, 7th Cavalry.
2..Recruit MONTGOMERY HUFFMAN, 7th Cavalry.
3..Recruit GEORGE FAHL, General Service, U. S. A.
4..Recruit WILLIAM DOYLE, General Service, U. S. A.
5..Musician DANIEL MULLIGAN, Co. B, 4th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 20th, 1867.

GENERAL ORDERS, No. 46.

I. Before a General Court Martial which convened at Newport Barracks, Ky., August 8th, 1867, per Special Orders No. 100, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July, 31st 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery is President and Brevet Major W. R. LOWE, U. S. A., Captain 19th Infantry, Judge Advocate, were arraigned and tried.

6th..Private *Jerome Durfey*, Co. L, 7th Cavalry.

CHARGE.—"*Desertion*."

SPECIFICATION :—" In this; that he, Private *Jerome Durfey*, Co. L, 7th Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about October 11th, 1866, at Fort Riley, Kansas, and did remain absent until apprehended at Columbus, Ohio, on or about the 5th day of August, 1867." Thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Jerome Durfey*, Co. L, 7th Cavalry "to be confined at hard labor in charge of the guard for six 6 months and to forfeit fifteen dollars ($15) per month of his monthly pay for the same period."

7th..Recruit *Montgomery Huffman*, 7th Cavalry.

CHARGE :—" *Desertion*."

SPECIFICATION:—"In this ; that he, Recruit *Montgomery Huffman*, 7th Cavalry, having been duly enlisted in the service of the United States, did desert the same while *en route* from Carlisle Barracks, Pa., to the 7th U. S. Cavalry,lat or near Atchison, Kansas, on or about January--, 1867, and did remain absent until he was arrested at Chicago, Ill., on or about July 30th, 1867. Thirty Dollars being paid for his apprehenson."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Montgomery Huffman*, 7th Cavalry, "to be confined at hard labor in charge of the guard for six (6) months and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

8th..Recruit *George Fahl*, General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this; that he, Recruit *George Fahl*, General Service, U. S. A., being duly enlisted in the service of the United States, at Springfield, Ohio, on or about the 14th day of May, 1866, did desert the same on or about the 31st day of May, 1866, at Springfield, Ohio, and did remain absent until apprehended and delievered up on or about the 20th day of July, 1867, at Newport Barracks, Ky."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *George Fahl*, General Service, U. S. A., "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 fifteen dollars ($15.) per month of his monthly pay for the same period."

9th..Recruit *William Doyle* General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this; that he, Recruit *William Doyle*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 18th day of December, 1866, at Newport Barracks, Ky., and did remain absent until he was apprehended at Cincinnati, Ohio, on or about the 3d day of August, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *William Doyle*, General Service, U. S. A., " 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 fifteen dollars ($15.) per month of his monthly pay for the same period."

10th..Musician *Daniel Mulligan*, Co. B, 4th Infantry.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this; that he, *Daniel Mulligan*, a Drummer of Co. B, 4th Infantry, duly enlisted in the army of the United States, did desert his company and regiment at Fort Brady, Michigan, on or about the 20th day of April, 1867, and did remain absent until apprehended at Sault Ste Marie, Michigan, on or about the 1st day of July, 1867."

To which charge and specification the prisoner pleaded " Guilty"

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *Daniel Mulligan*, Co. B, 4th Infantry, " to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

II. The proceedings and findings in the cases of Private *Jerome Durfey*, Co. L, 7th Cavalry, Recruits *Montgomery Huffman*, 7th Cavalry, *George Fahl*, General Service, U. S. A., and *William Doyle*, General Service, U. S. A. and Musician *Daniel Mulligan*, Co. B, 4th Infantry, are approved. The sentences are confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A.A.G.

1..Recruit SAMUEL ISRAEL, General Service, U. S. A.
2..Private JOHN SHANNAHAN, Co. L, 5th Cavalry.
3..Private THOMAS BROGAN, Co. A, P. P., General Service, U. S. A.
4..Recruit HENRY M. FALES, Co. C, Select General Service, U. S. A.
5..Recruit MICHAEL MCGILLICUDDY, Co. C, Select Gen. Service, U. S. A.
6..Recruit MICHAEL KELLY, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 21st, 1867.

GENERAL ORDERS, No. 47.

I. Before a General Court Martial which convened at Newport Barracks, Ky., August 8th, 1867, per Special Orders No. 100, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July, 31st 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery is President and Brevet Major W. R. LOWE, U. S. A., Captain 19th Infantry, Judge Advocate, were arraigned and tried.

11th..Recruit *Samuel Israel*, General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this ; that he, Recruit *Samuel Israel*, General Service, U. S. A., while *en route* to the General Service Depot, Fort Columbus, New York Harbor, did desert the said service on or about the 4th day of July, 1867, at Cincinnati, Ohio, and did remain absent until apprehended at Brookville, Indiana, July 9th, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Rect. *Samuel Israel*, Gen. Service, U. S. A., " to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

12th..Private *John Shannahan*, Co. L, 5th Cavalry.

CHARGE :—" *Desertion.*"

SPECIFICATION:—"In this; that he Pvt. *John Shannahan*, Co. L. 5th Cav., having been duly enlisted in the service of the United States, did desert the same on or about the 10th day of April, 1867, at Aikin, South Carolina, and did remain absent until he surrendered himself, on or about the 29th day of July, 1867, at Newport Barracks, Ky."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Shannahan*, Co. L, 5th Cavalry, "to forfeit to the United States, fifteen dollars ($15.) per month of his monthly pay for six (6) months."

13th..Private *Thomas Brogan*, Co. A, P. P., General Service, U. S. A.

CHARGE :—" *Conduct prejudicial to good order and military discipline.*"

SPECIFICATION :—" In this ; that he, Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., was drunk and disorderly at Sunday morning inspection. This at Newport Barracks, Ky., on or about the 4th day of August, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas Brogan*, Co. A, Permanent Party, General Service, U. S. A., " to be confined at hard labor in charge of the guard for two (2) months, and to forfeit to the United States, five dollars ($5.) per month of his monthly pay for the same period."

14th..Recruit *Henry M. Fales*, Co. C, Select General Service, U. S. A.

CHARGE :—" *Neglect of duty*."

SPECIFICATION :—" In this ; that he, Recruit *Henry M. Fales*, Co. C, Select General Service, U. S. A., having been properly detailed and marched on guard, did, while on duty as a sentinel in charge of prisoners, permit one of them (Recruit *Patrick Welch*, General Service, U. S. A.,) to escape. This at Newport Barracks, Ky., on or about the 28th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty,"

And the Court does therefore acquit him, Recruit *Henry M. Fales*, Co. C, Select General Service, U. S. A.

15th..Recruit *Michael McGillicuddy*, Co. C, Select Gen. Service, U. S. A.

CHARGE :—" *Conduct to the prejudice to good order and military discipline*."

SPECIFICATION :—" In this ; that he, Recruit *Michael McGillicuddy*, Co. C, Select General Service, U. S. A., did offer violence against Lance Sergeant *M. McEvoy*, Co. C Recruits, General Service, U. S. A., while in the execution of his office, by striking him, Sergeant *McEvoy*, in the face with a club. This at Newport Barracks, Ky., on or about the 15th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Michael McGillicuddy*, Co. C, Select General Service, U. S. A., " to forfeit to the United States ten dollars ($10.) per month of his monthly pay for three months."

16th..Recruit *Michael Kelly*, General Service, U. S. A.

CHARGE.—"*Desertion*."

SPECIFICATION :—" In this ; that he, Recruit *Michael Kelley*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about August 6th, 1867, from the Recruiting Rendezvous at Chicago Illinois, and did remain absent until apprehended at Chicago, Illinois, on or about August 8th, 1867." Thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Not Guilty."

And the Court does therefore acquit him, Recruit *Michael Kelly*, General Service, U. S. A., of the charge and specification prefered against him.

II. The proceedings and findings in the foregoing cases of Recruit *Samuel Israel*, General Service, U. S. A., Private *John Shannahan*, Co. L, 5th Cavalry, Private *Thomas Brogan*, Co. A, Permanent Party, General Service U. S. A., Recruit *Henry M. Fales*, Co. C, Select General Service, U. S. A., and recruit *Michael McGillicuddy*, Co. C, Select General Service, U. S. A., are approved. The sentences are confirmed and will be carried into effect.

In the case of Recruit *Michael Kelly*, General Service, U. S. A., the proceedings and findings are approved. Recruit *Kelly* having been acquitted by the court will be released from confinement and restored to duty.

It is clear to the Major General Commanding the Department, that the prisoner was not a deserter, nor does it appear from the record that he intended to desert. Had the Recruiting Officer examined this case as he should have done, the result would have been a saving to the government of the cost of the prisoner's trial and the amount paid for his apprehension.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

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1. Private JAMES W. MARTIN, Co. E, 45th Infantry, V. R. C.
2. Private CHARLES WAITE, Co. D, 45th Infantry, V. R. C.
3. Private THOMAS Q. ALEXANDER, Co. D, 45th Infantry, V. R. C.
4. Private LOUIS F. BONNER, Co. A, 45th Infantry, V. R. C.
5. Private JOHN HUMPHREY, Co. F, 45th Infantry, V. R. C.
6. Private JAMES MCENTYRE, Co. A, 45th Infantry, V. R. C.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 22d, 1867.

GENERAL ORDERS, No. 48.

I. Before a General Court Martial which convened at Nashville, Tenn., July 28th, 1867, per Special Orders No. 86, par. II, dated Headquarters, Department of the Cumberland, Louisville, Ky., July 11th, 1867, and of which Lieut. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

7th. Private *James W. Martin*, Co. E, 45th Infantry, V. R. C.

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

Specification—In this, that he, private *James W. Martin*, Co. E, 45th U. S. Infantry, being a duly enlisted man in the Army of the United States, did sell one pair of shoes the property of the United States, which had been issued to him for his use, for one (1) bottle of whisky or other property. All this at Chattanooga, Tenn., on or about July 17th, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James W. Martin*, Co. E, 45th Infantry, V. R. C., to forfeit $10 per month of his monthly pay for the period of one month, and to suffer solitary confinement on bread and water diet for seven days

The proceedings and findings in the case of private *James W. Martin*, of Co. E, 45th Infantry, are disapproved. If the clothing sold by the prisoner, was, as is set forth in the specification, the property of the United States, then the charge should have been laid under the 38th Article of War, and not under the 99th Article.—See Digest of opinions, page 6. If the clothing had been issued to him and had become his *personal and private property*, his offence could be tried under the 99th Article, but in this case the specification is defective, in as much as it alleges that the clothing was the *property of the United States*, instead of the property of the prisoner. Private *Martin* will be released from confinement and restored to duty.

8th. Private *Charles Waite*, Co. D, 45th Infantry, V. R. C.

Charge.—Conduct prejudicial to good order and military discipline.

Specification 1st—In this, that he, private *Charles Waite*, Co. D, 45th Infantry, did engage in a broil in the Barracks of his company, with private *William Seymour*, Co. D, 45th Infantry, and *Henry Spencer*, Co. D, 45th Infantry. All this at Cumberland Barracks, Nashville, Tenn., on or about July 20th, 1867.

Specification 2d—In this, that he, private *Charles Waite*, Co. D, 45th Infantry, did abuse, strike and otherwise maltreat private *Peter J. Walters*, Co. D, 45th Infantry. All this in the prison room of the guard house at Cumberland Barracks, Nashville, Tenn., on or about the evening of July 21st, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Charles Waite*, Co. D, 45th Infantry, V. R. C., to forfeit one month's pay, and to suffer solitary confinement on bread and water diet for fourteen days.

The proceedings and findings in the case of private *Charles Waite*, Co. D, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

9th. Private *Thomas Q. Alexander*, Co. D, 45th Infantry, V. R. C.

Charge 1st.—Violation of the 45th Article of War.

Specification—In this, that he, private *Thomas Q. Alexander*, Co. D, 45th Infantry, having been duly posted as a member of the guard at Cumberland Barracks, on the morning of the 24th day of July, 1867, did become so drunk as to be unable to perform the duties of a sentinel.

Charge 2d.—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, private *Thomas Q. Alexander*, Co. D, 45th Infantry, upon being ordered in confinement in the guard house, did call sergeant *W. H. H. Taylor*, Co. D, 45th Infantry, who was in the execution of his office as sergeant of the guard, a "God damned liar, and a son of a bitch."

To which Charges and Specifications the prisoner pleaded, "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Thomas Q. Alexander*, Co. D, 45th Infantry, to be confined at hard labor in charge of the guard for two months, the first and last fourteen days of which shall be solitary confinement, on bread and water diet.

The proceedings and findings in the case of private *Thomas Q. Alexander*, of Co. D, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

10th. Private *Louis Bonner*, Co. A, 45th Infantry, V. R. C.

Charge.—Violation of the 21st Article of War.

Specification—In this, that he, private *Louis Bonner*, Co. A, 45th Infantry, did, on or about the 3d day of July, 1867, absent himself from his detachment at Fort Donelson, Tenn., without leave from his commanding officer, since which time he has not returned. All this at or near Fort Donelson, Tenn., on or about the 3d day of July, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Louis Bonner*, Co. A, 45th Infantry, V. R. C., to forfeit two months pay.

The proceedings and findings in the case of private *Louis Bonner*, Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed, but as the amount of monthly stoppage is not stated, the same is fixed at fifteen dollars per month for two months, as thus modified the sentence will be carried into effect.

11th. Private *John Humphrey*, Co. F, 45th Infantry, V. R. C.

Charge.—Violation of the 21st Article of War.

Specification—In this, that he, private *John Humphrey*, Co. F, 45th Infantry, did, on or about the 3d day of July, 1867, absent himself from his detachment at Fort Donelson, Tenn., without leave from his commanding officer, since which time he has not returned..

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John Humphrey*, Co. F, 45th Infantry, V. R. C , to forfeit two months pay.

The proceedings and findings in the case of private *John Humphrey*, of Co. F, 45th Infantry, V. R. C., are approved. The sentence is confirmed, but as the amount of monthly stoppage is not stated, the same is fixed at fifteen dollars per month for two months, as thus modified the sentence will be carried into effect.

12th. Private *James McEntyre*, Co. A, 45th Infantry, V. R. C.

Charge.— Desertion.

Specification—In this, that he, private *James McEntyre*, Co. A, 45th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same on or about the 24th day of June, 1867, and did not return until apprehended by a detective, and delivered over to the officer of the day, at Cumberland Barracks, on or about the 12th day of July, 1867. This at or near Cumberland Barracks, Nashville, Tenn., on or about the dates mentioned.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James McEntyre*, Co. A, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of six months, except the last seven days of each month, which will be solitary confinement on bread and water diet, and to forfeit all pay and allowances now due or to become due for the same period.

The proceedings and findings in the case of private *James McEntyre*, of Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

A. H. L. G.

1..Sergeant JAMES P. YOUNG, Co. K, 2d Infantry.
2..Private SILAS C. JOHNSON, Co. B, 45th Infantry, V. R. C.
3..Private HAMLIN BAZELL, Co. E, 2d Infantry.
4..Private JAMES ROBERTSON, Co. G, 2d Infantry.
5..Musician RANDOLPH H. WATERS, Co. G, 2d Infantry.
6..Private GEORGE PITMAN, Co. B, 45th Ir tantry, V. R. C.
7..Private SAMUEL WILD, Co. E, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 22d, 1867.

GENERAL ORDERS, }
No. 49. }

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., July 18th, 1867, pursuant to Special Orders, No. 87, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 12th, 1867, and of which Bvt. Major A. W. KROUTINGER, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried :

31st..Sergeant JAMES P. YOUNG, Co. K, 2d Infantry.

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

SPECIFICATION.—"In this; that he, Sergeant *James P. Young*, Co. K, 2d Inf., did, while in the charge of the guard at District Head-Quarters, go to sleep and allow the Corporal and Privates of the said guard to sleep and remain so, until discovered by the officer of the day. All this between the hours of 11 P. M. and 1 A. M., on the night of the 26th or the morning of the 27th of July, 1867, at Louisville, Ky."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
except the words "did go to sleep."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty,"
except the words "did go to sleep."
Of the *Charge*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *James P. Young*, Co. K, 2d Infantry, "to be reduced to the rank of a private soldier and forfeit ten dollars ($10.) of his monthly pay for one month."

32d..Private *Silas C. Johnson*, Co. B, 45th Infantry, V. R. C.

CHARGE :—" *Desertion.*"

SPECIFICATION :—" In this; that he, Private *Silas C. Johnson*, Co. B, 45th Infantry, a duly enlisted soldier in the army of the United States did desert the same at the Post of Jeffersonville, Ind., on or about the 14th day of March, 1867, and did remain absent until arrested in citizens' clothing by Policeman *William Harden*, in Louisville, Ky., July 30th, 1867. Thirty dollars ($30.) being paid for his apprehenson. This at or near the Post of Jeffersonville, Ind., on or about the dates specified."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Silas C. Johnson*, Co. B, 45th Infantry, V. R. C., "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the same period."

33d..Private *Hamlin Bazel*, Co. E, 2d Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION :—"In this ; that he, Private *Hamlin Bazel*, Co. E, 2d Infantry, a duly enlisted soldier in the service of the United States did desert the same at Bowling Green Ky., on or about the 31st day of May, 1867, and did remain absent until apprehended at Vienna, Ind., on or about the 3d day of August, 1867. Thirty dollars ($30.) claimed for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Hamlin Bazel*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for six (6) months and to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the same period."

34th..Private *James Robertson*, Co. G, 2d Infantry.

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

SPECIFICATION :—" In this ; that he, Private *James Robertson*, Co. G, 2d Infantry, a member of the guard which mounted at Danville, Ky., on or about the 29th day of July, 1867, and being regularly posted as a sentinel over the guard house and the prisoners confined therein, did allow one of the prisoners Musician *Waters*, Co. G, 2d Infantry, to escape, whereby he deserted the service. This at Danville, Ky., between the hours of 7 and 9 o'clock on the morning of July 30th, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty,"

And the Court does therefore acquit him, Private *James Robertson*, Co. G, 2d Infantry.

35th..Musician *Randolph H. Waters*, Co. G, 2d Infantry.

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

SPECIFICATION :—"In this; that he, Musician *Randolph H. Waters*, Co. G, 2d Infantry, did absent himself without proper authority from the guard house where he was confined and undergoing sentence, at Danville, Ky., on or about the 30th day of July, 1867, and did so remain absent until arrested at Lebanon, Ky., on or about the 30th or 31st of July, 1867."

To which charge and specification the prisoner pleaded "Guilty"

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *Randolph H Waters*, Co. G, 2d Infantry, " to be confined for two months at hard labor. under charge of the guard and to make good to the United States all expenses incurred in his apprehension. This sentence to take effect after his present sentence expires."

36th..Private *George Pitman*, Co. B, 45th Infantry, V. R. C.

CHARGE:—" *Absence without leave*."

SPECIFICATION:—"In this; that he, Private *George Pitman*, Co. B, 45th Infantry, V. R. C. a duly enlisted soldier of the United States, did absent himself, without leave from proper authority, when stationed with his company at Jeffersonville, Ind., on or about the 20th day of July, 1867, and did remain absent until he reported himself, on or about the 4th day of August, 1867. This at or near the Post of Jeffersonville, Indiana, on or about the dates above specified."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George Pitman*, Co. B, 45th Infantry, V. R. C., " to forfeit to the United States ten dollars ($10.) per month of his monthly pay for three months."

37th..Private *Samuel Wild*, Co. E, 2d Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION:—"In this ; that he, Private *Samuel Wild*, Co. E, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Bowling Green, Ky., on or about the 13th day of April, 1867, and did remain absent until he was apprehended at Lebanon, Ky., on or about the 1st day of August, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Samuel Wild*, Co. E, 2d Infantry, " to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

II. The proceedings and findings in the foregoing cases of Sergeant *James P. Young*, Co. K, 2d Infantry, Private *Silas B. Johnson*, Co. B, 45th Infantry, V. R. C., Private *Hamlin Bazell*, Co. E, 2d Infantry, Private

James Robertson, Co. G, 2d Infantry, and Private *George Pitman*, Co. B, 45th Infantry, V. R. C., are approved. The sentences are confirmed and will be carried into effect.

The proceedings and findings in the case of Musician *Randolph H. Waters*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect immediately after the expiration of the confinement he is now undergoing for desertion.

The proceedings and findings in the case of Private *Samuel Wild*, of Co. E, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect. The brutal, oppressive and inhuman conduct of the First Sergeant of Co. E, 2d Infantry, has frequently come to the notice of the Major General commanding the Department, through the sworn testimony of witnesses before Courts Martial. The Commanding Officer of the 2d Infantry will have this case inquired into, and if facts warrant it, he will have the said First Sergeant brought to trial before a General Court Martial. A brave and true man will not tyrannize over those placed under him.

III. The General Court Martial of which Brevet Major A. W. KROUTINGER, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

W. W. Robinson

A. A. G.

1..Recruit JOSEPH D. BRADLEY, 5th Infantry.
2..Private ELIAS HELVEY, Co. D, 8th Infantry.
3..Private BENJAMIN KINDER, Co. I, 12th Infantry.
4..Private WILLIAM W. POPE, Co. A, P. P., Newport Barracks, Ky.
5..Recruit BENJAMIN F. RAYMOND, Co. C, Select Gen. Service, U. S. A.
6..Recruit HIRAM N. LONG, Co. C, Select Gen. Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 23d, 1867.

GENERAL ORDERS, No. 50.

Before a General Court Martial which convened at Newport Barracks, Ky., August 8th, 1867, per Special Orders No. 100, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July, 31st 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery is President and Brevet Major W. R. LOWE U. S. A., Captain 19th Infantry, Judge Advocate, were arraigned and tried.

17th..Recruit *Joseph D. Bradley*, 5th Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this; that he, Recruit *Joseph D. Bradley*, 5th Infantry, having been duly enlisted in the service of the United States did desert the same on or about the 31st day of May 1866, about 150 miles west of Fort Leavenworth, Kansas, *en route* to Fort Union, New Mexico, and did remain absent therefrom until apprehended and delievered up on or about the 20th day of July, 1867, at Newport Barracks, Ky. Thirty dollars ($30) reward has been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Joseph D. Bradley*, 5th Infantry, " to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Joseph D. Bradley*, 5th Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court based upon the youth and general good character of the prisoner, the Major General Commanding the Department is pleased to commute the same to forfeiture of ten dollars per month for three months. He will be released from confinement and restored to duty.

18th..Private *Elias Helvey*, Co. D, 8th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—" In this; that he, Private *Elias Helvey*, Co. D, 8th Infantry, having been duly enlisted in the service of the United States did desert the same at Wilmington, North Carolina on or about the 21st day of March, 1867, and did remain absent until he surrendered himself on or about the 17th day of July, 1867, at Newport Barracks, Ky."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Elias Helvey*, Co. D, 8th Infantry, "to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for six (6) months."

The proceedings and findings in the case of Private *Elias Helvey*, of Co. D, 8th Infantry, are approved. The sentence is confirmed and will be carried into effect.

19th..Private *Benjamin Kinder*, Co. I, 12th Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION .—" In this; that he, Private *Benjamin Kinder*, Co. I, 12th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the —— day of June, 1867, at Washington, D. C., and did remain absent until he was apprehended at Indianapolis, Ind., on or about the 12th day of July, 1867. Thirty Dollars reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Benjamin Kinder*, Co. I, 12th Infantry, "to forfeit to the United States all pay and allowances now due or may become due, and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Benjamin Kinder*, Co. I, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect except that portion requiring him to be dishonorably discharged, which is hereby remitted. The prisoner will be released from confinement and restored to duty.

20th..Private *William W. Pope*, Co. A, P. P., Newport Barracks, Ky.

CHARGE :—" *Neglect of duty*."

SPECIFICATION :—" In this; that he, Private *William W. Pope*, Co. A, Permanent Party, Newport Barracks, Kentucky, having been properly detailed and marched on guard, did, while on duty as a sentinel in charge of prisoners, permit one of them (Recruit *Patrick Welch*, General Service, U. S. A.,) to escape. This at Newport Barracks, Kentucky, on or about the 28th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Not Guilty."

And the Court does therefore acquit him, Private *William W. Pope*, Co. A, Permanent Party, Newport Barracks, Kentucky, of the charge and specification preferred against him.

The proceedings and findings in the case of Private *William W. Pope*, Co. A, Permanent Party, Newport Barracks, Kentucky, are approved. The prisoner having been acquitted by the Court, will be released from confinement and restored to duty.

21st..Recruit *Benjamin F. Raymond*, Co. C, Select Gen. Service, U. S. A

CHARGE :—" *Neglect of duty.*"

SPECIFICATION :—" In this; that he, Recruit *Benjamin F. Raymond*, Co. C, Select General Service, U. S. A., having been properly detailed and marched on guard, did, while on duty as a sentinel in charge of prisoners, permit one of them (Recruit *Patrick Welch*, General Service, U. S. A.,) to escape. This at Newport Barracks, Kentucky, on or about the 28th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Not Guilty."

And the Court does therefore acquit him, Recruit *Benjamin F. Raymond*, Co. C, Select General Service, U. S. A., of the charge and specification preferred against him.

The proceedings and findings in the case of Recruit *Benjamin F. Raymond*, Co. C, Select General Service, U. S. A., are approved. The prisoner having been acquitted by the Court, will be released from confinement and restored to duty.

22d..Recruit *Hiram N. Long*, Co. C, Select General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION:—"In this ; that he, Recruit *Hiram N. Long*, Co. C, Select General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 17th day of July, 1867, at Newport Barracks, Kentucky, and did remain absent until apprehended at Newport Barracks, Kentucky, on or about the 19th day of July, 1867. Thirty Dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Specification*, " Guilty,"
except the words " did desert," substituting therefor, " did absent himself from."

Of the *Charge*, " Not Guilty,"
but " Guilty," of "Absence without leave."

SENTENCE :

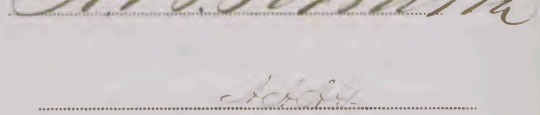
And the Court does therefore sentence him, Recruit *Hiram N. Long*, Co. C, Select General Service, U. S. A., " to forfeit to the United States, fifteen dollars ($15.) per month of his monthly pay for the period of four months."

The proceedings and findings in the case of Recruit *Hiram N. Long*, Co. C, Select General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:



1. Private MICHAEL McWILLIAMS, Co. A, 45th Infantry, V. R. C.
2. Private JAMES SILVERS, Co. F, 45th Infantry, V. R. C.
3. Private JOHN O'BRIEN, Co. F, 45th Infantry, V. R. C.
4. Private JOHN I. PHELPS, (or PHILLIPS,) Co. D, 5th Cavalry.
5. Private JAMES WALLACE, Co. B, 5th Cavalry.
6. Private ERNEST GROSJEAN, Co. B, 5th Cavalry.
7. Private JAMES HICKY. Co. A, 45th Infantry, V. R. C.
8. Private HENRY L. FOX, Co. D, 45th Infantry, V. R. C.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 24th, 1867.

GENERAL ORDERS, No. 51.

I. Before a General Court Martial which convened at Nashville, Tenn., July 28th, 1867, pursuant to Special Orders, No. 86, par. 2, Headquarters, Department of the Cumberland, dated Louisville, Ky., July 11th, 1867, and of which Brt. Colonel J. W. GELRAY, Captain 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

13th. Private *Michael Mc Williams*, Co. A, 45th Infantry, V. R. C.

Charge.—Conduct prejudicial to good order and military discipline.

Specification—In this, that he, private *Michael Mc Williams*, Co. A, 45th Infantry, V. R. C., having been properly detailed and mounted as a member of the guard, and selected by 1st Lieut. *H. D. Bowker*, 45th Infantry, V. R. C., officer of the day, as a member of the train guard, did absent himself from his camp and quarters without authority, and could not be found when the guard went on duty. All this at Cumberland Barracks, Nashville, Tenn., on the 7th day of August, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Michael Mc Williams*, Co. A, 45th Infantry, V. R. C., to forfeit five dollars per month of his monthly pay for the period of one month.

The proceedings and findings in the case of private *Michael Mc Williams*, of Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

14th. Private *James Silvers*, Co. F, 45th Infantry, V. R. C.

Charge.—Violation of the 45th Article of War.

Specification—In this, that he, private *James Silvers*, Co. F, 45th Infantry, V. R. C., having been properly detailed and mounted as a member of the guard, did become so drunk as to disqualify him for the proper discharge of his duty. All this at Cumberland Barracks, Nashville, Tenn., on the 7th day of August, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James Silvers*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of three months, except the last seven (7) days of each month, which is to be solitary confinement on bread and water diet.

The proceedings and findings in the case of private *James Silvers*, of Co. F, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

15th. Private *John O'Brien*, Co. F, 45th Infantry, V. R. C.

Charge.—Desertion.

Specification—In this, that he, private *John O'Brien*, Co. F, 45th Infantry, V. R. C., being a duly enlisted soldier in the service of the United States, did desert the same on or about the 3d day of August, 1867, and did remain absent until apprehended and brought back by a policeman on the 5th day of August, 1867. This at or near Nashville, Tenn., on or about the dates above mentioned.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"

except the words "did desert," substituting therefor "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 *John O'Brien*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard, for the period of three months, and to forfeit all pay and allowances for the same period.

The proceedings and findings in the case of private *John O'Brien*, Co. F, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

16th. Private *John I. Phelps*, (or *Phillips*,) Co. D, 5th Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *John I. Philips*, (or *Phillips*,) Co. D, 5th Cavalry, being a duly enlisted soldier in the service of the United States, did desert therefrom on the 15th day of January, 1867, at Ash Barracks, Nashville, Tenn., whilst a sentinel on guard over the company stables, and take in connection with one *Barrett*, (also a deserter from the same company), three horses, the property of the United States, and for which Captain and Brevet Major *S. S. Sumner*, 5th Cavalry, was responsible, and did remain absent until apprehended in the garb of a corporal of the 45th Infantry, at Nashville, Tenn., on the 2d day of August, 1867. All this at or near the places, and on or about the dates above mentioned. Thirty dollars having been paid for his apprehension.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except the words "whilst a sentinel on guard over the company stables, and take in connection with one *Barrett*, (also a deserter from the same company), three horses, the property of the United States, and for which Captain and Brevet Major *S. S. Sumner*, 5th Cavalry, was responsible."

To the CHARGE, "Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"

except the words "whilst a sentinel on guard over the company stables, and take in connection with one *Barrett*, (also a deserter from the same company), three horses, the property of the United States, and for which Captain and Brevet Major *S. S. Sumner*, 5th Cavalry, was responsible."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John I. Phelps*, (or *Phillips*), Co. D, 5th Cavalry, to be confined at hard labor in charge of the guard for the period of six months, except the last seven days of each month, which will be solitary confinement on bread and water diet, and to forfeit all pay and allowances now or to become due him for the same period.

The proceedings and findings in the case of private *John I. Phelps*, (or *Phillips*), Co. D, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect. The commanding officer of the District of Nashville will cause the prisoner to be forwarded to his company with a copy of this order.

17th. Private *James Wallace*, Co. B, 5th Cavalry.

Charge.—Violation of the 50th Article of War.

Specification—In this, that he, private *James Wallace*, Co. B, 5th Cavalry, while a member of the guard, quit his guard from about one o'clock A. M., until 9 o'clock A. M., without urgent necessity, and without permission from proper authority. All this at Ash Barracks, Nashville, Tenn., on or about the 23d day of July, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *James Wallace*, Co. B, 5th Cavalry, to be confined at hard labor in charge of the guard for the period of three months, and to forfeit all pay and allowances that may become due him for the same period.

The proceedings and findings in the case of private *James Wallace*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

18th. Private *Ernest Grosjean*, Co. B, 5th Cavalry.

Charge.—Violation of the 45th Article of War.

Specification—In this, that he, private *Ernest Grosjean*, Co. B, 5th Cavalry, did, after having been detailed and mounted as a member of the guard and turned off as orderly for the commanding officer, become so drunk as to be unfit to perform his duty. All this at or near Ash Barracks, Nashville, Tenn., on the 2d day of August, 1867.

To which Charges and Specifications the prisoner pleaded, "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Ernest Grosjean*, Co. B, 5th Cavalry, to be confined at hard labor in charge of the guard for the period of three months, and to forfeit all pay and allowances for the same period.

The proceedings and findings in the case of private *Ernest Grosjean*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

19th. Private *James Hicky*, Co. A, 45th Infantry, V. R. C.

Charge.—Violation of the 46th Article of War.

Specification—In this, that he, private *James Hicky*, Co. A, 45th Infantry, V. R. C., having been duly detailed and mounted as a member of the guard and properly posted as a sentinel, was found asleep on his post between the hours of 8 and 10 o'clock P. M., when visited by the corporal of the guard. All this at Cumberland Barracks, Nashville, Tenn., on the 7th day of August, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James Hicky*, Co. A, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of four months, except the last seven days of each month, which are to be in solitary confinement on bread and water diet, and to forfeit all pay and allowances for the same period.

The proceedings and findings in the case of private *James Hicky*, Co. A, 45th Infantry, V. R. C., are approved. The sentence is confirmed, but on the recommendation of the Court, it is commuted to confinement at hard labor under charge of the guard for two months, forfeiting ten dollars per month of his monthly pay for the same period.

20th. Private *Henry L. Fox*, Co. D, 45th Infantry, V. R. C.

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

Specification 1st—In this, that he, private *Henry L. Fox*, Co. D, 45th Infantry, V. R. C., having been detailed for duty as blacksmith in the Q. M. Department, did become so drunk as to be unable to perform his duties.

Specification 2d—In this, that he, private *Henry L. Fox*, Co. D, 45th Infantry, V. R. C., did resist and strike at private *Rhineholdt*, of said company, when said *Rhineholdt*, in compliance with orders from Lieutenant *J. F. Cleghorn*, R. Q. M., endeavored to arrest and take him (*Fox*,) to the guard house.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Henry L. Fox*, Co. D, 45th Infantry, V. R. C., to forfeit two (2) months pay.

The proceedings and findings in the case of private *Henry L. Fox*, Co. D, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect. The stoppage is fixed at fifteen (15) dollars per month.

II. The General Court Martial of which Brevet Lieut. Col. J. W. GELRAY, Captain 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER 45th Infantry, V. R. C., Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

P. M. Johnson
A. A. A. G.

1..Musician WILLIAM ELLIOTT, Co. K, 1st Infantry.
2..Private PATRICK MORAN, Co. A, P. P., Newport Barracks, Ky.
3..Recruit JAMES CARROLL, Co. B, Music Boys, General Service, U. S. A.
4..Private JAMES MURPHY, Co. A, P. P., Newport Barracks, Ky.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, August 29th, 1867.

GENERAL ORDERS,
No. 54.

I. Before a General Court Martial which convened at Newport Barracks, Ky., August 8th, 1867, pursuant to Special Orders No. 100, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July, 31st 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and Brevet Major W. R. LOWE, U. S. A., Captain 19th Infantry, Judge Advocate, were arraigned and tried.

23d..Musician *William Elliott*, Co. K, 1st Infantry.

CHARGE.—"*Desertion*."

SPECIFICATION:—"In this; that he, Musician *William Elliott*, Co. K, 1st Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 20th day of July, 1867, at New Orleans, La., and did remain absent until apprehended at Newport, Ky. on or about the 15th day of August, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Musician *William Elliott*, Co. K, 1st Infantry, "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

24th..Private *Patrick Moran*, Co. A, Permanent Party, Newport Barracks, Ky.

CHARGE:—"*Violation of the 50th Article of War.—Quitting his guard.*"

SPECIFICATION:—"In this; that he, Private *Patrick Moran*, Co. A, Permanent Party, having been duly detailed and mounted as one of the guard on the morning of August 11th, 1867, did, without proper

authority leave his guard and go without the chain of sentinels, and did remain absent from same, from at or near 7 P. M., till after tattoo, (9 P. M.) This at or near Newport Barracks, Ky., on or about August 11th, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Moran*, Co. A. Permanent Party, Newport Barracks, Ky., "to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for four (4) months."

25th..Recruit *James Carroll*, Co. B, Music Boys, Gen. Service, U. S. A.

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

SPECIFICATION:—"In this; that he, Recruit *James Carroll*, Co. B, Music Boys, General Service U. S. A., did steal one government blanket, the property of Recruit *John W. Brown*, Co. B, Music Boys, Gen. Service, U. S. A. This at Newport Barracks, Ky., on or about the 13th day of August 1867."

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

FINDINGS:

Of the *Charge* and *Specification*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *James Carroll*, Co. B, Music Boys, Gen. Service, U. S. A., "to forfeit to the United States seven dollars ($7.) per month of his monthly pay for two (2) months."

26th .Private *James Murphy*, Co. A. Permanent Party, General Recruiting Service, U. S. A.

CHARGE 1ST:—"*Desertion.*"

SPECIFICATION:—"In this; that he, Private *James Murphy*, Co. A, P. P., G. R. S., U. S. A., having been duly posted as a sentinel in charge of prisoners doing fatigue duty, did desert his post and the service U. S. Army, and did leave the garrison at or about the hour of three (3) P. M., on the 13th of August, 1867, and did remain absent until arrested at or about 8:30 P. M., of said date, wearing citizens apparel. Thirty dollars ($30.) being paid for his apprehension."

CHARGE 2D:—"*Violation of the 50th Article of War.*"

SPECIFICATION:—"In this; that he, Private *James Murphy*, Co. A, P. P., G. R. S., U. S. A., having been duly posted as sentinel in charge of Private *John W. Gaunt*, Co. E, 41st Infantry, a prisoner, doing fatigue duty, did allow said prisoner to escape, and left his post without any necessity for so doing, and without leave or authority from his superior officer."

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Murphy*, Co. A, P. P., Newport Barracks, Ky., "to be confined at hard labor in charge of the guard for the period of ten (10) months and to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the same period."

II. The proceedings and findings in the foregoing cases of Musician *William Elliot*, Co. K, 1st Infantry, Private *Patrick Moran*, Co. A, P. P., U. S. A., and Recruit *James Carroll*, Co. B, Music Boys, Gen. Service, U. S. A., are approved. The sentences are confirmed and will be carried into effect. The proceedings and findings in the case of Private *James Murphy*, Co. A, P. P., Newport Barracks, Ky., are approved. The sentence is confirmed, but mitigated to confinement at hard labor for five months in charge of the guard, and forfeiture of ten dollars per month for the same period.

By command of Major General Thomas:

WM. D. WHIPPLE,

Brt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. A. G.

1..Recruit JOHN SCHMIDT, *alias* JOHN WALTER, Gen. Service, U. S. A.
2..Recruit HENRY STEWART, Gen. Service, U. S. A.
3..Recruit ZACHARIAH T. DAVIS, Gen. Service, U. S. A.
4..Recruit JOHN MCFARLAN, Gen. Service, U. S. A.
5..Recruit HENRY GRAVES, *alias* HENRY ELLSWORTH, *alias* CHARLES GRANT, Gen. Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, September 2d, 1867.

GENERAL ORDERS,
No. 55.

I. Before a General Court Martial which convened at Newport Barracks, Ky., August 8th, 1867, pursuant to Special Orders No. 100, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky. July, 31st 1867, and of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and Brevet Major W. R. LOWE, U. S. A., Captain 19th Infantry, Judge Advocate, were arraigned and tried.

27th Recruit *John Schmidt, alias John Walter*, Gen. Service, U. S. A.

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this; that he, Recruit *John Schmidt*, Gen. Service, U. S. A., having been duly enlisted in the service of the United States did desert the same on or about the 25th day of July, 1867, at Baltimore, Md., and did remain absent from same until apprehended at Newport Barracks, Ky., on or about the 7th day of August, 1867, he having again enlisted in the General Service under the *alias* of *John Walter*. A reward of thirty dollars ($30.) is claimed for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *John Schmidt, alias John Walter*, Gen. Service U. S. A., "to be confined at hard labor under charge of the guard for the period of six months, and to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for the same period."

28th..Recruit *Henry Stewart*, Gen. Service, U. S. A.

CHARGE :—" *Conduct prejudicial to good order and military discipline.*"

SPECIFICATION 1ST :—"In this ; that he, Recruit *Henry Stewart*, General Service, U. S. A., while a member of the Permanent Party and on duty as Clerk at the Recruiting Rendezvous of Captain *John*

Christopher, 25th U. S. Infantry, Recruiting Officer at Chicago, Ill., did alter and change the entry in the descriptive book of the said Captain *Christopher* in such a manner as to present in case of desertion of the said Recruit *Henry Stewart*, by changing the color of the eyes of said *Stewart* on the descriptive book from hazle to blue, and by altering his hight from 5 feet 5¼ inches, to 5 feet 6¾ inches. The said alterations appearing in two places in the descriptive book, the first being when it was entered at the time of enlistment and the second where it was entered at the time of the said *Stewart* being ordered on the Recruiting service; the original entries in both cases being made by the said Recruit *Stewart* and the alterations being in his handwriting. All this between the 26th day of January, 1867, and the 12th day of June, 1867, at Chicago, Illinois."

SPECIFICATION 2D :—"In this ; that he, Recruit *Henry Stewart*, General Service, U. S. A., did while detailed on daily duty as clerk in the Adjutant's Office at Newport Barracks, Ky., alter the amount of clothing charged to him on his descriptive list, thereby making it appear that he was indebted to the government for a less amount, than was previously shown on said descriptive list."

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

FINDINGS :

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Henry Stewart*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for four (4) months, and to forfeit ten dollars ($10.) per month of his monthly pay for the same period."

29th..Recruit *Zachariah T. Davis*, General Service, U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION:—"In this ; that he, Recruit *Zachariah T. Davis*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 22d day of August, 1867, from Newport Barracks, Kentucky, and did remain absent until apprehended out in Kentucky, over seven miles from the garrison, on or about the 22d day of August, 1867. Thirty dollars ($30.) reward is claimed for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Zachariah T. Davis*, General Service, U. S A., "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 fifteen dollars ($15·) per month of his monthly pay for the same period."

30th..Recruit *John McFarlan*, General Service, U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Recruit *John McFarlan*, General Service, U. S. A., having been duly enlisted in the service of the Uni-

ted States, did desert the same on or about the 6th day of July, 1867, at Newport Barracks, Kentucky, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 23d day of August, 1867. Thirty Dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *John McFarlan*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for the period of six (6) months and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

31st..Recruit *Henry Graves, alias Henry Ellsworth, alias Charles Grant*, General Service, U. S. A.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this,; that he, Recruit *Henry Graves, alias Henry Ellsworth, alias Charles Grant*, General Service, U. S. A., being duly enlisted as a soldier in the service of the United States, under the name of "*Charles Grant*," did desert the same on or about the 23d day of July, 1867, at Newport Barracks, Ky., and did again enlist at Toledo, Ohio, on March 12th, 1867, under the name of "*Henry Ellsworth*," and did again desert, on or about the — day of —, 1867, and remain absent until he was apprehended at Newport Barracks, Ky., on the 8th day of August, 1867, he having again enlisted at St. Louis, Mo., August 1st, 1867, under the name of "*Henry Graves*." Thirty dollars ($30.) reward having been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Recruit *Henry Graves, alias Henry Ellsworth, alias Charles Grant*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for six (6) months, and then to be dishonorably discharged the service of the United States, with the loss of all pay and allowances that may be now, or become due."

II. The proceedings and findings in the foregoing cases of Recruits *John Schmidt, alias John Walter, Henry Stewart, Zachariah T. Davis*, and *John Mc Farlan*, General Service, U. S. A., are approved. The sentences are confirmed and will be carried into effect. The proceedings and findings in the case of Recruit *Henry Graves, alias Henry Ellsworth, alias Charles Grant* General Service, U. S. A., are approved. The sentence is confirmed, but commuted to forfeiture of all pay and allowances due him or to decome due him up to the twenty-eigth (28th) day of February, 1868, during which time he will be confined in hard labor in charge of the guard. On the expiration of his confinement he will be restored to duty and pay.

III. The General Court Martial of which Brevet Major JAMES THOMPSON, Captain 2d Artillery, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

W M Johnson

A. A. A. G.

1..Private WILLIAM BLAKESLY, Co. H, 2d Infantry.
2..Private JOHN W. LEWIS, Co. C, 2d Infantry.
3..Private JAMES HUDSON, Co. C, 2d Infantry.
4..Private THOMAS MURPHY, Co. H, 2d Infantry.
5..Private TIMOTHY WALSH, Co. E, 2d Infantry.
6..Sergeant JAMES FISHER, Co. D, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 21st, 1867.

GENERAL ORDERS, }
No. 57. }

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., September 16th, 1867, pursuant to Special Orders No. 132, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 10th, 1867, and of which Bvt. Maj. Gen. S. W. CRAWFORD, Lt. Col. 2d Infantry, is President, and 1st Lieut. S. C. KELLOGG, 18th Infantry, Judge Advocate, were arraigned and tried.

1st..Private *William Blakesly*, Co. H, 2d Infantry.

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

SPECIFICATION:—"In this; that he, Private *William Blakesly*, Co. H, 2d Infantry, did, while in charge of two prisoners, at work on the outside of the barracks, allow the said prisoners to wilfully assault and beat, in a brutal manner, Private *Kein*, of Co. C, 2d Infantry, who was returning in a peaceful manner from the city of Louisville, to his company quarters, the said *Blakesly* making no effort to prevent the said assault. All this at or near Taylor Barracks, Louisville, Ky., on or or about the 5th of September, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Blakesly*, of Co. H, 2d Infantry, "to forfeit ten dollars ($10.) per month of his monthly pay for two (2) months."

The proceedings and findings in the case of Private *William Blakesly*, Co. H, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d..Private *John W. Lewis*, Co. C, 2d Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION:—"In this; that he, Private *John W. Lewis*, Co. C, 2d Infantry, a regularly enlisted man in the service of the United States, did desert the same, September 12th, 1866, at Louisville, Ky., and did remain absent until he surrendered himself at New Orleans, La., on or about the 17th day of August, 1867. All this on or about the times and places specified."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John W. Lewis*, of Co. C, 2d Infantry, "to make good the time lost by desertion, to forfeit all pay and allowances that are now due him, to be confined at hard labor in charge of the guard with a ball and chain weighing twenty-four (24) pounds attached to his right leg, for the period of six (6) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John W. Lewis*, of Co. C, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

3d..Private *James Hudson*, Co. C, 2d Infantry.

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

SPECIFICATION:—"In this; that he, Private *James Hudson*, Co. C, 2d Infantry, being a member of the guard duly mounted, and having been placed in charge of certain prisoners at work outside the garrison, among whom was Private *Francis Baker*, of Co. A, 29th Infantry, did, without any urgent necessity, or any authority whatsoever, turn over said prisoners to Private *Jacob Sappenfield*, Co. C, 2d Infantry, and did leave said guard, the said prisoner escaping during his absence. All this at Taylor Barracks, Louisville, Ky., on the 5th day of September, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Hudson*, Co. C, 2d Infantry, "to forfeit ten dollars ($10.) per month of his monthly pay for three (3) months.

The proceedings and findings in the case of Private *James Hudson*, Co. C, 2d Infantry are approved. The sentence is confirmed and will be carried into effect.

4th..Private *Thomas Murphy*, Co. H, 2d Infantry.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this; that he, Private *Thomas Murphy*, Co. H, 2d Infantry, did desert the service of the United States at Taylor Barracks, Louisville, Ky., on or about the 23d day of August 1866, and did remain absent until arrested at Cincinnati Ohio, on or about the 23d day of April, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Murphy*,

Co. H, 2d Infantry, "to forfeit ten dollars ($10.) per month of his monthly pay for the period of four (4) months, 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 *Thomas Murphy*, Co. H, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th..Private *Timothy Walsh*, Co. E, 2d Infantry.

CHARGE :—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION 1ST:—"In this ; that he, Private *Timothy Walsh*, Co. E. 2d Infantry, after having been refused permission by the Commanding Officer to visit the town of Bowling Green, Ky., did say to 1st Sergeant *Sattes*, 'I will bet five dollars, I will go anyhow.' All this on or about the 19th of August, 1867, at or near Bowling Green, Ky."

SPECIFICATION 2D:—"In this ; that he, Private *Timothy Walsh*, of Co. E, 2d Infantry, after having been arrested by 1st Sergeant *Sattes*, and ordered to halt, did refuse to do so, and did at the same time resist Sergeant *Sattes*, so much as to require force to hold him there until taken to the guard house by a file of the guard. All this on or about the 19th day of August, 1867, at or near Bowling Green, Ky."

SPECIFICATION 3D :—"In this ; that he, Private *Timothy Walsh* Co. E, 2d Infantry, did, on or about the 19th day of August, 1867, resist 1st Sergeant *Sattes*, to be confined, and did willfully and maliciously tear and destroy his uniform coat valued at twelve dollars, ($12.) and did at the same time call him a 'dutch bastard,' he 1st Sergt. *Sattes*, at that time being in the execution of his office. All this at or near Bowling Green, Ky., at the time (and place) specified."

SPECIFICATION 4TH :—"In this ; that he, Private *Timothy Walsh*, Co E, 2d Infantry, did when in confinement, and after having been repeatedly ordered by Brevet Captain *Sommer*, 1st Lieut. 2d Infantry, commanding officer of the post, to keep quiet and behave himself, did answer Captain *Sommer* in a disrespectful manner and say, 'I won't do it.' 'If you are a Captain and I a private, I will talk any how,' at the same time using obscene language, until he had to be bucked and gagged to quiet him. All this at or near Bowling Green, Ky., on or about the 19th of August, 1867."

To which charge and specifications the prisoner pleaded as follows :

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Not Guilty."
To the 3d *Specification*,	"Not Guilty."
To the 4th *Specification*,	"Guilty."
To the *Charge*,	"Not Guilty."

FINDINGS :

Of the 1st and 2d *Specifications*,	"Guilty."
Of the 3rd *Specification*,	"Guilty,"

except the words 'did maliciously tear and destroy his uniform coat valued at twelve dollars ($12.)

Of the 4th *Specification*,	"Guilty,"
Of the *Charge*,	"Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Timothy Walsh*, Co. E, 2d Infantry, "to be confined at hard labor under charge of the guard

for the period of six (6) months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Timothy Walsh*, Co. E, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

The *names* of members present who take part in a trial should be entered on the record. After the first day's sitting the proceedings of the previous day should be read over on the assembling of the court every day. The court has no right to dispense with it.

6th..Sergeant *James Fisher*, Co. D, 2d Infantry.

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

SPECIFICATION:--"In this ; that he, Sergeant *James Fisher*, Co. D, 2d In-Infantry, being on guard and in command of the guard at the Head-Quarters of his company and the post of Lexington, Ky., did allow a prisoner, confined in the guard house, and a deserter from the military service of the United States, having a ball and chain attached to his leg, to escape from the guard house; said prisoner being only just apprehended and a reward of thirty dollars ($30.) paid for his apprehension. This at the Post of Lexington and the Head-Quarters of Co. D, 2d Infantry, on or about the 28th day of August, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty," except the words 'did allow.'

To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty," except the words "did allow."

Of the *Charge*, "Not Guilty."

And the court does therefore acquit him, Sergeant *James Fisher*, of Co. D, 2d Infantry.

The proceedings and findings in the case of Sergeant *James Fisher*, Co. D, 2d Infantry, are approved. He having been acquitted by the court, will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE.
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Alfred L Sharp

aaag

1..Private DANIEL STEPHENS, Co. K, 25th Infantry.
2..Private MICHAEL FAHEY, Co. H, 25th Infantry.
3..Private PHILIP JOSNOWSKI, Co. B, 25th Infantry.
4..Private GEORGE GUERNESY, Co. I, 25th Infantry.
5..Private MARTIN MC GOWAN, Co. I, 25th Infantry.
6..Sergeant ROBERT H. MURPHY, Co. K, 25th Infantry.

———o———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky, September 23d, 1867.

GENERAL ORDERS, No. 58.

I. Before a General Court Martial which convened at Memphis Tenn., Sept. 4th, 1867, pursuant to Special Orders, No. 114, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 19th, 1867, and of which Captain D. C. POOLE, 25th Infantry, is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried :

1st. Private *Daniel Stephens*, Co. K, 25th Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION :—"In this ; that he, Private *Daniel Stephens*, Co. K, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 14th day of July, 1867, and did remain absent until apprehended and delivered to his Commanding Officer on or about the 20th day of July, 1867. This at camp near Memphis, Tenn."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Daniel Stephens*, Co. K, 25th Infantry, " to forfeit to the United States twelve dollars ($12., of his monthly pay for four (4) months, and to be confined at hard labor under charge of the guard for the same period."

2d..Private *Michael Fahey*, Co. H, 25th Infantry.

CHARGE :—" *Desertion*."

SPECIFICATIGN :—" In this, ; that he, Private *Michael Fahey*, Co. H, 25th Infantry, did desert the service of the United States, on or about the 26th day of November, 1866, and did remain absent until apprehended near Memphis, Tenn., on or about the 27th day of August, 1867. All this at or near Memphis, Tenn., from about November 26th, 1866, to about August 27th, 1867.,'

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Michael Fahey*, Co. H, 25th Infantry, " to forfeit to the United States fourteen dollars ($14.) per month of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard for four (4) months"

3d..Private *Philip Josnowski*, Co. B, 25th Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION :—" In this; that he, Private *Philip Josnowski*, Co. B, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Chattanooga, Tenn., on or about the 14th day of January, 1867. and did remain absent therefrom until brought back under charge of the guard, to Humboldt, Tenn., July 6th, 1867. All this at or near Chattanooga, Tenn., on or about the 14th day of January, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Philip Josnowski*, Co. B, 25th Infantry, " to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard for three (3) months."

4th..Private *George Guernesy*, Co. I, 25th Infantry.

CHARGE 1ST:—" *Violation of the 46th Article of War.*"

SPECIFICATION:—"In this ; that he, Private *George Guernesy*, Co. I, 25th Infantry, having been duly posted as sentinel in charge of a prisoner sick in hospital, did fall asleep upon his Post and leave it before he was properly relieved."

CHARGE 2D :—"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Private *George Guernesy*, Co. I, 25th Infantry, having been duly posted as a sentinel in charge of the person of —— *Robinson* a prisoner then sick in hospital tent, did allow the said —— *Robinson* to escape. All this on or about the 7th day of July, 1867, at the camp of Detachment 25th Infantry, near Memphis, Tenn."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George Guernesy*, Co. I, 25th Infantry, "to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for six (6) months, and to be confined at hard labor under charge of the guard for three (3) months, fourteen days of each month to be in solitary confinement on bread and water diet".

5th..Private *Martin McGowan*, Co. I, 25th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION:--"In this; that he, Private *Martin McGowan*, Co. I, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at or near Memphis, Tenn., on or about the 3d day of August 1867, and did remain absent until apprehended at or near Memphis, Tenn., on or about the 6th day of August, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Private *Martin McGowan*, Co. I, 25th Infantry, "to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for four (4) months and to be confined at hard labor in charge of the guard for three (3) months, fourteen days of each month to be solitary confinement on bread and water diet."

6th. Sergeant *Robert H. Murphy*, Co. K, 25th Infantry.

CHARGE:—"*Absence without leave*."

SPECIFICATION:--"In this; that he, Sergeant *Robert H. Murphy*, Co. K, 25th Infantry, did absent himself without permission from proper authority from his company from the 27th until the 28th of August, 1867. This at camp near Memphis, Tenn."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *Robert H. Murphy*, Co. K, 25th Infantry, "to forfeit to the United States five dollars ($5.) per month of his monthly pay for two (2) months, and to be reduced to the ranks as a private soldier."

II. The proceedings and findings in the foregoing cases of Privates *Daniel Stephens*, Co. K, *Michael Fahey*, Co. H, *Philip Josnowski*, Co. B, *George Guernesy*, Co. I, *Martin McGowan*, Co. I, and Sergeant *Robert H. Murphy*, Co. K, 25th Infantry, are approved. The sentences are confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Hough

A.A.A.G.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky, September 24th, 1867.

GENERAL ORDERS,
No. 59.

General Orders No. 40, from Head-Quarters Department of the Cumberland, August 8th, 1867, publish the sentences of a General Court Martial in the cases of Privates *William Johnson*, Co. A, *James W. Robertson*, *Philip O'Donnell*, and *George H. Carney*, Co. C, and *Warren McQuown*, Co. D, all of the 45th Infantry, V. R. C. A portion of the sentence in each of the above cases except from forfeiture "the just dues of the sutler." Since the passage of the act abolishing sutlers, this clause is considered as unauthorized by law, and therefore void. No exception in favor of the sutler will be made in the above cases.

BY COMMAND OF MAJOR GENERAL THOMAS:
WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. C. A. G.

1. Corporal JOHN REAGAN, Co. E, 2d Infantry.

2. Lance Corporal JOHN STRATFORD, Co. E, 2d Infantry.

3. Private PHILLIP SCOLLEN, Co. F, 2d Infantry.

4. Private ALFRED MONTHOLOND, Co. D, 2d Infantry.

5. Private MICHAEL SHEEHAN, Co. D, 2d Infantry.

6 Private GEORGE L. WILLIAMS, Co. C, 3d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., September 30th, 1867.

GENERAL ORDERS, No. 60.

1. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., September 16th, 1867, pursuant to Special Orders No. 132, par. 2, dated Headquarters Department of the Cumberland, Louisville, Ky., September 10th, 1867, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, is President, and 1st Lieutenant S. C. KELLOGG, 18th Infantry, Judge Advocate, were arraigned and tried:

7th. Corporal *John Reagan*, Co. E, 2d Infantry.

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

Specification.—In this, that he, Corporal *John Reagan*, of Co. E, 2d Infantry, did correspond with a deserter from Co. E, 2d Infantry, and did know the whereabouts of said deserter, (*Hamlin Bazelle*,) without reporting the same to his Company Commander, thereby encouraging desertion. All this at or near Bowling Green, Ky., on or about the 16th day of July, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, except the words "encouraging desertion." "Guilty."

To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Corporal *John Reagan*, Co. E, 2d Infantry, to be confined at hard labor in charge of the guard for six

months, and to forfeit fifteen dollars per month of his monthly pay for the same period, to be dishonorably discharged the service of the United States, and to have written on his discharge papers, "Dishonorably discharged for encouraging desertion while a non-commissioned officer.

"The proceedings and findings in the case of Corporal *John Reagan*, of Co. E, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him "to be dishonorably discharged the service of the United States," and have written on his discharge papers "Dishonorably discharged for encouraging desertion while a non-commissioned officer,' which is hereby remitted."

8th. Lance Corporal *John Stratford*, Co. E, 2d Infantry.

Charge 1st.—Conduct to the prejudice of good order and military discipline.

Specification.—In this, that he, Lance Corporal *John Stratford*, Co. E, 2d Infantry, did correspond with a deserter from Co. E, 2d Infantry, and did know the whereabouts of said deserter without reporting the same to his Company Commander, thereby encouraging desertion. This at or near Bowling Green, Ky., on or about the 24th day of July, 1867.

Charge 2d.—Violation of the 23d Article of War.

Specification.—In this, that he, Lance Corporal *John Stratford*, of Co. E, 2d Infantry, did, on or about the 24th day of July, 1867, write a letter to Private *Hamlin Bazelle*, a deserter from Co. E, 2d Infantry, advising him not to return to his Company, thereby encouraging desertion. All this at or near Bowling Green, Ky., on or about the 24th day of July, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, 1st charge, "Guilty,"
except the words, "encourage desertion."

To the CHARGE, "Guilty."

To the *Specification*, 2d charge, "Guilty."
except the words "advising him not to return."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the 1st CHARGE and *Specification*, "Guilty,"

Of the *Specification*, 2d charge, "Guilty,"

Of the 2d CHARGE, "Not Guilty."

But guilty of conduct to the prejudice of good order and military discipline.

SENTENCE.

And the Court does therefore sentence him, Lance Corporal *John Stratford*, Co. E, 2d Infantry, to forfeit all pay and allowances that are or may hereafter become due to him, to be confined at hard labor in charge of the guard for the period of six months, and at the expiration of that time to have his head

shaved and drummed out of the camp of his Company, and to be dishonorably discharged the service of the United States with the following words written on his discharge: "Dishonorably discharged for advising a deserter not to return."

"The proceedings and findings in the case of Lance Corporal *John Stratford*, Co. E, 2d Infantry, are approved. The sentence is confirmed, and will be carried into effect, except that portion of it requiring him "to have his head shaved and to be drummed out of the camp of his Company, and to be dishonorably discharged the United States service, with the following words written on his discharge: "Dishonorably discharged for advising a deserter not to return," which is hereby remitted. The prisoner will forfeit all pay and allowances now due up to the end of his confinement, when he will be restored to duty, he will also be restored to pay and allowances from that date.

9th Private *Phillip Scollen*, Co. F, 2d Infantry.

Charge.—Drunkenness on duty.

Specification.—In this, that he, Private *Phillip Scollen*, Co. F, 2d Infantry, having been regularly detailed as a guard, did become so drunk as to be entirely unfit to perform his duty. This at the County Jail of Simpson, Franklin, Ky., on or about the 28th day of July, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Phillip Scollen*, of Co. F, 2d Infantry, to be confined at hard labor in charge of the guard for the period of four months. carrying a log of wood weighing twenty-five pounds for two hours in the forenoon and two hours in the afternoon of each day.

"The preceedings and findings in the case of Private *Phillip Scollen*, of Co. F, 2 Infantry, are approved. The sentence is confirmed, but upon recommendation of the members of the Court, based upon the previous good conduct and services of the prisoner, the Major General Commanding is pleased to remit the entire sentence in his case.

10. Private *Alfred Montholont*, Co. D, 2d Infantry.

Charge.—Disobedience of Orders.

Specification.—In this, that he, Private *Alfred Montholont*, Co. D, 2d Infantry, did, when ordered by Lieutenant P. H. FLOOD, Co. D, 2d Infantry, to halt, while making his escape from the Barracks of his Company, after Tattoo, pay no attention whatever to said order, but continue to run away, and did not obey the order of the sentinel, over whose post he ran, when the said sentinel endeavored to stop him. This at the Headquarters of his Company (D,) 2d Infantry, on or about the 5th day of August, 1867.

Charge 2*d*.—Conduct to the prejudice of good order and military discipline.

Specification.—In this, that he, Private *Alfred Montholont*, of Co. D, 2d Infantry, did make his escape from the Barracks of his Company, after Tattoo, in violation of orders and regulations, and did remain away until brought back by the guard. This at the Headquarters of his Company, on or about the 5th day of August, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Alfred Montholont*, of Co. D, 2d Infantry, to forfeit five dollars per month of his monthly pay for three months.

"The proceedings and findings in the case of Private *Alfred Montholont*, of Co. D, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th. Private *Michael Sheehan*, Co. D, 2d Infantry.

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

Specification.—In this, that he, Private *Michael Sheehan*, Co. D, 2d Infantry, did pick up a dray pin, and did strike Corporal *John M. Smithson*, Co. D, 2d Infantry, with it on the arm, while he, the said Corporal *Smithson*, was in the lawful discharge of his duty. This at Maysville, Ky., on or about the 1st day of August, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
except the words "in the lawful discharge of his duty."

To the CHARGE, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Michael Sheehan*, of Co. D, 2d Infantry, to be confined at hard labor in charge of the guard for four months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

"The proceedings and findings in the case of Private *Michael Sheehan*, of Co. D, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

12th. Private *George S. Williams*, Co. C, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *George S. Williams*, Co. C, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same from Taylor Barracks, Louisville, Ky., on or about the 29th day of July, 1867, and did remain absent until apprehended in the city of Louisville, Ky., dressed in citizen's clothing, on the morning of the 19th day of September, 1867. Thirty dollars paid for his apprehension. All this on or about the places and times above specified.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *George S. Williams*, Co. C, 2d Infantry, to forfeit all pay and allowance that are now due or may become due him up to the promulgation of this sentence, to be confined at hard labor in charge of the guard for four months, and to forfeit ten dollars per month of his monthly pay for the same period.

"The proceedings and findings in the case of Private *George S. Williams*, of Co. C, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A.A.G.

1. Private JOHN MARTINO, Co. E, 2d Infantry.

2. Private TIMOTHY SHANNON, Co. C, 45th Infantry, V. R. C.

3. Private WILLIAM MCGRATH, Co. E, 2d Infantry.

4. Private LOUIS CARTIER, Co. M, 5th Cavalry.

5. Private FRANCIS WEBB, Co. A, 2d Infantry.

6. Private GEORGE S. WILSON, Co. B, 2d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 1st, 1867.

GENERAL ORDERS, No. 61.

1. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., September 16th, 1867, pursuant to Special Orders No. 132, dated Headquarters Department of the Cumberland, Louisville, Ky., September 10th, 1867, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, is President, and 1st Lieutenant S. C. KELLOGG, 18th Infantry, Judge Advocate, were arraigned and tried:

13th. Private *John Martino*, Co. E, 2d Infantry.

Charge 1st.—Absence without leave.

Specification.—In this, that he, Private *John Martino*, of Co. E, 2d Infantry, did absent himself from his Company and Post without permission from his Commanding officer, from between the hours of 9 A. M. and 3 and 4 P. M., thereby showing a willful disobedience of the following order:

HEADQUARTERS UNITED STATES TROOPS,

Bowling Green, Ky., July 1st, 1867.

SPECIAL ORDERS, No. 67.

Hereafter no man of this Company will leave the Post without special permission from the Commanding Officer. Any man found absent without leave will be charged with disobedience of orders, and brought before a General Court Martial.

[Signed] HENRY SOMMER,

1st Lieutenant 2d Infantry, Brevet Captain, U. S. A.

Commanding Post.

Charge 2d.—Conduct to the prejudice of good order and military discipline.

Specification 1st.—In this, that he, Private *John Martino*, Co. E, 2d Infantry, did on or about the 6th day of September, 1867, after having been ordered by Sergeant *Michael Powderly*, of Co. E, 2d Infantry, to pick up some fruit he had thrown on the floor of the Company Quarters, did refuse to do so, and did say: "I did not throw it there."

Specification 2d.—In this, that he, Private *John Martino*, Co. E, 2d Infantry, did on or about the 6th day of September, 1867, after having been confined in the guard house, did behave himself in a boisterous and disorderly manner, and did break the door of the cell in the guard house by knocking out three of the boards, and did continue in this disorderly manner until it became necessary to tie him up to keep him quiet. All this at or near Bowling Green, Ky., on or about the 6th day of September, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*,	"Guilty."
To the 2d CHARGE and *Specifications*,	"Not Guilty."

FINDINGS.

Of the 1st CHARGE and *Specification*,	"Guilty,"
Of the 1st *Specification*, 2d charge, except the words "he had thrown on the floor."	"Guilty,"
Of the 2d *Specification*, 2d charge,	"Guilty."
Of the 2d CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Martino*, of Co. Co. E, 2d Infantry, to forfeit ten dollars per month of his monthly pay for three months, and to be confined to the limits of the Post for the same period, performing all his military duties.

14th Private *Timothy Shannon*, Co. C, 45th Infantry.

Charge.—Absence without leave.

Specification.—In this, that he, Private *Timothy Shannon*, Co. C, 45th Infantry, V. R. C. did absent himself without proper authority from his Company and Quarters from "Retreat Roll Call" on the evening of the 8th of September, 1867, until "Reveille Roll Call" on the 11th of September, 1867. This at Jeffersonville, Ind., on or about the dates above specified.

To which Charge and Specification the prisoner pleaded, "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Timothy Shannon*, of Co. C, 45th Infantry, V. R. C, to forfeit five dollars per month of his monthly pay for three months.

15th. Private *William McGrath*, Co. C, 2d Infantry.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *William McGrath*, Co. C, 2d Infantry, having been duly posted as a sentinel on the night of the 12th day of September, 1867, at Crittenden Barracks, Louisville, Ky., was so intoxicated at the time the Officer of the day visited him as to be unable to turn his instructions over to him, or to perform his duty properly. All this at the time and place specified.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *William McGrath*, of Co. C, 2d Infantry, to be confined at hard labor in charge of the guard for three months, the first ten days of each month to carry a log of wood weighing thirty pounds, every alternate hour from reveille to retreat.

16th. Private *Louis Cartier*, Co. M, 5th Cavalry.

Charge.—Desertion.

Specification.—In this, that he, Private *Louis Cartier* of Co. M, 5th Cavalry, did, with the intention of deserting the service of the United States, dispose of his clothing and equipments, and did absent himself from his Company Quarters after Tattoo, and remain absent until apprehended as he was about to go on board the down train from Louisville, Ky., to Nashville, Tenn., at 10½ o'clock P. M., September 11th, 1867, and did also upon his being apprehended declare that it was his intention to desert. This at Gallatin, Tenn., on or about the 11th of September, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Louis Cartier*, of Co. M, 5th Cavalry to forfeit all pay and allowances that are now due or may become due him to the promulgation of this order, and to be confined at hard labor in charge of the guard for four months, and to forfeit ten dollars per month of his monthly pay for the same period.

17th. Private *Francis Webb*, Co. A, 2d Infantry.

Charge.—Violation of the 46th Article of War.

Specification.—In this, that he, Private *Francis Webb*, of Co. A, 2d Infantry, having been duly posted as a sentinel at No. 2 post, at Ceredo, West Va., at about 11 o'clock P. M., on the 29th day of July, 1867, did desert his post, and was found lieing down near the guard house. This at Ceredo, West Va., on or about the 29th day of July, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore aquit him, Private *Francis Webb*, Co. A, 2d Infantry.

18th. Private *George S. Wilson*, Co. B, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *George S. Wilson*, Co. B, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same about the 3d day of September, 1867, and did remain absent until he surrendered himself on or about the 15th day of September, 1867, at Ceredo, W. Va. All this at Ceredo, W. Va., on or about the date above specified.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, except the words, "did desert." "Guilty."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the *Specification*, except the words, "did desert." "Guilty,"

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

SENTENCE.

And the Court does therefore sentence him, Private *George S. Wilson*, of Co. B, 2d Infantry, to be confined at hard labor in charge of the guard for the period of four months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

II. "The proceedings and findings in the foregoing cases of Privates *John Martino*, Co. E, 2d Infantry; *Timothy Shannon*, Co. C, 45th Infantry, V. R. C.; *William McGrath*, Co. E, 2d Infantry; *Louis Cartier*, Co. M, 5th Cavalry; *Francis Webb*, Co. A, 2d Infantry, and *George S. Wilson*, Co. B, 2d Infantry, are approved. The sentences are confirmed and will be carried into effect.

By Command of Maj. Gen. Geo. H. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

Wm D. Whipple
A. A. G.

1. Private D. H. HOLLISTER, Co. F, 45th Infantry, V. R. C.
2. " W. H. LANE, " " "
3. " J. B. WEIMER, " " "
4. " W. J. BOND, " " "
5. Sergeant MICHAEL MCGAHEY, Co. M, 5th Cavalry.
6. Private MICHAEL CONNELL, " "
7. " JOHN LAVERCOMBE, Co. A, 45th Infantry, V. R. C.
8. " JOSEPH LEWIS, " " "
9. " JOHN REAGAN, Co. G, " "

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 11th, 1867.

GENERAL ORDERS, No. 62.

II. Before a General Court Martial, which convened at Nashville, Tenn., September 25th, 1867, pursuant to Special Orders, No. 138, dated Headquarters Department of the Cumberland, Louisville, Ky., Sept. 19th, 1867, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

7th. Private *David H. Hollister*, Co. F, 45th Infantry, V. R. C

Charge.—Conduct to the prejudice of good order and military dicipline.

Specification.—In this, that he, Private *David H. Hollister*, Co. H, 45th Infantry, being a duly enlisted soldier of the United States Army, did, actively aid, abet, assist and participate jointly, in a forcible and unlawful rescue of three prisoners belonging to the 45th Infantry, who were in charge of a civil guard, from the work-house in the city of Nashville, Tenn., then and there undergoing punishment for offences committed against the ordinances of said city, of which they, the said rescued prisoners, had been convicted before a regularly constituted Police or Recorder's Court of the city of Nashville, State of Tennessee. This at or near the city of Nashville, Tenn., on or about the 17th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *David H. Hollister*, Co.

F, 45th Infantry, V. R. C., to be confined at hard labor on the public works of the United States for six (6) months, at such place as the Commanding General may designate, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

8th. Private *William H. Lane*, of Co. F, 45th Infantry, V. R. C.

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

Specification—In this, that he, Private *William H. Lane*, of Co. F, 45th Infantry, V. R. C., being a duly enlisted soldier of the United States army, did actively aid, abet, assist and participate, jointly, in a forcible and unlawful rescue of three prisoners belonging to the 45th Infantry, who were in charge of a civil guard from the work-house in the city of Nashville, Tenn., then and there undergoing punishment for offences committed against the ordinances of said city, of which they, the said rescued prisoners, had been convicted before a regularly constituted Police or Recorder's Court of the city of Nashville, State of Tennessee. This at or near the city of Nashville, Tenn., on or about the 17th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *William H Lane*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor on the public works of the United States for six (6) months at such place as the Commanding General may designate, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

9th. Private *James B. Weimer*, of Co. F, 45th Infantry, V. R. C.

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

Specification—In this, that he, Private *James B. Weimer*, Co. F, 45th Infantry, V. R. C., being a duly enlisted soldier of the United States army, did actively aid, abet, assist and participate, jointly, in a forcible and unlawful rescue of three prisoners belonging to the 45th Infantry, who were in charge of a civil guard, from the work-house in the city of Nashville, Tenn., then and there undergoing punishment for offences committed against ordinances of said city, of which they, the said rescued prisoner, had been convicted before a regularly constituted Police or Recorder's Court of the city of Nashville, State of Tennessee. This at or near the city of Nashville, Tenn., on or about the 17th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James B. Weimer*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor on the public works of the United States for six (6) months at such place as the Commanding General may designate, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

10th. Private *William J. Bond*, of Co. F, 45th Infantry, V. R. C.

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

Specification.—In this, that he, Private *William J. Bond*, of Co. F, 45th Infantry, V. R. C., being a duly enlisted soldier of the United States army, did actively aid, abet, assist and participate, jointly, in a forcible and unlawful rescue of three prisoners belonging to the 45th Infantry, who were in charge of a civil guard, from the workhouse in the city of Nashville, Tenn., then and there undergoing punishment for offences committed against the ordinances of said city, of which they, the said rescued prisoners, had been convicted before a regularly constituted Police or Recorder's Court of the city of Nashville, State of Tennessee. This at or near the city of Nashville, Tenn , on or about the 17th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *William J. Bond*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor on the public works of the United States for six (6) months, at such place as the Commanding General may designate, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

11th. Sergeant *Michael McGahey*, of Co. M, 5th Cavalry.

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

Specification 1st.—In this, that he, Sergeant *Michael McGahey*, Co. M, 5th Cavalry, did absent himself without permission from proper authority from Tattoo Roll Call, and remain absent till brought back in a state of helpless intoxication by a patrol about 9½ o'clock, P. M. This at Gallatin, Tenn., on or about the night of September 12th, 1867.

Specification 2d.—In this, that he, Sergeant *Michael McGahey*, Co. M, 5th Cavalry, did enter the Orderly Room of said Company, and say to 1st Sergeant *Charles O'Brien*, "they have got all the work out of me you wanted, and now want me to drill. I'll be damned if I don't knock down the oven again, and put it in such a way that it cannot be put up again," (meaning an oven that was built by him to bake bread for the command,) or words to that effect. This in the presence of an officer, Lieut. JULES C. A. SCHENOFSKY, 5th Cavalry, at Gallatin, Tenn., on or about the 13th day of September, 1867.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1*st Specification*, "Not Guilty."

To the 2*d Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDINGS.

Of the 1*st Specification*, "Guilty,"

except the words "by a patrol."

Of the 2*d Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Michael McGahey*, Co. M, 5th Cavalry, to be reduced to the rank of a private soldier, and to be confined at hard labor in charge of the guard, wearing ball and chain for two (2) months, and to forfeit fifteen (15) dollars per month of his monthly pay for the same period.

12th. Private *Michael Connell*, of Co. M, 5th Cavalry.

Charge.—Violation of the 45th Article of War.

Specification. In this, that he, Private *Michael Connell*, Co. M, 5th Cavalry, being a member of the guard and duly posted as a sentinel, did become so drunk as to be unfit for a proper discharge of his duties. This at Gallatin, Tenn., between the hours of 8 and 9 P. M., September 20, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Michael Connell*, Co. M.

5th Cavalry, to forfeit fifteen (15) dollars per month of his monthly pay for the period of one month, and to be confined at hard labor in charge of the guard wearing a ten (10) pound ball and chain for the same period.

13th. Private *John Lavercombe*, of Co. A, 45th Infantry, V. R. C.

Charge 1st.—Violation of the 44th Article of war.

Specification.—In this, that he, Private *John Lavercombe*, Co. A, 45th Infantry, V. R. C., did absent himself from dress parade, without permission from his commanding officer. This at Cumberland Barracks, Nashville, Tenn., on or about the 19th day of August, 1867.

Charge 2d.—Conduct to the prejudice of good order and military discipline.

Specification 1st.—In this, that he, Private *John Lavercombe*, Co. A, 45th Infantry, V. R. C., did, without cause or provocation, call Sergeant *John Bowes*, of said company, a "son of a bitch." This at Cumberland Barracks, Nashville, Tenn, on or about the 19th day of August, 1867.

Specification 2d.—In this, that he, Private *John Lavercombe*, Co. A, 45th Infantry, V. R. C., on being ordered by Corporal *Michael Marion*, Co. A, 45th Infantry, in the name of Sergeant *John Bowes*, Co, A, 45th Infantry, to accompany him *Marion* to the guard house, did resist said Corporal *Marion*, saying, "I'll be God damned if I'll go to the guard house for either you or Sergeant *Bowes*; my woman is outside the gate and I must see her first," and did pull himself away from the hands of said Corporal *Michael Marion* and run out of the Barracks gate, making insulting gestures as he ran. This at Cumberland Barracks, Nashville, Tenn., on or about the 19th day of August, 1867.

Charge 3d.—Violation of the 6th Article of War.

Specification.—In this, that he, Private *John Lavercombe*, Co. A, 45th Infantry, did enter the private quarters of his commanding officer by the back door, without rapping, and did say to said commanding officer, "Captain, I understand you have ordered me to be punished for being absent from dress parade," and on being told by said commanding officer that such was true, did say, "well let me see you punish me," or words to that effect. This at Cumberland Barracks, Nashville, Tenn., on or about the 19th day of August, 1867.

Charge 4th.—Disobedience of orders.

Specification,—In this, that he, Private *John Lavercombe*, Co. A, 45th Infantry, V. R. C., on being ordered by his commanding officer to go immediately to his quarters and report to the acting 1st Sergeant, did fail to obey said order, and did run in an opposite direction, and did continue to run until caught by a citizen and taken to the guard house. This at or near Cumberland Barracks, Nashville, Tenn., on or about the 19th day of August, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the *Specification* 1st CHARGE,	"Not Guilty."
To the 1st CHARGE,	"Not Guilty."
To the 1st *Specifications*, 2d CHARGE,	"Not Guilty."
To the 2d *Specification*, 2d CHARGE,	"Not Guilty."
To the 2d CHARGE,	"Not Guilty."
To the *Specification*, 3d CHARGE,	"Guilty."
To the 3d CHARGE,	"Guilty."
To the *Specification*, 4th CHARGE,	"Guilty."
To the 4th CHARGE,	"Guilty."

FINDINGS.

Of the *Specification*, 1st CHARGE	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the 1st *Specification*, 2d CHARGE,	"Guilty."
Of the 2d *Specification*, 2d CHARGE,	"Guilty."

striking out the word "corporal," and substituting therefor "private," and excepting the words "making insulting gestures as he ran."

Of the 2d CHARGE,	"Guilty."
Of the *Specification*, 3d CHARGE,	"Guilty."
Of the 3d CHARGE,	"Guilty."
Of the *Specification*, 4th CHARGE,	"Guilty."
Of the 4th CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Lavercombe*, Co. A, 45th Infantry, V. R. C., to be confined at hard labor on the public works of the United States, at such place as the Commanding General may direct for the period of six (6) months, and to forfeit ($10) ten dollars per month of his monthly pay for the same period.

14th. Private *Joseph Lewis*, Co. A, 45th Infantry, V. R. C.

Charge.—Desertion.

Specification.—In this, that he, Private *Joseph Lewis*, Co. A, 45th Infantry; V. R. C., having been duly enlisted in the service of the United States, did desert the same on the 24th day of August, 1867, from Cumberland Barracks, Nashville, Tenn., and did remain absent until apprehended by Sergeant *William M. Collins*, Co. A, 45th Infantry, August 27th, 1867. All this at or near Nashville, Tenn., on or about the dates above specified.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* of the CHARGE, "Guilty,"

striking out the words "did desert the same," and substituting therefor "did absent himself without proper authority."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Lewis*, Co. A, 45th Infantry, V. R. C., to forfeit ($10) ten dollars per month of his monthly pay for the period of four (4) months.

15th. Private *John Reagan*, Co. G, 45th Infantry, V. R. C.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *John Reagan*, Co. G, 45th Infantry, V. R. C., a duly enlisted soldier in the service of the United States, did appear on inspection at retreat, drunk. This at Cumberland Barracks, Nashville, Tenn., on the 30th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Reagan*, Co. G, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of one month.

II. The proceedings and findings in the cases of Privates *D. H. Hollister*, *W. H. Lane*, *J. B. Weimer* and *W. J. Bond*, all of Co. F, 45th Infantry, V. R. C., are approved. The sentences are confirmed, but on the recommendation of the Court, based upon their previous good characters, the Major General Commanding is pleased to commute the sentences of each one to a forfeit-

ure of ten dollars per month for six months. They will be released from confinement and restored to duty. It may be well to remember that in future mercy will be withheld from offenders of this class,

The proceedings and findings in the cases of Sergeant *Michael McGahey* and Private *Michael Connell*, of Co. M, 5th United States Cavalry, are approved. The sentence in the case of Sergeant *McGahey* is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted. In the case of Private *Michael Connell*, of Co. M, 5th Cavalry, the sentence is disapproved. Corporeal punishment only can be awarded in the case of drunkenness on duty. The prisoner will be released from confinement and restored to duty.

The proceedings and findings in the cases of Privates *John Lavercombe*, Co. A, and *John Reagan*, Co. G, 45th Infantry, V. R. C., are approved. The sentences are confirmed and will be carried into effect. In the case of Private *John Lavercombe*, the guard house at the post at which his company is stationed is designated as the place of his confinement. In the case of Private *Joseph Lewis*, of Co. A, 45th Infantry, V. R. C., the finding on the charge is disapproved. He should have been found not guilty of the charge of desertion, but guilty of absence without leave. He will be released from confinement and restored to duty.

By Command of Maj. Gen. Geo. H. Thomas,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

Official:

Wm D Whipple

H. A. G.

1. Private BENJAMIN ARMSTRONG, Co. B, 45th Infantry, V. R. C.
2. Private ROBERT NEWTON, Co. G, 45th Infantry, V. R. C.
3. Sergeant WILLIAM DUFOUR, Co. F, 2d Infantry.
4. Private THOMAS MOONEY, Co. F, 45th Infantry, V. R. C.
5. Private DANIEL KELLEY, Co. F, 45th Infantry, V. R. C.
6. Private MICHAEL ANDREWS, Co. F, 45th Infantry, V. R. C.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 12th, 1867.

GENERAL ORDERS, No. 63.

II. Before a General Court Martial, which convened at Nashville, Tenn., September 25th, 1867, pursuant to Special Orders, No. 138, dated Headquarters Department of the Cumberland, Louisville, Ky., Sept. 19th, 1867, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

1st. Private *Benjamin Armstrong*, Co. B, 45th Infantry, V. R. C.

Charge.—Absence without leave.

Specification.—In this, that he, Private *Benjamin Armstrong*, Co. B, 45th Infantry, V. R. C., being duly enlisted in the service of the United States, and being in confinement, did break from the guard in custody over him, and did remain absent therefrom, from 2 o'clock A. M., till half past 1 o'clock, P. M., when he was delivered up by a policeman. All this at Ash Barracks, Nashville, Tenn., on or about the 15th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Benjamin Armstrong*, Co. B, 45th Infantry, V. R. C., to forfeit ten dollars per month of his monthly pay for the period of one (1) month, and to be confined at hard labor in charge of the guard for three (3) days.

The proceedings and findings in the case of Private *Benjamin Armstrong*, of Co. B, 45th Infantry, V. R. C., are approved. The sentence is confirmed, and will be carried into effect.

2d. Private *Robert Newton*, Co. G, 45th Infantry, V. R. C.

Charge.—Violation of the 46th Article of War.

Specification.—In this, that he, Private *Robert Newton*, Co. G, 45th Infantry, having been duly detailed and mounted as a member of the guard, and properly posted as a sentinel, was found asleep on his post between the hours of 10 and 12 o'clock, P. M., when visited by the officer of the day. This at Cumberland Barracks, Nashville, Tenn., on the 20th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Robert Newton*, Co. G, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard for the period of six (6) months, wearing a ball and chain, and to forfeit fifteen(15) dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of Private *Robert Newton*, Co. G, 45th Infantry, V. R. C., are approved. The sentence is confirmed, and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

3d. Sergeant *William Dufour*, Co. F, 2d Infantry.

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

Specification 1st.—In this, that he, Sergeant *William Dufour*, Co. F, 2d Infantry, did, without just cause or provocation, strike and kick Private *Albert Rothschild*, Co. F, 2d Infantry, when in his tent, at the same time exclaiming, "Get out of here, you Jewish son of a bitch." This at or near Reseca, Ga., on or about August 7th, 1867.

Specification 2d.—In this, that he, Sergeant *William Dufour*, Co. F, 2d Infantry, did, without cause or provocation, strike and beat with a stick Private *John Smith*, Co. F, 2d Infantry, at the same time exclaiming, "I will kill you, you bleeding son of a bitch." This at or near Resaca, Ga., on or about August 8th, 1867.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1st *Specification*, of the CHARGE, "Not Guilty."

To the 2d *Specification* of the CHARGE, "Guilty."

except the words "without just cause or provocation," and "I will kill you, you bleeding son of a bitch."

To the CHARGE, "Guilty."

FINDINGS.

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

Of the 2d *Specification* of the CHARGE, "Guilty."

except the words "without just cause or provocation," and "I will kill you, you bleeding son of a bitch."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *William Dufour*, Co. F, 2d Infantry, to forfeit ten (10) dollars per month of his monthly pay for one (1) month.

The proceedings and findings in the case of Sergeant *William Dufour*, of Co. F, 2d Infantry, are approved. The sentence is confirmed, and will be carried into effect.

4th. Private *Thomas Mooney*, Co. F, 45th Infantry, V. R. C.

Charge.—Violation of the 45th Article of War.

Specification—In this, that he, Private *Thomas Mooney*, Co. F, 45th Infantry, V. R. C., having been properly detailed and mounted as a member of the guard, did become so drunk as to disqualify him for the proper discharge of his duties. All this at Cumberland Barracks, Nashville, Tenn., on the 20th day of September, 1867.

To which Charge and Specification the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Guilty,"

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Mooney*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard, wearing a ball and chain, for four (4) months.

The proceedings and findings in the case of Private *Thomas Mooney*, Co. F, 45th Infantry, V, R. C., are approved. The sentence is confirmed, and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

5th. Private *Daniel Kelley*, Co. F, 45th Infantry, V. R. C.

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

Specification 1st.—In this, that he, Private *Daniel Kelley*, Co. F, 45th Infantry, did steal from the knapsack of Private *Joseph Simpson*, Co. F, 45th Infantry, one razor, one brush, three pairs of stockings and one plug of navy tobacco, on the night of the 4th, or on the morning of the 5th of September, 1867.

Specification 2d.—In this, that Private *Daniel Kelley*, Co. F, 45th Infantry, V. R. C., was so drunk in his company quarters as to be unable to attend dress parade. All this at Cumberland Barracks, Nashville, Tenn., on or about the 5th day of September, 1867.

To which Charge and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the 1*st Specification*, "Guilty,"
except the words "one razor and one brush."

Of the 2*d Specification* and the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Kelley*, Co. F, 45th Infantry, V. R. C., to be confined at hard labor, wearing a ball and chain, in charge of the guard, for the period of eight (8) months, and to forfeit fifteen (15) dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of Private *Daniel Kelley*, of Co. F, 45th Infantry, V. R. C., are approved. The sentence is confirmed, and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

6th. Private *Michael Andrews*, Co. F, 45th Infantry, V. R. C.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *Michael Andrews*, Co. F, 45th Infantry, V. R. C., having been properly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform his duties properly. This at Cumberland Barracks, Nashville, Tenn., on or about the 13th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Michael Andrews*, Co. F, 45th Infantry, V. R. C., to forfeit fifteen (15) dollars per month of his monthly pay for four (4) months, and to be confined at hard labor in charge of the guard, wearing a ball and chain, for the same period.

The proceedings and findings in the case of Private *Michael Andrews*, of Co. F, 45th Infantry, V. R. C., are approved. The sentence is disapproved, the stoppage of pay for a violation of the 45th Article of War being illegal and void.

Private *Andrews* will be released from confinement and restored to duty.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D. Whipple
A. A. G.

1..Sergeant JOHN DOYLE, Co. A, 2d Infantry
2..Private SAMUEL FULEN, Co. A, 2d Infantry.
3..Private ELISHA RATLIFF, Co. B, 2d Infantry.
4..Private GEO. W. MANESS, Co. F, 2d Infantry.
5..Sergeant JAMES C. IRWIN, Q. M. Sergt. Co. C, 45th Infantry, V. R. C.
6..Private MICHAEL GORMAN, Co. A, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 14th, 1867.

GENERAL ORDERS, No. 64.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., September 16th, 1867, pursuant to Special Orders, No. 132, dated Head-Quarters Department of the Cumberland, Louisville, Ky., September 10th, 1867, and of which Brevet Major J. W. LONG, Capt. 2d Infantry, is President, and 1st Lieutenant S. C. KELLOGG, 18th Infantry, Judge Advocate, were arraigned and tried :

19th..Sergeant *John Doyle*, Co. A, 2d Infantry.

CHARGE :—"*Neglect of duty*."

SPECIFICATION 1ST :—"In this ; that he, Sergeant *John Doyle*, Co. A, 2d Infantry, while Sergeant of the guard at Ceredo, West Va., on the 25th day of August, 1867, did through gross neglect of duty, and in violation of a standing order of the post, fail to post No. 2 sentinel at retreat. and did neglect to do so until about 9 o'clock, P. M., on the 25th of August, 1867."

SPECIFICATION 2D :—"In this ; that he, Sergeant *John Doyle*, Co. A, 2d Infantry, did, through neglect, suffer two prisoners to escape, between the hours of 6 and 9 o'clock, P. M. of the 25th of August, 1867, while the said Sergeant *John Doyle*, was in charge of the guard. All this at Ceredo, West Va., on or about the 25th of August, 1867."

To which charge and specifications the prisoner pleaded "Not Guilty."

Here the Judge Advocate, with the consent of the Court, entered a *nolle prosequi* to any further proceedings in this case, stating that the interest of the service imperatively demanded the presence of Sergeant *John Doyle*, Co. A, 2d Infantry, with his command, and there being only four officers of the Court present on the 7th day of October, to try the case, Captain D. W. BURKE, 45th Infantry, V. R. C., having been absent on the 25th day of September, when the case was first tried ; and furthermore, it being manifestly of injury to the service to retain Captain F. E. LACY as a wittness until such time as all the officers who commenced the trial could be re-convened. Therefore, the Court, consenting to the action of the Judge Advocate, the case is closed, and Sergeant *John Doyle*, Co. A, 2d Infantry, is released from arrest and returned to duty.

The proceedings and findings in the case of Sergeant *John Doyl*, of Co. A, 2d Infantry, are disapproved.

The case of Sergeant *Doyle* was refered to the Court for trial, and all the testimony that could have been procured should have been taken, and if it failed to warrant a conviction, the prisoner should have received an unqualified acquittal. The injury resulting to the sevice by "retaining Captain F. E. LACY, as a wittness, until such time as all the officers who commenced the trial could be re-convened," was not properly a question to be considered by the Court, neither had it authority to "release the prisoner and restore him to duty."

In this case, it seems that the Court has shown a desire to disregard its own duty, and to usurp authority and exercise functions not given to it by law, regulations or custom.

But, as the case cannot be continued without incurring great expense, Sergeant *Doyle* will be released from confinement and restored to duty.

20th.. Private *Samuel Fulen*, Co. A, 2d Infantry.

CHARGE :—"*Desertion*."

SPECIFICATION :—"In this ; that he, Private *Samuel Fulen*, Co. A, 2d Infantry, a regularly enlisted soldier of the United States, did desert said service at Ceredo, West Va., on or about the 25th day of July, 1867, and did remain absent therefrom until he was apprehended as a deserter in Lawrence County, Ohio, on or about the 10th day of September, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Samuel Fulen*, Co. A, 2d Infantry, "to forfeit all pay and allowances that are or may become due him at the promulgation of his sentence ; to be confined at hard labor in charge of the guard, with a ball weighing twenty-four (24) pounds attached by a chain to his left leg for four (4) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Samuel Fnlen*, Co. A, 2d Infantry, are approved. The sentence is confirmed except that portion requiring him to wear a ball and chain, which is hereby remitted.

21st.. Private *Elisha Ratliff*, Co. B, 2d Infantry.

CHARGE :—"*Desertion*."

SPECIFICATION :—"In this ; that he, Private *Elisha Ratliff*, Co. B, 2d Infantry, having been a regularly enlisted soldier in the service of the United States, did desert said service on or about the 3d day of September, 1867, and did remain absent until apprehended on the 6th day of September, 1867, at Storm Creek, Ohio, in citizens' clothing. Thirty dollars ($30.) being paid for his apprehension."

To which charge and specification the prisoner pleaded, "Not Guilty," but guilty of "absence without leave."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Elisha Ratliff*, Co. B, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him at the promulgation of his sentence, to refund expenses incurred by his apprehension, to be confined at hard labor under charge of the guard, with a ball weighing twenty-four (24) pounds attached to his leg by a chain, for the period of four (4) months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Elisha Ratliff*, Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect except that portion requiring him to wear a ball and chain, which is hereby remitted.

29th..Private *George W. Maness*, Co. F, 2d Infantry.

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

SPECIFICATION:—"In this; that he, Private *George W. Maness*, Co. F, 2d Infantry, did, after *James Karr*, a civilian prisoner, convicted of horse-stealing and other offences, and sentenced to eight years imprisonment in the State Penitentiary, had escaped, interfere with and prevent his capture by writing a letter to *James Karr's* sister, informing him to beware of Private *Albert J. Moshier*, whom 1st Lieut. W. R. MAIZE, had sent to pretend desertion, join *Karr* and give him over to the authorities at the first opportunity, also giving the following information, viz: "I wish to let you know that this young man (meaning Private *Moshier*, Co. F, 2d Infantry,) in which I have learned is trying to take *James A. Karr*, a prisoner if he can, and you all had better keep a good watch after him, &c., and other words, as per letter attached hereto. All this at Franklin, Ky., on or about the 15th day of September, 1867."

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

of the facts as stated in the specification, but allege no criminality thereto.

To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George W. Maness*, Co. F, 2d Infantry, "to forfeit ten dollars ($10.) per month of his monthly pay for four (4) months 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 *George W. Maness*, Co. F, 2d Infantry, are approved. The sentence is confirmed, and will be carried into effect.

23d..Sergeant *James O. Irwin*, Quartermaster Sergeant, Co. C, 45th Infantry, V. R. C.

CHARGE 1ST :—"*Drunkenness on duty.*"

SPECIFICATION :—"In this ; that he, Sergeant *James C. Irwin*, Q. M. Sergeant Co. C, 45th Infantry, did, on the evening of September 25th, 1867, appear at the usual evening inspection so drunk as to be unable to form the company, he then being in charge of the company; This at the post at Jeffersonville, Ind., on or about the date specified.

CHARGE 2D :—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST:—"In this ; that he, Sergt. *James C. Irwin*, Q. M. Sergeant Co. C, 45th Infantry, did, on the evening of September 25th, 1867, when Sergeant *Horace Wickham* was ordered to take charge of the company and get the roll from him (Sergt. *Irwin.*) by Lieut. D. H. McCOMAS, commanding company, did use the following language : "I have no roll, and if Lieut. McCOMAS, the God damned son-of-a-bitch, wants one, he can fuck for it." This at the Post at Jeffersonville, Ind., on or about the date specified."

SPECIFICATION 2D.—"In this ; that he, Sergt. *James C. Irwin*, Q. M. Sergeant Co. C, 45th Infantry, did, on the 26th of September, 1867, being under arrest, break the same by going outside the Post limits for the purpose of visiting a saloon in Port Fulton, Ind. This at Jeffersonville, Ind., on or about the date specified."

SPECIFICATION 3D :—"In this ; that he, Sergt. *James C. Irwin*, Q. M. Sergeant Co. C, 45th Infantry, did, on the 26th day of September, 1867, use the following language when Sergeant *James W. Shelby*, Co. C, 45th Infantry, then in charge of the company, remonstrated with him (Sergt. *James C. Irwin*) in regard to his leaving camp and breaking his arrest, did say, "I am not under arrest, and Lieut. McCOMAS and all the rest of you may kiss my arse and be God damned, I will go where I please." This at the Post of Jeffersonville, Ind., on or about the date above specified."

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*,	"Not Guilty."
To the 1st *Specification*, 2d *Charge*,	"Not Guilty."
To the 2d *Specification* 2d *Charge*,	"Guilty,"

except the words 'visiting a saloon at Port Fulton, Ind.'

To the 3d *Specification* 2d *Charge*,	"Not Guilty."
To the 2d *Charge*,	"Not Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*,	"Guilty."
Of the 1st *Specification*, 2d *Charge*,	"Guilty,"
Of the 2d *Specification*, 2d *Charge*,	"Not Guilty."
Of the 3d *Specification*, 2d *Charge*,	"Guilty,"

except the words, 'Lieut. McCOMAS.'

Of the 2d *Charge*,	"Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *James C. Irwin*, Q. M. Sergt. Co. C, 45th Infantry, V. R. C., "to be reduced to the ranks as a private soldier, and to forfeit ten dollars ($10) per month of his monthly pay for four (4) months, and to be confined at hard labor in charge of the guard for two (2) months."

The proceedings and findings in the case of Sergeant *James C. Irwin* Co. C, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect.

24th.. Private *Michael Gorman*, Co. A, 2d Infantry.

CHARGE :—"*Conduct to the predjudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Private *Michael Gorman*, Co. A, 2d Infantry, did, when ordered by Corporal *Edward Nipe*, Co. A, 2d Infantry, he being at the time in the execution of his duty, to fetch water for the purpose of cleaning the company quarters, did refuse to obey said orders, and did say, "I will not do it," and did not go to perform said duty. All this at Ceredo, West Va., on or about the 17th day of August, 1867."

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

FINDINGS :

Of the *Specification*, "Guilty,"

of the facts as stated in the specification, but attach no criminalty thereto.

To the *Charge*, "Not Guilty."

And the Court does therefore acquit him, Private *Michael Gorman*, Co. A, 2d Infantry.

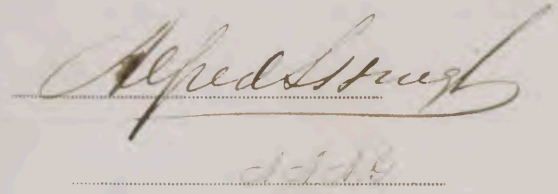
The proceedings and findings in the case of Private *Michael Gorman*, Co. A, 2d Infantry, are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :



NOTE.—*This order is substituted for an erroneous order of the same number and date already issued, which please return to these Head-Quarters.*

1. Private COLUMBUS MIDDLETON, Co. B, 25th Infantry.

2. Corporal JOHN OBERST, Co. F, 25th Infantry.

3. Private CHRISTIAN SCHWILK, Co. F, 25th Infantry.

4. Private JAMES O'NEILL, Co. F, 25th Infantry.

5. Private ANDREW J. TAYLOR, Co. B, 25th Infantry.

6. Private JOHN M. MURRAY, Co. G, 25th Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 17th, 1867.

GENERAL ORDERS, No. 66.

I. Before a General Court Martial which convened at Memphis, Tenn., at 10 o'clock, A. M., September 4th, 1867, pursuant to Special Orders, No. 114, dated Head-quarters Department of the Cumberland, Louisville, Ky., August 19th, 1867, and of which 1st Lieut. C. R. PAUL, 25th Infantry, is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried:

7th. Private *Columbus Middleton*, Co. B, 25th Infantry.

Charge.—Desertion. In violation of the 20th Article of War.

Specification.—In this, that he, private *Columbus Middleton*, Co. B, 25th Infantry, did desert his company at Humboldt, Tenn., on or about the 11th day of July, 1867, and did remain absent therefrom until brought back under guard the 24th day of August, 1867. All this at or near Humboldt, Tenn, on or about the 14th day of July, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Columbus Middleton*, Co. B, 25th Infantry, 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 in charge of the guard for the same period.

8th. Corporal *John Oberst*, Co. F, 25th Infantry.

Charge 1st.—Absence without leave.

Specification.—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, was absent without authority from Retreat and Roll Call. All this at Pittsburg Landing, Tenn., on or about the 14th day of August, 1867.

Charge 2*d.*—Disobedience of orders.

Specification 1*st.*—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, being ordered to his quarters in arrest by his commanding officer, Lieut. F. H. Ross, 25th Infantry, did fail to obey such order.

Specification 2*d.*—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, being ordered by his commanding officer, Lieut. F. H. Ross, 25th Infantry, to stop talking, did not pay the slightest attention to said order. All this at Pittsburg Landing, Tenn., on or about August 14th, 1867.

Charge 3*d.*—Disrespect to his superior officers.

Specification.—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, on being told by his commanding officer, Lieut. F. H. Ross, 25th Inft. that if he did not go to his quarters in arrest, he would be confined in the guard house, did reply, in a highly disrespectful manner, "Well, put me in the guard house," or words to that effect. All this at Pittsburg Landing, on or about the 14th day of August, 1867.

Charge 4*th.*—Violation of the 9th Article of War.

Specification 1*st.*—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, did offer violence to his superior officer, Lieut. F. H. Ross, 25th Infantry, by striking at and biting him, Lieut Ross being in the execution of his office.

Specification 2*d.*—In this, that he, Corporal *John Oberst*, Co. F, 25th Infantry, did offer violence to his superior officer, Lieut. L. M. O'Brien, 25th Infantry, by striking him, Lieut. O'Brien being in the execution of his office, and called upon by Lieut. Ross, to assist him in taking said Corporal *Oberst* to the guard house. All this at Pittsburg Landing, Tenn., on or about the 14th day of August, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st Charge and *Specification*, "Guilty."

To the 2d, 3d and 4th Charges and *Specifications*, "Not Guilty."

FINDINGS.

Of the Charges and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him Corporal *John Oberst*, Co. F, 25th Infantry, to be reduced to the ranks, to forfeit to the United States twelve (12) dollars per month of his monthly pay for twelve months, and to be confined at hard labor in charge of the guard for the same period.

9th. Private *Christian Schwilk*, Co. F, 25th Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *Christian Schwilk*, Co. F, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 15th day of July, 1867, and did remain absent until he surrendered himself to the commanding officer of the post of Memphis, Tenn., on or about the 22d day of July, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Guilty.'

SENTENCE.

And the Court does therefore sentence him Private *Christian Schwilk*, Co. F, 25th 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 in charge of the guard for three (3) months.

10th. Private *James O'Neill*, Co. F, 25th Infantry.

Charge.—Sleeping on post.

Specification—In this, that he, Private *James O'Neill*, Co. F, 25th Infantry, having been duly posted as a sentinel was found asleep on his post between the hours of 11 and 12 P. M. This at Camp of Co. F, 25th Infantry, on the night of the 18th day July, 1867, at Pittsburg Landing, Tenn.

To which Charge and Specification the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Guilty,"

SENTENCE.

And the Court does therefore sentence him, Private *James O'Neill*, Co. F, 25th Infantry, to forfeit to the United States ten (10) dollars per month of his monthly pay for three (3) months, and to be confined at hard labor in charge of the guard for the same period, the first fourteen (14) days of each month to be solitary confinement on bread and water diet.

11th. Private *Andrew J. Taylor*, Co. B, 25th Infantry.

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

Specification 1st.—In this, that he, Private *Andrew J. Taylor*, Co. B, 25th Infantry, while acting in the capacity of cook, did take from the cook-house of Company B, 25th Infantry, without authority, one haver-sack of coffee, and did dispose of said coffee to some party or parties unknown. This at camp near Humboldt, Tenn., on or about the 28th day of August, 1867.

Specification 2d.—In this, that he, Private *Andrew J. Taylor*, Co. B, 25th Infantry, while acting in the capacity of cook, did, without authority, barter pork to the amount of two pounds or thereabouts to one

citizen, *James Calahan*, for milk to the amount of two quarts. This at camp of the 25th Infantry, near Humboldt, Tenn., on or about the 5th day of September, 1867.

To which Charge and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Andrew J. Taylor*, Co. B, 25th Infantry, to forfeit to the United States (10) dollars per month of his monthly pay for three (3) months, and to be confined at hard labor in charge of the guard for the same period.

12th. Private *John M. Murray*, Co. G, 25th Infantry.

Charge.—Sleeping on post.

Specification.—In this, that he, Private *John M. Murray*, Co. G, 25th Infantry, having been duly posted as a sentinel, did go to sleep. All this at Camp Swaine, Humboldt, Tenn., between the hours of 12½ and 2 o'clock A. M., September 16, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John M. Murray*, Co. G, 25th Infantry, to forfeit to the United States (10) dollars per month of his monthly pay for the next six months, and to be confined at hard labor in charge of the guard for the same period.

The proceedings and findings in the foregoing cases of Private *Columbus Middleton*, Co. B, Corporal *John Oberst*, Co. F, Privates *Christian Schwilk*, Co. F, *James O'Neill*, Co. F, *Andrew J. Taylor*, Co. B, and *John M. Murray*, Co. G, all of the 25th Infantry are approved. The sentences are confirmed, and will be carried into effect.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS.

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A.A.G.

1. Private JAMES W. STUDER, Co. G, 2d Infantry.

2. Corporal JAMES MANNING, Co. G, 2d Infantry.

3. Private PATRICK ENRIGHT, Co. G, 2d Infantry.

4. Private THEODORE VONSEGREEN, Co. F, 2d, Infantry.

5. Private GOTFRIED SITZLER, Co. H, 2d Infantry.

6. Private MARTIN REDDINGTON, Co. H, 2d Infantry.

7. Private JOHN NEAL, Co. K, 2d Infantry,

8. Private MICHAEL MURPHY, Co. C, 2d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 18th, 1867.

GENERAL ORDERS, No. 67.

1. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., September 16th, 1867, pursuant to Special Orders No. 132, par. II, dated Headquarters Department of the Cumberland, Louisville, Ky., September 10th, 1867, and of which Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., is President, and 1st Lieutenant S. C. KELLOGG, 18th Infantry, Judge Advocate, were arraigned and tried:

25th. Private *James W. Studer*, Co. G, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *James W Studer*, Co. G, 2d Infantry, a regularly enlisted soldier in the United States army, did desert the same at Danville, Ky., on or about the 11th day of June, 1867. Thirty dollars paid for his apprehension

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *James W. Studer*, Co. G, 2d Infantry, to forfeit all pay and allowances that are or may become due him to the promulgation of this order, to be confined at hard labor in charge of the guard for the period of four months, and to forfeit ten (10) dollars per month of his monthly pay for the same period.

26th. Corporal *James Manning*, Co. G, 2d Infantry.

Charge 1st.—Violation of the 45th Article of War.

Specification.—In this, that he, Corporal *James Manning*, Co. G, 2d Infantry, being in charge of the guard which mounted at Danville, Ky., on or about the 25th of September, 1867, was found drunk thereon between the hours of 11 o'clock, P. M., the 25th, and 1 o'clock, A. M., the 26th of September, 1867.

Charge 2d.—Neglect of duty.

Specification.—In this, that he, Corporal *James Manning*, Co. G, 2d Infantry, being in charge of the guard which mounted at Danville, Ky., on or about the 25th day of September, 1867, did fail to post his sentinels at 11 o'clock, P. M., same date.

To which Charges and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

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

Of the 2d CHARGE and *Specification*, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *James Manning*, Co. G, 2d Infantry, to be reduced to the ranks as a private soldiers, and to be confined at hard labor in charge of the guard for one month.

27th. Private *Patrick Enright*, Co. G, 2d Infantry.

Charge.—Violation of the 46th Article of war.

Specification.—In this, that he, Private *Patrick Enright*, Co. G, 2d Infantry, being a member of the guard which mounted at Danville, Ky., on or about the 25th day of September, 1867, did leave his post (No. 1) between the hours of 11 o'clock, P. M., the 25th, and 1 o'clock, A. M. the 26th September, 1867, before being regularly relieved, and was found between the hours stated sleeping in the guard house.

To which Charge and Specification the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"

except the words "and did leave his post," and attach no criminality thereto.

Of the CHARGE, "Not Guilty."

And the Court does therefore acquit him, Private *Patrick Enright*, Co. G, 2d Infantry.

28th. Private *Theodore Vonsegreen*, Co. F, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *Theodore Vonsegreen*, Co. F, 2d Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Franklin, Ky., on or about the 15th day of March, 1867, and did remain absent until arrested as a deserter at Cincinnati, Ohio, September 11th, 1867, thirty dollars being paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Theodere Vonsegreen*, Co. F, 2d Infantry to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit fifteen (15) dollars of his monthly pay for the same period.

29th. Private *Gotfried Sitzler*, Co. H, 2d Infantry.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *Gotfried Sitzler*, Co. H, 2d Infantry, having been regularly detailed as a member of the guard, did appear on the parade and guard mounting so much under the influence of liquor as to be unable to perform his duties properly. This at Taylor Barracks, Ky., on or about the 20th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Gotfried Sitzler*, Co. H, 2d Infantry, to be confined in charge of the guard for the period of three months, to carry a log of wood weighing thirty (30) pounds every alternate hour from Reveille to Retreat for the first ten days during the same period.

30th. Private *Martin Reddington*, Co. H, 2d Infantry.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *Martin Reddington*, Co. H, 2d Infantry, having been regularly detailed as a member of the guard, did appear on the parade at guard mounting, so much under the influ-

ence of liquor as to be unable to perform his duties properly. This at Taylor Barracks, Ky., on or about the 20th day of September. 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Martin Reddington*, Co. H, 2d Infantry, to be confined in charge of the guard for three (3) months, to carry a log of wood weighing thirty (30) pounds from Reveille to Retreat the first ten (10) days of each month during the same period.

31st. Private *John Neal*, Co. K, 2d Infantry.

Charge.—Desertion.

Specification.—In this, that he, Private *John Neal*, Co. K, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same on or about the 22d day of January, 1866, at or near Louisville, Ky., and did remain absent until apprehended at Philadelphia, Pa., on or about the 3d day of July, 1867, thirty dollars paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John Neal*, Co. K, 2d Infantry, to forfeit all pay and allowances that are now or may become due him, to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period.

32d. Private *Michael Murphy*, Co C, 2d Infantry.

Charge,—Sleeping on post.

Specification.—In this, that he, Private *Michael Murphy*, Co. C, 2d Infantry, having been regularly posted as a sentinel on post No. 4, in rear of the Military Prison at Louisville, Ky, did go to sleep while on said post, and while on duty as a sentinel. This at Taylor Barracks Louisville, Ky., at about 12 o'clock, midnight, on the 4th day of October, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty,"

And the Court does therefore acquit him, Private *Michael Murphy*, Co. C, 2d Infantry.

II. The proceedings and findings in the cases of Private *James W. Studer*, Co. G, Corporal *James Manning*, Co. G, Privates *Theodore Vonsegreen*, Co. F, *Gotfried Sitzler*, Co. H, and *Martin Reddington*, Co. H, all of the 2d Regiment, U. S. Infantry, are approved. The sentences are confirmed, and will be carried into effect.

The proceedings and findings in the cases of Privates *Patrick Enright*, Co. G, and *Michael Murphy*, Co. C, 2d Infantry, are approved. Having been acquitted by the Court, they will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *John Neal*, of Co. K, 2d Infantry, are approved. The sentence is confirmed, but commuted to forfeiture of all pay and allowances up to the date of this order, and ten (10) dollars per month for (6) months, during which time he will be confined at hard labor in charge of the guard.

III. The General Court Martial of which Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., is President, and 1st Lieut. S. C. KELLOG, 18th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A.A.G.

1. Private BARNEY MULLOY, Co. M, 5th Cavalry.
2. Farrier JAMES BRYCE, Co. B, 5th Cavalry.
3. Corporal JAMES H. CLAYTON, Co. B, 5th Cavalry.
4. Private JOHN MCGREGOR, Co. M, 5th Cavalry.
5. Private GEORGE JOHNSON, Co. G, 45th Infantry, V. R. C.
6. Private WM. H. DAY, Co. B, 5th Cavalry.
7. Private WILLIS CARROLL, Co. E, 45th Infantry, V. R. C.
8. Sergeant THOMAS MOLONEY, Co. M, 5th Cavalry.
9. Private JOHN HICKEY, Co. F, 2d Infantry.
10. Private DANIEL COLLINS, Co. B, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., October 22d, 1867.

GENERAL ORDERS, No. 69.

Before a General Court Martial, which convened at Nashville, Tenn., September 25th, 1867, pursuant to Special Orders, No. 138, dated Headquarters Department of the Cumberland, Louisville, Ky., Sept. 19th, 1867, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, V. R. C., is President, and 2d Lieut. W. H. BOWER, 45th Infantry, V. R. C., Judge Advocate, were arraigned and tried:

16th. Private *Barney Mulloy*, Co. M, 5th Cavalry.

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

Specification.—In this, that he, Private *Barney Mulloy*, Co. M, 5th Cavalry, being with his Company at Nashville, Tenn., during election time, did, after being repeatedly warned against the use of intoxicating liquor, become so drunk as to be unable to perform the duties of a soldier. This at Nashville, Tenn., on or about the 27th day of September, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *Barney Mulloy*, Co. M, 5th Cavalry, to forfeit ten (10) dollars per month of his monthly pay for two (2) months.

The proceedings and findings in the case of Private *Barney Mulloy*, of Co. M, 5th Cavalry, are disapproved. The charge should have been laid under the 45th Article of War, and not under the 99th. The prisoner will be released from confinement and restored to duty.

17th. Farrier *James Bryce*,, Co. B, 5th Cavalry.

Charge 1st.—Violation of the 45th Article of War.

Specification.—In this, that he, Farrier *James Bryce*, Co. B, 5th Cavalry, while on duty under arms with his Company, did become so drunk as to be unable to perform his duty properly. This at Nashville, Tenn., on or about September 28th, 1867.

Charge 2d.—Absence without leave.

Specification.—In this, that he, Farrier *James Bryce*, Co. B, 5th Cavalry, did absent himself from his company, without leave, from 4 o'clock, P. M. of the 28th day of September, 1867, until the morning of the 29th of September, 1867. All this at Nashville, Tenn., on or about the dates specified.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."

To the 2d CHARGE and *Specification*, "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty.'

SENTENCE.

And the Court does therefore sentence him, Farrier *James Bryce*, to be confined at hard labor in charge of the guard, wearing a ball and chain, for the period of two months, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of Farrier *James Bryce*, of Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

18th. Corporal *James H. Clayton*, Co. B, 5th Cavalry.

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

Specification.—In this, that he, Corporal *James H. Clayton*, Co. B, 5th Cavalry, while the company was on duty under arms, having obtained permission of 1st Lieut. J. SCOTT PAYNE, commanding Co. B, 5th Cavalry, to be absent fifteen minutes, and being cautioned particularly to return at the expiration of that time, did remain absent one hour and a half. This at Nashville, Tenn., on or about September 28th, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Corporal *James H. Clayton*, Co. B, 5th Cavalry, to forfeit five (5) dollars per month of his monthly pay for one (1) month, and to be reprimanded by his Company Commander.

The proceedings and findings in the case of Corporal *James H. Clayton*, of Co. B, 5th Cavalry, are approved. The sentence is confirmed, and will be carried into effect.

19th. Private *John McGregor*, Co. M, 5th Cavalry.

Charge.—Conduct to the prejudice of good order and Military discipline.

Specification.—In this, that he, Private *John McGregor*, Co. M, 5th Cavalry, did, without proper authority, absent himself from stable call, and did also say to Private *Z. D. Palmer*, that before he would go with his company (then under orders for Nashville,) to attend the election, he would go on the sick report, and he d be damned if he would go any way, or words to that effect. This at Nashville, Tenn., on or about September 26th, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Private *John McGregor*, of Co. M, 5th Cavalry, to forfeit ten (10) dollars of his monthly pay for the period of three (3) months, and to be confined at hard labor in charge of the guard, wearing a ball and chain, for the same period.

The proceedings and findings in the case of Private *John McGregor*, of Co. M, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

20th. Private *George Johnson*, Co. G, 45th Infantry, V. R. C.

Charge.—Conduct to the prejudice of good order and Military discipline.

Specification—In this, that he, Private *George Johnson*, Co. G, 45th Infantry, V. R. C., being a member of the guard and regularly detailed to take charge of prisoners, did suffer Private *Kelly*, Co. F, 45th Infantry, a prisoner in his charge, to escape. This at Cumberland Barracks, Nashville, Tenn., on or about September 26th, 1867.

To which Charge and Specification the prisoner pleaded "Guilty.'

FINDINGS.

Of the CHARGE and *Specification*, "Guilty,"

SENTENCE.

And the Court does therefore sentence him, Private *George Johnson*, of Co. G, 45th Infantry, V. R. C., to forfeit ten dollars per month of his monthly pay for one (1) month.

The proceedings and findings in the case of Private *George Jahnson*, of Co. G, 45th Infantry, V. R. C., are approved. The sentence is confirmed, and will be carried into effect.

21st. Private *William H. Day*, Co. B, 5th Cavalry.

Charge 1st.—Violation of the 45th Article of War.

Specification.—In this, that he, Private *William H. Day*, Co. B, 5th Cavalry, while on duty under arms with his company, in the streets of Nashville, Tenn., did become so drunk as to be unable to perform his duty properly. This at a time when the company was liable, at any moment, to be called upon to quell any disturbances.

Charge 2d.—Absence without leave.

Specification.—In this, that he, Private *William H. Day*, Co. B, 5th Cavalry, did at or about noon of the 28th day of September, 1867, absent himself, without permission, from his company, and did remain absent until the morning 29th of September, 1867. This while his company was under arms, and liable, at any moment, to be called upon to quell a disturbance. All this at Nashville, Tenn., on or about the 28th day of September, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."

To the 2d CHARGE and *Specification*, "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Day*, Co. B, 5th Cavalry, to forfeit ten (10) dollars per month of his monthly pay for four (4) months, and to be confined at hard labor in charge of the guard, wearing a ball and chain, for the same period.

The proceedings and findings in the case of Private *William H. Day*, of Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

22d. Private *Willis Carroll*, Co. E, 45th Infantry, V. R. C.

Charge.—Conduct to the prejudice of good order and Military discipline.

Specification.—In this, that he, Private *Willis Carroll*, Co. E, 45th Infantry, V. R. C., did steal one pair of uniform shoes from Private *Zadock Rittenhouse*, of Co E, 45th Infantry, V. R. C., and converting these to his own use, did sell them for whisky. All this at the city of Chattanooga, Tenn., on or about September 26th 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him Private *Willis Carroll*, of Co. E, 45th Infantry, V. R. C., to be confined at hard labor in charge of the guard, wearing a ball and chain, weighing twelve (12) pounds, for the period of two (2) 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 *Willis Carroll*, Co. E, 45th Infantry, V. R. C., are approved. The sentence is confirmed, and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

23d. Sergeant *Thomas Moloney*, Co. M, 5th Cavalry.

Charge 1st.—Violation of the 45th Article of War.

Specification 1st.—In this, that he, Sergeant *Thomas Moloney*, Co. M, 5th Cavalry, being on duty with his company in Nashville, Tenn., during the election, did become so drunk as to be unfit for the proper discharge of his duties. This at Nashville, Tenn., or about the 28th day of September, 1867.

Specification 2d.—In this, that he, Sergeant *Thomas Moloney*, Co. M, 5th Cavalry, being sergeant of the guard, did become so drunk as to be unfit for the proper discharge of his duties. This at Gallatin, Tenn., on or about September 30th, 1867.

Charge 2d.—Conduct to the prejudice of good order and Military discipline.

Specification.—In this, that he, Sergeant *Thomas Moloney*, Co. M, 5th Cavalry, did draw his pistol at Private *James Wilmot*, Co. M, 5th Cavalry, a sentinel duly posted, and attempt to arrest and confine Corporal *Frederick B. Goodwin* and Private *O' Conner*, Co. M, 5th Cavalry, members of a guard of which he (*Moloney*) was sergeant. This at Gallatin, Tenn., on or about the night of September 30th, 1867.

To which Charges and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the 1st *Specification*, 1st CHARGE, "Not Guilty."
Of the 2d *Specification*, 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification*, 2d CHARGE, "Guilty."
but attach no criminality to the words "and attempt to arrest and confine Corporal *Frederick B Gordon* and Private *O' Conner*, Co. M, 5th Cavalry, members of a guard of which he, the said *Moloney*, was sergeant."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Thomas Moloney*, Co. M, 5th Cavalry, to be reduced to the rank of a private soldier, and to forfeit ten (10) dollars per month of his monthly pay for the period of three (3) months, and to be confined at hard labor in charge of the guard for 15 days.

The proceedings and findings in the case of Sergeant *Thomas Moloney*, of Co. M, 5th Cavalry, are approved The sentence is confirmed, and will be carried into effect.

24th. Private *John Hickey*, Co. F, 2d Infantry.

Charge.—Conduct to the prejudice of good order and Military discipline.

Specification 1st.—In this, that he, Private *John Hickey*, Co. F, 2d Infantry, while on guard or watch, when directed by Sergeant *William Tobin*, Co. F, 2d Infantry, to leave off giving hay to the mules, which he was doing without orders, did reply to the sergeant, "There is no one afraid of you, you go to bed." This at the camp of a detatchment of the 2d Infantry near Cartersville, Ga., on the 28th day of September, 1867.

Specification 2d.—In this, that he, Private *John Hickey*, Co. F, 2d Infantry, did attack with a knife Private *August Breckenbush*, Co .F, 2d Infantry, and drive him from his tent, and pursued him around the camp several times, and threatened to "rip his damned guts out." This at the camp of a detachment of the 2d Infantry near Cartersville, Ga., on the evening of the 28th of September, 1867.

Specification 3d.—In this, that he, Private *John Hickey*, Co. F, 2d Infantry, did say to Sergeant *Wm. Tobin*, Co. F, 2d Infantry, commanding detachment 2d Infantry, who was in the execution of his office, "I do not give a damn for the sergeant or the corporal either, the sergeant can kiss my arse," or words to that effect. This at the camp of a detachment of the 2d Infantry, near Cartersville, Ga., on the morning of the 29th day of September, 1867.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hickey*, Co. F, 2d Infantry, to forfeit ten (10) dollars per month of his monthly pay for six (6) months.

The proceedings and findings in the case of Private *John Hickey*, of Co. F, 2d Infantry, are approved. The sentence is confirmed, and will be carried into effect.

25th.—Private *Daniel Collins*, Co. B, 5th Cavalry.

Charge 1st,—Absence without leave.

Specification.—In this, that he, Private *Daniel Collins*, Co. B, 5th Cavalry, did absent himself, without proper authority, from stable call on the afternoon of October 15th, 1867.

Charge 2d—Conduct to the prejudice of good order and Military discipline.

Specification.—In this, that he, Private *Daniel Collins*, Co. B, 5th Cavalry, did appear drunk and disorderly before the guard-house, and when ordered away by Corporal *Carlin*, Co. B, 5th Cavalry, acting sergeant of the guard, he refused to go, saying he did not care a God damn for the whole set of them, or words to that effect. All this at Ash Barracks, Nashville, Tenn., on or about the 15th day of October, 1867.

To which Charges and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Collins*, Co. B, 5th Cavalry, to forfeit fifteen (15) dollars per month of his monthly pay for two (2) months, and to be confined at hard labor in charge of the guard, wearing a ball and chain, for the same period.

The proceedings and findings in the case of Private *Daniel Collins*, of Co. B, 5th Cavalry, are approved. The sentence is confirmed, and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A.A.G.

1..Private JOHN BARTO, Co. D, 19th Infantry.
2..Recruit WM. J. MCGREGOR, Co. C, Select General Service, U. S. A.
3..Private PATRICK CUMMINGS, Co. C, 31th Infantry.
4..Private WILLIAM F. SINSEL, Co. I, 13th Infantry.
5..Private HENRY MILLER, Co. K, 12th Infantry.
6..Private WASHINGTON MERNA, Co. B, 25th Infantry.
7..Private JACOB ARMSTRONG, Co. B, 16th Infantry.
8. Private JOHN MCCAUSLAND, Co. H, 33d Infantry.
9..Private JAMES ELKEY, Co. I, 4th Infantry.
10..Recruit NELSON TOLIVER, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 28th, 1867.

GENERAL ORDERS, }
No. 70. }

Before a General Court Martial which convened at Newport Barracks, Ky., on the 17th day of October, 1867, pursuant to Special Orders No. 153, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 11th, 1867, and of which Bvt. Lieut. Col. E. C. BAINBRIDGE, Captain 5th Artillery, is President, and Brevet Captain C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

1st..Private *John Barto*, Co. D, 19th Infantry.

CHARGE.—"*Desertion*."

SPECIFICATION.—"In this; that he, Private *John Barto*, Co. D, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 7th day of November, 1864, at Lookout Mountain, Tenn., and did remain absent until he was apprehended at Toledo, Ohio, on or about the 19th day of August, 1867. Thirty dollars ($30.) having been paid for his appression."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Barto*, Co. D, 19th Infantry, "to forfeit to the United States all pay and allowances that are now or may become due up to the date of promulgation of sentence, and to be confined at the Head-Quarters of his regiment for the period of eighteen (18) months at hard labor, wearing a ball and chain attached to his leg weighing twelve (12) pounds, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the period of eighteen (18) months."

The proceedings and findings in the case of Private *John Barto*, Co. D, 19th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due him up to the date of this order, and twelve dollars ($12.) per month for twelve (12) months, during which period he will be confined at hard labor in the guard house of the post at which he may be serving. At the expiration of his confinement he will be returned to duty with his company.

2d..Recruit *William J. McGregor*, Co. C, Select General Service, U. S. A.

CHARGE :—" *Sleeping on post*."

SPECIFICATION.—" In this ; that he, Recruit *William J. McGregor*, Select General Service, U. S. A., having been duly detailed and marched on guard at Newport Barracks, Ky., September 12th, 1867, did, while on duty as sentinel on Post No. 2, "Sleep on Post." This at Newport Barracks, Ky., between the hours of four and five o'clock A. M., September 13th. 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, " Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of Recruit *William J. McGregor*, Co. C, Select Gen. Ser., U. S. A., are approved. The prisoner having been acquitted will be released from confinement and restored to duty.

3d..Private *Patrick Cummings*, Co. C, 34th Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION.—" In this ; that he, Private *Patrick Cummings*, Co. C, 34th Infantry, having been duly enlisted in the Army of the United States, did desert the same from his company and regiment at or near Holly Springs, Miss., on or about August 18th, 1867, and did remain absent until he surrendered himself at Chicago, Illinois, on on or about October 8th, 1867.

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Patrick Cummings*, Co. C, 34th Infantry, " to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment, for the period of twelve (12) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Patrick Cummings*, of Co. C, 34th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Private *William F. Sinsel*, Co. I, 13th Infantry.

CHARGE :—" *Desertion*."

SPECIFICATION.—" In this ; that he, Private *William F. Sinsel*, Co. I, 13th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 14th day of January,

1867, at Fort Leavenworth, Kansas, and did remain absent until he surrendered himself at Toledo, Ohio, on or about the 19th day of August, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the court does therefore sentence him, Private *William F. Sinsel*, Co. I, 13th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of fifteen (15) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *William F. Sinsel*, of Co. I, 13th Infantry, are approved, The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months, during which period he will be confined at hard labor under charge of the guard of the post at which his company is stationed.

5th..Private *Henry Miller*, Co. K, 12th Infantry.

CHARGE :— "*Desertion.*"

SPECIFICATION :—"In this ; that he, Private *Henry Miller*, of Co. K, 12th Infantry, having been duly enlisted in the service of the United States, did desert the same from the camp of his company and regiment, at or near Washington, D. C., during the month of January, 1867, and did remain absent until apprehended at Chicago, Illinois, on or about October 17th, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Henry Miller*, Co. K, 12th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Henry Miller*, of Co. K, 12th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month of his monthly pay for twelve (12) months, and confinement at hard labor in charge of the guard at the post at which he may be serving for the same period (twelve months.) On the expiration of his confinement he will be restored to duty.

6th..Private *Washington Merna*, Co. B, 25th Infantry.

CHARGE :—" *Desertion.*

SPECIFICATION.—"In this ; that he, Private *Washington Merna*, Co. B, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Humboldt, Tenn., on or about the

22d day of August 1867, and did remain absent therefrom until apprehended at Wyoming Illinois, the 20th day of September, 1867. Thirty dollars ($30.) having been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *Washington Merna*, Co. B, 25th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds for the period of (18) eighteen months and to forfeit to the United States twelve ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Washington Merna*, of Co, B, 25th Infantry are approved. The sentence is confirmed but mitigated to forfeiture of twelve dollars ($12.) per month for twelve months, during which time he will be confined at hard labor in charge of the guard of the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

7th..Private *Jacob Armstrong*, Co. B, 16th Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION.—"In this; that he, Private *Jacob Armstrong*, Co. B, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same while on march between Chattanooga, Tenn., and Atlanta, Ga., on or about the 26th day of May, 1864, and did remain absent from said service until delivered up as a prisoner at Recruiting Rendezvous, U. S. A., at Harrisburg, Pa., on or about the 20th day of September, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Jacob Armstrong*, Co. B, 16th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment, with ball and chain weighing twelve ($12.) pounds attached to his leg, for the period of three (3) years, and to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Jacob Armstrong*, Co. B, 16th Infantry are approved. The sentence is confirmed but mitigated to forfeiture of twelve dollars ($12.) per month for eighteen months, during which period he will be confined at hard labor in charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

8th..Private *John McCausland*, Co. H, 33d Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION :—"In this ; that he, Private *John McCausland*, Co. H, 33d Infantry, (formerly Co. H, 3d Batt. 15th Infantry,) did desert the service of the United States at Macon, Ga., on or about the 9th day of December, 1866, and did remain absent until apprehended at Providence, R. I., date unknown. Thirty dollars ($30.) paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John McCausland*, Co. H, 33d Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *John McCausland*, of Co. H, 33d Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months during which time he will be confined at hard labor under charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

9th. Private *James Elkey*, Co. I, 4th Infantry.

CHARGE :—"*Desertion*."

SPECIFICATION :—"In this ; that he, Private *James Elkey*, Co. I, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same from his company and regiment at Omaha, Nebraska, during the month of May, 1867, while *en route* from Fort Wayne, Mich. to Fort Lawrence, D. T., and did remain absent until apprehended at Chicago, Ills., on or about October 19th, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Elkey*, Co. I, 4th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months and to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *James Elkey*, Co. I, 4th Infantry, are approved. The sentence is confirmed but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months during which time he will be confined at hard labor under charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

10th..Recruit *Nelson Toliver*, General Service, U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Recruit *Nelson Toliver*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Fon-du-lac, Wisconsin, on or about the 11th day of December, 1866, and did remain absent until apprehended at West Bend, Wisconsin, on or about October 19th, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty."

SENTENCE :

And the court does therefore sentence him, Recruit *Nelson Toliver*, Gen. Service, U. S. A., "to be confined at hard labor at such place as the Commanding General may direct with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Nelson Toliver*, General Service, U. S. A., are approved. The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months, during which time he will be confined at hard labor in charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be restored to duty.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A.A.G.

1 .Private ABRAHAM HORN, Co. D, 18th Infantry.
2..Private PATRICK MCGLAUGHLIN' Co. I, 30th Infantry.
3..Private EDGAR CLARK, Co. E, 2d Infantry.
4 .Recruit RICHARD BLAKE, General Service. U. S. A.
5..Recruit HOMER P. CROSSETT, General Service, U. S. A.
6 Recruit JAMES WATSON, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 29th, 1867.

GENERAL ORDERS, }
No. 71. }

Before a General Court Martial which convened at Newport Barracks, Ky., on the 17th day of October, 1867, pursuant to Special Orders No. 153, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 11th, 1867, and of which Bvt. Lieut. Col. E. C. BAINBRIDGE, Captain 5th Artillery, is President, and Brevet Captain C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

11th..Private *Abraham Horn*, Co. D, 18th Infantry.

CHARGE.—"*Desertion*."

SPECIFICATION 1ST.—"In this; that he, Private *Abraham Horn*, late of Co. D, 18th Infantry, did desert the service of the United States. All this at Camp Thomas, near Columbus, Ohio, on or about the 15th day of September, 1865."

SPECIFICATION 2D.—"In this; that he, Private *Abraham Horn*, late of Co. D, 18th Infantry, did while in confinement and awaiting trial for desertion, desert the service of the United States. All this at "Camp Thomas," near Columbus, Ohio, on or about the 30th day of October, 1865."

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Abraham Horn*, Co. D, 18th Infantry "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds for the period of eighteen (18) months and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Abraham Horn*, Co. D, 18th Infantry, are approved. The sentence is confirmed and will be carried into effect except that portion requiring him to wear a ball and chain which is hereby remitted.

12th..Private *Patrick McGlaughlin*, Co. I, 30th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Private *Patrick McGlaughlin* Co. I, 30th Infantry, having been duly enlisted in the service of the United States, did desert the same from the camp of his company and regiment at or near Julesburg, C. T., during the month of August, 1867, and did remain absent until apprehended at Chicago, Illinois, October 11th, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Patrick McGlaughlin*, Co. I, 30th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Patrick McGlaughlin*, Co. I, 30th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months during which time he will be confined at hard labor in charge of the guard at the post at which he may be serving. On the expiration of his confinement he will be released and restored to duty.

13th..Private *Edgar Clark*, Co. E, 2d Infantry.

CHARGE :—"*Desertion.*

SPECIFICATION :—"In this ; that he, Private *Edgar Clark*, Co. E, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at or near Russellville, Ky., on or about the 19th day of December, 1866, and did remain absent until apprehended at or near Zanesville, Ohio, on or about the 10th day of October, 1867. Thirty dollars ($30.) reward being paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Edgar Clark*, Co. E, 2d Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Edgar Clark*, Co. E, 2d Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard of the post at which he may be serving for twelve (12) months forfeiting twelve ($12.) per month of his monthly pay during the same period."

14th..Recruit *Richard Blake*, General Service, U. S. A

CHARGE :—" *Desertion.*"

SPECIFICATION.—" In this ; that he, Recruit *Richard Blake*, General Service, U. S. A., having been duly enlisted in the service of the United States, at Albany, New York, on the 17th day of September, 1867, did desert the same and did remain absent until apprehended the 29th day of September, 1867. All this at Albany, New York, on or about the days and dates herein specified. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Richard Blake*, General Service, U. S. A., "to be confined at hard labor at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of twelve (12) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Richard Blake*, General Service, U. S. A., are approved. The sentence is confirmed, but in consideration of his inexperience as a soldier, the Major General Commanding is pleased to commute the same to confinement at hard labor in charge of the guard for six (6) months, forfeiting twelve dollars ($12.) per month of his monthly pay during the same period. The guard house of the post at which he may be serving is designated as the place of his confinement.

15th..Recruit *Homer P. Crossett*, General Service, U. S. A.

CHARGE :—" *Desertion.*"

SPECIFICATION.—" In this ; that he, Recruit *Homer P. Crossett*, General Service, U. S. A., having been duly enlisted in the service of the United States, at New Haven, Conn., on the 2d day of September, 1867, did desert the same by absenting himself from the U. S. Recruiting Rendezvous at New Haven, Conn., on the 9th day of September, 1867, and did remain absent until apprehended at Springfield, Mass., on the 21st day of September, 1867. This at New Haven, Conn., on the 9th day of September, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Homer P. Crossett*, General Service, U. S. A., "to be confined at hard labor at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of twelve (12) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Homer P. Crossett*,

General Service, U. S. A., are approved. The sentence is confirmed, but in consideration of the inexperience of the prisoner, the same is commuted to confinement in charge of the guard at the post at which he may be serving for six (6) months, forfeiting twelve dollars ($12.) per month for the same period.

16th..Recruit *James Watson*, General Service, U. S. A.

CHARGE :— "*Desertion.*"

SPECIFICATION :—"In this; that he, Recruit *James Watson*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same from the Recruiting Rendezvous at Chicago, Illinois, on or about the 17th day of July, 1867, and did remain absent until apprehended at St. Joseph, Mich., on or about October 19th, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *James Watson*, General Service, U. S. A., "to be confined at hard labor at such place as the Commanding General may direct, with a ball and chain weighing twelve (12) pounds for the period of (18) eighteen months and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *James Watson*, Gen. Serv., U. S. A., are approved. The sentence is confirmed, but mitigated to forfeiture of twelve dollars ($12.) per month for twelve (12) months, during which period he will be confined at hard labor in charge of the guard at the post at which he may be serving.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Alfred L. Hough

A-A-A-G

1..Private PATRICK YORK, Co. K, 31st Infantry.
2..Private JACOB MILLER, Co, A, 20th Infantry.
3..Private DUNCAN STANFORD, Co. C, 34th Infantry.
4..Private DAVID C. WILCOX, Co. G, 5th Artillery.
5..Recruit CHARLES SHELDON *alias* HENRY SMITH, Gen. Service, U. S. A.
6..Private CHARLES A. GARDNER, Co. I, 19th Infantry.
7..Private LEVI GOULD, Co. E. 2d Infantry.
8..Recruit DANIEL ROBERTS, 37th Infantry.
9..Private ALFRED J. HALSTEAD, Co. C, 3d Batt. 19th Inf., now 37th Inf.
10..Private ROBERT L. WILKINSON, Co. D, 16th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky, October 31*st*, 1867.

GENERAL ORDERS, }
No. 72. }

Before a General Court Martial which convened at Newport Barracks, Ky., on the 17th day of October, 1867, pursuant to Special Orders No. 153, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 11th, 1867, and of which Bvt. Lieut. Col. E. C. BAINBRIDGE, Captain 5th Artillery, is President, and Brevet Captain C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

17th..Private *Patrick York*, Co. K, 31st Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *Patrick York*, Co. K, 31st Infantry, having been duly enlisted in the service of the United States, did desert the same in Nebraska, on or about the —— day of May, 1867, and did remain absent until he surrendered himself at Davenport, Iowa, on or about the 19th day of October, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick York*, Co. K, 31st Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for twelve (12) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

19th..Private *Jacob Miller*, Co. A, 20th Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION.—"In this; that he, Private *Jacob Miller*, Co. A, 20th Infantry, having been duly enlisted in the service of the United States,

did desert the same on or about the —— day of March, 1867, at Baton Rouge, La., and did remain absent until apprehended at Cincinnati, Ohio, on or about the 10th day of August, 1867."

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except the words, 'until apprehended,' substituting therefor 'did surrender himself.'

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"

except the words, 'until apprehended,' substituting therefor 'did surrender himself.'

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Jacob Miller*, Co. A, 20th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

20th. Private *Duncan Stanford*, Co. C, 34th Infantry,

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *Duncan Stanford*, Co. C, 34th Infantry, having been duly enlisted in the service of the United States, did desert the same at Holly Springs, Miss., on or about the 17th day of August, 1867, and did remain absent until apprehended at Pittsburg, Pa., on or about the 14th day of October, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Duncan Stanford*, Co. C, 34th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

21st. Private *David C. Wilcox*, Co. G, 5th Artillery.

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this; that he, Private *David C. Wilcox*, Co. G, 5th Artillery, having been duly enlisted in the service of the United States, did desert the same at New York, on or about the 23d day of August, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 20th day of August, 1867. Thirty dollars ($30.) having been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *David C. Wilcox*, Co. G. 5th Artillery, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

22d..Recruit *Charles Sheldon, alias Henry Smith*, Gen. Service, U. S. A.

CHARGE:—"*Desertion.*

SPECIFICATION.—"In this; that he, Recruit *Charles Sheldon, alias Henry Smith*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport, Barracks, Ky., on or about the 16th day of September, 1867, and did remain absent until apprehended at Newport Barracks, Ky., on or about the 5th day of October, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *Charles Sheldon, alias Henry Smith*, General Service, U. S. A., "to be confined at hard labor under charge of the guard at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

23d..Private *Charles A. Gardner*, Co. I, 19th Infantry.

CHARGE:—"*Desertion.*"

SPECIFICATION:—"In this; that he, Private *Charles A. Gardner*, Co. I, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same from his company and regiment on or about the 18th day of July, 1867, and did remain absent until apprehended at St. Louis, Mo., on or about the —— day of —— 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles A. Gardner*, Co. I, 19th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

24th. Private *Levi Gould*, Co. E, 2d Infantry.

CHARGE :— "*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Levi Gould*, Co. E. 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Bowling Green, Ky., on or about the 28th day of May, 1867, and did remain absent until apprehended at Zanesville, Ohio, on or about the 2d day of October, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Levi Gould*, Co. E, 2d Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) months and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

25th.. Recruit *Daniel Roberts*, 37th Infantry.

CHARGE.—"*Desertion.*"

SPECIFICATION.—"In this; that he, Recruit *Daniel Roberts*, 37th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the —— day of ——, 1867, and did remain absent until apprehended at Knightstown, Indiana, on or about the 14th day of October, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Daniel Roberts*, 37th Infantry, "to be confined at hard labor in charge of the guard at the Head-Quarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

26th.. Private *Alfred J. Halstead*, Co. C, 3d Batt. 19th Infantry, now 37th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Alfred J. Halstead*. Co. C. 3d Battalion. 19th Infantry, now 37th Infantry, having been duly enlisted in the service of the United States, did desert the same at Little Rock. Arkansas, on or about the 30th day of May, 1866, and did remain absent until apprehended at Detroit, Michigan, on or about the 2d day of September, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Alfred J. Halstead*, Co. C, 3d Battalion, 19th Infantry, now the 37th Infantry, "to be confined at hard labor in charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

27th Private *Robert L. Wilkinson*, Co. D, 16th Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION.—"In this; that he, Private *Robert M. Wilkinson*, Co. D, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same at Chattanooga, Tenn., on or about the ——day of November, 1866, and did remain absent until apprehended at Indianapolis, Ind., on or about the 11th day of October, 1867. Thirty dollars ($30.) reward paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert L. Wilkinson*, Co, D, 16th Infantry, "to be confined at hard labor in charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg, for eighteen (18) months, and to forfeit twelve dollars ($12.) per month of his monthly pay for the same period."

II. The proceedings and findings in the case of Private *Patrick York*, of Co. K, 31st Infantry, are approved. The sentence is confirmed, and will be carried into effect except that portion requiring him to wear a ball and chain which is hereby remitted. The sentence will be carried into effect in the guard house of the post at which he may be serving.

The proceedings and findings in the cases of Privates *Jacob Miller*, Co. A, 20th Infantry, *Duncan Stanford*, Co. C, 34th Infantry, *David C. Wilcox*, Co. G, 5th Artillery, Recruit *Charles Sheldon*, alias *Henry Smith*, General Service, U. S. A., Privates *Charles A. Gardner*, Co. I, 19th Infantry, *Levi Gould*, Co. E, 2d Infantry, Recruit *Daniel Roberts*, 37th Infantry, Private *Alfred J. Halstead*, Co. C, 3d Ballalion 19th Infantry now the 37th Infantry, and Private *Robert L. Wilkinson*, Co. D, 16th Infar try, are apppoved. The sentences are confirmed, but mitigated to forfeiture of twelve dollars

($12.) per month for twelve (12) months, during which time they will be confined at hard labor in charge of the guard at the post at which they may be serving.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Smith

A. A. A. G.

1..Private CHARLES F. SCHELLING, Co. G, 19th Infantry.
2..Recruit THOMAS DOWNS, Co. B, Music Boys, Gen. Service, U. S. A.
3..Recruit ROBERT E. VERNAN, Co. C. Select Gen. Service, U. S. A.
4..Private CHARLES BOBST, Co. A, 24th Infantry.
5..Recruit PATRICK MORAN, Gen. Service, U. S. A.
6..Private PATRICK MCGLYNN, Co. A, P. P. Gen. Service, U. S. A.
7..Recruit WALTER SUMNER, Co. B, Music Boys, Gen. Service, U. S. A.
8..Recruit HIRAM WILSEY, Gen. Service, U. S. A.
9..Recruit JAMES CARROLL, Co. B, Music Boys, Gen. Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 30th, 1867.

GENERAL ORDERS, }
No. 73. }

Before a General Court Martial which convened at Newport Barracks, Ky., on the 17th day of October, 1867, pursuant to Special Orders No. 153, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 11th, 1867, and of which Bvt. Lieut. Col. E. C. BAINBRIDGE, Captain 5th Artillery, is President, and Brevet Captain C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

28th..Private *Charles F. Schelling*, Co. G, 19th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this; that he, Private *Charles F. Schelling*, Co. G, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same at Lookout Mountain, on or about the 10th day of July, 1865, and did remain absent until apprehended at Dubuque, Iowa, on or about the 25th day of August, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Charles F. Schelling*, Co. G, 19th Infantry, "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Charles F. Schelling*, Co. G, 19th Infantry, are approved. The sentence is confirmed but mitigated to confinement in charge of the guard at the post at which he may be serving at hard labor for twelve (12) months, forfeiting twelve dollars ($12.) per month of his monthly pay for the same period."

29th..Recruit *Thomas Downs*, Co. B, Music Boys, Gen. Service, U. S. A.

CHARGE :—" *Conduct prejudicial to good order and military discipline.*"

SPECIFICATION.—" In this ; that he, Recruit *Thomas Downs*, Co. B, Music Boys, General Service, U. S. A., did trade his uniform coat for a citizen's coat, in violation of General Order, No. 22, C. S., from this Depot. This at Newport Barracks, Ky., on or about the 1st day of October, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, " Guilty,"

except the words 'his uniform coat' substituting therefor the words, 'an officer's old coat his own private property' and the words 'in violation of General Orders, No. 22.'

To the *Charge*, " Not Guilty,"

FINDINGS:

Of the *Specification*, " Guilty,"

except the words 'his uniform coat' substituting therefor the words 'an officer's old coat his own private property' and the words 'in violation of General Order, No. 22.'

Of the *Charge*, " Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of Recruit *Thomas Downs*, Music Boys, General Service, U. S. A., are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

30th..Recruit *Robert E. Vernan*, Co. C, Select General Service, U. S. A.

CHARGE 1ST :—"*Conduct prejudicial to good order and military discipline.*"

SECIFICATION :—"In this ; that he, Recruit *Robert E. Vernan*, Co. C, Select General Service, U. S. A., did unlawfully take and appropriate to his own use, one pair of bootees, the property of Recruit *Harvey C. Barton*, General Service, U. S. A. This in the quarters of Co. C, Select Recruits, at Newport Barracks, Ky., on or about Oct. 10th, 1867."

CHARGE 2D:—" *Absence without leave.*"

SPECIFICATION.—" In this; that he, Recruit *Robert E. Vernan*, Co. C, Select General Service, U. S. A., did absent himself without permission from proper authority from 'tattoo' roll call on the night of October 10th 1867. and from 'reveille' roll call, morning and afternoon drill and evening dress parade of his command, October 11th 1867. This at Newport Barracks Ky."

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, " Not Guilty."
To the 2d *Charge* and *Specification*, " Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Not Guilty."
Of the 2d *Charge* and *Specification*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Robert E. Vernan*, Co. C, Select General Service U. S. A., "to forfeit to the United States five dollars ($5.) per month of his monthly pay for one (1) month."

The proceedings and findings in the case of Recruit *Robert E. Vernan*, Co. C, Select General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

31st..Private *Charles Bobst*, Co. A, 24th Infantry.

CHARGE :—"*Desertion*."

SPECIFICATION.—"In this ; that he, Private *Charles Bobst*, Co. A, 24th Infantry, having been duly enlisted in the service of the United States, did desert the same at Vicksburg, Miss., on or about the —— day of March, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 5th day of October, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Charles Bobst*, Co. A, 24th Infantry, "to be confined at hard labor in charge of the guard at the Head-Quarters of his regiment with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Charles Bobst*, Co. A, 24th Infantry, are approved. The sentence is confirmed but mitigated to confinement in charge of the guard of the post at which he may be serving, at hard labor, for twelve (12) months, forfeiting twelve dollars ($12) per month of his monthly pay for the same period.

33d..Recruit *Patrick Moran*, General Service, U. S. A.

CHARGE :—"*Desertion*."

SPECIFICATION :—"In this ; that he, Recruit *Patrick Moran*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 14th day of September, 1867, and did remain absent until apprehended at Newport, Ky., on or obout the 15th day of September, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS :

Of the *Specification*, "Guilty."

except the words 'did desert,' substituting therefor the words 'did absent himself without leave,' and of the words 'thirty dollars ($30.) reward has been paid for his apprehension.

Of the *Charge*, "Not Guilty,"

of desertion, but "guilty of absence without leave."

SENTENCE:

And the Court does therefore sentence him, Recruit *Patrick Moran*, General Service, U. S. A., "to forfeit to the United States fifteen dollars ($15.) per month of his monthly pay for two (2) months."

The proceedings and findings in the case of Recruit *Patrick Moran*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect,

34th..Private *Patrick McGlynn*, Co. A, Permanent Party, General Service, U. S. A.

CHARGE:—"*Violation of the 46th Article of War.*"

SPECIFICATION:—"In this; that he, the said Private *Patrick McGlynn*, Co. A, Permanent Party, General Service, U. S. A., having been duly posted as a sentinel over the prisoners at the guard house, did lie down on his post and sleep, and was found so sleeping on his post by the officer of the day, while making the grand rounds between 12 o'clock on the night of the 7th day of September, 1867, and 1 o'clock on the morning of the 8th of September, 1867. This at Newport Barracks, Ky., on or about September 7th, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick McGlynn*, Co. A, Permanent Party, General Service, U. S. A., "to be confined at hard labor in charge of the guard, with ball and chain weighing twelve (12) pounds attached to his leg for the 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."

The proceedings and findings in the case of Private *Patrick McGlynn*, Co. A, Permanent Party, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted.

35th..Recruit *Walter Sumner*, Co. B, Music Boys, General Service, U. S. A.

CHARGE.—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION:—"In this; that he, Recruit *Walter Sumner*, Co. B, Music Boys, General Service, U. S. A., did sell his government clothing, in violation of G. O. No. 22, C. S. from this Depot. dated August 9th, 1867. This at Newport Barracks, Ky., on or about the 10th day of October, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *Walter Sumner*, Co. B, Music Boys, General Service, U. S. A., "to forfeit to the United States five dollars ($5.) per month of his monthly pay for four (4) months and to

be confined at hard labor in charge of the guard for the period of thirty (30) days."

The proceedings and findings in the case of Recruit *Walter Sumner*, Co. B, Music Boys, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

36th. Recruit *Hiram Wilsey*, General Service, U. S. A.

CHARGE.—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION:—"In this; that he, Recruit *Hiram Wilsey*, General Service, U. S. A., did steal from the Recruiting Rendezvous, at Cincinnati, Ohio, one carpet sack and contents, the property of Recruit *Francis K. Wiest*, General Service, U. S. A., and did sell the same to *A. Hyam's*, a second hand clothier. All this at Cincinnati, Ohio, on or about the 21st day of September, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Recruit *Hiram Wilsey*, Gen-Service, U. S. A., "to be confined at hard labor under charge of the guard for the period of six (6) months, and to walk with a placard on his breast and back marked 'Thief,' under charge of sentinel in front of the guard house six (6) hours of each day for the first ten (10) days of each month of his confinement."

The proceedings and findings in the case of Recruit *Hiram Wilsey*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

37th. Recruit *James Carroll*, Co. B, Music Boys General Service, U. S. Army.

CHARGE.—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION:—"In this; that he, Recruit *James Carroll*, Co. B, Music Boys, General Service, U. S. A., did steal and appropriate to his own use one government blouse, the property of Recruit *Joseph Junker*, Co. B, General Service, U. S. A. This at Newport Barracks, Kentucky, on or about the 1st day of October, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Recruit *James Carroll*, Co. B, Music Boys, General Service, U. S. A., "to be confined at hard labor under charge of the guard for the period of six (6) months, and to walk with a placard on his breast and back marked 'Thief,' under charge of the sentinel in front of the guard house six (6) hours of each day for the first ten (10) days of each month of his confinement."

The proceedings and findings in the case of Recruit *James Carroll*, Co. B, Music Boys, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Hough

A. A. A. G.

1. Recruit RICHARD O'BRIEN, V. R. C., U. S. A.
2. Recruit EDWARD WILSON, Co. C, Select General Service, U. S. A.
3. Private JESSE PALSON, Co. E, 37th Infantry.
4. Private BERNARD HUDSON, Co. C, 11th Infantry.
5. Private JAMES BARRETT, Co. A, 7th Cavalry.
6. Private JOHN G. MARY, Co. A, 4th Infantry.
7. Recruit MICHAEL KENNEDY, General Service, U. S. A.
8. Recruit HOMER H. STORING, General Service, U. S. A.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., November 4th, 1867.

GENERAL ORDERS, No. 74.

Before a General Court Martial, which convened at Newport Barracks, Ky., October 17th, 1867, pursuant to Special Orders, No. 153, par. 2, dated Headquarters Department of the Cumberland, Louisville, Ky., Oct. 11th, 1867, and of which Brevet Lt. Col. E. C. BAINBRIDGE, Capt. 5th Artillery, is President, and Brevet Capt. C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

38th. Recruit *Richard O'Brien*, Veteran Reserve Corps, U. S. A.

Charge.—Desertion.

Specification—In this, that he, recruit *Richard O'Brien*, Veteran Reserve Corps, U. S. A., a duly enlisted soldier in the service of the United States, did, at or near Chicago, Ill., absent himself from his detachment or party and desert the service of the United States, and remain absent until he was apprehended at Chicago, Ill., October 2d, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "and desert," substituting therefor the words "did absent himself without leave."

To the CHARGE, "Not Guilty," but Guilty of "absence without leave."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Richard O'Brien*, Veteran Reserve Corps, U. S. A., to be confined at hard labor with ball and chain weighing twelve (12) pounds attached to his leg, at such place as the commanding General may direct, for the period of eighteen months, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of recruit *Richard O'Brien*, Veteran Reserve Corps, U. S. A., are approved. The sentence is confirmed but mitigated to forfeiture of twelve dollars per month for twelve months, during which time he will be confined at hard labor in charge of the guard of the post at which he may be serving.

39th. Recruit *Edward Wilson*, Co. C, Select General Service, U. S. A.

Charge 1st.—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, recruit *Edward Wilson*, Co. C, Select General Service, U. S. A., did take and appropriate to his own use, one Flannel Sack Coat, the property of recruit *E. Mellon*, Veteran Reserve Corps, U. S. A. This at Newport Barracks, Ky., on or about October 1st, 1867.

Charge 2d.—Absence without leave.

Specification—In this, that he, recruit *Edward Wilson*, Co. C, Select General Service, U. S. A., having been properly detailed for guard, did absent himself from the station of his command without permission from proper authority, and did fail to appear on parade with the guard detail of his company. This at Newport Barracks, Ky., on or about September 10th, 1867.

Specification 2d—In this, that he, recruit *Edward Wilson*, Co. C, Select General Service, U. S. A., did absent himself from the forenoon and afternoon drills of his company and from the evening dress parade without permission from proper authority. This at Newport Barracks, Ky., on or about the tenth (10) day of September, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*, "Not Guilty."
To the 2d CHARGE and *Specifications*, "Guilty."

FINDINGS.

Of the 1st CHARGE and *Specification*, "Not Guilty."
Of the 2d CHARGE and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, recruit *Edward Wilson*, Co. C, Select General Service, U. S. A., to be confined at hard labor under charge of the guard for the period of twenty (20) days.

The proceedings and findings in the case of recruit *Edward Wilson*, Co. C, Select General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

40th. Private *Jesse Palson*, Co. E, 37th U. S. Infantry.

Charge.—Desertion.

Specification—In this, that he, the said private *Jesse Palson*, Co. E, 37th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the 2d or 3d day of August, 1867, and did remain absent until he surrendered himself at Chicago, Ill., on or about the 19th day of October, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Jesse Palson*, Co. E, 37th Infantry, to be confined at hard labor under charge of the guard at the Headquarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of twelve (12) 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 *Jesse Palson*, of Co. E, 37th Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard of the post at which he may be serving, for twelve (12) months, forfeiting twelve (12) dollars per month of his monthly pay for the same period.

41st. Private *Bernard Hudson*, Co. C, 11th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Bernard Hudson*, Co. C, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same at Richmond, Va., on or about the 23d day of August, 1866, and did remain absent until apprehended at Chicago, Ill., on or about the 15th day of October, 1867. A reward of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Bernard Hudson*, Co. C,

11th Infantry, to be confined at hard labor under charge of the guard at the Headquarters of his regiment, with ball and chain weighing twelve (12) pounds, attached to his leg, for the period of eighteen (18) 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 *Bernard Hudson*, of Co. C, 11th Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard at the post at which he may be serving, for twelve months, forfeiting twelve (12) dollars per month of his monthly pay during the same period.

42d. Private *James Barrett*, Co. A, 7th U. S. Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *James Barrett*, Co. A, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same from the camp of his company and regiment, at or near Fort Hays, Kansas, during the month of August, 1867, and did remain absent until apprehended at Chicago, Ill., on the 23d day of October, 1867. The sum of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *James Barrett*, Co. A, 7th U. S. Cavalry, to be confined at hard labor under charge of the guard at the Headquarters of his regiment, with ball and chain weighing twelve (12) pounds, attached to his leg, for the period of eighteen (18) 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 *James Barrett*, of Co. A, 7th Cavalry, are approved. The sentence is confirmed but mitigated to confinement at hard labor for twelve months, in charge of the guard of the post at which he may be serving, forfeiting twelve (12) dollars per month of his monthly pay during the same period.

43d Private *John G. Mary*, Co. A, 4th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *John G. Mary*, Co. A, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same, at Omaha, Nebraska, on or about the 28th day of

April, 1867, and did remain absent until he surrendered himself at St. Louis, Mo., on or about the 23d day of October, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John G. Mary*, Co. A, 4th Infantry, to be confined at hard labor in charge of the guard, at the Headquarters of his regiment, with ball and chain weighing twelve pounds attached to his leg, for the period of twelve months, and to forfeit twelve (12) dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of *John G. Mary*, Co. A, 4th Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor for twelve months, in charge of the guard of the post at which he may be serving, forfeiting twelve dollars per month of his monthly pay for the same period.

44th. Recruit *Michael Kennedy*, General Service, U. S. A.

Charge.—Desertion.

Specification—In this, that he, recruit *Michael Kennedy*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 22d day of October, 1867, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 25th day of October, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, recruit *Michael Kennedy*, General Service, U. S. A.

The proceedings and findings in the case of recruit *Michael Kennedy*, General Service, U. S. A., are approved. The prisoner having been acquitted by the Court, will be released from confinement and restored to duty.

45th. Recruit *Homer H. Storing*, General Service, U. S. A.

Charge.—Desertion.

Specification—In this, that he, recruit *Homer H. Storing*, General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same while enroute to Newport Barracks, Ky., on or about the 18th day of October, 1867, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 25th day of October, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of recruit *Homer H. Storing*, General Service, U. S. A., are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Alfred L. Hough
Bt Capt & A.A.A.G.

1..Musician JESSE HUGHES, Co. H, 25th Infantry.
2..Private IRA B. BARLOW, Co. E, 25th Infantry.
3..Corporal ADAM METZGER, Co. K, 25th Infantry.

———o———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., November 7th, 1867.

GENERAL ORDERS, No. 76.

I. Before a General Court Martial which convened at Memphis, Tenn., September 4th, 1867, pursuant to Special Orders, No. 114, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 19th, 1867, and of which 1st Lieut. C. R. PAUL, 25th Infantry, is President and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried :

13th..Musician *Jesse Hughes*, Co. H, 25th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Musician *Jesse Hughes*, Co. H, 25th Infantry, did desert the service of the United States, on or about the 31st day of August, 1866, at or near Memphis, Tenn., and did remain absent until he surrendered himself to an officer of the Army at New York City, about the 17th day of July, 1867. All this at or near Memphis, Tenn., and New York City, from about the 31st day of August, 1866, to about the 17th day of July, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *Jesse Hughes*, Co. H, 25th Infantry, "to forfeit to the United States fourteen dollars ($14.) of his monthly pay for six (6) months, and confinement at hard labor for four (4) months."

The proceedings and findings in the case of Musician *Jesse Hughes*, Co. H, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect. In this case the members of the Court recommend the prisoner, to the clemency of the reviewing authority, basing their recommendation upon what they consider 'paliating circumstances' among them the existence of the cholera at Memphis, at the time of the prisoner's desertion. This circumstance alone adds to the turpitude of the prisoner's offence.

14th..Private *Ira B. Barlow*, Co. E, 25th Infantry.

CHARGE 1ST :—"*Murder.*"

SPECIFICATION :—"In this ; that he, Private *Ira B. Barlow*, Co. E, 25th Infantry, (late 2d Battalion 16th Infantry) did with malice afore-

thought assault with a knife or other sharp instrument Sergeant *William Tynor*, Co. E, 25th Infantry, (late 2d Battalion 16th Infantry) and inflict on the person of said *Tynor*, wounds, from the effects of which the said *Tynor* died within ten hours. This at Chattanooga, Tenn., on or about the 15th day of November, 1866."

CHARGE 2D :—"*Desertion.*"

SPECIFICATION :— 'In this ; that he, Private *Ira B. Barlow*, Co. E, 25th Infantry, (late 2d Battalion 16th Infantry) having been duly enlisted in the service of the U. S. did desert the same on or about November 16th, 1866, and did remain absent until apprehended at or near Trenton, Tenn., on or about August 20th, 1867. This at Chattanooga, Tenn., and Trenton, Tenn., on or about the dates above specified."

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

FINDINGS :

Of the *Specification* 1st *Charge*, "Guilty,"

except the words, 'with malice aforethought.'

Of the 1st *Charge*, " Not Guilty,"

but 'guilty' of 'voluntary man-slaughter.'

Of the *Specification*, 2d *Charge*, " Guilty,"

except the word, 'Trenton' substituting the word 'Jackson' therefor.

Of the 2d *Charge*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Ira B. Barlow*, Co. E, 25th Infantry, "to forfeit to the United States all pay and allowances now due or that may become due, and to be confined at hard labor for the period of ten (10) years in such Penitentiary as the Commanding General may direct."

The proceedings and findings in the case of Private *Ira B. Barlow*, Co. E, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect. The prisoner will be discharged from the service of the United States and forwarded under a suitable guard to Nashville, Tenn., and delivered to the warden of the State Penitentiary, where the confinement clause of his sentence will be executed.

15th..Corporal *Adam Metzger*, Co. K, 25th Infantry.

CHARGE 1ST :—"*Disobedience of orders.*"

SPECIFICATION :—"In this ; that he, Corporal *Adam Metzger*, Co. K, 25th Infantry, (while drunk) upon being ordered by his company commander to stop talking and keep quiet, did disobey said order by continuing to talk and be disorderly. All this at camp near Memphis, Tenn., on or about the evening of the 24th of Sept. 1867."

CHARGE 2D :—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Corporal *Adam Metzger*, Co. K, 25th Infantry, while drunk make an assault upon one Sergeant *George Deik*, Co. K, 25th Infantry, with a knife with the intention of cutting him and did graze his, Sergeant *Deik's* face, and remarking at

the same time 'you son-of-a-bitch, I'll fix you' or words to that effect, the said Sergeant *Deik*, being at the time in the performance of his duty. All this at the camp near Memphis, Tenn., on or about the evening of the 24th of September, 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, " Guilty."

SENTENCE:

And the Court does therefore sentence him, Corporal *Adam Metzger*, Co. K, 25th Infantry, "to forfeit to the United States ten dollars ($10.) of his monthly pay for six (6) months and confinement at hard labor for three (3) months, and to be reduced to the rank of a private soldier."

The proceedings and findings in the case of Corporal *Adam Metzger*, Co. K, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which 1st Lieut. C. R. PAUL, 25th Infantry, is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Hough
Bt Col & A.A.G.

1. Private JOHN MCGINNIS, of Co. B, 22d Infantry.
2. Private CHARLES LA FEVRE, of Co. F, 5th U. S. Artillery.
3. Recruit ANTHONY P. VALENTINE, General Service, U. S. A.
4. Recruit MICHAEL MURPHY, General Service, U. S. A.
5. Recruit FRANK ELLIES, General Service, U. S. A.
6. Recruit THOMAS W. ERSKINE, General Service, U. S. A.
7. Private ALEXANDER MCCAUSLAND, of Co. H, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., November 8th, 1867.

GENERAL ORDERS, No. 77.

Before a General Court Martial, which convened at Newport Barracks, Ky., October 17th, 1867, pursuant to Special Orders, No. 153, par. 2, dated Headquarters Department of the Cumberland, Louisville, Ky., Oct. 11th, 1867, and of which Brevet Lt. Col. E. C. BAINBRIDGE, Capt. 5th Artillery, is President, and Brevet Capt. C. S. NEWLIN, 1st Lieut. 22d Infantry, Judge Advocate, were arraigned and tried:

18th. Private *John McGinnis*, of Co. B, 22d Infantry.

Charge.—Desertion.

Specification—In this, that he, private *John McGinnis*, Co. B, 22d Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Randall, D. T., on or about the 15th day of April, 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 27th day of August, 1867. A reward of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John McGinnis*, of Co. B, 22d U. S. Infantry, to be confined at hard labor, under charge of the guard at the Headquarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) 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 *John McGinnis*, Co. B. 22d Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard at the post at which he may be serving, for twelve (12) months, forfeiting twelve (12) dollars per month of his monthly pay for the same period.

32d. Private *Charles La Fevre*, of Co. F, 5th Artillery.

Charge.—Desertion.

Specification.—In this, that he, private *Charles La Fevre*, Co. F, 5th Artillery, having been duly enlisted in the service of the United States, did desert the same at Richmond, Va., on or about the 16th day of September, 1867, and did remain absent until he surrendered himself at Harrisburg, Pa., on or about the 2d day of October, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Charles La Fevre*, Co. F, 5th U. S. Artillery, to be confined at hard labor under charge of the guard, at the Headquarters of his regiment, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of twelve (12) 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 *Charles La Fevre*, of Co. F, 5th U. S. Artillery, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to wear a ball and chain, which is hereby remitted. The prisoner will be confined in charge of the guard of the post at which he may be serving.

46th. Recruit *Anthony P. Valentine*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Anthony P. Valentine*, General Service. U. S. A., having been duly enlisted in the service of the United States, did desert the same at Detroit, Mich., on or about the 4th day of August, 1866, and did remain absent until apprehended at Detroit, Mich., on or about the 17th day of August, 1867. A reward of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "did desert," substituting therefor the words "did absent himself without leave."

To the CHARGE, "Not Guilty," of "Desertion," but Guilty of "absence without leave."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Anthony P. Valentine*, General Service, U. S. A., to be confined at hard labor, at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) 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 recruit *Anthony P. Valentine*, General Service, U. S. A, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard at the post at which he may be serving, for twelve (12) months, forfeiting twelve (12) dollars per month for the same period.

48th. Recruit *Michael Murphy*, General Service, U. S. A.

Charge.—Desertion.

Specification—In this, that he, recruit *Michael Murphy*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Pottsville, Pa., on or about the 14th day of August, 1867, and did remain absent until he surrendered himself at Pottsville, Pa, on or about the 3d day of September, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except the words "did desert."

Of the CHARGE, "Not Guilty," of "Desertion," but Guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, recruit *Michael Murphy*, General Service, U. S. A., to forfeit to the United States, five (5) dollars of his monthly pay for one month.

The proceedings and findings in the case of recruit *Michael Murphy*, General Service, U. S. A., are approved. The sentence is confirmed, but on the recommendation of the Court, the Major General Commanding the Department is pleased to remit the sentence. Recruit *Michael Murphy*, General Service, U. S. A., will be released from confinement and restored to duty.

49th. Recruit *Frank Ellies*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Frank Ellies*, General Service, U. S. A., did desert the service of the United States, from Watertown, N. Y.,

on or about the 23d day of August, 1867, and did remain absent until apprehended at Limerick, N. Y., on or about the 23d day of August, 1867.

To which Charges and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Frank Ellies*, General Service, U. S. A., to be confined at hard labor in charge of the guard, at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) 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 recruit *Frank Ellies*, General Service, U. S. A., are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard of the post at which he may be serving, for twelve (12) months, forfeiting twelve (12) dollars per month of his monthly pay for the same period.

50th. *Thomas W. Erskine*, General Service, U. S. A.

Charge.—Desertion.

Specification.—In this, that he, recruit *Thomas W. Erskine*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Providence, R. I., on or about the 26th day of August, 1867, and did remain absent until apprehended at Providence, R. I., on or about the —— day of ——— 1867. A reward of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, recruit *Thomas W. Erskine*, General Service, U. S. A., to be confined at hard labor at such place as the Commanding General may direct, with ball and chain weighing twelve (12) pounds attached to his leg, for the period of eighteen (18) 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 recruit *Thomas W. Erskine*, General Service, U. S. A., are approved. The sentence is confirmed but mitigated to forfeiture of twelve (12) dollars per month for twelve (12) months, during which time the prisoner will be confined at hard labor in charge of the guard of the post at which he may be serving.

51st. Private *Alexander Mc Causland* of Co. H, 14th Infantry.

Charge.—Desertion.

Specification.—In this, that he, private *Alexander Mc Causland*, Co. H. 14th Infantry, having been duly enlisted in the service of the United States, did desert the same at Hart's Island, N. Y. H., on or about the 12th day of October, 1865, and did remain absent until apprehended at Providence, R. I., on or about the——day of———1867. A reward of thirty (30) dollars has been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of private *Alexander Mc Causland*, Co. H, 14th Infantry, are disapproved. The testimony fully establishes his guilt, and so does his own confession before the Court. Even if the prisoner did enter the service as a "substitute" until the close of the war, he should not have set himself up as the judge of the law by which he was retained in service. Taking the law in his own hands and absenting himself from his company and regiment without authority is simply desertion. But in consideration of the age of the prisoner and his already long confinement, he will be released and restored to duty.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Geo. D. Whipple
A. A. G.

1..Recruit JOHN MCCORMICK, Co.——5th U. S. Infantry.
2..Recruit JOHN RICE, General Service, U. S. A.
3..Recruit JOHN CUSHMAN, V. R. C., U. S. A.
4..Recruit JAMES DUNBAR,, General Service, U. S. A.
5..Private JOHN MITCHELL, Co. E, 24th Infantry.
6..Recruit WILLIAM H. REDDALL, Co. B, Music Boys, G, S., U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., November 9th, 1867.

GENERAL ORDERS,
No. 78.

Before a General Court Martial which convened at Newport Barracks, Ky., on the 17th day of October, 1867, pursuant to Special Orders No. 153, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 11th, 1867, and of which Bvt. Lieut. Col. E. C. BAINBRIDGE, Captain 5th Artillery, is President, and Brevet Captain C. S. NEWLIN, 1st Lieut. 31st Infantry, Judge Advocate, were arraigned and tried:

47th..Recruit *John McCormick*, Co.—, 5th Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION.—"In this; that he, Recruit *John McCormick*, Co.—, 5th Infantry, having been duly enlisted in the service of the United States, did desert the same while *en route* to 5th Infantry, on or about the 27th day of May, 1867, and did remain absent until apprehended at St. Louis, Mo., on or about the 21st day of September, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

No evidence having been produced to show that the prisoner ever had enlisted in the service of the United States, and the Court does therefore acquit him.

The proceedings and findings in the case of Recruit *John McCormick*, 5th U. S. Infantry, are disapproved. On the first day's proceedings a member was absent on account of sickness, and was admitted on the second day to participate in the trial. This action of the Court was irregular and should be discouraged. (See Holt's Digest, page 29, *absent member*, and DeHart's Court Martial, page 92.) Another irregularity is found in the finding of the Court. The testimony is clear that the prisoner tried was not *John Mc Cormick*, the deserter from the 5th Infantry, and as soon as that fact was fully established, the trial should have been suspended. By the action of the Court *John Mc Cormick*, a known

deserter from the 5th Infantry, is pronounced "Not Guilty." The prisoner will be released from confinement and set at liberty.

52d..Recruit *John Rice*, General Service, U. S. A.

CHARGE 1ST :—"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION 1ST :—"In this ; that he, Recruit *John Rice*, General Service, U. S. A., did sell or otherwise unlawfully dispose of one great coat, the said coat having been duly issued to him as part of the U. S. Uniform. This at Newport Barracks, Ky., on or about October 22d 1867."

SPECIFICATION 2D :—"In this ; that he, Recruit *John Rice*, General Service U. S. A., did sell, or otherwise unlawfully dispose of one great coat the property of Recruit *David W. Jones*, Gen. Service, U. S. A. This at Newport Barracks, Ky., on or about October 22d, 1867."

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS :

Of the *Charge* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of Recruit *John Rice*, General Service, U. S. A., are approved. The prisoner having been acquitted by the Court will be released from confinement and restored to duty.

53d..Recruit *John Cushman*, V. R. C., U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION :—"In this ; that he, Recruit *John Cushman*, V. R. C., U. S. A., having been duly enlisted in the service of the United States, did desert the same on or about the 12th or 13th day of April, 1867, and did remain absent until he surrendered himself at Cincinnati, Ohio, on or about the 3d day of Nov. 1867.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty," except the words 'did desert' substituting the words 'did absent himself without leave.'

To the *Charge*, "Not Guilty," of 'desertion' but guilty of 'absence without leave.'

FINDINGS :

Of the *Specification*, "Guilty," except the words 'did desert' substituting therefor the words 'did absent himself without leave'

Of the *Charge*, "Not Guilty," of 'desertion but guilty of 'absence without leave.'

SENTENCE :

And the Court does therefore sentence him, Recruit *John Cushman*, V. R. C., U. S. A., "to forfeit to the United States all pay and allowances due him from date of enlistment up to the 3d day of November, 1867."

The proceedings and findings in the case of Recruit *John Cushman*, V. R. C., U. S. A., are approved. The sentence is confirmed and will be carried into effect.

54th..Recruit *James Dunbar*, General Service, U. S. A.

CHARGE :—"*Desertion.*"

SPECIFICATION:—"In this; that he, Recruit *James Dunbar*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same while *en route* to Newport Barracks, Ky., on or about the 23d day of October, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 23d day of October, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty," except the words 'did desert' substituting therefor the words 'did absent himself without leave.'

To the *Charge*, "Not Guilty," of 'desertion' but guilty of 'absence without leave.'

FINDINGS :

Of the *Specification*, "Guilty," except the words 'did desert' substituting therefore the words 'did absent himself without leave.'

Of the *Charge*, "Not Guilty," of 'desertion, but guilty of 'absence without leave.'

SENTENCE :

And the Court does therefore sentence him, Recruit *James Dunbar*, General Service, U. S. A., "to forfeit to the United States five dollars ($5.) per month of his monthly pay for one (1) month."

The proceedings and findings in the case of Recruit *James Dunbar*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

55th..Private *John Mitchell*, Co. E, 24th Infantry.

CHARGE :—"*Desertion.*"

SPECIFICATION.—"In this : that he, Private *John Mitchell*, Co E, 24th Infantry, (formerly Co. E, 2d Battalion 15th Infantry) having been duly enlisted in the service of the United Strtes, did desert the same on or about the 20th day of October, 1866, and did remain absent until apprehended at Louisville, Ky., on or about the 29th day of September, 1867. This at Jackson, Miss . on or about the 29th day October, 1866.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Mitchell*, Co. E, 24th Infantry "to be confined at hard labor under charge of the guard at the Head-Quarters of his regiment with a ball and chain weighing twelve (12) pounds attached to his leg for the period of eighteen (18) months, and to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for same period.,'

The proceedings and findings in the case of Private *John Mitchell* Co. E, 24th Infantry, are approved. The sentence is confirmed and will be carried into effect.

56th Recruit *William H. Reddall*, Co. B, Music Boys, G. S., U. S. A.

CHARGE 1ST:—" *Violation of the 50th Article of War.*"

SECIFICATION :—"In this ; that he, Recruit *William H. Reddall*, Co. B. Music Boys, General Service, U. S. A., having been duly detailed and mounted as one of the guard on the morning of November 1st, 1867, did without proper authority leave his guard and the garrison and did remain absent from same from at or near 9 o'clock, P. M., until Reveille (6.: A. M.,) of the 2d inst. This at Newport Barracks, Ky., the 1st day of November, 1867."

CHARGE 2D:—" *Absence without leave.*"

SPECIFICATION :—"In this ; that he, Recruit *William H. Reddall*, Co. B. Music Boys, General Service, U. S. A., did without proper authority from his commanding officer absent himself from his quarters and from the garrison from before Taps on the night of the 1st day of November, 1867, and did remain absent until reveille on the morning of the 2d day of November, 1867."

To which charges and specifications the prisoner pleaded as follows :

To the *Specification*, 1st *Charge*, " Guilty,"
except the words 'until reveille' substituting the words 'until twelve o'clock at night.'

To the 1st *Charge*, " Guilty."

To the *Specification* 2d *Charge* " Guilty,"
except the words 'until reveille' substituting the words 'until twelve o'clock at night.'

Of the 2d *Charge*, "Guilty."

FINDINGS :

Of the 1st *Specification* 1st *Charge*, "Guilty,"
except the words 'until reveille' substituting the words 'until twelve o'clock at night.'

Of the 1st *Charge*, " Guilty."

Of the *Specification* 2d *Charge*, " Guilty,"
except the words 'until reveille' substituting the words 'until twelve o'clock at night."

Of the 2d *Charge*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Recruit *William H. Reddall*, Co. B, Music Boys, General Service U. S. A., "to be confined at hard labor under charge of the guard for the period of two (2) months and to forfeit to the United States ten dollars ($10.) per month of monthly pay for the same period."

The proceedings and findings in the case of Recruit *William H. Reddall*, Co. B, Music Boys, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

By command of Major General Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

1..Private SIMON OBERDORFER, Co. E, 2d Infantry.
2..Private SAMUEL WILD, Co. E, 2d Infantry.
3..Private JOHN BRIGHTON, Co. C, 45th Infantry, V. R. C.
4..1st Sergeant M. V. B. HAZEN, Co. C, 45th Infantry, V. R. C.
5..Private CASPER HAIGLE, Co. K, 2d Infantry.
6..Recruit WILLIAM HUNTER, 41st Infantry.

———o———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., November 27th, 1867.

GENERAL ORDERS, No. 80.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., November 12th 1867, pursuant to Special Orders. No. 169, Head-Quarters Department of the Cumberland, dated Louisville, Ky., November 6th, 1867, and of which Bvt. Maj. Gen. S. W. CRAWFORD, Lt. Col. 2d Infantry, is President, and Bvt. Maj. S. A. STORROW, Asst. Surg. U. S. A., Judge Advocate, were arraigned and tried :

1st..Private *Simon Oberdorfer*, Co. E, 2d Infantry.

CHARGE 1ST:—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST :— 'In this ; that he, Private *Simon Oberdorfer*, Co. E, 2d U. S. Infantry, did steal from the mess chest of Co. E. 2d Infantry, three bars of soap and one paper of pepper, these articles being a part of the company rations, with the intention of appropriating the same to his own use. All this at or near Bowling Green, Ky., on or about the 10th day of October, 1867."

SPECIFICATION 2D :—"In this ; that he, Private *Simon Oberdorfer*, Co. E, 2d Infantry, when brought back to the guard house by Sergeant *Stephens*, to be turned over to the Sergeant of the guard in order to make him keep quiet, did say to Sergeant *Stephens*, 'Sergeant *Stephens*, you are a damned son-of-a-bitch and I dont care a damn for any non-commissioned officer in this company. All this at or near Bowling Green, Ky., on or about the 17th day of October, 1867."

CHARGE 2D :—" *Violation of the 6th Article of War.*"

SPECIFICATION.—" In this ; that he, Private *Simon Oberdorfer*, Co E, 2d Infantry, did refuse to obey the orders of Sergt. *Daniel F. Stephens*, Co. E, 2d Infantry, Sergt. *Stephens* being at the time in the discharge of his duties as police Sergeant of the post and when ordered by his commanding officer Bvt. Captain *Henry Sommer*, 1st Lieut. 2d Infantry, to keep quiet and do what he was ordered, did say, in a highly disrespectful manner and a loud tone of voice, Captain

Sommer, if I go to Louisville, I will say a good word for you. I will see who is in command of this post, you would not let me go on the sick report this morning. All this at or near Bowling Green, Ky., on or about the 17th day of October, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Specification* 1st *Charge*, "Not Guilty."

To the 2d *Specification* 1st *Charge*, "Guilty," except the words, 'son-of-a-bitch.'

To the 1st *Charge*, "Not Guilty."

To the *Specification* 2d *Charge*, "Guilty."

To the 2d *Charge*, "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Simon Oberdorfer*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of three (3) months and to forfeit ten dollars ($10) a month of his monthly pay for the same period and to wear a placard with the word 'Thief' inscribed thereon hung on his back for one (1) week while at labor.

The proceedings and findings in the case of Private *Simon Oberdorfer*, Co. E. 2d Infantry are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

2d..Private *Samuel Wild*, Co. E. 2d Infantry.

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

SPECIFICATION:—"In this; that he, Private *Samuel Wild*, Co. E, 2d Infantry, while a prisoner in charge of the guard under sentence for desertion, did escape from the sentinel under whose charge he was, on or about the 4th day of October, 1867, and did remain absent until apprehended at Cox's Springs, on or about the night of October 4th, 1867. Thirty dollars ($30.) being paid for his apprehension."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Samuel Wild*, Co. E, 2d U. S. Infantry, "to be confined at hard labor in charge of the guard for the period of six (6) weeks, and to forfeit ten dollars ($10.) of his monthly pay for three (3) months.

The proceedings and findings in the case of Private *Samuel Wild*, Co. E, 2d U. S. Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

3d..Private *John Brighton*, Co. C, 45th Infantry, V. R. C.

CHARGE:—"*Absence without leave.*"

SPECIFICATION:—"In this: that he, Private *John Brighton*, Co. C, 45th

Inf., V. R. C., did absent himself from his company and quarters from 'retreat-roll-call' on the evening of October 25th until 'tattoo-roll-call,' on the 27th of October, 1867. This at Jeffersonville, Ind., on or about the dates above speciefid."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Brighton*, Co. C, 45th Infantry, V. R. C., "to be confined at hard labor in charge of the guard for the period of two (2) months carrying a log of wood weighing twenty-five (25) pounds every alternate hour from reveille until retreat and forfeit ten dollers ($10.) of his monthly pay for the same period.

The proceedings and findings in the case of Private *John Brighton*, Co. C, 45th Infantry, V. R. C., are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

4th..Sergeant *Martin V. B. Hazen*, Co. C, 45th Infantry.

CHARGE 1ST :—"*Theft to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST:—"In this; that he, 1st Sergt. *Martin V. B. Hazen*, Co. C, 45th Infantry, V. R. C., did steal from the clothing room of 2d Lieut. *D. W. McComas*, Recruiting Officer, 45th Infantry, one (1) dress coat the property of the United States, and for which 2d Lieut. *D. W McComas*., Recruiting Officer, 45th Infantry, was responsible, and did exchange the same with Q. M. Sergt. *J. C Irwin*, Co. C, 45th Infantry. This at the post of Jeffersonville, Ind., on or about the 20th day of September, 1867."

SPECIFICATION 2d—"In this; that he, 1st Sergt. *Martin V. B. Hazen*, Co C. 45th Inf., V. R C., did steal from the office of Assistant Commissary of Subsistance, one (1) dress coat, the property of the United States and for which 2d Lieut. *D W. McComas*, Recruiting Officer, 45th Infantry, V. R. C.., was responsible, and did conceal the same in his box or chest in his own quarters. This at the post of Jeffersonvile, Ind., on or about the 24th day of September, 1867."

CHARGE. 2D—"*Conduct to the prejudice of good order and military "discipline.*"

SPECIFICATION 1ST :—"In this; that he, 1st Sergt. *Martin V. B. Hazen*, Co. C, 45th Infantry, V. R C., did receive into his room through the back window of his quarters, women of a disreputable character, and keep them there over night. This at the post of Jeffersonville, Ind., on or about the 30th or 31st days of August, 1867, and on or about the 14th and 15th days of September, 1867."

SPECIFICATION 2D :—"In this ; that he, 1st Sergt. *Martin V. B. Hazen*, Co. C, 45th Infantry, V. R C., did endeavor to pursuade Acting Commissary Sergeant *Robert F. McGonigal*, 45th Infantry, V. R. C., in Post Commissary Department, Jeffersonville Ind., to take one (1

barrel of flour the property of Co. C, 45th Infantry, V. R. C., and sell the same and apply the proceeds to their own use. All this at the post of Jeffersonville, Ind., on or about the 15th day of August, 1867."

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Specification*, 1st *Charge*, "Guilty,"

except the words 'did steal.'

To the 2d *Specification* 1st *Charge*, "Guilty,"

except the words 'did steal.

To the 1st *Charge*, "Not Guilty,"

To the 1st *Specification* 2d *Charge*, "Not Guilty."

To the 2d *Specification* 2d *Charge* "NotGuilty,"

To the 2d *Charge*, "Not Guilty,"

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, 1st Sergt. *Martin V. B. Hazen*, Co. C, 45th Infantry. V. R. C.

The proceedings and findings in the case of 1st Sergt. *M. V. B. Hazen*, Co. C, 45th Infantry, V. R. C., are approved. He will be released from arrest and restored to duty.

5th.. Private *Caspar Haigle*, Co. K. 2d Infantry.

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

SPECIFICATION 1ST.—"In this; that he, Private *Caspar Haigle*, Co. K. 2d Infantry, did without any authority, absent himself from his detachment and quarters from the evening of October 20th to the evening of October 21st, 1867. All this at Lebanon, Ky., on or about the date specified."

SPECIFICATION 2D:—"In this; that he, Private *Caspar Haigle*, Co. K, 2d Infantry, did without authority absent himself from his detachment and quarters on the evening of October 26th, 1867, and did remain absent until the morning of October 27th, 1867. All this at Lebanon, Ky., on or about the time specified."

SPECIFICATION 3D:—"In this; that he, Private *Caspar Haigle*, Co. K, 2d Infantry, did without authority, absent himself from his detachment and quarters on the evening of October 31st, 1867, and did remain absent until noon, November 1st, 1867. This at Lebanon, Ky., at or about the time above specified."

CHARGE 2D:—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION:—"In this; that he, Private *Caspar Haigle*, Co. K, 2d Infantry, did absent himself from his detachment and quarters the evening of October 31st, 1867, thereby losing drill, and did remain absent until noon, November 1st, 1867, and did thereby miss his regular tour of guard. All this at Lebanon, Ky., on or about the dates above specified."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Casper Haigle*, Co. K, 2d Infantry, "to be confined at hard labor under charge of the guard for the period of three (3) months. and to forfeit twelve ($12.) a month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Caspar Haigle*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

6th..Recruit *William Hunter*, 41st Infantry.

CHARGE :—"*Theft to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Recruit *William Hunter*, 41st Infantry, did steal from Recruit *George Green*, 41st Infantry, one (1) pair of trowsers to the value of four dollars and seventy-five cents, ($4 75.) the property of said *Green*, with intent to convert the same to his own use and benefit. This at Taylor Barracks, Ky., on or about the 7th day of November, 1867."

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"

Of the *Charge*, "Not Guilty,"

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Recruit *William Hunter*, 41st Infantry, "to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit fifteen dollars ($15.) per month for the same period, and to carry a placard on his back while at work with the word 'Thief' marked thereon."

The proceedings and findings in the case of Recruit *William Hunter*, 41st Infantry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard at the post at which he may be serving for the period of three (3) months, wearing a placard on his back while at work, with the word 'Thief' marked thereon, and to forfeit ten dollars ($10.) per month of his monthly pay for the period of his confinement."

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

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1. Private THOMAS CAIN, Co. G, 2d Infantry.
2. Private WILLIAM JOHNSON, Co. H, 2d Infantry.
3. Private WILLIAM WRIGHT, Co. H, 2d Infantry.
4. Private GEORGE TIMONEY, Co. H, 2d Infantry.
5. Private HENRY DEVINE, Co. B, 2d Infantry.
6. Private JOHN HIGGINS, Co. H, 2d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND
Louisville, Ky., December 7th, 1867.

GENERAL ORDERS, No. 81.

Before a General Court Martial, which convened at Taylor Barracks, Louisville, Ky., November 12th, 1867, pursuant to Special Orders No. 169, dated Headquarters Department of the Cumberland, Louisville, Ky., November 6th, 1867, and of which Brevet Major General S. W. CRAWFORD, Lieut. Colonel 2d Infantry is President, and Brevet Major S. A. STORROW, Assistant Surgeon U. S. A. Judge Advocate, were arraigned and tried;

7th. Private *Thomas Cain*, Co. G, 2d Infantry.

Charge.—Violation of the 45th Article of War.

Specification—In this, that he, Private *Thomas Cain*, Co. G, 2d Infantry, being a member of the guard which mounted at Danville, Ky., on or about the 11th of November, 1867, was so drunk when the officer of the day visited the guard about two o'clock A. M. on or about the 12th day of November, 1867, as to be totally unable to perform his duties. This at Danville, Ky.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Thomas Cain*, Co. G, 2d Infantry, to be confined at hard labor in charge of the guard, for the period of three months, and to carry a log of wood weighing twenty-five pounds every alternate hour from reveille to retreat during the first half of each month.

8th. Private *William Johnson*, Co. H, 2d Infantry.

Charge.—Drunkenness on Duty.

Specification—In this, that he, private *William Johnson*, Co. H, 2d Infantry, having been properly detailed as a member of the guard stationed at Crittenden Barracks, Louisville, Ky., on the 2d day of November, 1867, did get so drunk that the Sergeant of the guard was unable to post him. All this at the time and place above specified.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *William Johnson*, Co. H, 2d Infantry, to be confined at hard labor in charge of the guard for the period of three (3) months, and to carry a log of wood weighing twenty-five (25) pounds every alternate hour from reveille to retreat during the first half of each month.

9th. Private *William Wright*, Co. H, 2d Infantry.

Charge.—Drunkenness on Duty.

Specification.—In this, that he, private *William Wright*, Co. H, 2d Infantry, having been regularly detailed as a member of the guard, did while a member of the guard at Headquarters Military District of Kentucky, Louisville, Ky., get so drunk as to be unable to perform the duty of sentinel properly. This at Headquarters Military District of Kentucky, Louisville, Ky., on the evening of November 8, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *William Wright*, Co. H, 2d Infantry, to be confined at hard labor in charge of the guard for the period of three months, and to carry a log of wood weighing twenty-five (25) pounds every alternate hour from reveille to retreat the first half of each month.

10th. Private *George Timoney*, Co. H, 2d Infantry.

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

Specification.—In this, that he, private *George Timoney*, Co. H, 2d Infantry, having been regularly detailed as a member of the guard, did get so much under the influence of liquor as to be unable to perform his duties properly. This at Taylor Barracks, Ky., on or about the 5th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *George Timoney*, of Co. H, 2d Infantry, to forfeit ten dollars of his monthly pay, and be confined at hard labor in charge of the guard for five days.

11th. Private *Henry Devine*, Co. B, 2d Infantry.

Charge.—Violation of the 45th Article of War.

Specification.—In this, that he, private *Henry Devine*, Co. B, 2d Infantry, having been detailed as a member of the guard, was so drunk as to be unable to perform his duty properly. This at Warsaw, Ky., on or about the 9th day of November, 1867.

To which Charge and Specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Henry Devine*, Co. B, 2d Infantry, to be confined at hard labor in charge of the guard for the period of three months, the first and third month to carry a log weighing twenty-five pounds from reveille to retreat every alternate two hours.

12th. Private *John Higgins*, Co. H, 2d Infantry.

Charge 1st.—Violation of the 50th Article of War.

Specification.—In this, that he, private *John Higgins*, Co. H, 2d Infantry, did while a member of the guard at Headquarters Military District of Kentucky, absent himself from his guard without authority when he came off post at about 4 o'clock A. M., on the morning of November 21st, 1867, and did remain absent until found by the Corporal of the guard in possession of the police authorities on his way to the work-house, (the police giving him up) about 8 o'clock A. M., on the day above stated, and after it was time for him to go on post.

Charge 2d.—Drunkenness on Duty.

Specification.—In this, that he, private *John Higgins*, Co. H, 2d Infantry, did while a member of the guard at Headquarters Military District of Kentucky, Louisville, Ky., become so drunk as to be unable to perform any duty as a sentinel in a proper manner. All this at Headquarters Military District of Kentucky, Louisville, Ky., on the morning of November 21st, 1867.

To which Charges and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGES and *Specifications*. "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John Higgins*, Co. H, 2d Infantry, to be confined at hard labor in charge of the guard for the period of one month, to carry a log of wood weighing (25) twenty-five pounds every alternate hour from reveille to retreat, and to forfeit twelve dollars per month of his monthly pay for three months.

II. The proceedings and findings in the foregoing cases of privates *Thomas Cain*, Co. G; *William Johnson*, Co. H; *William Wright*, Co. H; *George Timoney*, Co. H; *Henry Devine*, Co. B; and *John Higgins*, Co. H; all of the 2d U. S. Infantry, are approved. The sentences are confirmed and will be carried into effect at the post at which these men may be serving.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS.

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private WILLIAM HOBEN, Co. H, 2d Infantry.
2..Private PATRICK GREAR, Co I 2d Infantry.
3..Private TIMOTHY HOULIHAN, Co I. 2d Infantry.
4..Private ANDREW GREEN, Co. D. 2d Infantry.
5..Private JOHN LOONEY, Co. C, 2d Infantry.
6..Private EDWARD LAYTON, Co. F, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 11th, 1867.

GENERAL ORDERS, }
No. 82. }

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., November 12th 1867, pursuant to Special Orders, No. 169, Head-Quarters Department of the Cumberland, dated Louisville, Ky., November 6th, 1867, and of which Bvt. Maj. Gen. S. W. CRAWFORD, Lt. Col. 2d Infantry, is President, and Bvt. Maj. S. A. STORROW, Asst. Surg U. S. A., Judge Advocate, were arraigned and tried :

14th..Private *William Hoben*, Co. H, 2d Infantry.

CHARGE 1ST:—" *Violation of the 50th Article of War.*"

SPECIFICATION :—"In this ; that he, Private *William Hoben*, Co. H, 2d Infantry, did, while a member of the guard at Head-Quarters Military District of Kentucky, absent himself from his guard without authority when he came off post at about 4 o'clock A. M., on the morning of November 21st. 1867, and did remain absent until found by the Corporal of the guard, in a back yard on Green street, Louisville, Ky., about 8 o'clock, A. M., on the day above stated, and after it was time for him to go on post."

CHARGE 2D :—"*Drunkenness on duty.*"

SECIFICATION :—"In this ; that he, Private *William Hoben*, Co. H, 2d Infantry, did, while a member of the guard at Head-Quarters Military District of Kentucky, become so drunk as to be unable to perform any duty as a sentinel in a proper manner. All this at Head-Quarters Military District of Kentucky, Louisville, Ky., on the morning of November 21st, 1867."

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

FINDINGS :

Of the *Charges* and *Specifications*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Hoben*, Co. H, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of one (1) month, to carry a log of wood weighing twenty-five (25) pounds from reveille to retreat every alternate hour and to forfeit twelve dollers ($12.) of his monthly pay for three months."

The proceedings and findings in the case of Private *William Hoben*, Co. H, 2d Infantry, are approved. The sentence, although inadequate to the offences of which the prisoner was found guilty, is confirmed, and will be carried into effect at the post at which he may be serving.

15th..Private *Patrick Grear*, Co I, 2d Infantry.

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

SPECIFICATION.—" In this ; that he, Private *Patrick Grear*, Co I, 2d Infantry, having been regularly detailed for guard, at retreat on the evening of November 6th, 1867, was so drunk at guard mount on the day he was for guard, as to be unable to go out with the guard detail, or perform any duty as a soldier. This at Taylor Barracks, Louisville, Ky., on the 7th day of November, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*. " Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Patrick Grear*, Co. I, 2d Infantry, " to be confined at hard labor in charge of the guard for the period of one (1) month, and to carry a log of wood weighing twenty-five (25) pounds from reveille to retreat every alternate two hours, and forfeit ten dollars ($10.) of his monthly pay for two (2) months."

The proceedings and findings in the case of Private *Patrick Grear*, Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

16th..Private *Timothy Houlihan*, Co I, 2d Infantry.

CHARGE 1ST:—"*Conduct to the predjudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Private *Timothy Houlihan*, Co. I, 2d Infantry, was so much under the influence of intoxicating liquor, as to sit stupidly drunk in the public streets, a disgrace to the uniform he wore. This at Louisville, Ky., on or about the 7th day of November, 1867."

CHARGE 2D:—" *Absence without leave.*"

SPECIFICATION :—"In this ; that he, Private *Timothy Houlihan*, Co. I, 2d Infantry, did overstay his pass and remain absent without authority, in violation of General Orders No. 53, Head-Quarters Post of Louisville, Ky., from midnight of the 6th of November, 1867, until found drunk and arrested by a patrol at midnight the 7th of November, 1867, at Louisville, Ky., on or abour the 7th day of Nov., 1867."

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

FINDINGS:

Of the *Charges* and *Specifications*, " Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Timothy Houlihan*, Co. I, 2d Infantry, " to forfeit ten ($10.) per month of his monthly pay for two (2) months."

The proceedings and findings in the case of Private *Timothy Houlihan*, Co I, 2d Idfantry, are approved. The sentence is confirmed, and will be carried into effect.

17th. Private *Andrew Green*, Co. D, 2d Infantry.

CHARGE:—"*Desertion*."

SPECIFICATION:—"In this: that he, Private *Andrew Green*, Co. D, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Lexington, Ky., on or about the 12th day of April, 1867, and did remain absent until apprehended at Lexington, Ky., on or about the 23d day of November, 1867. Thirty dollars ($30) having been paid for his apprehension. This at Lexington, Ky., on or about the dates above specified."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Andrew Green*, Co. D, 2d Infantry, "to forfeit all pay and allowances which are or may become due him to the promulgation of this sentence, and to be confined at hard labor in charge of the guard for six (6) months, forfeiting fifteen dollars ($15.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Andrew Green*, Co. D, 2d Infantry, are approved. The sentence, except that portion forfeiting fifteen dollars ($15.) per month of his monthly pay which is mitigated to forfeiture of ten dollars ($10.) per month, is confirmed and will be carried into effect.

18th. Private *John Looney*, Co. C, 2d Infantry.

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

SPECIFICATION 1ST:—"In this: that he, Private *John Looney*, Co. C, 2d Infantry, after being regularly detailed as room orderly, did become so much under the influence of liquor, as to be unable to perform the duties devolving upon him."

SPECIFICATION 2D:—"In this: that he, Private *John Looney*, Co. C, 2d Infantry, after being ordered by 1st Sergeant Simpson, Co. C, 2d Infantry, to remove a table and other articles away from the fence in rear of the company's quarters, (the articles being aiding and assisting men in breaking guard, by climbing over the fence) and also to keep fire in the stove and water in the squad-room in good order, did refuse to obey such order by lying down in his bunk in a state of intoxication. All this on or about the 14th day of November, 1867, at Taylor Barracks, Louisville, Ky."

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Guilty,"
except the words 'in a state of intoxication.'

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Looney*, Co. C, 2d Infantry, "to forfeit ten dollars ($10.) of his monthly pay for one (1) month."

The proceedings and findings in the case of Private *John Looney*, Co. C, 2d Infantry, are approved. The sentence, under the finding is entirely inadequate, the record clearly showing that the prisoner failed to obey his superior officer, 1st Sergeant Simpson, when ordered by him in person. But as it is not desirable that Private *Looney* should entirely escape punishment, the sentence is confirmed and will be carried into effect.

19th..Private *Edward Layton*, Co. F, 2d Infantry.

CHARGE :—" *Violation of the 45th Article of War.*"

SPECIFICATION :— 'In this ; that he, Private *Edward Layton*, Co. F, 2d Infantry, while on duty as a member of the guard at Taylor Barracks, Louisville, Ky., did become so much under the influence of liquor as to be unfit to perform the duties of a sentinel in a proper manner. This at Taylor Barracks, Louisville, Ky., between the hours of half past 12 P. M., and half past 2 o'clock, P. M., on or about the 23d day of November, 1867."

CHARGE 2D: —" *Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this; that he, Private *Edward Layton*, Co. F, 2d Infantry, after being duly posted as a sentinel at post No. 5, in front of the Government stables at Taylor Barracks, Louisville, Ky., did throw away his musket and abandon his post behaving in a boisterous manner, calling Private Timmer, Co. C, 2d Infantry, 'a son-of-a-bitch,' or words to that effect. The said Timmer being teamster in the Quartermaster's Department U. S. A., and performing his duties. This at the place and time above specified."

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Edward Layton*, Co. F, 2d Infantry, "to forfeit ten dollars, ($10.) per month of his monthly pay for six (6) months, 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 *Edward Layton*, Co. F, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
A A G

1..Sergeant WILLIAM SIMPSON, Co. I, 25th Infantry.
2..Private JAMES C. CONROY, Co. G, 25th Infantry.
3..Corporal JOHN PETERS, Co. G, 25th Infantry.
4..Sergeant NICHOLAS KRAUSHER, Co. G, 25th Infantry.
5..1st Sergeant JAMES SHAW, Co. I, 25th Infantry.
6..Private PATRICK FORD, Co. I, 25th Infantry.
7..Private JAMES Q. HAYMAN, Co. I, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., December 19th, 1867.

GENERAL ORDERS, No. 84.

Before a General Court Martial which convened at Humboldt, Tenn., November 27th, 1867, pursuant to Special Orders, No. 176, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 18th, 1867, and of which Brevet Major JACOB KLINE, Captain 25th Infantry, is President and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried :

1st..Sergeant *William Simpson*, Co. I, 25th Infantry.

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

SPECIFICATION :—"In this : that he, Sergeant *William Simpson*, Co. I, 25th Infantry, did challenge *James Shaw*, 1st Sergeant Co. I, 25th Infantry, to leave the camp at which said company was quartered to go out and fight a 'boxing match' and did proceed to fight to the prejudice of good order and military discipline, and leave the said 1st Sergeant *Shaw*, unfit for duty. All this at or near the camp of Co. I, 25th Infantry, Columbus, Ky., on or about the 11th day of September, 1867."

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

FINDINGS :

Of the *Specification*, "Guilty,"

except the words 'leave the said 1st Sergeant *Shaw*, unfit for duty."

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *William Simpson*, Co. I, 25th Infantry, "to be reduced to the ranks."

The proceedings and findings in the case of Sergeant *William Simpson*, Co. I, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d..Private *James C. Conroy*, Co. G, 25th Infantry

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

SPECIFICATION.—"In this; that he, Private *James C. Conroy*, Co. G, 25th Infantry, having been duly posted as a sentinel of the guard on No. 1 post, over the guard and prisoners between the hours of one A. M., and 5 o'clock, A. M., did fail to properly receive or challenge the officer of the day, he having received instructions to that effect. All this at Camp Swaine, Humboldt, Tenn., on or about the 22d day of November, 1867."

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words 'from 1 A. M., to 5 A. M.,

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"
except instead of 5 A. M., substitute 5½ A. M.,

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James C. Conroy*, Co. G, 25th Infantry, "to forfeit to the United States, ten dollars ($10.) of his monthly pay for two (2) months, 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 *James C Conroy*, Co. G, 25th Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor for one (1) month at the post at which he may be serving, and to forfeit ten dollars ($10.) for the same period.

3d..Corporal *John Peters*, Co. G, 25th Infantry.

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

SECIFICATION:—"In this; that he, Corporal *John Peters*, Co. G, 25th Infantry, having charge of the guard during the temporary absence of the Sergeant of the guard did permit three prisoners to escape. This at Humboldt, Tenn., on or about the 26th day of November, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Corporal *John Peters*, Co. G, 25th Infantry, "to be reduced to the rank of a private soldier, and to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for six months."

The proceedings and findings in the case of Corporal *John Peters*, Co. G, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Sergeant *Nicholas Krausher*, Co. G, 25th Infantry.

CHARGE :—"*Disobedience of orders.*"

SPECIFICATION :—"In this ; that he, Sergeant *Nicholas Krausher*, Co. G, 25th Infantry, being duly detailed as Sergeant of the guard and having received orders from proper authority to confine his prisoners in the prison cell, and not allow them the privilege of entering the guard room, did fail to do so, permitting thereby three prisoners to escape. This at Humboldt, Tenn., on or about the 26th day of November, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Sergeant *Nicholas Krausher*, Co. G, 25th Infantry.

The proceedings and findings in the case of Sergeant *Nicholas Krausher*, Co. G, 25th Infantry, are approved. He will be released from arrest and restored to duty.

5th..1st Sergeant *James Shaw*, Co. I, 25th Infantry.

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

SPECIFICATION :—"In this ; that he, 1st Sergeant *James Shaw*, Co. I, 25th Infantry, did with a billet of wood or some other sharp instrument, brutally assault and strike Sergeant *William Simpson*, Co. I, 25th Infantry, cutting him on the head and face, while he Sergeant *Simpson*, was in the execution of his duties as police Sergeant. All this at Columbus, Ky., in the presence of the enlisted men of Co. I, 25th Infantry, on or about the 11th day of September, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, 1st Sergeant *James Shaw*, Co. I, 25th Infantry, "to forfeit to the United States, one dollar ($1.) and be returned to duty."

The proceedings and findings in the case of 1st Sergeant *James Shaw*, Co. I, 25th Infantry, are approved. The sentence, although considered extremely light is confirmed and will be carried into effect. The prisoner's meagre means of defence and the neglect of the officer in charge of the company to enforce order on the part of his non-commissioned officers and men, although, not warranting violence from the 1st Sergeant in the discharge of his duty, would still leave him no other means of enforcing discipline and of settling private difficulties when the higher authority declined or failed to act.

6th..Private *Patrick Ford*, Co. I, 25th Infantry.

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

SPECIFICATION :—"In this; that he, Private *Patrick Ford*, Co. I, 25th Infantry, did pawn for tobacco or other articles to one *James M. Sau-*

dige, a citizen, his dress coat. All this at Columbus, Ky., on or about the 15th day of September, 1868."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Ford*, Co. I, 25th Infantry, "to forfeit to the United States ten dollars ($10.) per month of his monthly pay for one (1) month."

The proceedings and findings in the case of Private *Patrick Ford*, Co. I, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th..Private *James Q. Hayman*, Co. I, 25th Infantry.

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

SPECIFICATION:—"In this; that he, Private *James Q. Hayman*, Co. I, 25th Infantry, did steal a piece of tobacco about one or two pounds weight from the commissary tent, the property of the U. S. and did conceal it in his tent, where it was discovered by Lieut. *Thomas M. Canton*, A. A. C. S. All this at Columbus, Ky., on or about the 16th day of September, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Q. Hayman*, Co. I, 25th Infantry, "to forfeit to the United States ten dollars ($10.) per month for six (6) months, and three (3) months confinement at hard labor."

The proceedings and findings in the case of Private *James Q. Hayman*, Co. I, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect, at the post at which he may be serving.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A A G

1. Private ANDREW J. LEDNEY, Co. A, 25th Infantry.
2. Private JOHN CONNOR, Co. B, 25th Infantry.
3. Private BENJAMIN F. STOBBS, Co. H, 25th Infantry.
4. Private JOHN H. MURRAY, Co. G, 25th Infantry.
5. Private CHARLES A. DREW, Co. F, 25th Infantry.
6. Private EDWARD WILLIAMS, Co. G, 25th Infantry.
7. Private PATRICK O'BRIEN, Co. G, 25th Infantry.
8. Private PATRICK O'BRIEN, Co. G, 25th Infantry.
9. Private EDWARD WILLIAMS, Co. G, 25th Infantry.
10. Commissary Sergeant JOHN MCDONNELL, 25th Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., December 19th, 1867.

GENERAL ORDERS, No. 85.

Before a General Court Martial, which convened at Humboldt, Tenn., November 27th, 1867, pursuant to Special Orders No. 176, dated Headquarters Department of the Cumberland, Louisville, Ky., November 18th, 1867, and of which Brevet Major JACOB KLINE, Captain 25th Infantry is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried:

8th. Private *Andrew J. Ledney*, Co. A, 25th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Andrew J. Ledney*, Co. A, 25th Infantry, having been duly enlisted in the service of the United States, did desert his company at Nashville, Tenn., on or about the 17th day of February, 1866, and did remain absent until apprehended at Nashville, Tenn., July 20th, 1867, by John W. Arnold, (policeman.) Thirty dollars reward having been paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Andrew J. Ledney*, Co. A, 25th Infantry, to be confined at hard labor in charge of the guard for twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Andrew J. Ledney*, Co. A, 25th Infantry, are approved. The sentence is confirmed, except that portion "forfeiting fourteen dollars per month," which is mitigated to twelve dollars per month, and will be carried into effect at the post at which he may be serving.

9th. Private *John Connor*, Co. B, 25th Infantry.

Charge 1st.—Desertion in violation of the 20th Article of War.

Specification—In this, that he, private *John Connor*, Co. B, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Humboldt, Tenn., on or about the 9th day of October, 1867, and did remain absent until apprehended at Bowling Green, Ky., October 13th, 1867. Thirty dollars having been paid for his apprehension.

Charge 2d.—Theft, to the prejudice of good order and military discipline.

Specification—In this, that he, private *John Connor*, Co. B, 25th Infantry, did steal one Blanket, the property of private John W. Nolan, Co. B, 25th Infantry, on or about the 6th day of October, 1867.

Charge 3d.—Habitual Drunkenness and general bad conduct.

Specification—In this, that he, private *John Connor*, Co. B, 25th Infantry, does get drunk whenever he can get liquor; and by his drunken and unsoldierly conduct, does disgrace the uniform he wears, and brings odium and disgrace on the entire company, by his disorderly, drunken, unsoldierly conduct. All this between the date of April 6th, 1867, and October 8th, 1867, since the company has been stationed at Humboldt, Tenn.

To which Charges and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John Connor*, Co. B, 25th Infantry, to forfeit to the United States,

now due, or to become due, except the just dues of the laundress and sutler, to have his head shaved and drummed out of camp, to be 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.

The proceedings, findings and sentence, in the case of private *John Connor*, Co. B, 25th Infantry, are disapproved. The charge of "habitual drunkenness and general bad conduct" is unknown to the military statutes, and should not have been considered by the Court, it being too vague and indefinite in its character.

In the examination of private Schuster, a witness for the defence, the prosecution commits an error in not confining itself to a cross-examination of the evidence as adduced by the prisoner in his examination in chief, but goes on to draw new matter, not already touched on by the witness; all of which is irregular and should be discouraged, especially where it has already been noted on the record that the prosecution was closed.

The first portion of the sentence is so imperfectly worded as not to be made effective, and it is not considered of benefit to the service, to discharge men on account of worthlessness, when, by discipline, they may be made efficient. Private *Connor* will be released from confinement and restored to duty.

10th. Private *Benjamin F. Stobbs*, Co. H, 25th Infantry.

Charge 1st.—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this, that he, private *Benjamin F. Stobbs*, Co. H, 25th Infantry, did, while a sentinel at post of Union City, Tenn., permit private Selwyn T. Nye, a deserter from Co. H, 25th Infantry, to escape from his charge. This at post of Union City, Tenn., on or about the 3d day of September, 1867.

Specification 2d—In this, that he, private *Benjamin F. Stobbs*, Co. H, 25th Infantry, did enter into an agreement with private Selwyn T. Nye, a deserter from Co. H, 25th Infantry, and a prisoner in custody of the post guard, to permit the said Nye to escape from him, whenever he, *Stobbs*, should have an opportunity. This at post of Union City, Tenn., on or about the 1st day of September, 1867.

Charge 2d.—Violation of the 23d Article of war.

Specification 1st—In this, that he private *Benjamin F. Stobbs*, Co. H, 25 Infantry, did advise and persuade private William Osborne, Co. H, 25th Infantry, to desert the service of the United States. This at post of Union City, Tenn., on or about the 20th day of November, 1867.

Specification 2d—In this, that he, private *Benjamin F. Stobbs*, Co. H, 25th Infantry, did advise and pursuade private Richard C. Hawkins, Co. H, 25th Infantry, to desert the service of the United States. This at post of Union City, Tenn., on or about the 21st day of November, 1867.

All this at or near post of Union City, Tenn., from about the 1st day of September, 1867, to about the 20th day of November. 1867.

Additional Charge.—Desertion.

Specification—In this, that he, private *Benjamin F. Stobbs*, Co. H, 25th Infantry, did desert the service of the United States on the 24th day of November, 1867, and did remain absent until arrested three miles from the post, on the 26th day of November, 1867. Thirty dollars reward having been paid for his apprehension. All this at or near Union City, Tenn., from 24th to 26th of November, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specifications*,	"Not Guilty."
To the 2d and additional CHARGES and *Secifications*,	"Guilty."

FINDINGS.

Of the 1st *Specification*, 1st CHARGE,	"Guilty."
Of the 2d *Specification*, 1st CHARGE,	"Not Guilty."
Of the 1st CHARGE,	"Guilty."
Of the 2d and additional CHARGES and *Specifications*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Benjamin F. Stobbs*, Co. H, 25th Infantry, to forfeit to the United States, all pay and allowances now due or that may become due, to be discharged the service and drummed out of camp, and confined in such military prison as the commanding General may direct for three years.

The proceedings and findings in the case of private *Benjamin F. Stobbs*, Co. H, 25th Infantry, are approved. The sentence is confirmed but mitigated to forfeiture of pay due or becoming due him, and confinement at hard labor in charge of the guard at the post at which he may be serving, for the period of twelve months.

11th. Private *John H. Murray*, Co. G, 25th Infantry.

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

Specification—In this, that he, private *John H. Murray*, Co. G, 25th Infantry, while undergoing confinement by sentence of General Court Martial, did escape from the same on or about the night of the 17th of November, 1867, and did remain absent until he surrendered himself to the sentinel of the guard at the post at Humboldt, Tenn., on or about the 19th day of November, 1867. All this at post of Humboldt, Tenn., from about the 17th of November, 1867, until the 19th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *John H. Murray*, Co. G, 25th Infantry, to forfeit to the United States ten dollars of his monthly pay for one month.

The proceedings and findings in the case of private *John H. Murray* of Co. G, 25th Infantry, are approved The sentence is confirmed and will be carried into effect.

12th. Private *Charles A. Drew*, Co. F, 25th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Charles A. Drew*, Co. F, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 15th day of November, 1866, and did remain absent until apprehended at or near Springfield, New Hampshire, on or about the 18th day of February, 1867. Thirty dollars being paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Charles A. Drew*, Co. F, 25th 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 six months, forfeiting ten dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Charles A. Drew*, Co. F, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

13th. Private *Edward Williams*, Co. G, 25th Infantry.

Charge 1st.—Absence without leave.

Specification—In this, that he, private *Edward Williams*, Co. G, 25th Infantry, did absent himself from his command without proper authority, between the hours of nine and twelve, P. M., on or about 7th day of October, 1867. All this at Camp Swaine, Humboldt, Tenn., at the date and hour above specified.

Charge 2d.—Highway robbery, to the prejudice of good order and military discipline.

Specification—In this, that he, private *Edward Williams*, Co. G, 25th Infantry, did, in connection with private Patrick O'Brien, Co. G, 25th In-

fantry, forcibly take from Michael Lacker, a citizen, one revolver. All this at Humboldt, Tenn., between the hours of 9 and 12 P. M., on or about the 7th day of October, 1867.

Charge 3d.—Assault and battery with intent to kill.

Specification—In this, that he, private *Edward Williams*, Co. G, 25th Infantry, did, in connection with private Patrick O'Brien, Co. G, 25th Infantry, assault and attempt to kill by shooting with a revolver, one Michael Lacker, a citizen. All this at Humboldt, Tenn., between the hours of 9 and 12 P. M., on or about the 7th day of October, 1867.

Charge 4th.—Rape.

Specification—In this, that he, private *Edward Williams*, Co. G, 25th Infantry, did enter the room of one Milly Jones, a colored woman, and by forcible means did violate the person of said Milly Jones. All this at Humboldt, Tenn., between the hours of 9 and 12 P. M., on or about the 7th day of October, 1867.

To which Charges and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the 1st and 2d CHARGES and *Specifications*,	"Guilty."
Of the 3d CHARGE and *Specification*,	"Not Guilty."
Of the 4th CHARGE and *Specification*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Edward Williams*, Co. G, 25th Infantry, to forfeit to the United States, all pay and allowances now due, to be confined in such penitentiary as the commanding General may direct, for a period of twenty-one (21) years.

The proceedings, findings and sentence in the case of private *Edward Williams*, of Co. G, 25th Infantry, are disapproved. The second, third and fourth charges should not have been brought before a military court for trial, the offences being of a purely civil character, and as such could be properly acted on by a civil tribunal.

The Act of March 3d, 1863, Chap. 75, Sec. 30, makes the crimes of highway robbery, assault and battery, and rape in time of war, insurrection or rebellion punishable by the sentence of a General Court Martial, and then limits the punishment therefor to that inflicted by the law of the State or Territory where the offence is committed.

The Executive proclamations of April 2d and August 20th, 1866, as contained in General Orders No. 84, War Department of 1866, declare that peace, order, tranquility and civil authority exist throughout the whole of the United

States of America, thereby doing away with, for the time being, of the provisions contained in the law of March 3d, 1863, above referred to.

While it is to be hoped private *Edward Williams* will not escape punishment for his crimes, the circumstances of this case require that he should be released from confinement and restored to duty.

14th. Private *Patrick O'Brien*, Co. G, 25th Infantry.

Charge 1st.—Absence without leave.

Specification—In this, that he, private *Patrick O'Brien*, Co. G, 25th Infantry, did absent himself from his command without proper authority, between the hours of nine and twelve P. M., on or about the 7th day of October, 1867. All this at Camp Swaine, Humboldt, Tenn., at the date and hour above specified.

Charge 2d.—Highway robbery, to the prejudice of good order and military discipline.

Specification—In this, that he, private *Patrick O'Brien*, Co. G, 25th Infantry, did, in connection with private Edward Williams, Co. G, 25th Infantry, forcibly take from Michael Lacker, a citizen, one revolver. All this at Humboldt, Tenn., between the hours of nine and twelve P. M., on or about the 7th day of October, 1867.

Charge 3d.—Assault and battery with intent to kill.

Specification—In this, that he, private *Patrick O'Brien*, Co. G, 25th Infantry, did, in connection with private Edward Williams, Co. G, 25th Infantry, assault and attempt to kill by shooting with a revolver, one Michael Lacker, a citizen. All this at Humboldt, Tenn., between the hours of nine and twelve P. M., on or about the 7th day of October, 1867.

Charge 4th.—Rape.

Specification—In this, that he, private *Patrick O'Brien*, Co. G, 25th Infantry, did enter the room of one Milly Jones, a colored woman, and by forcible means, did violate the person of said Milly Jones. All this at Humboldt, Tenn., between the hours of nine and twelve P. M., on or about the 7th day of October, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the 1st CHARGE and *Specification*,	"Guilty."
To the 2d, 3d and 4th CHARGES and *Specifications*,	"Not Guilty."

FINDINGS.

Of the 1st and 2d CHARGES and *Specifications*,	"Guilty."
Of the 3d CHARGE and *Specification*,	"Not Guilty."
Of the 4th CHARGE and *Specification*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Patrick O'Brien*, Co. G, 25th Infantry, to forfeit to the United States, all pay and allowances now due, to be confined in such Penitentiary as the Commanding General may direct, for the period of twenty-one (21) years.

The proceedings, findings and sentence in the case of private *Patrick O'Brien*, Co. G, 25th Infantry, are disapproved. The second, third and fourth charges should not have been brought before a military court for trial, the offences being of a purely civil character, and as such could be properly acted on by a civil tribunal.

The Act of March 3d, 1863, Chap. 75, Sec. 30, makes the crimes of highway robbery, assault and battery and rape, in time of war, insurrection or rebellion, punishable by the sentence of a General Court Martial, and then limits the punishment therefor to that inflicted by the law of the State or Territory where the offence is committed.

The Executive proclamations of April 2d and August 20th, 1866, as contained in General Orders No. 84, War Department of 1866, declare that peace, order, tranquility and civil authority exist throughout the whole of the United States of America, thereby doing away with, for the time being, of the provisions contained in the law of March 3d, 1863, above referred to.

While it is to be hoped private *Patrick O'Brien*, will not escape punishment for his crimes, the circumstances of the case require that he should be released from confinement and restored to duty.

15th. Private *Patrick O'Brien*, Co. G, 25th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Patrick O'Brien*, Co. G, 25th Infantry, being a duly enlisted soldier in the service of the United States, and in confinement awaiting trial, did desert the same from the guard house at post of Humboldt, Tenn., on the night of the 26th of November, 1867, and did remain absent until apprehended at Memphis, Tenn., on or about the 29th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Patrick O'Brien*, Co. G, 25th Infantry, to be discharged from the service of the United States, with forfeiture of all pay and allowances due or to become due, to have his head shaved, and drummed out of the camp, and confined in such military prison as the Commanding General may direct for two (2) years.

The proceedings and findings in the case of private *Patrick O'Brien*, Co. G, 25th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due or becoming due, and confinement at hard labor in charge of the guard at the post at which he may be serving for the period of twelve (12) months.

16th. Private *Edward Williams*, Co. G, 25th Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Edward Williams*, Co. G, 25th Infantry, being a duly enlisted soldier in the service of the United States, and in confinement awaiting trial, did desert the same from the guard house at post of Humboldt, Tenn, on the night of 26th of November, 1867, and did remain absent until apprehended at Memphis, Tenn., on or about the 29th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Edward Williams*, Co. G, 25th Infantry, to be discharged from the service of the United States, with forfeiture of all pay and allowances due or to become due, to have his head shaved, and drummed out of the camp, and confined in such military prison as the commanding General may direct for two (2) years.

The proceedings and findings in the case of private *Edward Williams*, Co. G, 25th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of all pay and allowances due or becoming due, and confinement at hard labor in charge of the guard at the post at which he may be serving for the period of twelve (12) months.

17th. Commissary Sergeant *John McDonnell*, 25th Infantry.

Charge.—Stealing Government property.

Specification 1st—In this, that he, Commissary Sergeant *John McDonnell*, 25th Infantry, did steal from the Commissary Department, post of Memphis, Tenn., four or five (4 or 5) barrels of flour and did sell the same, appropriating the proceeds to his own use. All this at Memphis, Tenn., on or about the 10th day of August, 1867.

Specification 2d—In this, that he, Commissary Sergeant *John McDonnell*, 25th Infantry, did steal from the Commissary Department, post of Memphis, Tenn., six (6) barrels of flour, and did sell the same, appropriating the proceeds to his own use. All this at or near Memphis, Tenn., on or about the 14th day of September, 1867.

Specification 3d—In this, that he, Commissary Sergeant *John McDonnell*, 25th Infantry, did steal from the Commissary Department, post of Memphis, Tenn., five (5) barrels of pork, and did deliver the same at the store of James O'Conner, Memphis, Tenn, for the purpose of receiving money for his own private use, but was detected before said payment was made. All this at or near Memphis, Tenn, on or about the 10th day of November, 1867.

To which Charge and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1*st Specification* to the charge, "Not Guilty."
Of the 2*d Specification* to the charge, "Not Guilty."
Of the 3*d Specification* to the charge, "Guilty,"
except the word "deliver" and substitute the words "cause to be delivered"
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Commissary Sergeant *John McDonnell*, 25th Infantry, to be reduced to the ranks, and to forfeit ten dollars of his monthly pay for twelve months.

The proceedings and findings in the case of Commissary Sergeant *John McDonnell*, 25th Infantry, are approved, although the form of the charge is objectionable on the ground of vagueness and not being definite. The offence would more properly be charged in violation of the 99th Article of War. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which Brevet Major JACOB KLINE, Captain 25th Infantry is President, and 1st Lieut. W. J. KYLE, 25th Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A. A. G.

1. Private JOHN N. GLENN, Co. B, 2d Infantry.
2. Private BARRETT W. HUMISTON, Co. K, 2d Infantry.
3. Private JAMES A. WEBB, Co. B, 2d Infantry.
4. Private MICHAEL MCGOWAN, Co. C, 2d Infantry.
5. Musician JAMES H. DAVIS, Co. B, 2d Infantry.
6. Private JAMES COYLE, Co. F, 2d Infantry.
7. Private JAMES WHITE, Co. D, 2d Infantry.
8. Sergeant FREDERICK WULFF, Co. I, 2d Infantry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., December 21st, 1867.

GENERAL ORDERS, No. 87.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., November 12th, 1867, pursuant to Special Orders No. 167, dated Headquarters Department of the Cumberland, Louisville, Ky., November 6th, 1867, and of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry is President, and Brevet Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

11th. Private *John M. Glenn*, Co. B, 2d Infantry.

Charge 1st.—Violation of the 50th Article of War.

Specification—In this, that he, private *John M. Glenn*, Co. B, 2d Infantry, being on duty as a sentinel, did desert his guard, and did remain absent until arrested and brought back by the guard. This at or near Warsaw, Ky., on or about the 9th day of November, 1867.

Charge 2d.—Violation of the 45th Article of War.

Specification—In this, that he, private *John M. Glenn*, Co. B, 2d Infantry, being on duty as a sentinel, was so drunk as to be incapable of performing his duties properly. This at or near Warsaw, Ky., on or about the 9th day of November, 1867.

Charge 3d.—Disobedience of Orders.

Specification—In this, that he, private *John M. Glenn*, Co. B, 2d Infantry, having been ordered by his superior officer 1st Lieut. W. H. Boyle, 2d

Infantry, to go to his company quarters, (the said Lieut. Boyle being in the execution of his office as Post Commander,) did refuse to obey said order, and did reply in words as follows; "I'll not go without a guard," or words to that effect. This at Warsaw, Ky., on or about the 9th day of November, 1867.

Charge 4th.—Disrespect to his superior officer.

Specification—In this, that he, private *John M. Glenn*, Co. B, 2d Infantry, having been ordered by his superior officer 1st Lieut. W. H. Boyle, 2d Infantry, to go to his company quarters, did reply to the said Lt. W. H. Boyle, in a disrespectful manner as follows; "I'll not go without a guard," or words to that effect. This at or near Warsaw, Ky., on or about the 9th day of November, 1867.

Charge 5th.—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, private *John M. Glenn*, Co. B, 2d Infantry, when asked by private Joseph A. Evans, Co. B, 2d Infantry, to go to camp and not make such a noise in the street, did attack with a knife said Joseph A. Evans, and did dangerously stab him in the body and head. This at or near Warsaw, Ky., on or about the 9th day of November, 1867.

To which Charges and Specifications the prisoner pleaded as follows:

To the *Specification* 1st CHARGE, except the words "on duty as sentinel." "Guilty,"
To the 1st CHARGE, "Guilty."
To the 2d CHARGE and *Specification*, "Guilty."
To the 3d, 4th and 5th CHARGES and *Specifications*, "Not Guilty."

FINDINGS.

Of the *Specification*, 1st CHARGE, except the words "as a sentinel." "Guilty,"
Of the 1st CHARGE, "Guilty."
Of the *Specification*, 2d CHARGE, except the words "as a sentinel." "Guilty,"
Of the 2d CHARGE, "Guilty."
Of the 3d and 4th CHARGES and *Specifications*, "Guilty."
Of the *Specification* 5th CHARGE, except the words "attack and dangerously." "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John M. Glenn*, Co. B, 2d Infantry, to forfeit to the United States, all pay and allowances that are now or may become due him to the date of the promulgation of this sentence,

to be confined at hard labor in charge of the guard for the period of twelve months, the first and last fourteen days to be in solitary confinement on bread and water, and the first ten days of the second, fourth, sixth, eighth, tenth and eleventh months to carry a knapsack weighing twenty-five pounds every alternate hour from reveille to retreat, in front of the guard house.

The proceedings and findings in the case of private *John M. Glenn*, Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which the prisoner may be serving.

19th. Sergeant *Frederick Wulff*, Co. I, 2d Infantry.

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

Specification—In this, that he, Sergeant *Frederick Wulff*, Co. I, 2d Infantry, while sergeant of the guard duly mounted at Taylor Barracks, Louisville, Ky., did order and allow private Ezra Storms, Co. K, 2d Infantry, a member of the guard, to take his musket and relieve private James Rinard of Co. C, 2d Infantry, then a regularly posted sentinel in charge of a prisoner, and the said private Ezra Storms, Co. K, 2d Infantry, did so relieve private James Rinard, Co. C, 2d Infantry, without being accompanied by Sergeant *Frederick Wulff*, or any other non-commissioned officer. This at Taylor Barracks, Louisville, Ky., on or about the 19th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Sergeant *Frederick Wulff*, Co. I, 2d Infantry, to be reduced to the rank of a private soldier, and forfeit ten dollars of his monthly pay for one month.

The proceedings and findings in the case of Sergeant *Frederick Wulff*, Co. I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

21st. Private *Barrett W. Humiston*, Co. K, 2d Infantry.

Charge.—Desertion.

Specification—In this, that he, private *Barrett W. Humiston*, Co. K, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 19th day of November, 1867, and did remain absent until apprehended at or near Lexington, Ky., on or about the 27th day of November, 1867. Thirty dollars paid for his apprehension.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Barrett W. Humiston*, Co. K, 2d Infantry, to be confined at hard labor in charge of the guard for the period of six months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *Barrett W. Humiston*, Co. K, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

22d. Private *James A. Webb*, Co. B, 2d Infantry.

Charge.—Desertion.

Specification 1st—In this, that he, private *James A. Webb*, Co. B, 2d Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Ceredo, West Va., on or about the 24th day of July, 1867, and did remain absent until apprehended at Indian Guyand, Ohio, on or about the 12th day of August, 1867. Thirty dollars being paid for his apprehension.

Specification 2d—In this, that he, private *James A. Webb*, Co. B, 2d Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Ceredo, West Va., on or about the 25th day of August, 1867, and did remain absent until apprehended at or near Barboursville, West Va., on or about the 17th day of November, 1867. Thirty dollars being paid for his apprehension. All this at or near the places, on or about the dates above specified.

To which Charge and Specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *James A. Webb*, Co. B, 2d Infantry, to forfeit all pay and allowances which are or may become due him, to be confined at hard labor in charge of the guard for the period of eighteen months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

The proceedings and findings in the case of private *James A. Webb*, Co. B, 2d Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard at the post at which he may be serving, for twelve months, forfeiting twelve (12) dollars per month of his monthly pay for the same period.

23d. Private *Michael McGowan*, Co. C, 2d infantry.

Charge.—Violation of the 45th Article of war.

Specification—In this, that he, private *Michael McGowan*, Co. C, 2d Infantry, being a member of the guard at Crittenden Barracks, Louisville, Ky., did get so much under the influence of intoxicating liquor as to become beastly drunk, and totally unfit to perform his duties as a sentinel or a soldier. This at Crittenden Barracks, post of Louisville, Ky., on or about the 7th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Michael McGowan*, Co. C, 2d Infantry, to be confined at hard labor in charge of the guard for thirty days, to stand on a barrel in front of the guard house every alternate hour from reveille to retreat, on each alternate day during this time.

The proceedings and findings in the case of private *Michael McGowan*, Co. C, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

24th. Musician *James H. Davis*, Co. B, 2d Infantry.

Charge.—Desertion.

Specification—In this, that he, Musician *James H. Davis*, Co. B, 2d Infantry, being a duly enlisted soldier in the army of the United States, did desert the same at Jeffersonville, Ind., on or about the 6th day of June, 1866, and did remain absent until apprehended on or about the 24th day of October, 1867, at Louisville, Ky. Thirty dollars being paid for his apprehension. All this on or about the dates above specified.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, Musician *James H. Davis*, Co. B, 2d Infantry, to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit all pay and allowances that are or may become due him, until the expiration of this sentence.

The proceedings and findings in the case of Musician *James H. Davis*, Co B, 2d Infantry, are approved. The sentence is confirmed, except that portion relating to forfeiture of all pay and allowances due and becoming due, which is mitigated to forfeiture of ten (10) dollars per month during the period of his confinement.

25th. Private *James Coyle*, Co. F, 2d Infantry.

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

Specification 1st.—In this, that he, private *James Coyle*, Co. F, 2d Infantry, did when a prisoner under charge of a sentinel (without provocation) strike and abuse citizen J. J. Goodnight who was employed in the Qr. Mr's Department at that post. This at Franklin, Ky., on or about the 15th day of November, 1867.

Specification 2d.—In this, that he, private *James Coyle*, Co. F, 2d Infantry, did when ordered by 1st Lieut A. Werninger, Jr. to desist from abusing citizen Goodnight, positively refuse to obey such order, and did make use of the following language to Lieut. A. Werninger, Jr. "You had better be careful of your scalp, I shall kill you," and repeated this and other threatening language, saying to Lieutenant Maize, his commanding officer, that he would follow him to Philadelphia and make him sorry for this. This at Franklin, Ky., on or about the 15th day of November, 1867.

To which Charge and Specifications the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the 1st *Specification*, "Guilty."
except the words "without provocation." and attach no criminality thereto.
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty,"

SENTENCE.

And the Court does therefore sentence him, private *James Coyle*, Co. F, 2d Infantry, to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit ten (10) dollars of his monthly pay for the same period.

The proceedings and findings in the case of private *James Coyle*, Co. F, 2d Infantry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor at the post at which he may be serving for the period of six months, forfeiting ten (10) dollars of his monthly pay for the same period. In this case the sentence is mitigated on account of the provocation to violence received by the prisoner first from citizen Goodnight, and afterwards from the officer who interfered in the quarrel and used unwarrantable language while enforcing obedience to his orders. Abuse to prisoners, even under strong provocations, is to be at all times discouraged.

26th. Private *James White*, Co. D, 2d Infantry.

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

Specification—In this, that he, private *James White*, Co. D, 2d Infantry, did engage in a public brawl with negroes in the streets of Lexington, Ky., and did continue to conduct himself in a disorderly manner, causing great excitement among the public, until apprehended by the police of that city, and taken from them by the patrol sent to arrest him, by his commanding officer. This on or about the 3d day of December, 1867, at the Headquarters of his company D, 2d Infantry, at Lexington, Ky.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the CHARGE and *Specification*, "Not Guilty."

And the Court does therefore acquit him, private *James White*, Co. D, 2d Infantry.

The proceedings and findings in the case of private *James White*, of Co. D, 2d Infantry, are approved. He will be released from confinement and restored to duty.

II. The General Court Martial of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A. Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private JOSEPH SIMPSON, Co. F, 45th Infantry.
2..Bugler BENJAMIN JENNINGS, Co. B, 5th Cavalry.
3..Private JOHN BROWN, Co. A, 45th Infantry.
4..Private THOMAS DONNELLY, Co. F, 45th Infantry.
5..Private ALEXANDER YOUNG, Co. B, 45th Infantry.
6..Sergeant WILLIAM OWEN, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 24th, 1867.

GENERAL ORDERS, No. 88.

Before a General Court Martial which convened at Nashville, Tenn., on the 28th day of November, 1867, pursuant to Special Orders, No. 181, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Nov. 23d 1867, and of which Bvt. Lieut. Col. J. W. GELRAY, Captain 45th Infantry, V. R. C., is President and 1st Lieut. J. K. WARDEN, 45th Infantry, V. R. C., Judge Advocate were arraigned and tried :

1st..Private *Joseph Simpson*, Co. F, 45th Infantry.

CHARGE 1ST :—" *Violation of the 45th Article of War.*"

SPECIFICATION.—" In this ; that he, Private *Joseph Simpson*, Co. F, 45th Infantry, having been prperly detailed and mounted as a member of the guard did become drunk."

CHARGE 2D :—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this ; that he, Private *Joseph Simpson*, Co. F, 45th Infantry, being a member of the guard and in charge of four prisoners at work in a cellar within the limits of the camp did allow the said prisoners to become drunk. All this at Ash Barracks, Nashville, Tenn., on or about the 21st day of October, 1867."

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

FINDINGS:

Of the 1st *Charge* and *Specefication*, " Guilty,"

Of the *Specification* 2d *Charge*, " Guilty,"
except the word 'four' substituting therefor the word 'two.'

Of the 2d *Charge*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Joseph Simpson*, Co. F, 45th Infantry, V. R. C., "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 dollars ($10.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Joseph Simpson*, Co. F, 45th Infantry, are approved. The sentence is confirmed, but on rec-

ommendation of the Court, is mitigated to confinement at hard labor under charge of the guard at the post at which he may be serving, for three (3) months, forfeiting ten dollars ($10.) per month for the same period."

2d..Bugler *Benjamin Jennings*, Co. B, 5th Cavalry.

CHARGE 1st :—" *Desertion*."

SECIFICATION :—"In this ; that he, Bugler *Benjamin Jennings*, Co. B, 5th Cavalry, did on or about the 19th day of August, 1867, desert the service of the United States, at Ash Barracks, Nashville, Tenn., and remain absent until he delivered himself up at Ash Barracks, Nashville, Tenn., on or about the 5th day of November, 1867."

CHARGE 2D :—" *Violation of the 22d Article of War*."

SPECIFICATION :—"In this ; that he, Bugler *Benjamin Jennings*, Co. B, 5th Cavalry, did after deserting his company enlist for the General Service of the U. S. at Chicago, Ills., on or about the 8th day of October, 1867."

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

FINDINGS :

Of the *Charges* and *Specifications*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Bugler *Benjamin Jennings*, Co. B. 5th Cavalry, "to be branded on the left hip with the letter 'D' to forfeit to the United States all pay and allowances that are now or may become due, and to be confined at hard labor in charge of the guard until the expiration of his term of enlistment at which time to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Bugler *Benjamin Jennings*, Co. B, 5th Cavalry, are approved. The sentence is confirmed, except that portion, to be branded on the left hip, with the letter 'D' and will be carried into effect at the post at which he may be serving.

3d..Private *John Brown*, Co. A, 45th Infantry.

CHARGE :—" *Violation of the 21st Article of War*."

SPECIFICATION :—"In this ; that he, Private *John Brown*, Co. A, 45th Infantry, did, without permission leave his company quarters and garrison on or about the evening of the 1st day of November, 1867, and did not return until brought back by a policeman on or about the 4th day of November, 1867. This at or near Ash Barracks, Nashville, Tenn., on or about the dates above mentioned."

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

FINDINGS :

Of the *Charge* and *Specification*, " Guilty"

SENTENCE ;

And the Court does therefore sentence him, Private *John Brown*, Co. A, 45th Infantry, "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for the period of three (3) months."

The proceedings and findings in the case of Private *John Brown*, Co. A, 45th Infantry, are approved. The sentence in confirmed and will be carried into effect.

4th..Private *Thomas Donnelly*, Co. F, 45th Infantry.

CHARGE 1ST :—" *Violation of the 45th Article of War.*"

SPECIFICATION :—"In this ; that he, Private *Thomas Donnelly*, Co. F, 45th Infantry, having been properly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform his duties properly."

CHARGE 2D :—"*Conduct to the predjudice of good order and military discipline.*"

SPECIFICATION :—"In this; that he, Private *Thomas Donnelly*, Co. F, 45th Infantry, being a member of the guard and in charge of prisoners at work on a cellar within the limits of the camp, did allow said prisoners to become drunk. All this at or near Ash Barracks, Nashville, Tennessee, on or obout the 21st day of October, 1867."

To which charge and specification the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, " Guilty."

Of the 2d *Charge* and *Specification*, "Not Guilt y."

FINDINGS :

Of the 1st *Charge* and *Specification*, " Guilty."

Of the 2d *Charge* and *Specification*, "Not Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas Donnelly*, Co. F, 45th Infontry, " to carry a log of wood weighing thirty (30) pounds for eight (8) days, two days each week for four weeks, four hours on and two hours off, 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 *Thomas Donnelly*, Co. F, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect, at the post at which he may be serving.

5th..Private *Alexander Youug*, Co. B, 45th Infantry.

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

SPECIFICATION :—"In this ; that he, Private *Alexander Young*, Co. B, 45th Infantry, did, in a brutal manner, stab and cut with a knife or other sharp instrument, Corporal *John Rickenbach*, Co. A, 45th Infantry, without sufficient cause or provocation. This at or near Nashville, Tennessse, on or about the 8th day of November, 1867."

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

FINDINGS :

Of the *Specification*, " Guilty,"

except the words ' without sufficient cause or provocation."

Of the *Charge*, " Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Alexander Young*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of three (3) months, and to forfeit twelve dollars ($12.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Alexander Young*, Co. B, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

6th. Sergeant *William Owen*, Co. B, 45th Infantry.

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

SPECIFICATION :—"In this: that he, Sergeant *William Owen*, Co. B, 45th Infantry, being on duty as Sergeant of the guard at Ash Barracks, did neglect his duty so far as to allow three prisoners, viz: Privates *O'Brien* and *Manning*, of Co. F, and Private *O'Donnell*, of Co. A, 45th Infantry, confined in the guard house at said Barracks, to escape from said guard house after they had been delivered to his custody. This at Ash Barracks, Nashville, Tennessee, on or about the 24th day of November, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *William Owen*, Co. B, 45th Infantry, "to be reduced to the ranks." The Court is thus lenient on account of the insecure condition of the guard house.

The proceedings and findings in the case of Sergeant *William Owen*, Co. B, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A A G

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Cumberlands.

1868.

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1..Private JUNIUS B SLACK, Co. B, 5th Cavalry.
2..Private RICHARD W. COLLINS, Co. B, 5th Cavalry.
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6..Private DAVID BURGIAN, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 3d, 1868.

GENERAL ORDERS,
No. 1.

Before a General Court Martial which convened at Nashville Tenn., on the 28th day of November, 1867, pursuant to Special Orders, No. 181, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Nov. 23d 1867, and of which Bvt Lieut Col. J. W. GELRAY, Captain 45th Infantry, V. R. C., is President and 1st Lieut. J. K. WARDEN, 45th Infantry, V. R. C., Judge Advocate were arraigned and tried :

1st..Private *Junius B. Slack*, Co. B, 5th Cavalry.

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

SECIFICATION 1ST :—"In this ; that he, Private *Junius B. Slack* Co. B, 5th Cavalry, did enter the company quarters of Co. A, 45th Infantry and did say in an insulting manner, 'I can whip any damned dough-boy son-of-a-bitch in the company,' or words to that effect. This at Ash Barracks, Nashville, Tenn , on or about the 23d day of November, 1867."

SPECIFICATION 2D :—"In this ; that he, Private *Junius B. Slack*, Co B, 5th Cavalry, being in the company quarters of Co A, 45th Infantry, and attempting to make a disturbance therein, when ordered by 1st Sergeant W P. MAYLE, Co A, 45th Infantry, to leave said quarters, did refuse to obey said orders saying : 'you cannot put me out with your hands,' or words to that effect. This at Ash Barracks, Nashville, Tenn., on or about the 23d day of November, 1867."

SPECIFICATION 3D :—"In this ; that he, Private *Junius B. Slack* Co. B, 5th Cav., being in the company quarters of Co. A, 45th Infantry, a and attempting to create a disturbance therein, did resist the attempt of 1st Sergeant W. P. MAYLE, to eject him by force and did grapple at the throat of said Sergeant MAYLE, tearing his clothes and otherwise abusing him the said Sergeant W. P MAYLE. This at Ash Barracks, Nashville, Tenn., on or about the 23d day of Nov. 1867."

SPECIFICATION 4TH :—"In this ; that he, Private *Junius B. Slack* Co. B, 5th Cavalry, did enter the mess-room of Co A, 45th Infantry, with a loaded carbine cocked, and did say in a loud and threatening

manner to Qr. Mr. Sergeant W. M. COLLINS, Co. A, 45th Infantry, 'I will shoot you,' at the same time pointing said carbine to the breast of said Qr. Mr. Sergeant W. M. COLLINS, calling out: 'I can whip any son-of-a-bitch in the regiment.' This at Ash Barracks, Nashville, Tenn., on or about the 23d day of November, 1867."

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st, 2d and 3d *Specification* to the *Charge* "Guilty."

Of the 4th *Specification* to the *Charge*, "Guilty," except the word 'loaded.'

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Junius B. Slack*, Co. B, 5th Cavalry, "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 fourteen dollars of his monthly pay for the same period."

The proceedings and findings in the case of Private *Junius B. Slack*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

2d. . Private *Richard W. Collins*, Co. B, 5th Cavalry.

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

SPECIFICATION:—"In this; that he, Private *Richard W. Collins*, Co. B, 5th Cavalry, while under the influence of liquor, did raise a disturbance in the company mess-room, and though ordered to quit by Sergeant LOUIS JAHNKE in charge of the kitchen, did still continue his riotous conduct, and strike Private WILLIAM MAX of his company. All this at Ash Barracks, Nashville, Tenn., on or about the 12th day of November, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Richard W. Collins*, Co. B, 5th Cavalry, "to be confined at hard labor in charge of the guard for the period of one (1) month, and to forfeit to the United States fifteen dollars ($15.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Richard W. Collins*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

3d. . Private *Peter J. Walters*, Co. D, 45th Infantry.

CHARGE 1ST:—"*Violation of the 44th Article of War.*"

SPECIFICATION:—"In this; that he, Private *Peter J. Walters*, Co. D, 45th Infantry, a duly enlisted soldier in the service of the United States having been properly detailed as a member of the guard to proceed to Johnsonville, Tenn., and duly notified by 1st Sergeant PATRICK M. KERRIGAN, Co. D, 45th Infantry, to report to Corporal MARION THORNTON, Co. F, 45th Infantry, commanding guard on the garrison parade ground at 3 A. M., November 1st, 1867, did fail so to report."

CHARGE 2D :—"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION :—"In this: that he, Private *Peter J. Walters*, Co. D, 45th Infantry, a duly enlisted soldier in the service of the United States being ordered by Sergeant LOUIS P. CHADDOCK, Co. D, 45th Infantry, to 'hurry up, the guard would be gone,' did reply, he did not care, he did not want to go, or words to that effect, and upon being ordered by the said Sergeant CHADDOCK, to report to Corporal MARION THORNTON, Co. F, 45th Infantry at the Chattanooga Depot immediately, did fail so to report. All this at Nashville, Tenn., on or about the morning of November 1st, 1867."

To which charges and specifications the prisoner pleaded "Guilty"

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Peter J. Walters* Co. D, 45th Infantry, "to forfeit to the United States ten dollars ($10.) of his mynthly pay for the period of three (3) months."

The proceedings and findings in the case of Private *Peter J. Walters*, Co. D, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th..Private *Keeran Claffy*, Co D, 45th Infantry.

CHARGE :—"*Absence without leave.*"

SPECIFICATION :—"In this; that he, Private *Keeran Claffy*, Co. D, 45th Infantry, did absent himself from his company on the morning of the 29th of November, 1867, without permission from proper authority, and did remain absent until the morning of the 3d day of December, 1867, when he was delivered over by a detective to the Commanding Officer of the Post. All this at Ash Barracks, Nashville, Tennessee, on or about the dates above specified."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty"

SENTENCE :

And the Court does therefore sentence him, Private *Keeran Claffy*, Co. D, 45th Infantry, "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for the period of four (4) months."

The proceedings and findings in the case of Private *Keeran Claffy*, Co. D, 45th Infantry, are approved. The sentence in confirmed and will be carried into effect.

5th..Corporal *James H. Clayton*, Co. B, 5th Cavalry.

CHARGE :"*Disobedience of Orders*"

SPECIFICATION.—"In this; that he, Corporal *James H. Clayton*, Co. B 5th Cavalry, a duly enlisted soldier in the service of the United States, did have in his possession certain articles of wearing apparel not authorized by the Army Regulations and did wear the same in the streets of Nashville, Tennessee, thereby wilfully disobeying the written order of his company commander, 1st Lieut J. SCOTT PAYNE, 5th Cavalry, expressly forbidding the wearing or having possession of citizens' clothing. This at Nashville, Tenn., on or about October 31st, 1867, and November 1st, 1867."

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *James H. Clayton*, Co. B, 5th Cavalry, "to be reprimanded by his company commander." The Court is thus lenient on account of the long period the accused has been in arrest, on account of his previous good conduct, and, although it does not appear in evidence, because the Court is of the opinion that there is a disposition among certain members of his company to get him (the accused) into trouble on all occasions.

The proceedings and findings and sentence in the case of Corporal *James H. Clayton*, Co. B, 5th Cavalry, are approved. Corporal *Clayton* will be released from arrest and restored to duty, after having been reprimanded by his company commander.

6th. Private *David Burgian*, Co. B, 45th Infantry.

CHARGE :— "*Absence without leave.*"

SPECIFICATION 1ST :—"In this ; that he, Private *David Burgian*, Co. B, 45th Infantry, did, without permission from his company commander, absent himself from his company (B. 45th Infantry.) on the 17th day of November, 1867, and did remain absent until the evening of the 1st day of December, 1867."

SPECIFICATION 2d—"In this ; that he, Private *David Burgian*, Co. B, 45th Infantry, did, without permission from his commanding officer, absent himself from his company (B. 45th Infantry.) on the morning of the 2d day of December, 1867, and remain absent until the evening of the 3d day of December, 1867. All this at Ash Barracks Nashville, Tenn., on or about the dates above mentioned."

To which charge and specifications the prisoner pleaded as follows :

To the 1st *Specification*,	"Not Guilty."
To the 2d *Specification*,	"Guilty."
To the *Charge*,	"Guilty."

FINDINGS:

Of the *Charge* and *Specifications*	"Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *David Burgian*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for three (3) months, and to forfeit fourteen dollars ($14) of his monthly pay for the same period."

The proceedings and findings in the case of Private *David Burgian*, Co B 45th Infantry, are approved. The sentence is confirmed except that portion forfeiting fourteen dollars ($14) per month, which is mitigated to twelve dollars ($12) per month, and will be carried into effect at the post at which he may be serving.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Bvt. Lt. Col. U. S. A., A. D. C. & A. A. A.

1. Private THOMAS COLLINS, Co. B, 5th Cavalry.
2. Private CHAS. E. MANNING, Co. F, 45th Infantry.
3. Private DAN'L COLLINS, Co. B, 5th Cavalry.
4. Private JOHN J. WILSON, Co. F, 45th Infantry.
5. Private HENRY COSTIGAN, Co. A, 45th Infantry.
6. Private FRANCIS JAIHLE, Co. M, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND

Louisville, Ky., January 17th, 1868.

GENERAL ORDERS, No. 2.

Before a General Court Martial which convened at Nashville, Tenn., November 28th, 1867, pursuant to Special Orders No. 181, par. II, dated Head quarters Department of the Cumberland, Louisville, Ky., November 23d, 1867, and of which Brevet Lieut. Col. J. W. GELRAY, Captain 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

Private *Thomas Collins*, Co. B, 5th Cavalry.

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

Specification—In this, that he, private *Thomas Collins*, Co. B, 5th Cavalry, did, while a sentinel in charge of prisoners at labor near Ash Barracks, Nashville, Tenn., on the 10th day of December, 1867, allow said prisoners to abuse a negro woman, and did also abuse said negro woman himself, by using profane language toward her and striking her with his carbine. All this at or near Ash Barracks, Nashville, Tenn., on or about the 10th day of December, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* of the charge, "Guilty,"
except the words "by using profane language toward her, and."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Thomas Collins*, Co. B, 5th Cavalry, to forfeit to the United States, twelve dollars of his monthly pay for four (4) months, to be confined at hard labor in charge of the guard for the same period.

The proceedings and findings in the case of private *Thomas Collins*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

Private *Charles E. Manning*, Co. F, 45th Infantry.

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

Specification—In this, that he, private *Charles E. Manning*, Co. F, 45th Infantry, did steal from the quarters of Co. F, 45th Infantry, one (1) Silver Watch; three (3) woolen Blankets; one (1) Overcoat; one (1) pair of Trowsers; one (1) Shirt, and one (1) pair of Drawers, the property of enlisted men of Co. F, 45th Infantry. This at Ash Barracks, Nashville, Tenn., on or about the night of November 5th, 1867.

To which Charge and Specification the prisoner pleaded, "Not Guilty."

FINDINGS.

Of the *Specification*, of the charge, "Not Guilty," but guilty of conniving at the theft and sale or pawning of a watch, the property of an enlisted man of Co. F, 45th Infantry.

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Charles E. Manning*, Co. F, 45th Infantry, to be confined at hard labor in charge of the guard for eight (8) months, and to forfeit all pay due or to become due, for the same period, except the just dues of the Laundress, and to wear a placard with the word "thief" inscribed thereon, during the hours of labor, and at the expiration of his sentence to be drummed out of the service of the United States.

The proceedings and findings in the case of private *Charles E. Manning*, Co. F, 45th Infantry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard for six months, wearing a placard with the word "thief" inscribed thereon, during the hours of labor, and to forfeit twelve (12) dollars of his monthly pay for the same period.

Private *Daniel Collins*, Co. B, 5th Cavalry.

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

Specification 1st—In this, that he, private *Daniel Collins*, Co. B, 5th Cavalry, being at the time a prisoner in charge of a sentinel, did say in a tone loud enough to be heard by all those standing in the vicinity, and in allusion to a quarrel that had taken place between a soldier of his own and Captain Gelray's Company A, 45th Infantry, "Colonel Gelray had better take care of his company," and did repeat these words twice in the presence and hearing of Brevet Lieutenant Colonel J. W. Gelray, Captain 45th Infantry. This at Ash Barracks Nashville, Tenn., on or about the 23d day of November, 1867.

Specification 2d—In this, that he, private *Daniel Collins*, Co. B, 5th Cavalry, being at the time a prisoner in charge of a sentinel, did strike private Charles Henderson, Co. A, 45th Infantry in the face without any provocation whatever, and did continue to strike him until forced to desist by the sentinel in whose charge he was. This at Ash Barracks, Nashville, Tenn., on or about the 25th day of November.

To which Charge and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1*st Specification* of the charge, "Not Guilty."
Of the 2*d Specification* and the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Daniel Collins*, Co. B, 5th Cavalry, to forfeit twelve (12) dollars of his monthly pay for four months 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 *Daniel Collins*, Co. B, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

Private *John J. Wilson*, Co. F, 45th Infantry.

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

Specification 1st—In this, that he, private *John J. Wilson*, Co. F, 45th Infantry, did steal from the quarters of Co. F, 45th Infantry, one (1) Silver Watch; three (3) woolen Blankets; one (1) Overcoat; one (1) pair of Trowsers; one (1) Shirt, and one (1) pair of Drawers, the property of enlisted men of Co. F, 45th Infantry. This at Ash Barracks, Nashville, Tenn., on or about the night of November 5th, 1867

Specification 2d—In this, that he, private *John J. Wilson*, Co. F, 45th Infantry, being a prisoner and in charge of private John A. Taylor, Co. A, 45th Infantry, a member of the guard, did assault with intent to kill, the said private John A. Taylor, member of the guard. This at or near Ash Barracks, Nashville, Tenn., on or about the 21st day of December, 1867.

Specification 3d—In this, that he, private *John J. Wilson*, Co. F, 45th Infantry, being a prisoner and in custody of private John A. Taylor, Co. A, 45th Infantry, a member of the guard, did aid and abet private James Floyd, Co. F, 45th Infantry, also a prisoner in custody of said private John A. Taylor, in committing a murderous assault upon said private John A. Taylor thereby endangering his life. This at or near Ash Barracks, Nashville, Tenn., on or about the 21st day of December, 1867.

To which Charge and Specifications the prisoner pleaded as follows:

To the 1st and 2d *Specifications* of the charge, "Not Guilty."
To the 3d *Specification* and the charge, "Guilty."

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John J. Wilson*, Co. F, 45th Infantry, to forfeit all pay and allowances now due or to become due, and to be confined in such prison as the Commanding General may direct for the period of two (2) years, and to be dishonorably discharged the service of the United States at the expiration of his sentence.

The proceedings and findings in the case of private *John J. Wilson*, Co. F, 45th Infantry, are approved. The sentence is confirmed, but mitigated to one years' confinement at hard labor at the post at which he may be serving, forfeiting twelve dollars of his monthly pay for the same period.

Private *Henry Costigan*, Co. A, 45th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this, that he, private *Henry Costigan*, Co. A, 45th Infantry, did turn out with his company for Dress Parade so drunk as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn , on or about the 5th day of December, 1867.

Charge 2d— Conduct to the prejudice of good order and military discipline.

Specification— In this, that he, *Henry Costigan*, Co. A, 45th Infantry, has been since the 26th day of November, 1867, at least seven (7) days so much under the influence of liquor as to be unable to perform his duties properly.

To which Charges and Specifications the prisoner pleaded "Not Guilty."

FINDINGS.

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

Of the *Specification* 2d charge, "Guilty,"

excepting the words "least seven (7) days" and substituting therefor the words "various times."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him to be confined at hard labor in charge of the guard for the period of three months, and to forfeit all pay that may have become due, up to the 1st of January, 1868, and fifteen dollars per month of his monthly pay for the remainder of the period of confinement.

The specification to the 2d charge is defective in averment as to time, and there is nothing in the evidence to show that the accused was incapacitated for duty from drunkenness except on the 5th day of December, for which the Court very properly find him guilty, under the 45th Article of War; but, in passing sentence, the court commits an error in not confining itself to the penalty imposed by the statute, viz: corporeal punishment, which does not extend to forfeiture of pay nor imprisonment, and the sentence thereby becomes inoperative, (see Holt's Digest, page 8, 45th Article, par. 3.)

The proceedings, findings and sentence in the case of private *Henry Costigan*, of Co. A, 45th Infantry, are disapproved. He will be released from confinement and restored to duty.

Private *Francis Jaihle*, Co. M, 5th Cavalry.

Charge.—Desertion.

Specification—In this, that he, private *Francis Jaihle*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Gallatin, Tenn., on or about the 22d day of November. 1867, and did remain until apprehended at or near Nashville, Tenn., on or about the 29th day of November, 1867.

To which Charge and Specification the prisoner pleaded "Not Guilty."

FINDINGS.

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

SENTENCE.

And the Court does therefore sentence him, private *Francis Jahle*, Co. M. 5th Cavalry, to forfeit to the United States all pay and allowances now due or to become due, and to be confined at hard labor in charge of the guard until the expiration of his term of enlistment, which expires in the month of May, 1869. at which time to be dishonorably discharged the service of the United States.

The proceedings and findings in the case of private *Francis Jahle*, Co. M. 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect at the post at which he may be serving.

BY COMMAND OF MAJ. GEN. GEO. H. THOMAS,

WM. D. WHIPPLE,
Brevet Maj. Gen. U. S. A.,
Assistant Adjutant General.

OFFICIAL:

Wm D Whipple
A. A. G.

2..Private REESE H. LONG, Co. A, 2d Infantry.
3..Private JAMES F. ORMSBY, Co. G, 2d Infantry.
4..Private JAMES JOHNSON, Co. G, 45th Infantry.
5..Private JEREMIAH YOUNG, Co. K, 2d Infantry.
6..Corporal THOMAS MCKNIGHT, Co. H, 2d Infantry.
7..Private EUGENE SCHAFFER, Co. F, 2d Infantry.
8..Corporal THOMAS MCKNIGHT, Co. H, 2d Infantry.
9..Private OVERTON MCCLOUD, Co. B, 2d Infantry.

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[HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 21st, 1868.

GENERAL ORDERS,
No. 4.

Before a General Court Martial which convened at Louisville, Ky., on the 26th day of December, 1867, pursuant to Special Orders No. 200, dated Head-Quarters Department of the Cumberland, Louisville, Ky., December 19th, 1867, and of which Bvt Brig. Gen. S. BURBANK, Colonel 2d Infantry, is President, and Bvt. Major S. A. STORROW, Assistant Surgeon U. S. A., Judge Advocate, were arraigned and tried :

2d..Private *Reese H. Long*, Co, A, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Reese H. Long*, Co. A. 2d Infantry, a regularly enlisted soldier of the United States service, did desert the same at Guyandotte, West Virginia, on or about the 23d of November, 1867, and did remain absent until arrested in citizens' clothing, by Private Patrick Callahan, near Wayne Court House, West Virginia, on or about the 23d of November, 1867. Thirty dollars ($30.) reward being paid for his apprehension. All this at the time and place above specified.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty," except the words "arrested by Private Patrick Callahan."

To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty," except the words "did desert the service of the United States," substituting therefor "absent himself without leave."

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

SENTENCE :

And the Court does therefore sentence him, "to forfeit five dollars ($5.) of his monthly pay for one month."

The proceedings and findings in the case of Private *Reese H. Long*, of Co. A 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *James F. Ormsby*, Co. G, 2d Infantry.

CHARGE 1ST—Drunkenness on duty.

SPECIFICATION—In this; that he, Private *James F. Ormsby*, Co. G, 2d Infantry, being on duty as teamster in the Quartermasters' Department, and driving team between Danville and Stanford, Ky., did become so drunk as to be incapable of performing his duties. This between Danville and Stanford, Ky., on or about the 20th day of December, 1867.

CHARGE 2d—Conduct to the prejudice of good order and military discipline

SPECIFICATION—In this; that he, Private *James F. Ormsby*, Co. G, 2d Infantry, did, between Danville and Stanford, Ky., on or about the 20th day of December, 1867, discharge a loaded musket at a citizen.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him,

The proceedings and findings in the case of Private *James F. Ormsby*, of Co G, 2d Infantry, are approved. He will be released from confinement and restored to duty.

4th. Private *James Johnson*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFIAATION—In this; that he, Private *James Johnson*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service and remain absent from the 28th day of November, 1867, until the 15th day of December, 1867, the date of his apprehension by the city police in Louisville, Ky. This at or near the Post of Jeffersonville, Ind., on the 28th day of November, 1867."

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Johnson*, Co. G, 45th Infantry, "to forfeit to the United States, twelve dollars ($12·) a month of his monthly pay for one year, and be confined at hard labor at the Post guard house of his company for the same period."

The proceedings and findings in the case of Private *James Johnson*, Co. G, 45th Infantry, are approved. The sentence is confirmed, but owing to the extreme youth of the prisoner and the very short period he has been in the service, as well as to the recommendation of the members of the Court to clemency, is mitigated to confinement for four (4) months and forfeiture of twelve dollars ($12.) per month for the same period, and will be carried into effect.

5th. Private *Jeremiah Young*, Co. K, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Jeremiah Young*, Co. K, 2d Infantry, having been regularly posted as a sentinel, on Post No. 5, in front of the Government stables at Taylor Barracks, Louisville, Ky., did, before he

was regularly relieved, leave said post and go inside said stables and did there go to sleep and was there found asleep by the Sergeant of the guard, the Sergeant having been called by the Officer of the Day when making his rounds, to assist in finding the said Private *Jeremiah Young* Co K, 2d Infantry. This at Taylor Barracks, Louisville, Ky., at about the hour of midnight of December 30th 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Private *Jeremiah Young*, Co. K, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit ten dollars ($10.) a month of his monthly pay for the same period."

The proceedings and findings in the case of Private *Jeremiah Young*, Co. K, 2d Infantry, are approved. The sentence is confirmed, but on the recommendation of the members of the Court to clemency, is mitigated to confinement at hard labor for the period of two (2) months and forfeiture of ten dollars ($10.) per month for the same period.

6th..Corporal *Thomas McKnight*, Co. H, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION 1ST—In this; that he, Corporal *Thomas McKnight*, of Co. H, 2d Infantry, did, while on duty as Corporal of police, Post of Louisville, Ky., get so drunk as to be unable to perform his duty properly. This at Taylor Barracks, Louisville, Ky., at about 3 o'clock, P. M., on the 1st day of January, 1868.

SPECIFICATION 2D—In this; that he, Corporal *Thomas McKnight* of Co. H, 2d Infantry, did, while on duty as Corporal of Police, Post of Louisville, Ky., get so drunk as to be unable to perform his duty properly. This at Taylor Barrcaks, Louisville, Ky., at about 1 o'clock P. M., on the 4th day of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Corporal *Thomas McKnight*, Co. H, 2d Infantry, "to be reduced to the rank of a private soldier, to be confined at hard labor in charge of the guard for the period of three (3) months, the first fifteen (15) days of each month to carry a knapsack weighing twenty-five (25) pounds every alternate two (2) hours from Reveille to Retreat."

The proceedings and findings in the case of Corporal *Thomas McKnight*, Co. H, 2d Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post at which he may be serving.

7th..Private *Eugene Schafer*, Co. F, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Eugene Shaffer*, Co. F, 2d Infantry, a member of the garrison guard, having been properly posted as a sentinel in front of the commanding officers' quarters did lay aside his gun, lay down and go to sleep and in this condition was found by Bvt. Captain W. R. Maize, 2d Infantry, officer of the day. All this at Taylor Barracks, Ky., between the hours of 12 o'clock and 2 A. M., on the morning of the 6th of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, "to be confined at hard labor in charge of the guard for four (4) months and to forfeit ten dollars ($10.) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Eugene Schaffer*, Co. F, 2d Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post where he may be serving.

8th.. Corporal *Thomas McKnight*, Co. H, 2d Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this: that he, Corporal *Thomas McKnight*, Co. H, 2d Infantry, being under arrest and ordered by 2d Lieut. Charles Sellmer, 2d Infantry, commanding Co. H, not to leave his quarters under any circumstances, except to go to the kitchen for his meals or to the rear and having been particularly warned not to go to the store of the Post Trader, did disobey said order and break his arrest and did go to the Post Trader's store, and getting drunk behave himself in a disorderly manner and strike Private Thomas Stiles, Co. H, 2d Infantry, on the head with a sling shot, inflicting thereby a serious wound. All this between the hours of 2 and 4 P. M., of the 9th day of January, 1868, at Taylor Barracks, Louisville, Ky.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, "to be confined at hard labor in charge of the guard for the period of four (4) months, the first fourteen (14) days of each month to be in solitary confinement on bread and water and to forfeit twelve dollars ($12.) a month of his monthly pay for the same period."

The proceedings and findings in the case of Corporal *Thomas McKnight*, Co. H, 2d Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post at which he may be serving.

9th.. Recruit *Overton McCloud*, Co. B, 2d Infantry.

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that he, Recruit *Overton McCloud*, Co. B, 2d Infantry, being a duly enlisted soldier in the army of the United States, did desert the same at Guyandotte, West Virginia, on or about the 10th day of December, 1867, and did remain absent until appehended at or near Grand Falls, West Virginia, on or about the 11th day of December, 1867. Thirty dollars ($30.) being paid for his apprehension.

CHARGE 2D—Conduct to the prejudice of good order and military discipline

SPECIFICATION—In this; that he, Recruit *Overton McCloud*, Co. B, 2d Infantry, did, at Guyandotte, West Virginia, on or about the 10th day of December, 1867, steal and appropriate to his own use the following articles of clothing from the men of his company, viz:—From Private Thomas Hogan, one Uniform Coat, one Leather Stock; From Private William T. Kyser, one Uniform Coat, one pair of Trowsers and one Leather Stock; From Private Samuel Hill, one Leather Stock; From Private William Gossitt, two Shirts.

CHARGE 3D—Violation of the 38th Article of War.

SPECIFICATION—In this; that he, Recruit *Overton McCloud*, Co. B, 2d Infantry, did, at Guyandotte, West Virginia, on or about the 10th day of December 1867, steal and appropriate to his own private use and benefit the following articles of camp and garrison equipage the property of the United States, viz:—One Knapsack, one Haversack and one pair of metalic scales. All this at Guyandotte, West Virginia, on or about the dates above specified.

To which charges and specifications the prisoner pleaded as follows:

Of the *Specification* of the 1st *Charge*,	"Guilty."
Of the 1st *Charge*,	"Guilty."
Of the *Specification* of the 2d *Charge*,	"Not Guilty."
Of the 2d *Charge*,	"Not Guilty."
Of the *Specification* of the 3d *Charge*,	"Not Guilty."
Of the 3d *Charge*,	"Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*.	"Guilty."

SENTENCE:

And the Court does therefore sentence him Recruit *Overton McCloud*, Co. B, 2d Infantry, "to forfeit all pay and allowances due to the promulgation of this sentence, to be confined at hard labor in charge of the guard for the period of eighteen (18) months and to forfeit fifteen dollars ($15.) a month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Overton McCloud*, Co. B, 2d Infantry, are approved.

The sentence is confirmed but mitigated to forfeiture of twelve dollars ($12.) per month for the period of one (1) year and confinement at hard labor in charge of the guard at the post at which he may be serving for the same period.

The General Court Martial constituted by Special Orders No. 200, dated Head-Quarters Department of the Cumberland, Louisville, Ky., December 19th, 1867, and of which Bvt. Brig. Gen. S. BURBANK, Colonel 2d. Infantry is President and Bvt. Maj. S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D. Whipple
A. A. G.

1..Private AMORN BLAIN, Co. M, 5th Cavalry.
2..Private KENNETH MCANLEY, Co M. 5th Cavalry.
3..Private CHARLES E. EDWARDS, *alias* CHARLES E. AMES, Co. M, 5th Cavalry
4..Private WM. REINSMITH. Co. M. 5th Cavalry.
5..Private FRANCIS M. HARRIS, Co. F, 45th Infantry.
6..Musician THOMAS BRIGMAN, Co F, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 27th, 1868.

GENERAL ORDERS,
No. 5.

Before a General Court Martial which convened at Nashville, Tenn., Nov. 28th, 1867, pursuant to Special Orders No 81, Par. 2. dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1867, and of which Brevet Lieut. Colonel J. W. GELRAY, Captain 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

Private *Amorn Blain*, Co. M, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Amorn Blain*, Co. M, 5th Cavalry, having been duly enlisted in the service of the United States. did desert the same at Gallatin, Tenn., on or about the 5th day of December, 1867, and did remain absent until apprehended at or near Mitchellville, Tenn., on or about the 6th day of December, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, "to forfeit all pay and allowances now due, or to become due, to the promulgation of this sentence, and to be confined at hard labor in charge of the guard for the period of twelve (12) months, and to forfeit fifteen dollars ($15.) of his monthly pay, per month, for the same period."

The proceedings and findings in the case of Private *Amorn Blain*, of Co. M, 5th Cavalry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard at the post where he is serving for eight (8) months, forfeiting twelve dollars ($12.) per month for the same period; to be carried into effect.

Private *Kenneth McAnley*, Co. M, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *McAnley*, Co. M, 5th Cavalry, having been duly enlisted in the service of the United States, did desert

the same at Gallatin, Tenn., on or about the 5th day of December, 1867, and did remain absent until apprehended at or near Mitchellville, Tenn., on or about the 6th of December, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Kenneth McAnley*, Co. M, 5th Cavalry, "to forfeit to the United States all pay and allowances due, or to become due, and to be confined at hard labor in charge of the guard for the period of two (2) years, at the expiration of which time to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Kenneth McAnley*, of Co M 5th Cavalry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard for eight (8) months, forfeiting twelve dollars ($12.) per month for the same period, and will be carried into effect at the post where he may be serving. As it is not considered of benefit to the service to discharge men on account of certain misdemeanors, or for worthlessness, that portion of the sentence is disapproved.

Private *Charles E. Edward, alias Charles E. Ames*, Co. M, 5th Cavalry.

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that he, Private *Charles E. Edward alias Charles E. Ames*, Co. M. 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Gallatin, Tenn., on or about the 24th day of December, 1866, and did remain absent until he surrendered himself at Bowling Green, Ky., on or about the 30th day of November, 1867.

CHARGE 2D—Violation of the 22d Article of War.

SPECIFICATION—In this; that he, Private *Charles E. Edward, alias Charles E. Ames*, Co. M, 5th Cavalry, did, without a regular discharge from his company, enlist himself in Co. E, 2d Infantry, at Bowling Green, Ky., under the name of *Charles E Ames*. This at Bowling Green, Ky., on or about the 15th day of November, 1867.

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

FINDINGS:

Of the *Charges* and *Specificatians*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles E. Edward, alias Charles E. Ames*, "to be branded with the letter "D" on the left hip, to forfeit all pay and allowances now due or to become due up to the promulgation of this sentence, to be confined at hard labor in charge of the guard for the period of two (2) years, and to forfeit fifteen dollars ($15) per month of his monthly pay for the same period, and at the expiration of his confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Charles E. Edward alias Charles E. Ames*, Co. M. 5th Cavalry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard for one (1) year, forfeiting twelve dollars ($12) per month for the same period, and will be carried into effect at the post where he may be serving.

Private *William Reinsmith*, Co. M, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATON—In this; that he, Private *William Reinsmith*, Co. M, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Gallatin, Tenn., on or about the 5th day of December, 1867, and did remain absent until apprehended at or near Mitchellville, Tenn., on or about the 6th day of December, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Reinsmith*, Co. M, 5th Cavalry, "to forfeit to the United States all pay and allowances now due or to become due, and to be confined at hard labor in charge of the guard for the period of two (2) years, at the expiration of which time to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *William Reinsmith*, Co. M, 5th Cavalry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard for eight (8) months, forfeiting twelve dollars ($12.) per month for the same period, and will be carried into effect at the post where he may be serving. It not being considered of benefit to the service to discharge men for worthlessness, that portion of the sentence is disapproved.

Private *Francis M. Harris*, Co. F, 45th Infantry, V. R. C.

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

SPECIFICATION—In this; that he, Private *Francis M. Harris*, Co. F, 45th Infantry, did steal from the quarters of Co. F, 45th Infantry V. R. C., one silver watch the property of an enlisted man of Co. F. 45th Infantry V. R. C. This at Ash Barracks, Nashville, Tenn. on or about the night of November 5th, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Francis M. Harris*, Co. F, 45th Infantry.

The proceedings and findings in the case of Private *Francis M. Harris*, of Co. F, 45th Infantry V. R. C., are approved. He will be released from confinement and restored to duty.

Musician *Thomas A. Brigman*, Co. F, 45th Infantry V. R. C.

CHARGE 1ST—Violation of the 21st Article of War.

SPECIFICATION—In this; that he, Musician *Thomas A. Brigman* of Co. F, 45th Infantry V. R. C., did absent himself from his company and regiment, at Ash Barracks, without permission from proper authority, from Tattoo on the evening of December 3d, 1867, until Reveille on the morning of December 4th, 1867.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Musician *Thomas A. Brigman*, Co. F, 45th Infantry V. R. C., did steal one (1) overcoat belonging to Private Francis

M. Kennedy, of Co. F, 45th Infantry, V. R. C., and did take the same to a house of ill-fame near the camp, and throwing it at a bed in said house, said to the woman keeping the house, "Here, Ann, take this coat and hide it under the bed, or sew it up in the tick, for he (meaning Private Kennedy,) is hunting for it now," or words to that effect.

SPECIFICATION 2D—In this; that he, Musician *Thomas A. Brigman*, Co. F, 45th Infantry V. R. C., did ask Private Jacob Smith, Co. F, 45th Infantry V. R. C., to let him sell his (Smith's) overcoat, as he could get five dollars ($5) for it. All this at or near Ash Barracks, Nashville, Tenn., on or about the 4th of December, 1867.

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

FINDINGS:

Of the *Specification*, 1st *Charge*, "Guilty," except the words "after Reveille on."

Of the 1st *Charge*, "Guilty."

Of the 1st *Specification*, 2d *Charge*, "Guilty," except the words "throwing it at a bed in said house."

Of the 2d *Specification*, 2d *Charge*, "Guilty."

Of the 2d *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Musician *Thomas A. Brigman* Co. F. 45th Inf'y, V. R. C., "to forfeit all pay now due or to become due up to the promulgation of this sentence, except the just dues of the laundress and fifteen dollars ($15) per month of his monthly pay for six (6) months, to be confined ot hard labor in charge of the guard, wearing upon his back a card with the word "Thief" written thereon, for the same period, and at the expiration of which to be dishonorably discharged the service of the United States, and drummed out of camp."

The proceedings and findings in the case of Musician *Thomas A. Brigman*, Co. F, 45th Infantry, are approved. The sentence is confirmed, except that portion relating to dishonorable discharge and to be drummed out of camp, which is remitted; the remainder will be carried into effect at the post where he may be serving.

BY COMMAND OF MAJOR GENERAL THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Stump

R. Coe Adj

1. Private JOHN MANLEY, Co. M, 5th Cavalry.
2..Private ROBERT ROSS, Co. M, 5th Cavalry.
3..Private ERNEST GROSGEAN, Co. B, 5th Cavalry.
4..Private WILLIAM S. STEPHANS, Co. B, 5th Cavalry.
5..Private BARNEY MULLOY, Co. M, 5th Cavalry.
6..Private EDWARD H. KENNEALLY, Co. M, 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., January 29th, 1868.

GENERAL ORDERS, No. 6.

1 Before a General Court Martial which convened at Nashville, Tenn., Nov. 28th, 1867, pursuant to Special Orders No 181, Par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1867, and of which Brevet Lieut. Colonel J. W. GELRAY, Captain 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

1st. Private *John Manley*, Co. M, 5th Cavalry.

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

SPECIFICATION 1ST—In this; that Private *John Manley*, Co. M, 5th Cavalry, did, without permission from proper authority, absent himself from his company quarters on the night of November 20th 1867, in direct violation of orders given to the contrary. This at Gallatin, Tenn

SPECIFICATION 2D—In this; that Private *John Manley*, Co. M 5th Cavalry, did, on or about the night of November 20th, 1867, between the hours of 11 and 12 o'clock, by means of a picklock or other implement, open the door and enter the saddler shop of Wm. Lillard, a citizen of the town of Gallatin, Tenn., for the purpose of robbing said shop, and did, when surprised by Mr. Lillard, run away and was pursued and arrested by citizens. All this at Gallatin, Tenn.

SPECIFICATION 3D—In this; that Private *John Manley*, Co. M, 5th Cavalry, did, on or about the night of November 20th, 1867, between the hours of 10 and 12 o'clock, by means of a picklock or other implement, try to gain an entrance to the drug store of Dr. Wm. R. Tonkins, of Gallatin, Tenn., for the purpose of robbing said store, and upon being interrupted in his designs succeed in making good his escape. All this at Gallatin, Tenn., on or about the dates and hours above specified.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification* of the *Charge*,	"Guilty."
To the 2d and 3d *Specifications* of the *Charge*,	"Not Guilty."
To the *Charge*,	"Guilty."

FINDINGS:

Of the 1st *Specification* of the *Charge* "Guilty."

Of the 2d *Specification* of the *Charge*, "Guilty."
except the words "by means of a picklock or other implement" and "for the purpose of robbing said shop."

Of the 3d *Specification* of the *Charge*, "Not Guilty."

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Manley*, Co. M, 5th Cavalry, "to forfeit to the United States fifteen dollars ($15) of his monthly pay for the period of three (3) months, 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 *John Manley*, Co. M, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect at the post where he may be serving.

2d. Private *Wm. S. Stephans*, Co. B, 5th Cavalry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Wm. S. Stephans*, Co. B, 5th Cavalry, having been duly posted as a sentinel, on Post No. 3, did sleep on said post, and was found so sleeping by Corporal Wm. Wolfinden, Co. B, 45th Infantry V. R. C. All this at Ash Barracks, Nashville, Tenn., between the hours of 2 and 3 o'clock A. M., January 12th, 1868.

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

FINDINGS:

Of the *Specification*, of the *Charge*, "Guilty."
excepting the words "sleep on" and sustituting therefor the word "leave," and excepting the words "so sleeping" and substituting therefor the words "away from his post and setting down."

Of the *Charge*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Wm. S. Stephans*, Co. B. 5th Cavalry, "to be confined at hard labor in charge of the guard for the period of one (1) year, and to forfeit fifteen dollars ($15) of his monthly pay for the same period."

The proceedings and findings in the case of Private *Wm. S. Stephans*, Co. B, 5th Cavalry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor for six (6) months and forfeiting twelve dollars ($12) per month for the same period, to be carried into effect at the post where he may be serving.

3d. Private *Robert Ross*, Co. M. 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Robert Ross*, Co. M, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 24th of March, 1867, at Gallatin, Tenn., and did remain absent until he was apprehended at Nashville, Tenn., on or about the 6th day of November, 1867. Thirty dollars ($30) having been paid for his apprehension

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert Ross*, Co. M, 5th Cavalry, "to be indelibly marked with the letter "D" on the left hip, to be confined at hard labor in charge of the guard for the period of two (2) years, with the loss of all pay and allowances now due or to become due, for the same period, and then to be dishonorably discharged the service of the United States and drummed out of camp."

The proceedings and findings in the case of Private *Robert Ross*, Co. M, 5th Cavalry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor for one (1) year, forfeiting twelve dollars ($12) per month for the same period, and will be carried into effect at the post where he may be serving.

4. Private *Ernest Grosgean*, Co. B, 5th Cavalry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Ernest Grosgean*, Co. B, 5th Cavalry, having been duly posted as a sentinel on post No. 2, did get drunk. All this at Ash Barracks, near Nashville, Tenn., between the hours of 1 and 3 A. M., January 12th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Ernest Grosgean*, Co. B, 5th Cavalry, "to be confined in charge of the guard for the period of two months on bread and water diet every alternate day, and to carry a log every day from 9 to 12 o'clock A. M., and from 2 to 5 P. M."

The proceedings and findings in the case of Private *Ernest Grosgean*, Co. B, 5th Cavalry, are approved. The sentence is approved and confirmed as far as relates to the carrying a log every day from 9 to 12 o'clock A. M. and from 2 to 5 P. M., for two (2) months that being coporeal punishment the penalty fixed by statute for violation of the 45th Article of War. The remainder of the sentence is inoperative. (See Holt's Digest 45th Article, par. 3. page 8.)

5. Private *Barney Mulloy*, Co. M, 5th Cavalry.

CHARGE—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *Mulloy*, Co. M, 5th Cavalry, being a member of the guard regularly mounted at Gallatin, Tenn., on the 22d day of December, 1867, did, without urgent necessity and without leave of superior officer, quit his guard at about 7 o'clock P. M., and remain absent until brought back intoxicated by a patrol about 9½ o'clock P. M. All this at Gallatin, Tenn., on or about the dates and hours about specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Barney Mulloy*, Co. M, 5th Cavalry, "to forfeit to the United States all pay now due or to become due for the period of six (6) months, and to be confined in charge of the guard for the same period, carrying a twenty-five (25) pound log from reveille until retreat, alternate hours every other day."

The proceedings and findings in the case of Private *Barney Mulloy*, of Co. M, 5th Cavalry, are approved. The sentence is confirmed, but mitigated to confinement in charge of the guard for three (3) months, forfeiting twelve dollars ($12.) per month during the same period, and to carry a log of wood weighing twenty-five pounds alternate hours from reveille to retreat, every other day, for the first and last fourteen days of his confinement; to be carried into effect at the post where he may be serving.

Private *Edward H. Kenneally*, Co. M, 5th Cavalry.

CHARGE 1ST—Desertion.

SPECIFICATON—In this; that Private *Edward H. Kenneally*, Co. M, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on or about the 13th of January, 1867, and did remain absent until apprehended at Memphis, Tennessee, on or about the 21st of December, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension

CHARGE 2D—Violation of the 22d Article of War.

SPECIFICATION—In this; that Private *Edward. H. Kenneally*, Co. M, 5th Cavalry, did, without a regular discharge from his company, enlist himself in Co. C, 25th Infantry, at Memphis, Tennessee, on or about the 25th of August, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the 1*st Charge* and *Specification*, "Not Guilty."
To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty,"
but attach no criminality thereto.
Of the 1st *Charge*, "Guilty,"
but attach no criminality thereto.
Of the *Specification*, 2d *Charge*, "Guilty,"
but attach no criminality thereto.
Of the 2d *Charge*, "Guilty."
but attach no criminality thereto.

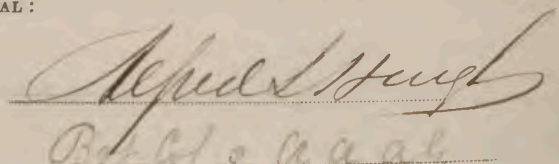
And the Court does therefore acquit him, Private *Edward H. Kenneally*, Co. M, 5th Cavalry.

The proceedings and findings in the case of Private *Edward H. Kenneally*, of Co. M, 5th Cavalry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:



1..Private HENRY C. LIVINGSTON, Co. A, 45th Infantry.
2..Private HERMAN WAGONER, Co. F. 45th Infantry.
3..Musician JAMES TOLBERT, Co. A, 45th Infantry.
4..Private JAMES MAHAN, Co. A, 45th Infantry.
5..Musician ALBERT DASSOW, Post Band.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 11th, 1868.

GENERAL ORDERS, }
No. 7. }

I Before a General Court Martial which convened at Nashville, Tennessee, Nov.28th, 1867, pursuant to Special Orders No. 181, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1867, and of which Brevet Lieut. Colonel J. W. GELRAY, Captain 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

Private *Henry C. Livingston*, Co. A, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Henry C. Livingston*, Co. A, 45th Infantry, having been duly enlisted in the service of the United States, did desert the company at Nashville, Tenn., on the 11th day of January, 1868, and did not return until apprehended by a citizen at Nashville, Tenn., on the 12th day of January, 1868. Thirty dollars ($30.) claimed for his apprehension. This at or near Nashville, Tenn., on or about the dates above mentioned.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry C. Livingston*, Co. A, 45th Infantry, "to be indelibly marked with the letter "D" on the left hip; to be confined at hard labor in charge of the guard for the period of two (2) years with the loss of all pay now due or to become due for the same period and then to be dishonorably discharged the service of the United States and drummed out of camp."

The proceedings and findings in the case of Private *Henry C. Livingston*, Co. A, 45th Infantry, are approved. The sentence is confirmed, but mitigated to one (1) years confinement at hard labor, forfeiting twelve dollars ($12.) per month of his monthly pay for the same period, and will be carried into effect at the post where he may be serving. The remainder of the sentence is hereby remitted.

Private *Herman Wagoner*, Co. F, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Herman Wagoner*, Co. F, 45th Infantry, a regular enlisted soldier in the U. S. Army, did desert from his company at Ash Barracks, Nashville, Tenn., on the morning of the 1st of January, 1868, and did remain absent until apprehended in the city of Nashville, Tenn., by Sergeant Allen B. Cockley, Co. F, 45th Infantry, on or about the night of the 4th day of January, 1868. This at or near Nashville, Tenn., on or about the time above specified.

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

FINDINGS:

Of the *Specification*, of the *Charge*. "Guilty,"
except the word "desert," substitituting therefor the words "absent himself."

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

SENTENCE:

And the Court does therefore sentence him, Private *Herman Wagoner*, Co. F, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of four (4) months, with the loss of all pay and allowances now due or to become due for the same period."

The proceedings and findings in the case of Private *Herman Wagoner*, of Co. F, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where he may be serving.

Musician *James Tolbert*, Co. A, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Musician *James Tolbert*, Co. A, 45th Infantry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on the 11th day of January, 1868, and did not return until apprehended at or near Gallatin, Tenn., on the 23th day of January, 1868. Thirty dollars ($30.) has been paid for his apprehension. This at or near Nashville, Tenn., on or about the date above mentioned.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

"And the Court does therefore sentence him, Musician *James Tolbert*, Co. A, 45th Infantry, "to be indelibly marked with the letter "D" on the left hip; to be confined at hard labor in charge of the guard for the period of two (2) years with the loss of all pay and allowances now due or to become due, for the same period, and then to be dishonorably discharged the service of the United States and drummed out of camp."

The proceedings and findings in the case of Musician *James Tolbert*, Co. A, 45th Infantry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor for eight (8) months, forfeiting twelve dollars ($12.) per month of his monthly pay for the same period, and will be carried into effect at the post where he may be serving. The remainder of the sentence is remitted.

Private *James Mahan*, Co. A, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *James Mahan*, Co. A, 45th Infantry, a duly enlisted soldier in the service of the United States, having been regularly detailed for special duty with a detachment of the 45th Infantry, at Johnsonville, Tenn., for the purpose of looking after, and taking charge of such property belonging to the United States as may be found at Johnsonville, Tenn., and vicinage, under the direction of John Enoch, Q. M Agent, and the duties of said detachment being continuous, did become so drunk as to be wholly incapacitated for the performance of his duties. This at Johnsonville, Tenn., on or about December 8th and 9th, 1867.

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

FINDINGS:

Of the *Specification* of the *Charge*, "Guilty," excepting the words "and the duties of said detachment being continuous."

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Mahan*, Co. A, 45th Infantry, "to be confined at hard labor in charge of the guard up to the date of promulgation of his sentence." The Court is thus lenient on account of mitigating circumstances and the length of time the prisoner has already been confined.

The proceedings and findings in the case of Private *James Mahan*, of Co. A, 45th Infantry, are approved. The sentence is confirmed, on the promulgation of the same the prisoner will be released from confinement and restored to duty.

Musician *Albert Dassow*, Post Band.

CHARGE—Absence without leave.

SPECIFICATION 1ST—In this; that he, 1st Class Musician *Albert Dassow*, Post Band of Nashville, Tenn., a duly enlisted soldier in the service of the United States, did absent himself from the Post Band of Nashville, without proper authority from his commanding officer, on the morning of the 27th day of December, 1867, and did remain absent until 11 o'clock, P. M. of December, 29th, 1867, All this at Ash Barracks, Nashville, Tenn., on or about the date above mentioned.

SPECIFICATION 2D—In this; that Musician *Albert Dassow*, of the Post Band of Nashville, Tenn., a duly enlisted soldier in the service of the United States, did absent himself from the Post Band of Nashville, stationed at the Post of Nashville, Tenn., without permission from proper authority, on the evening of the 17th day of January, 1868, and did remain absent until the evening of January 18th, 1868.

SPECIFICATION 3D—In this; that Musician *Albert Dassow*, of the Post Band of Nashville, Tenn., a duly enlisted soldier in the service of the United States, stationed at Nashville, Tenn., did absent himself without permission from proper authority, from the Band and Post aforesaid, on the morning of the 19th of January, 1868, and did remain absent until the morning of the 20th day of January, 1868. All this at Nashville, Tenn. on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does there foresentence him, 1st Class Musician *Albert Dassow*, Post Band of Nashville, Tenn., "to forfeit to the United States ten dollars ($10.) per month of his monthly pay for the period of three (3) months, and to be confined at hard labor in charge of the guard up to the promulgation of his sentence."

The proceedings and findings in the case of 1st Class Musician *Albert Dassow*, Post Band of Nashville, Tenn., are approved. The sentence is confirmed and will be carried into effect.

II..The General Court Martial of which Brevet Lieut. Col. J. W. GELRAY, Capt. 45th Infantry is President, and 1st Lieut. J. K. WARDEN, 45th Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

1..Private JOHN BALTHAZER, Co. G, 25th Infantry.
2..Private WALTER MONRO, Co. C, Select General Service, U. S. A.
3..Private JOHN J. BOYLE, Co. B, 12th Infantry.
4..Private HENRY MANSEY. Co. I, 12th Infantry.
5..Sergeant CHARLES SHELBY. Co. I, 25th Infantry.
6. Private JOHN MCCONNELL, Co. D, 2d Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 12th, 1868.

GENERAL ORDERS, No. 8.

I. Before a General Court Martial which convened at Newport Barracks, Ky., on the 28th day of January, 1868, pursuant to Special Orders, No. 16, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Captain P. A. OWEN, 9th Infantry, is President, and Bvt. Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

1st..Private *John Balthazer*, Co. G, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Balthazer*, Co. G, 25th Infantry having been duly enlisted in the service of the United States, did desert the same on or about the 27th day of May, 1867, at or near the Post of Columbus, Ky., and did remain absent until he surrendered himself at St Louis, Mo., on or about the 13th day of November, 1867. All this at or near Columbus, Ky., and St Louis, Mo., on or about the 27th day of May, 1867, to about the 13th day of November, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Balthazer*, of Co G, 25th Infantry, "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay, for four (4) months, 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 *John Balthazer*, of Co. G, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where he may be serving.

2d..Private *Walter Monro*, Co. C, Select Recruits General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Walter Monro*, Co. C, Select Recruits Gen. Ser. U. S. A., having been duly enlisted as a soldier into the service of

the United States, did desert the same at Newport Barracks, Ky., on or about the 17th day of November, 1867, and did remain absent until the morning of the 19th of November, 1867, when he voluntarily returned to his command at Newport Barracks, Ky.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent himself without leave from."

To the *Charge*, "Not Guilty,"
but "Guilty" of "Absence without leave."

FINDINGS:

Of the *Specification*, "Guilty"
excepting the words "did desert," substituting therefor "did absent himself without leave from."

Of the *Charge*, "Not Guilty,"
but "Guilty" of "Absence without leave."

SENTENCE:

And the Court does therefore sentence him, Private *Walter Monro*, Co. C, Select Recruits General Service, U. S. A., "to forfeit to the United States five dollars ($5.) per month of his monthly pay for one (1) month."

The proceedings and findings in the case of Private *Walter Monroe*, of Co. C Select General Service, are approved. The sentence is confirmed and will be carried into effect.

5th.. Private *John J. Boyle*, Co. B, 12th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John J. Boyle*, Co. B, 12th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on the morning of the 6th day of December, 1867, while in charge of the guard at Russell Barracks, Washington, D. C., awaiting trial by a General Court Martial, and did remain absent until apprehended at Columbus, Ohio, on or about the 15th day of December, 1867. Thirty dollars ($30.) having been paid for his apprehension. All this at Russell Barracks, Washington, D. C. and Columbus, Ohio, on or about the above dates.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John J. Boyle*, Co. B, 12th Infantry, "to forfeit to the United States twelve dollars ($12.) per month of his monthly pay for twelve (12) months, and to be confined at hard labor in charge of the guard, having a twelve (12) pound ball attached to his left leg by a chain six (6) feet in length, for the same period, and at the expiration of said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *John J. Boyle*, Co. B, 12th Infantry, are approved. The sentence is confirmed except that portion relating to dishonorable discharge, which is disapproved; the remainder of the sentence will be carried into effect at the post where he may be serving.

6th.. Private *Henry Mansey*, Co. I, 12th Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Henry Mansey* Co I, 12th Infantry, did, while a prisoner in the guard house at Russell Barracks, D. C., undergoing sentence of a General Court Martial escape from said confinement, on or about the 6th day of December, 1867, before he was set at liberty by proper authority and did remain absent until apprehended at Columbus, Ohio, on the 15th day of December, 1867. Thirty dollars, ($30.) being paid for his apprehension. This at Russell Barracks, D. C. and Columbus, Ohio, on or about the above dates.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *Henry Mansey*, Co I, 12th Infantry, did, while a prisoner in the guard house at Russell Barracks, Washington, D C., undergoing sentence of a General Court Martial, absent himself without permission from proper authority, and did remain absent until apprehended at Columbus Ohio, on the 15th day of December, 1867. All this at Russell Barracks Washington, D. C. and Columbus, Ohio, on or about the dates above specified.

To which charges and specifications the prisoner pleaded as follows:

To the *Specification* of the 1st *Charge*, "Guilty."
To the 1st *Charge*, "Not Guilty."
To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Mansey*, Co. I, 12th Infantry, "to make good the money paid for his apprehension, to forfeit ten dollars ($10.) per month of his monthly pay for four (4) months, 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 *Henry Mansey*, Co. I, 12th Infantry are approved, The sentence is confirmed and will be carried into effect at the post where he may be serving.

7th..Sergeant *Charles Shelby*, Co. I, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, *Charles Shelby*, Sergeant Co. I, 25th Infantry, having been duly enlisted in the service of the United States did desert the same from the garrison of his company and regiment at or near Memphis, Tenn., on or about the 22d day of May, 1867, and did remain absent until he was apprehended at Chicago, Illinois, on or about the 28th day of December, 1867. The sum of thirty dollars ($30.) has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *Charles Shelby*, Co. I, 25th Infantry, "to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for twelve (12) months to be confined at hard labor in charge of the guard, having a twelve pound ball attached to his left leg, by a chain six feet in length for the same period and at the expiration of said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Sergeant *Charles Shelby*, Co. I, 25th Infantry, are approved. The sentence is confirmed, except that portion relating to dishonorable discharge, which is disapproved. The remainder of the sentence will be carried into effect at the post where he may be serving.

8th. Private *John McConnell*, Co. D, 2d Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *John McConnell*, Co. D, 2d Regt. of Cavalry, a duly enlisted soldier in the service of the United States, did desert the same and remain absent until he surrendered himself at Chicago, Ill., December 21st, 1867. This at or near Cherry Run, Colorado Territory, on or about the 9th day of October, 1866.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John McConnell*, Co. D, 2d Cavalry, "to forfeit to the United States ten dollars ($10.) per month of his monthly for four (4) months, 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 *John McConnell*, Co. D, 2d Cavalry, are approved. The sentence is confirmed and will be carried into effect at the post to which the prisoner belongs.

II. So much of General Orders No. 77, Department of the Cumberland, Series of 1867, relating to the case of Recruit *Anthony P. Valentine*, General Service, U. S. A., as reads "on or about the 4th day of Angust, 1866," is hereby amended so as to read "on or about the 4th day of August, 1867."

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A A G

1..Private JAMES LEONARD, Co. E, 45th Infantry.
2..Private JAMES W. MARTIN, Co. E, 45th Infantry.
3..Private WILLIAM CURTISS, Co, E, 45th Infantry.
4..Private WILLIAM C. KELLER, Co. E, 45th Infantry.
5..Musician FRANK ROBACKER, Co. E, 45th Infanrry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 14th, 1868.

GENERAL ORDERS, No. 9.

Before a General Court Martial which convened at Chattanooga, Tennessee, January 28th 1868, pursuant to Special Orders, No. 16, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Lieut. Colonel GEO. A. WOODWARD, 45th Infantry, is President, and Bvt. Captain L. J. WHITING, 2d Lieut. 45th Infantry, Judge Advocate, were arraigned and tried:

1st..Private *James Leonard*, Co. E, 45th Infantry.

CHARGE—Drunkenness on duty.

SPECIFICATION—In this; that he, Private *James Leonard*, Co. E, 45th Infantry, being duly detailed and mounted for guard, was found drunk and too much under the influence of intoxicating liquors, to perform such duty. All this at the post of Chattanooga, Tenn., on or about the 14th day of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Leonard*, Co. E, 45th Infantry, "to be confined in charge of the guard for the period of thirty (30) days, and to carry a log of wood weighing thirty (30) pounds from reveille until retreat, four hours on and two hours off, during two days of each week of his confinement."

The proceedings and findings in the case of Private *James Leonard*, Co. E, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where he may be serving.

2..Private *James W. Martin*, Co. E, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *James W. Martin*, Co. E, 45th Infantry, did steal, take and convey away, one (1) uniform great coat, the property of a soldier of his company, converting it to his own use, with the intent to sell or otherwise dispose of the same. All this at the post of Chattanooga, Tenn., on or about the 6th day of December, 1867.

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

FINDINGS :

Of the *Specification*, "Guilty," except the words "did steal," and the words "converting it to his own use with the intent to sell or otherwise dispose of the same."

Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James W. Martin*, Co. E, 45th Infantry, "to forfeit to the United States ten dollars ($10.) of his monthly pay for one (1) month, and to be reprimanded by his commanding officer in the presence of his company.

The proceedings, findings and sentence in the case of Private *James W. Martin*, Co. E, 45th Infantry, are disapproved. The evidence adduced fails to show any criminal intent on the part of the accused, or that he acted in any way contrary to good order and military discipline, except by misapprehension, and the Court, by its finding of the specification acquits the prisoner of all that goes to support the charge; for the mere taking of a comrade's coat cannot be classed as conduct to the prejudice of good order and military discipline unless done with wrong intent. Private *Martin* will be released from confinement and returned to duty.

4th.. Private *William Curtiss*, Co. E, 45th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *William Curtiss*, of Co. E, 45th Infantry, did absent himself from his company without leave from his commanding officer and did so remain absent from the 22d of October, 1867, until the 1st of November, 1867, when he voluntarily surrendered himself. All this at the post of Chattanooga, Tenn.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *William Curtiss*, Co. E, 45th Infantry, did sell or otherwise dispose of his uniform clothing the same being a complete outfit of fatigue and full dress uniform for an U. S. Infantry soldier while absent without leave from the 22d of October, to the 1st of November, 1867, he having so left his company with such uniform clothing and returned to it clothed as a civilian. All this at some place unknown within the States of Tennessee or Georgia.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Curtiss*, Co. E. 45th regiment of Infantry, "to be confined at hard labor in charge of the guard for two (2) months and to forfeit to the United States, fifteen dollars ($15.) of his monthly pay for one month."

The proceedings and findings in the case of Private *William Curtiss*, of Co. E. 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th.. Private *William C. Keller*, Co. E, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *William C. Keller*, of Co. E, 45th Infantry, did disguise himself by assuming the dress of a private citizen, and under the pretence of being a detective in the employ of the Government, did enter the house of a private citizen one J. K. Cornell in the night time, and did feloniously assault a transient resident at the house whose name is unknown, and who is said to be a discharged soldier, by arousing him from his bed, and by laying hands on him, conducting him from the house under pretence of arresting him, and did also rob him the said unknown person, of one pistol, and did further attempt to rob him of his pocket book containing money and valuable papers until prevented by the interference of the said citizen J. K. Cornell. All this at Chattanooga, Tenn., on or about January 13th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William C. Keller*, of Co. E, 45th regiment of U. S. Infantry, "to forfeit all pay now due or to become due, and to be confined at hard labor on the public works of the Government at such a place as the proper authority may designate for one year, and to be dishonorably discharged the service."

The proceeding and findings in the case of Private *William C. Keller*, of Co. E, 45th Infantry, are approved. The sentence is commuted to confinement at hard labor in charge of the guard for one year, forfeiting twelve dollars ($12) of his monthly pay during that period and will be carried into effect. That portion relating to dishonorable discharge is disapproved as not being considered of benefit to the service.

7th. Musician *Frank Robacker*, Co. E, 45th Infantry.

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

SPECIFICATION 1ST—In this; that he, Musician *Frank Robacker*, Co. E, 45th Infantry, did steal, take and convey away one silver watch of the value of twenty dollars ($20) from one Margret Dosey, a citizen by snatching it from her person and running off with it, and did convert the same to his own use. All this on or about the 26th day of November, 1867, in the city of Chattanooga, Tennessee.

SPECIFICATION 2D—In this; that he, Musician *Frank Robacker*, Co. E, 45th Infantry, did enter the house of a private citizen, without invitation, and behave in a boisterous and unseemly manner, using the property of the inmates without their leave. All this on or about the 26th day of November, 1867, in the city of Chattanooga, Tenn.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Musician *Frank Robacker*, of Co. E, 45th regiment of Infantry, "to forfeit all pay now due or to become due and to be confined at hard labor on the public works of the Government for one (1) year, at such place as the proper authority may designate and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Musician *Frank Robacker*, of Co. E, 45th Infantry, are approved. The sentence is confirmed, but commuted to confinement at hard labor in charge of the guard for one (1) year, forfeiting twelve dollars ($12.) per month during that period, and will be carried into effect at the post where he may be serving. That portion relating to dishonorable discharge is disapproved as not being considered of benefit to the service.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

CASES TRIED.

1st Lieutenant A. WERNINGER, JR., 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 14th, 1868.

GENERAL ORDERS, No. 10.

Before a General Court Martial which convened at Chattanooga Tennessee, Jan. 28th, 1868, pursuant to Special Orders No. 16, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Lieut. Colonel GEO. A. WOODWARD, 45th Infantry, is President, and Brevet Captain L. J. WHITING, 2d Lieut. 45th Infantry, Judge Advocate, were arraigned and tried:

1st Lieutenant *A. Werninger, Jr.*, 2d Regiment of Infantry.

CHARGE 1ST—Drunkenness on duty.

SPECIFICATION—That 2d Lieutenant *A. Werninger, Jr.*, of the 2d Regiment of U. S. Infantry, did, while on duty in command of a detachment of his regiment, become drunk, and in this condition expose himself to the view of enlisted men of his command, This at or near Dalton, Ga., on or about the 2d day of July, 1867.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFCATION 1ST—That 2d Lieutenant *A. Werninger, Jr.*, of the 2d Regiment of U. S. Infantry, did, while under the influence of liquor, draw a pistol and present it at Mr. J. B. Fincher, and did threaten to shoot the said Fincher. This without any cause or provocation, at or near Dalton Ga., on or about the 2d day of July, 1867.

SPECIFICATION 2D—That 2d Lieutenant *A. Werninger, Jr.*, of the 2d Regiment of U. S. Infantry, did draw a pistol upon, and threaten to shoot a citizen, at or near Dalton, Ga., on or about June 30th, 1867.

SPECIFICATION 3D—That 2d Lieutenant *A Werninger, Jr.*, of the 2d Regiment of U. S. Infantry, on duty with a detachment of his regiment, assiting Mr. J. T. Dodge, Civil Engineer, to survey the battle fields near Dalton, Ga., did use abusive, obscene and profane language towards him, the said Dodge, and did say to a soldier "God damn your soul." This at or near Resaca, Ga., on or about July 28th, 1867.

To which charges and specifications the accused pleaded "Not Guilty."

FINDINGS:

Of the 1*st Charge* and *Specification*, "Not Guilty."

Of the 1st *Specification*, 2d *Charge*, "Guilty,"
except the words "did while under the influence of liquor," and the words "and present it at Mr. J. B Fincher, and did threaten to shoot the said Fincher This without any cause or provocation," and attach no criminality thereto.

Of the 2d *Specification*, 2d *Charge*, "Guilty."

Of the 3d *Specification* 2d *Charge*, "Guilty,"
except the words, "and did say to a soldier, 'God damn your soul.' "

Of the 2d *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, 1st Lieutenant *A. Werninger, Jr.*, of the 2d Regiment U. S. Infantry, "to be suspended from rank and pay proper for three (3) months, and to be confined to the Post where his company is stationed for that period; and to be reprimanded in orders by the Major General Commanding the Department."

The proceedings and findings in the case of 1st Lieutenant *A. Werninger*, Jr., 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

In carrying into execution that portion of the sentence of Lieut. *Werninger* which calls for a reprimand from the Major General Commanding the Department, he cannot too strongly express his disapprobation of Lieut. *Werninger's* conduct in this instance, and his disposition to violence generally, and hopes that the action of the Court in his case may become salutary in moderating Lieut. *Werninger's* future behaviour, especially when entrusted with an important detached command.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A A G

1..Private WILLIAM MULHOLLAND, Co. A, General Service, U. S. A.
2..Private PETER MCKENNA, Co I, 20th Infantry.
3..Sergeant HENRY HERBERT, Co. C, 31st Infantry,
4..Recruit CHARLES F. ROMER, General Service, U. S, A.
5..Private WILLIAM MANTLE, Co. H, 18th Infantry.
6..Private JOHN O'BRIEN, Co, K, 37th Infantry.
7..Private JESSIE CHRISTIE, Co. C, 4th Infantry,
8..Corporal BENJAMIN F. HARDY, Co. K, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 17th, 1868.

GENERAL ORDERS,
No. 12.

Before a General Court Martial which convened at Newport Barracks, Ky., January 28th, 1868, pursuant to Special Orders No 16. dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Captain P. A. OWEN, 9th Infantry, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

9th..Private *William Mulholland*, Co, A, P. P. General Service, U. S. A.

CHARGE 1ST—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *William Mulholland*, Co. A. General Service, U. S. Army, did use insubordinate and insulting language to his superior officer, Corporal John Scanlan, Co. A. P. P. General Service, U. S. Army, while he, Corporal John Scanlan, was in the execution of his duty, by calling him, Corporal John Scanlan, "a dirty son of a bitch," or words to that effect. This in the quarters of Co. A. P. P., General Service, U. S. Army, at Newport Barracks, Ky., on or about the 15th of January, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, the said Private *William Mulholland*, Co. A, P. P., General Service, U. S. A., did absent himself from his company without permission from proper authority, from reveille roll call of the morning of the 22d of January, 1868, and did remain absent until reveille roll call of the 24th of January, 1868. This at Newport Barracks, Ky.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *William Mulholland* Private Co. A, P. P., General Service, U. S. Army, "to be confined at hard labor in charge of the guard for three (3) months, and to forfeit to the United States, twelve dollars ($12.) per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *William Mulholland*, of Co. A, P. P., General Service, U. S. Army, are approved. The sentence is confirmed and will be carried into effect

10th . Private *Peter McKenna*, Co. I, 20th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said *Peter McKenna*, Private Co. I, 20th Infantry, having been duly enlisted in the service of the United States did desert the same at Monroe, La., on or about the — day of June, 1867, and did remain absent until he surrendered himself at Evansville, Ind., on or about the 23d day of September, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *Peter McKenna*, Private Co, I, 20th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him, and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Peter McKenna*, of Co. I, 20th Infantry, are approved. The sentence is confirmed and will be carried into effect as far as relates to the forfeiture of pay. That portion relating to dishonorable discharge is disapproved, The prisoner will be released from confinement and returned to duty with the command to which he belongs."

11..Sergeant *Henry Herbert*, Co. C, 31st Infantry.

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that he, the said Sergeant *Henry Herbert*, Co. C, 31st Infantry, having been duly enlisted in the service of the United States. did desert the same at Fort Hawley, Montana on or about the 27th day of June, 1867, and did remain absent until he surrendered at Columbus, Ohio, on or about the 29th day of November, 1867.

CHARGE 2D—Desertion.

SPECIFICATION—In this; that he, the said Sergeant *Henry Herbert*, Co. C, 31st Infantry, having been in confinement awaiting trial for desertion, did desert from confinement and from the garrison, on or about the 28th day of January, 1868, and did remain absent until apprehended on or about the 29th day of January, 1868, at Cincinnati, Ohio. A reward of thirty dollars ($30.) has been paid for his apprehension.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Sergeant *Henry Herbert*, Co. C, 31st Infantry, "to be reduced to the ranks, to reimburse the United States for expenses incurred by apprehension, to forfeit ten dollars ($10.) per month of his monthly pay for twelve months, to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six (6) feet in length, and after said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Sergeant *Henry Herbert*, Co. C, 31st Infantry, are approved. The sentence is confirmed, except that portion relating to dishonarable discharge, which is disapproved. The remainder of the sentence will be carried into effect at the post to which the prisoner belongs.

12th..Recruit *Charles F. Romer*, General Service, U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, the said Recruit *Charles F. Romer*, G. S., U. S. A., did, while undergoing sentence for desertion at the guard house of Newport Barracks, Ky., make his escape from said guard house, on or about the 30th day of September, 1867, and did remain absent without leave until apprehended at Hamilton, Ohio, the 3d day of October, 1867. A reward of thirty dollars ($30.) has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except as to the words "without leave."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Charles F. Romer*, General Service, U. S. A., "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay, for one (1) month.

The proceedings and findings in the case of Recruit *Charles F. Romer*, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect.

13th..Private *William Mantle*, Co. H, 18th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *William Mantle*, Co. H, 18th U. S. Infantry, [having been duly enlisted in the service of the United States, did desert the same at St. Louis, Mo., on or about the —— day of March, 1867, and did remain absent until apprehended at Cincinnati, O., on or about the 5th day of November, 1867. A reward of thirty dollars ($30.) has been paid for his apprehenion.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent myself from, without leave."

To the *Charge*, "Not Guilty,"

FINDINGS:

Of the *Specification*, "Guilty."
excepting the words "did desert," substituting therefor "did absent himself without leave from."

Of the *Charge*, "Not Guilty."
but "Guilty" of "Absence without leave."

SENTENCE:

And the Court does therefore sentence the said Private *William Mantle*, Co. H, 18th Infantry, "to forfeit to the United States all pay and allowances

during the time he was absent, and to reimburse to the Government for the expenses connected with his arrest.

The proceedings and findings in the case of Private *William Mantle*, of Co. H, 18th Infantry, are approved. The sentence is confirmed and will be carried into effect.

14th..Private *John O'Brien*, Co. K, 37th U. S. Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *John O'Brien*, Co. K, 37th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the 22d day of March, 1867, and did remain absent until he surrendered at Bowling Green, Ky., on or about the 23d day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *John O'Brien*, Co K, 37th Infantry, "to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for twelve (12) months 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 *John O'Brien*, Co. K, 37th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where he belongs.

15th Private *Jessie Christie*, Co. C, 4th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *Jessie Christie*, Co. C, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same at Omaha, Nebraska, on or about the — day of May, 1867, and did remain absent until he surrendered at Newport Barracks, Ky., on or about the 15th day of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Jessie Christie*, Co. C. 4th Infantry, "to forfeit to the United States ten dollars ($10.) per month of his monthly pay for twelve (12) months, and to be confined at hard labor under charge of the guard for the same period."

The proceedings and finds in the case of Private *Jessie Christie*, of Co. C, 4th Infantry, are approved. The sentence is confirmed and will be carried into effect ot the post to which the prisoner belongs.

16th..Corporal *Benjamin F. Hardy*, Co. K, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Corporal *Benjamin F. Hardy*, Co. K 25th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same at Memphis, Tenn., on or about the 17th, day of July, 1867, and did remain absent until he surrendered at Evansville, Indiana, on or about the 4th day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Corporal *Benjamin F. Hardy*, Co. K, 25th U. S. Infantry, "to be reduced to the ranks; to forfeit to the United States, ten dollars ($10.) per month of his monthly pay for twelve (12) months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings and findings in the case of Corporal *Benjamin F. Hardy*, of Co. K, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where the prisoner belongs.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A A G

1..Private FENDALL C. SMITH, Co. E, 45th Infantry.
2..Private STEPHEN CANFIELD, Co, E, 45th Infantry.
3..Hospital Steward CHARLES V SANDS, U. S. A.
4..Private AUGUST BIRKENBUSH, Co. F, 2d Infantry.
5..Private JOHN COGAN, Co. F, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 17th, 1868.

GENERAL ORDERS, No. 13.

Before a General Court Martial which convened at Chattanooga, Tennessee January 28th 1868, pursuant to Special Orders, No. 16, par. 3, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Lieut. Colonel GEO. A. WOODWARD, 45th Infantry, is President, and Bvt. Captain L. J. WHITING, 2d Lieut. 45th Infantry, Judge Advocate, were arraigned and tried :

5th..Private *Fendall C. Smith*, Co. E, 45th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this ; that he, Private *Fendall C. Smith*, of Co. E, 45th Infantry, did absent himself from his company without leave from his commanding officer, and did so remain absent from the 22d of October, until the 1st of November, 1867, when he voluntarily surrendered himself. All this at the post of Chattanooga. Tenn.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this ; that he, Private *Fendall C Smith*, of Co. E, 45th Infantry, did steal one great coat, the property of Private Joseph Brannon, of Co. E, 45th Infantry, having obtained the same under the pretence of borrowing it, and did convert the same to his own use. All this at the post of Chattanooga, Tenn., on or about October 22d, 1867.

SPECIFICATION 2D—In this ; that he, Private *Fendall C. Smith*, of Co. E. 45th Infantry, did sell, or otherwise dispose of his uniform clothing, the same being a complete outfit of fatigue and full dress uniform for an United States Soldier, while absent without leave from the 22d of October, to the 1st of November, 1867, he having so left his company with such uniform clothing, and returned to it clothed as a civilian. All this at some place unknown within the states of Tennessee or Georgia.

ADDITIONAL CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Fendall C. Smith*, Co. E, 45th Infantry, being a duly enlisted soldier in the Army of the United States, and while awaiting trial under a charge of "absence without leave," and at the same time a patient, sick in hospital, did desert the service of the United States, on or about the 3d day of December, 1867, and did remain absent until apprehended on the same date. All this from the Post Hospital at Chattanooga, Tenn.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Guilty."

To the 1st *Specification* 2d *Charge*, "Not Guilty."

To the 2d *Specification*, 2d *Charge*, "Guilty."

To the 2d *Charge*, "Guilty."

To the *Additional Charge* and *Specification*, "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 1st *Specification*, 2d *Charge*, "Not Guilty."

Of the 2d *Specification*, 2d *Charge*, "Guilty."

Of the 2d *Charge*, "Guilty."

Of the *Specification*, *Additional Charge*, "Guilty." except the words "did desert the service of the United States on or about the 3d day of December, 1867."

Of *Additional charge*, "Not Guilty." but "Guilty" of "Absence without leave."

SENTENCE:

And the Court does therefore sentence him, Private *Fendall C. Smith*, of Co. E, 45th Regiment of Infantry, "to be confined at hard labor in charge of the guard for four months, and to forfeit fifteen dollars a month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Fendall C. Smith*, of Co. E, 45th Infantry, are approved and confirmed. The sentence will be carried into effect at the post where the prisoner belongs.

8th. Private *Stephen Canfield*, Co. E, 45th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *Stephen Canfield*, Co. E, 45th Infantry, did absent himself without leave from his company, and did so remain absent in the city of Chattanooga, Tenn. All this on or about the 14th day of January, 1868, at the post of Chattanooga, Tenn.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Stephen Canfield*, Co. E, 45th Infantry, being duly detailed and warned for guard duty, did not report for such duty, but did become so intoxicated as to be unfit for any duty. All this at the post of Chattanooga, Tenn., on or about the 14th day of January, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Stephen Canfield*, Co. E, 45th Regiment of Infantry, "to be confined at hard labor in charge of the guard for thirty days, and to carry a log of wood weighing thirty pounds for two days each week, from reveille to retreat, four hours on and two hours off, and to forfeit ten dollars a month of his monthly pay for one month."

The proceedings and findings in the case of Private *Stephen Canfield*, Co E.

5th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where he may be serving.

9th. Hospital Steward *Charles V. Sands*, U. S. A.

CHARGE 1ST—Disobedience of orders.

SPECIFICATION—In this; that he, Hospital Steward *Charles V. Sands*, U. S. A., having been directly ordered by his commanding officer, Asst. Surg. Peter J. A. Cleary, not on any account to leave the hospital where he was on duty, without permission from him, did, in violation of such orders, leave the hospital and visit the city of Chattanooga. All this at Chattanooga, Tennessee, on the nights of the 29th and 30th of January, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Hospital Steward *Charles V. Sands*, U. S. A., did, without leave from proper authority, absent himself from the post hospital at Chattanooga, Tenn., and did so remain absent during the nights of the 29th and 30th of January, 1868.

CHARGE 3D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Hospital Steward *Charles V. Sands*, U. S. A., being, as Post Hospital Steward, in charge of the sick ward, did address violent and unseemly words to the patients in hosptial, to the effect as follows, viz: "You damned pimp," and again, "Kiss my arse, God damn you," and did otherwise behave in a violent and unseemly manner. This at Post Hospital, Chattanooga, Tenn., on or about January 29th, 1868.

SPECIFICATION 2D—In this; that he, Hospital Steward *Charles V. Sands*, U. S. A., having been ordered in arrest by his commanding officer, did enter the sick ward and in a violent manner say in words to the effect as follows, viz: "Who has been complaining about me?" and again, "God damn you, you son-of-a-bitch," and did violently seize a sick patient in hospital, to wit: one Private Richard A. De Serrell, of Co. E, 45th Infantry, and did beat and strike him over the head to his, the said Private Richard A. De Serrell's great bodily harm, and did otherwise behave in a violent and unseemly manner. All this at Post Hospital, Chattanooga, Tenn., on or about January 30th, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*,	"Guilty."
To the 2d *Charge* and *Specification*,	"Guilty."
To the 1st *Specification*, 3d *Charge*,	"Guilty,"
To the 2d *Specification*, 3d *Charge*,	"Guilty,"

except the words "having been ordered in arrest by his commanding officer."

Of the 3d *Charge*,	"Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*	"Guilty."
Of the 2d *Charge* and *Specification*,	"Guilty."
Of the 1st *Specification* 3d *Charge*,	"Guilty."
Of the 2d *Specification* 3d *Charge*,	"Guilty,"

except the words "having been ordered in arrest by his commanding officer."

Of the 3d *Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Hospital Steward *Charles V. Sands*

U. S. A., "to forfeit all pay now due or to become due, and to be dishonorably discharged the service."

The proceedings, findings and sentence in the case of Hospital Steward *Charles V Sands*, U. S. A., are approved and confirmed. Owing to the recommendation of the members of the Court, the sentence is commuted to forfeiture of ten dollars of his monthly pay for three months, and will be carried into effect by the proper authority.

10th..Private *August Birkenbush*, Co. F, 2d Infantry.

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

SPECIFICATION 1ST—In that, on the night of the 29th of October, 1867, at a camp near Dallas, Ga., when he, Private *August Birkenbush*, of Co. F, 2d Regiment of Infantry, was ordered by Sergeant William Tobin, commanding detachment, to sleep in the wagon for the safety of the mules in his charge, he failed to do so, and slept in a corn crib.

SPECIFICATION 2D—In that, on the night of October 26th, 1867, at the camp in Dallas, Georgia, while on guard for the purpose of protecting Government Property, he, Private *August Birkenbush* of Co. F, 2d Regiment of Infantry, allowed two mules to escape, or be taken away and neither gave any alarm to the Sergeant in charge, nor make any attempt to recover them.

SPECIFICATION 3D—In that, on the night of the 29th of October, 1867, at a camp near Dallas, Georgia, when made aware that two mules in his charge were loose, he, Private *August Birkenbush*, of Co. F, 2d Regiment of Infantry, neither made any effort to recover them or notified the Sergeant in charge of their loss.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

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

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Guilty,"
but attach no criminality thereto.

Of the *Charge*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *August Birkenbush*, of Co. F, 2d Regiment of Infantry, "to forfeit ten dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for thirty days."

The proceedings and findings in the case of Private *August Birkenbush*, of Co. F, 2d Infantry, are approved. The sentence is confirmed, but owing to the already long confinement of the prisoner that portion of the sentence relating to confinement for one month is remitted; the remainder will be carried into effect by the proper authority. Private *Birkenbush* will be released and returned to duty with his detachment.

11th..Private *John Cogan*, Co. F, 2d Infantry.

CHARGE 1ST—Disobedience of Orders.

SPECIFICATION—In that, on the 13th day of January, A. D. 1868, at a camp near Acworth, Georgia, Private *John Cogan* of Co. F, 2d Infantry, when ordered by William Tobin, Sergeant of Co. F, 2d Infantry, commanding the detachment, to cut some wood for use in camp refused to do so saying:

'I have nothing to do with it,' the same order being repeated by Sergeant Tobin, said *Cogan* refused again, saying: "I have nothing to do with that fire,' 'you can put charges against me.'

CHARGE 2D—Absence from his Detachment without leave.

SPECIFICATION 1ST—In that, Private *John Cogan* of Co. F, 2d Infantry, was absent from his Detachment encamped near Cartersville in the State of Georgia, from September 27th, 1867, till September 30th, 1867, without leave from his commanding officer.

SPECIFICATION 2D—In that, the said Private *John Cogan*, of Co. F, 2d Infantry, was absent from his detachment encamped near Acworth, in the State of Georgia, from December 23d, 1867, till December, 27th, 1867, without leave from his commanding officer.

SPECIFICATION 3D—In that, the said Private *John Cogan*, of Co. F. 2d Infantry, was absent from his Detachment encamped near Acworth, in the State of Georgia, from about 9 o'clock, A. M., till about 9 o'clock, P. M., of January 1st, 1868, without leave from his commanding officer.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 1st, 2d and 3d *Specifications* 2d *Charge*, "Guilty."

To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Cogan*, of Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for thirty days, and to forfeit ten dollars a month of his monthly pay for two months,"

The proceedings and findings in the case of Private *John Cogan*, of Co. F, 2d Infantry are approved. The sentence is confirmed and will be carried into effect at the post where he belongs.

II. The General Court Martial of which Lieut. Col. GEO. A. WOODWARD, 45th Infantry is President, and Bvt. Capt. L. J. WHITING, 2d Lieut 45th Infanrty, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Chas. D. Whipple
A. A. G.

1. Private MARTIN DUNCAN, Co. C, 25th Infantry.
2. Musician ISAAC BLOCK, Co. K, 25th Infantry.
3. Private JOHN McDONNELL, 25th Infantry.
4. Private MARCUS CUNNINGHAM, Co. F, 25th Infantry.
5. Private CHARLES F. TRASK, Co. D, 25th Infantry.
6. Private FREDERICK C. WALKER, Co. K, 25th Infantry.
7. Private THEOPHILUS DAME, Co. G, 25th Infantry.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 24th, 1868.

GENERAL ORDERS, No. 14.

I. Before a General Court Martial which convened at Memphis, Tennessee, January 28th 1868, pursuant to Special Orders, No. 16, par. 4, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Brevet Major F. A. DAVIES, Capt. 25th Infantry, is President, and 2d Lieut. WM. H. HUGO, 25th Infantry, Judge Advocate, were arraigned and tried:

1st. Private *Martin Duncan*, Co. C, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Martin Duncan*, Co. C, 16th Infantry, (now 25th Infantry) being duly enlisted as a soldier in the service of the United States, did desert the same at or near Camp Wright near Memphis, Tenn., on or about the 14th day of September, 1866, and did remain absent until apprehended at Memphis, Tenn., on the 11th day of January, 1868. Thirty dollars having been paid for his apprehension. All this at or near Camp Wright, near Memphis, Tenn., on or about the 14th day of September, 1866.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Martin Duncan*, Co. C, 16th Infantry, (now 25th Infantry) "to forfeit to the United States the sum of ten dollars of his monthly pay for twelve months, 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 *Martin Duncan*, of Co. C, 16th Infantry, (now 25th Infantry) are approved.

The sentence is confirmed and will be carried into effect.

2d. Musician *Isaac Block*, Co. K, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Musician *Isaac Block*, Co. K, 25th Infantry, having been duly enlisted in the service of the United States, did desert

the same on or about the 10th day of December, 1867, and did remain absent until apprehended at Memphis, Tenn., on or about the 12th day of December, 1867. Thirty dollars reward has been paid for his apprehension. All this at or near Memphis, Tenn., on or about the 12th day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Musician *Isaac Block*, Co. K, 25th Infantry, "to be confined at hard labor in charge of the guard for three months and to forfeit to the United States, ten dollars of his monthly pay, per month, for the same period.

The proceedings and findings in the case of Musician *Isaac Block*, of Co. K, 25th Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post where he is serving.

3d. Private *John McDonnell*, late Commissary Sergeant, 25th Infantry.

CHARGE—Conduct prejudicial to good order and military discipline in violation of the 99th Article of War.

SPECIFICATION 1ST—In this; that he, Private *John McDonnell*, 25th Infantry, late Commissary Sergeant, 25th Infantry, did cause to be feloniously carried away and sold about twenty-five barrels of flour and about thirty sacks of coffee, the property of the United States, and did appropriate the proceeds of the same to his own use. This at Memphis, Tenn., on or about the 9th of May, 1867.

SPECIFICATION 2D—In this; that he, Private *John McDonnell*, 25th Infantry, late Commissary Sergeant, 25th Infantry, did cause to be feloneously carried away and sold about four tierces of bacon, three barrels of sugar and six or seven barrels of flour the property of the United States and did appropriate the proceeds of same to his own use. All this at Memphis, Tenn., on or about the 1st day of August, 1867.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Private *John McDonnell*, 25th Infantry, late Commissary Sergeant, 25th Infantry.

The proceedings and findings in the case of Private *John McDonnell*, 25th Infantry, are approved. He will be released from confinement and returned to duty.

4th. Private *Marcus Cunningham*, Co. F, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Marcus Cunningham*, Co. F, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Pittsburg Landing, Tenn., on or about the 6th day of April, 1867, and did remain absent until apprehended at Rock Island Arsenal, Ill., on or about the 27th day of January, 1868. Thirty Dollars being paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Marcus Cunningham*, Co. F, 25th Infantry, "to forfeit to the United States, ten dollars of his monthly pay for six months, 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 *Marcus Cunningham*, of Co. F, 25th Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post where he may be serving.

5th..Private *Charles F. Trask*, Co. D, 25th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Charles F. Trask*, Co. D, 25th Infantry, having been duly posted as a sentinel on Post No. 4, was found asleep when visited by the corporal of the guard, between the hours of 3 and 4 A. M. This at or near Memphis, Tenn., on or about 12th January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification* "Not Guilty."

And the Court does therefore acquit him, the said Private *Charles F. Trask*, Co. D, 25th Infantry.

The proceedings and findings in the case of Private *Charles F. Trask*, of Co. D, 25th Infantry, are approved.

He will be released from confinement and returned to duty.

6th..Private *Frederick C. Walker*, Co. K, 25th Infantry.

CHARGE—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *Frederick C. Walker*, Co. K 25th Infantry, a duly enlisted soldier in the service of the United States, did absent himself without leave from proper authority, from 12 o'clock M. till 9 o'clock P. M., on or about December 3d, 1867.

SPECIFICATION 2D—In this; that he, Private *Frederick C. Walker*, Co K, 25th Infantry, a duly enlisted soldier in the service of the United States, being duly detailed as a member of the guard, did absent himself without leave from proper authority, from 9 o'clock A. M. till 9 o'clock P. M., on or about December 12th, 1867.

SPECIFICATION 3D—In this; that he, Private *Frederick C. Walker*, of Co. K, 25th Infantry, a duly enlisted soldier in the service of the United States, being duly detailed as a member of the guard, did absent himself without leave from proper authority, from between the hours of 8½ o'clock A. M. and 12 o'clock, midnight, on or about January 16th, 1868. All this at or near Memphis, Tenn., on or about the time specified.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specigeations*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Frederick C. Walker*, of Co. K. 25th Infantry, "to forfeit to the United States ten dollars of his monthly pay for two months."

The proceedings and findings in the case of Private *Frederick C Walker*, of Co K, 25th Infantry, are approved.

The sentence is confirmed and will be carried into effect at the post to which he belongs.

7th. Private *Theophilus Dame*, Co. G. 25th Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Theophilus Dame*, Co. G. 25th Infantry, being on duty with his company at Memphis, Tenn., did become drunk and conduct himself in a riotous and disorderly manner. This at Memphis, Tenn., on the 2d day of January, 1868.

CHARGE 2D—Absence without leave, in violation of the 21st Article of War.

SPECIFICATION—In this; that he, Private *Theophilus Dame*, Co. G, 25th Infantry, did quit his company without leave and against positive orders from his company commander, while on duty at Memphis, Tenn., between the hours of 10 A. M. and 12 M., on the 2d day of January, 1868.

CHARGE 3D—Insubordinate conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Theophilus Dame*, Co. G, 25th Infantry, while being arrested by the guard which was sent after him, did run away from said guard, and when found again did resist the Sergeant, 1st Sergeant William M. Graham, Co. G. 25th Infantry, who was in charge of the guard, by trying to strike him, and did sieze one of the guards by the throat, attempting to wrest his musket from him. All this at Memphis, Tenn., on the 2d day of January, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."
To the 2d *Charge* and *Specification*, "Guilty."
To the 3d *Charge* and *Specification*, "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Not Guilty."
Of the 2d *Charge* and *Specification*, "Guilty."
Of the 3d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Theophilus Dame*, Co. G. 25th Infantry "to forfeit to the United States ten dollars of his monthly pay for the period of three months, and that he be confined at hard labor under charge of the guard for one month."

The proceedings, findings and sentence in the case of Private *Theophilus Dame*, Co. G, 25th Infantry, are approved and confirmed.

The sentence will be carried into effect at the post to which the prisoner belongs.

II. The General Court Martial of which Bvt. Maj. F. A. DAVIES, Captain 25th Infantry, is President, and 2d Lieut. WM. H. HUGO, 25th Infantry, Judge Advocate, is hereby disselved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private MORRIS D. MASON, Co. C, S. G. S., U. S. A.
2..Private WILLIAM BUCKLES, Co. B, 4th Artillery.
3..Corporal DANIEL SMITH, Co. E, 41st Infantry.
4..Private WILLIAM H. DODD, Co. F, 4th Cavalry.
5..Private WILLIAM MILLER, Co. B, 18th Infantry.
6..Private ALEXANDER RICHARD, Co. C, 3d Artillery.
7..Private EDWARD O'DONALD, Co. B, 12th Infantry.
8..Recruit WILLIAM H. AMOS, General Service, U. S. A.
9. Private FREDERICK WHITE, Co. F, 22d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 25th, 1868.

GENERAL ORDERS, }
No. 15. }

Before a General Court Martial which convened at Newport Barracks, Ky., Jan. 28th, 1868, pursuant to Special Orders No. 16, par. 5, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Captain P. A. OWEN, 9th Infantry, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

3d. Private *Morris D. Mason*, Co. C, Select General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Morris D. Mason*, Co. C, Select Recruits, General Service, U. S. A., having been duly enlisted as a soldier in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 17th day of November, 1867, and did remain absent until the evening of November 19th, 1867, when he voluntarily returned to his command.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "did desert," substituting therefor the words "did absent himself without leave from."

To the *Charge*, "Not Guilty," but "guilty of absence without leave."

FINDINGS:

Of the *Specification*, "Guilty," excepting the words "did desert," substituting therefor "did absent himself without leave from."

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

SENTENCE:

And the Court does therefore sentence him, the said Private *Morris D. Mason*, Co. C, Select Recruits, General Service, U. S. A., "to forfeit to the United States five dollars per month of his monthly pay for one month."

The proceedings and findings in the case of Private *Morris D. Mason*, of Co. C Select Recruits General Service, U. S. A., are approved.

The sentence is confirmed and will be carried into effect.

4th..Private *William Buckles*, Co. B, 4th Artillery.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *William Buckles*, Co. B, 4th Artillery, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 16th day of May, 1866, at Fort Leavenworth, Kansas, and did remain absent until he surrendered himself on or about the 18th day of December, 1867, at Cincinnatti, Ohio.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *William Buckles*, Co. B, 4th Artillery, "to forfeit to the United States ten dollars per month of his monthly pay for six months." The Court is thus lenient on account of mitigating circumstances connected with the case.

The proceedings, findings and sentence in the case of Private *William Buckles*, of Co. B, 4th Artillery, are approved, and confirmed and will be carried into effect

17th..Corporal *Daniel Smith* Co, E, 41st Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Corporal *Daniel Smith*, Co E, 41st Infantry, having been duly enlisted in the service of the United States, did desert the same at Buffalo, N. Y., on or about the — day of November, 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 14th day of December, 1867. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Corporal *Daniel Smith*, Co. E, 41st Infantry, "to be reduced to the ranks, to reimburse the United States for all expenses incurred by his apprehension, to forfeit twelve dollars per month of his monthly pay for twelve months, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States"

The proceedings and findings in the case of Corporal *Daniel Smith*, Co E, 41st Infantry, are approved.

The sentence is confirmed except that portion relating to dishonorable discharge, which is disapproved. The remainder of the sentence will be carried into effect at the post where the prisoner belongs.

18th..Private *William H. Dodd*, Co F, 4th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *William H. Dodd*, Co. F, 4th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Augusta, Ga., on or about the —— day of August, 1865, and did remain absent until apprehended at Chicago, Illinois, on or about the 3d day of January, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *William H. Dodd*, Co. F, 4th Cavalry, "to reimburse the United States for all expenses incurred by his apprehension; to forfeit to the United States twelve dollors per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *William H. Dodd*, of Co. F, 4th Cavalry, are approved.

The sentence is confirmed except that portion relating to dishonorable discharge, which is disapproved. The remainder will be carried into effect at the post to which the prisoner belongs.

19th..Private *William Miller*, Co. B, 18th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *William Miller*, Co. B, 18th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Laramie, D. T., on or about the 1st day of May, 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 12th day of January, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specication*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Miller*, Co. B, 18th Infantry, "to reimburse the United States for all expenses incurred by his apprehension; to forfeit to the United States twelve dollars per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *William Miller*, of Co. B, 18th Infantry, are approved.

The sentence is confirmed except that portion relating to dishonorable discharge, which is disapproved. The remainder of the sentence will be carried into effect at the post to which the prisoner belongs.

20th..Private *Alexander Richard*, Co. C, 3d Artillery.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Alexander Richard*. Co. C, 3d Artillery, a duly enlisted soldier in the United States Army, did desert the service of the United States, at Fort McPherson, on or about the 15th day of July, 1867. Thirty dollars paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, the said Private *Alexander Richard*, Co. C, 3d Artillery, "to reimburse the United States for all expenses incurred by his apprehension; to forfeit twelve dollars per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States,"

The proceedings and findings in the case of Private *Alexander Richard*, of Co. C, 3d Artillery, are approved,

The sentence is confirmed, except that portion relating to dishonorable discharge, which is disapproved. The remainder will be carried into effect at the post to which the prisoner belongs.

21st..Recruit *William H. Amos*, General Service, U. S. A.,

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that he, the said Recruit *William H. Amos*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 7th day of November, 1865, and did remain absent until apprehended at St. Louis, Mo., on or about the 2d day of November, 1867. A reward of thirty dollars has been paid for his apprehension.

CHARGE 2D—Desertion.

SPECIFICATION—In this; that he, Recruit *William H. Amos*, General Service, U. S. A., awaiting trial for Desertion, did while on police duty at Newport Barracks, Ky., on or about the 23d day of January, 1868, desert from said Garrison, and did remain absent until he surrendered himself on or about the 24th day of January, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *William H. Amos*, Gen'l Service, U. S. A., "to re-imburse the United States for all expenses incurred by his apprehension, to forfeit twelve dollars of his monthly pay for eighteen months, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length and after said confinement to be dishonorably discharged the service of the United States.

The proceedings and findings in the case of Recruit *William H. Amos*, Gen'l Service, U. S. A., are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard at the post to which he belongs for one year, forfeiting twelve dollars per month during that period, and will be carried into effect, that portion relating to dishonorable discharge is disapproved.

22d..Private *Edward O'Donnell*, Co. B, 12th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *Edward O'Donnell*, Co. B, 12th Infantry, having been duly enlisted in the service of the United States, did desert the same at Washington, D. C., on the 16th day of July, 1867, and did remain absent until apprehended at St. Louis, Mo., on or about the 27th day of December, 1867. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Edward O'Donnell*, of Co. B, 12th Infantry, "to reimburse the United States for all expenses incurred by his apprehension, to forfeit twelve dollars per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Edward O'Donnell*, of Co. B, 12th Infantry, are approved. The sentence is confirmed, except that portion relating to dishonorable discharge, which is disapproved. The remainder will be carried into effect at the post to which the prisoner belongs.

23d..Private *Frederick White*, Co. F, 22d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Frederick White*, Co. F, 22d Infantry, (formerly Co. F, 2d Battalion 13th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 4th day of November, 1865. This at Jefferson Barracks, Mo, on or about the 4th day of November, 1865.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Frederick White*, Co. F, 22d Infantry, (formerly Co. F, 2d Battalion 13th Infantry) "to reimburse the United States for all expenses incurred by his apprehension to forfeit to the United States, twelve dollars per month of his monthly pay for one year, and to be confined at hard labor in charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length and after said confinement to be dishonorably discharged the service of the United States.

The proceedings and findings in the case of Private *Frederick White*, of Co. F, 22d Infantry, are approved. The sentence is confirmed except that portion relating to dishonorable discharge, which is disapproved. The remainder will be carried into effect at the post to which the prisoner belongs.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple
A. A. G.

1..Recruit PATRICK CONOLY, General Service U. S. A.
2..Sergeant GEORGE JONES, Co. C, 34th Infantry.
3..Recruit JAMES CROSS, General Service, U. S. A.
4..Recruit EPHRAIM B. MAPLE, General Service, U. S. A.
5..Private JOSEPH PIERCE, Co. E, 5th Cav., *alias* JOS. BRUCE, 45th Infantry.
6..Private THOMAS ELLIS, Co. C, 15th Infantry.
7..Private GEORGE MAPPIN, Co. A, 20th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 26th, 1868.

GENERAL ORDERS,
No. 16.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Jan. 28th, 1868, pursuant to Special Orders No. 16, par. 5, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 20th, 1868, and of which Captain P. A. OWEN, 9th Infantry, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

25th..Recruit *Patrick Conoly*, General Service U. S. A.

CHARGE—Absence without leave.

SPECIFICATION—In this: that he, the said Recruit *Patrick Conoly*, Co. C, Select General Service, U. S. A., having been duly enlisted in the service of the United States, did absent himself without leave from the same at Newport Barracks, Ky., on or about the 28th day of December, 1867, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 29th day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Patrick Conoly*, Co. C, Select General Service, U. S. A., "to forfeit to the United States ten dollars per month of his monthly pay for one month."

26th..Sergeant *George Jones*, Co. C, 34th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, *George Jones*, Sergeant of Co. C, 34th Infantry, who being duly enlisted in the service of the United States, did desert the same at Louisville, Ky., whilst *en route* to Nashville, Tenn., on the 13th day of December, 1865, and did remain absent until he surrendered himself on the 13th day of December, 1867, at Detroit, Michigan.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *George Jones*, Sergeant of Co. C, 34th Infantry, "to make good the time lost by desertion, and to forfeit to

the United States ten dollars of his monthly pay for the period of six months." The Court is thus lenient in consequence of the long and faithful service of the accused, and his previous good character as attested by documentary evidence exhibited to the Court.

27th..Recruit *James Cross*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Recruit *James Cross*, of the General Service, U. S. A., having been duly enlisted as a soldier in the Army of the United States, did desert the service at Peoria, Ill., on or about the 8th day of Nov. 1867, and did remain absent from said service until on or about the 29th day of November, 1867, when he was apprehended All this at Peoria, Ill., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him the said Recruit *James Cross*, General Service, U. S. A., "to forfeit to the United States ten dollars per month of his monthly pay for twelve months, and to be confined at hard labor under charge of the guard for the same period."

29th..Recruit *Ephraim B. Maple*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *Ephraim B. Maple*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 9th day of December, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 9th day of December, 1867. A reward of thirty dollars has been claimed for his apprehension.

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty,"
except the words 'did desert' subsituting therefor 'did absent myself without leave from.'

Of the *Charge*, "Not Guilty,"
but guilty of 'Absence without leave.'

FINDINGS:

Of the *Specification*, "Guilty,"
except the words 'did desert' substituting therefor 'did absent himself without leave from.'

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

SENTENCE:

And the Court does therefore sentence him the said Recruit *Ephraim B. Maple*, General Service, U. S. A., "to forfeit to the United States, ten dollars per month of his monthly pay for one month."

31st..Private *Joseph Pierce*, Co. E, 5th Cavalry, *alias* Private *Joseph Bruce*, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Joseph Pierce*, Co. E, 5th Cavalry, *alias* Private *Joseph Bruce*, Co. G, 45th Infantry, did desert the United States Service, (Co. E, 5th Cavalry) and did remain absent until appre-

hended as a Corporal in Co. G, 45th Infantry, he having enlisted therein on the 9th day of September, 1867. This at or near Nashville, Tenn., on or about the 28th day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Joseph Pierce*, Co. E, 5th Cavalry, *alias Joseph Bruce*, Private Co. G, 45th Infantry, "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 guard for the same period.

33d..Private *Thomas Ellis*, Co. C, 15th Infanry.

CHARGE—Desertion.

SPECIFICATION—In this: that he, the said Private *Thomas Ellis*, Co. C, 15th Infantry, having been duly enlisted in the service of the United States did desert the same at Mobile, Ala., on or about the 8th day of June, 1867, and did remain absent until apprehended at St. Louis, Mo, on or about the 5th day of February, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the word "apprehended," substituting therefor "surrendered himself."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, "Guilty."
except the word "apprehended," substituting therefor "surrendered himself."

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Ellis*, Co. C. 15th Infantry, "to forfeit to the United States ten dollars per month, of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period having a twelve pound ball attached to his left leg by a chain six feet in length, during said confinement"

35th..Private *George Mappin*, Co. A, 20th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *George Mappin*, Co A, 20th Infantry, having been being duly enlisted in the service of the United States, did desert the same at Baton Rouge, La., on or about the 23d day of July, 1867, and did remain absent until he surrendered at St Louis, Mo., on or about the 9th day of December, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *George Mappin*, of Co. A, 20th Infantry, "to forfeit to the United States, ten dollars per month

of his monthly pay for one year, and to be confined at hard labor in charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, during said confinement."

II. The proceedings, findings and sentences in the foregoing cases of Recruit *Patrick Conoly*, General Service, U. S. A., Sergeant *George Jones*, Co. C, 34th Infantry, Recruit *James Cross*, General Service, U. S. A., Recruit *Ephraim B. Maple*, General Service, U. S. A., Private *Joseph Pierce*, Co. E, 5th Cavalry, *alias* Private *Joseph Bruce*, Co. G, 45th Infantry, Private *Thomas Ellis*, Co. C, 15th Infantry, and Private *George Mappin*, Co. A, 20th Infantry, are approved and confirmed.

The sentences will be carried into effect at the posts to which the prisoners belong.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple
A.A.G.

1..Recruit GEORGE W. EUBANKS, General Service, U. S. A.
2..Recruit HORACE A. LOCKWOOD, Co. C, S. G. S., U. S. A.
3..Recruit JOHN LARRY, General Service, U. S. A.
4..Private JOHN A. NORRIS, Co. D, 31st Infantry.
5..Recruit JAMES MCCORMICK, 2d Cavalry, U. S. A.
6..Recruit JOHN CROAK, General Service, U. S. A.
7..Recruit DENNIS WOODS, General Service, U. S. A.
8. Recruit GEORGE CUMMINS, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 26th, 1868.

GENERAL ORDERS, No. 17.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Jan. 28th, 1868, pursuant to Special Orders No 16, par. 5, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 29th, 1868, and of which Captain P. A. OWEN, 9th Infantry, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

24th..Recruit *George W. Eubanks*, Co. B, Music Boys, Gen'l Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *George W. Eubanks*, Co B. Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 8th day of August, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 27th day of August, 1867. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *George W. Eubanks*, Co B, Music Boys, General Service, U. S. A., "to reimburse the United States for all expenses incurred by his apprehension, to forfeit to the United States twelve dollars per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

28th..Recruit *Horace A. Lockwood*, Co. C, Select General Service, U. S. A.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Recruit *Horace A. Lockwood*, Co. C, Select General Service, U. S. A., having been duly detailed and mounted on guard on the morning of the 27th day of November, 1867, did "sleep on post." This at Newport Barracks, Ky., on or about 1 o'clock A. M., the 28th day of November, 1867.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Recruit *Horace A. Lockwood*, Co. C, Select General Service, U. S A., of the charge and specification preferred against him.

30th..Recruit *John Larry*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *John Larry*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same *en route* to Newport Barracks, Ky., on or about the 29th day of October, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 9th day of November, 1867. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *John Larry*, General Service, U. S. A., "to re-imburse the United States for all expenses incurred by his apprehension, to forfeit to the United States ten dollars per month of his monthly pay for one year, to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

32d..Private *John A. Norris*, Co. D, 31st Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *John A. Norris*, Co. D, 31st Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Totten, D. T., on or about the 14th day of Sept., 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 20th day of January, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *John A. Norris*, Co. D, 31st Inf., "to reimburse the United States for all expenses incurred by his apprehension; to forfeit ten dollars per month of his monthly pay for twelve months, to the United States, to be confined at hard labor under charge of the guard for the same period, having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

34th..Recruit *James McCormick*, 2d Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *James McCormick*, 2d Caval-

ry, having been duly enlisted in the service of the United States, did desert the same at Fort Sedgwick, Col., on or about the 10th day of October, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 2d day of February, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *James McCormick*, 2d Cavalry, "to reimburse the United States for all expenses incurred by his apprehension; to forfeit to the United States, ten dollars per month, of his monthly pay for one year, and to be confined at hard labor under charge of the guard for the same period having a twelve pound ball attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States."

36th—Recruit *John Croak*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *John Croak*, General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same *en route* to Newport Barracks, Ky., on or about the 1st day of October, 1867, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 10th day of December.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty,"

And the Court does therefore acquit him, the said Recruit *John Croak*, General Service, U. S. A., of the charge and specification preferred against him.

37th..Recruit *Dennis Woods*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *Dennis Woods*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 1st day of February, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 1st day of February, 1868. A reward of thirty dollars has been claimed for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Dennis Woods*, General Service, U. S. A., "to forfeit to the United States ten dollars per month of his monthly pay for six months, to be confined under charge of the guard for the same period, wearing a weight of eighteen pounds attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States.

38th..Recruit *George Cummins*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *George Cummins*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 1st day of February, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 1st day of February, 1868. A reward of thirty dollars has been claimed for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *George Cummins*, General Service, U. S. A., "to forfeit to the United States, ten dollars per month of his monthly pay for six months, to be confined under charge of the guard for the same period, wearing a weight of eighteen pounds attached to his left leg by a chain six feet in length, and after said confinement to be dishonorably discharged the service of the United States.

II. The proceedings and findings in the foregoing cases of Recruit *George W. Eubanks*, General Service, U. S. A., Recruit *John Larry*, General Service, U. S. A., Private *John A. Norris*, Co. D, 31st Infantry, Recruit *James McCormick*, 2d Cavalry, Recruit *Dennis Woods*, General Service, U. S. A., and Recruit *George Cummins*, General Service, U. S. A., are approved.

The sentences are confirmed, except that portion relating to dishonorable discharge, which is disapproved. The remainder of the sentences will be carried into effect at the post to which the prisoners belong.

The proceedings and findings in the cases of Recruits *Horace A. Lockwood*, Co. C, Select Recruits, General Service, U. S. A., and *John Croak*, General Service, U. S. A., are approved. They will be released from confinement and restored to duty.

III. The General Court Martial of which Captain P. A. OWEN, 9th Infantry, is President, and Brevet Major W. R. LOWE, Captain 19th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm. D. Whipple
A. A. G.

1..Private THOMAS JACKSON, Co. H, 2d Infantry.
2..Private WILLIAM VALENTINE, Co. G. 45th Infantry.
3..Private THOMAS MYLAN, Co. G, 45th Infantry.
4..Private H. A. STEWART, Co. I. 2d, Infantry.
5..Private WILLIAM HOBEN, Co. H, 2d Infantry.
6..Private EDGAR B. MEEHAN, Co. G. 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 9th, 1868.

GENERAL ORDERS, No. 18.

I. Before a General Court Martial which convened at Louisville, Ky., March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate, were arraigned and tried:

1st..Privite *Thomas Jackson*, Co. H, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Thomas Jackson*, of Co. H, 2d Infantry, a regularly enlisted soldier of the U. S. Armv, did desert the said service on or about April 5th, 1866, at Louisville, Ky., and did remain absent until apprehended on the 14th day of December, 1867, at Memphis, Tenn., This at or near the places on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Jackson*, Co. H, 2d Infantry, "to forfeit to the United States all pay and allowances which are now due or may become due to the date of the promulgation of this sentence, to be confined at hard labor in charge of the guard for twelve months, wearing a twenty-four pound ball attached to his left leg by a chain six feet in length, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

2..Private *William Valentine*, Co. G, 45th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *William Valentine*, Co. G, 45th Infantry, having been duly mounted as a member of the guard, did, after having been properly posted as a sentinel over a Government Warehouse, the property of the United States, by corporal of the guard, Frank Weston, Co. G, 45th Infantry, leave his post and go to a drinking saloon where he was found and arrested by the Corporal of the guard. This at or near the Post of Jeffersonville, Ind., on or about the 13th day of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Valentine*, Co. G, 45th 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.

3..Private *Thomas Mylan*, Co. G, 45th Infantry.

CHARGE—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *Thomas Mylan*, Co. G, 45th Infantry, being duly mounted as a member of the Warehouse guard, did take off his equipments and absent himself from the guardhouse and remain absent two hours. This at the Post of Jeffersonville, Ind., on or about the 11th day of January, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Mylan*, Co. G, 45th 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 guard for the same period."

4..Private *Henry A. Stewart*, Co. I, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Henry A. Stewart*, Co. I, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 3d day of February, 1868, and remain absent until apprehended on the 7th day of February, 1868. Thirty dollars paid for his apprehension. All this at Louisville, Ky., on or about the dates above specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Not Guilty,"

of desertion, but guilty of "absence without leave."

To the *Charge*. "Not Guilty."

FINDINGS:

Of the *Specification*, "Guilty."

except the word "desert," substituting therefor "absent himself without leave."

Of the *Charge*, "Not Guilty."

but guilty of "absence without leave"

SENTENCE:

And the Court does therefore sentence him, Private *Henry A. Stewart*, Co. I, 2d Infantry, "to be confined at hard labor in charge of the guard for four months, and to forfeit twelve dollars per month of his monthly pay for the same period, and to refund to the United States the expenses incurred by his apprehension."

5th..Private *William Hoben*, Co. H, 2d Infantry.

CHARGE—Violation of the 45th Article of War, Drunkenness on Duty.

SPECIFICATION—In this; that he, Private *William Hoben*, of Co. H, 2d Infantry, a member of the guard duly mounted at Taylor Barracks, Louisville, Ky., on the morning of February 25th, 1868, and on duty at Head-Quarters Military District of Kentucky, Louisville, Ky., did become so drunk

between the hours of 9.30 and 11.30 A. M., of that day as to be incapable of performing the duties of a sentinel. This at Head-Quarters Military District of Kentucky, Louisville, Ky., between the hours of 9.30 and 11 30 A. M., on the 25th day of February, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Hoben*, Co. H. 2d Infantry, "to be confined in charge of the guard for four months the first fourteen days of each month to be solitary confinement on bread and water the remaining days of each month to be placed standing on a barrel in front of the guard house every alternate hour from reveille to retreat."

6th..Private *Edgar B. Meehan*, Co. G, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Edgar B. Meehan*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did become drunk and disorderly in the company quarters, and abuse, by using approbrious epithets to Sergeant John Regan, Co. G, 45th Infantry. This at or near the Post of Jeffersonville, Ind., on or about the 4th day of February, 1868.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Edgar B. Meehan*, Co. G. 45th Infantry, "to be confined at hard labor in charge of the guard for one month, and to forfeit eight dollars of his monthly pay for the same period."

The proceeding, findings and sentences in the foregoing cases of Private *Thomas Jackson*, Co. H, 2d Infantry, Private *William Valentine*, Co. G, 45th Infantry, Private *Thomas Mylan*, Co. G, 45th Infantry, Private *H. A. Stewart*, Co. I, 2d Infantry, Private *William Hoben*, Co. H, 2d Infantry and Private *Edgar B. Meehan*, Co. G, 45th Infantry, are approved and confirmed.

The sentences will be carried into effect at the posts to which the prisoners belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D. Whipple

A. A. G.

1..Private ALFRED MONTHOLON, Co. D, 2d Infantry.
2..Private LOUIS SIMPKINS, Co. E, 36th Infantry.
3..Recruit ANTHONY P. VALENTINE, General Service, U. S. A.
4..Private GEORGE FREUND, Co. I 26th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 10th, 1868.

GENERAL ORDERS, No. 19.

I. Before a General Court Martial which convened at Newport Barracks, Ky., February 25th, 1868, pursuant to Special Orders No. 38, dated Headquarters Department of the Cumberland, Louisville, Ky., February, 17, 1868, and of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry, is President, and Brevet Major W. R. LOWE, Capt. 19th Infantry, Judge Advocate, were arraigned and tried :

1st..Private *Alfred Montholon*, Co. D, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *Alfred Montholon*, of Co. D, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Lexington, Ky., on or about the 8th day of December, 1867, and did remain absent until apprehended at Covington, Ky., on or about the 17th day of February, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *Alfred Montholon*, Private Co. D, 2d Infantry, "to forfeit all pay and allowances that are or may become due up to the time of the promulgation of this sentence, to be confined at hard labor in charge of the guard, at the station of his company, wearing a twelve pound of iron attached to his left leg by a chain two feet long, for a period of twelve months and to forfeit twelve dollars of his monthly pay, per month for the same period."

2d Private *Louis Simpkins*, Co. E, 36th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Louis Simpkins*, Co. E, 36th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Sanders, D. T., on or about the 2d day of July, 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 7th day of December, 1867. Thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Louis Simpkins*, Co. E, 36th Infantry, "to forfeit all pay and allowances that are or may become due up to the time of the promulgation of this sentence, to be confined in charge of the guard at the station of his company for the period of twelve months, forfeiting twelve dollars per month of his monthly pay for the same period, and then to be dishonorably discharged the service."

3d..Recruit *Anthony P. Valentine*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Recruit *Anthony P. Valentine*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 16th day of February, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 20th day of February, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Anthony P. Valentine*, General Service, U. S. A., "to forfeit all pay and allowances that are or may become due up to the time of the promulgation of this sentence, to be confined at hard labor in charge of the guard at his proper station, wearing a twelve pound ball of iron attached to his left leg by a chain two feet long for the period of twelve months, and to forfeit twelve dollars of his monthly pay per month, for the same period."

4th..Private *George Freund*, Co. I, 26th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, the said Private *George Freund*, Co. I, 26th Infantry, having been duly enlisted in the service of the United States, did desert the same at Teyler, Texas, on or about the 12th day of January, 1867, and did remain absent until apprehended at Jeffersonville, Ind., on or about the 27th day of January, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *George Freund*, Co. I, 26th Infantry, "to forfeit all pay and allowances that are or may become due up to the time of the promulgation of this sentence, to be confined at hard labor in charge of the guard at the station of his company, wearing a twelve pound ball of iron attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit twelve dollars of his monthly pay per month, for the same period.

II..The proceedings and findings in the foregoing cases of Private *Alfred*

Montholon, Co. D, 2d Infantry, Recruit *Anthony P. Valentine*, General Service U. S. Army, and Private *George Freund*, Co. I, 26th Infantry, are approved.

The sentences are confirmed and will be carried into effect.

The proceedings, findings and sentence in the case of Private *Louis Simpkins*, of Co. E, 36th Infantry, are approved and confirmed.

On the recommendation of the members of the Court that portion of the sentence relating to confinement for twelve months with forfeiture of twelve dollars per month for the same period, is remitted. The remainder will be carried into effect by the commanding officer at Newport Barracks, Ky.

By command of Major General Geo. H. Thomas :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
A. A. G.

1..Private JOHN L. COCHERHAN, Co. G, 45th Infantry.
2..Private FRANK WESTON, Co. G, 45th Infantry.
3. Private JOHN MARTINO, Co. E, 2d Infantry.
4..Private JOHN BURNS, Co. E, 2d Infantry.
5..Corporal CHARLES LONG, Co. H, 2d Infantry.
6..Sergeant JAMES MOONEY, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 14th, 1868.

GENERAL ORDERS, No. 21.

I. Before a General Court Martial which convened at Louisville, Ky,, March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

7th..Private *John L. Cockerhan*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John L. Cockerhan*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service, and remain absent from the 9th day of January, 1868, until the 9th day of February, 1868, at which time he delivered himself up voluntarily. This at or near the Post of Jeffersonville, Ind., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John L. Cockerhan*, Co. G, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of eight months, to forfeit all pay and allowances due at the date of the promulgation of this sentence, and to forfeit twelve dollars a month of his monthly pay for eight months."

8th..Private *Frank Weston*, Co. G, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Frank Weston*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did become drunk and disorderly in his company quarters. This at or near the Post of Jeffersonville, Ind., on or about February 4th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *Frank Weston*, Co. G, 45th Infantry, "to forfeit ten dollars of his monthly pay for one month."

9th..Private *John Martino*, Co. E, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *John Martino*, Co. E, 2d Infantry, did, without proper authority, absent himself from his company and post after six o'clock, P. M., on the 23d day of January, 1868, and did remain absent until arrested and brought back to the camp on the 24th day of January, 1868. All this at or near Bowling Green, Ky., on or about the dates above specified.

SPECIFICATION 2D—In this; that he Private *John Martino*, Co. E, 2d Infantry, did absent himself without authority from his company and post after guard mounting, on the 4th of February, 1868, and did remain absent until arrested and brought back to camp by the guard about 3 o'clock P. M., on the same day. All this at or near Bowling Green, Ky., on or about the dates above specified.

CHARGE 2D—Disobedience of orders.

SPECIFICATION 1ST—In this; that he, Private *John Martino*, Co. E, 2nd Infantry did absent himself from his company and post without permission from his commanding officer, after retreat January, 23d, 1868, and did remain absent until January 24th, 1868, thereby violating the existing post orders which strictly prohibit all men from leaving this post without a written pass from their commanding officer. All this at or near Bowling Green, Ky., on or about the dates above specified.

SPECIFICATION 2D—In this; that he, Private *John Martino*, Co. E, 2d Infantry, did absent himself from his company and post without permission from his commanding officer, after guard mounting on the 4th day of February, 1868, and did remain absent until 3 P. M., the same day, thereby violating existing post orders which strictly prohibit all men of this command from leaving the post without a written pass from their commanding officer. All this at or near Bowling Green, Ky., on or about the time above specified.

CHARGE 3D—Violation of the 6th Article of War.

SPECIFICATION—In this; that he, Private *John Martino*, Co. E, 2d Infantry, did, after having been arrested and placed under charge of the guard, use highly disrespectful language toward his commanding officer, Bvt. Capt. Henry Sommer, 1st. Lieut. 2d Infantry, and in a loud voice and in the presence and hearing of a number of enlisted men of this command call him, Bvt. Capt. Henry Sommer, 1st. Lieut. 2nd Infantry, "a four-eyed son-of-a-bitch." All this at or near Bowling Green, Ky., on or about the 4th day of February, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st and 2d *Charges* and *Specifications*, "Guilty."

To the 3d *Charge* and *Specification*, "Not Guilty.

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Martino*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, the first and last fourteen days of this period to be in solitary confinement on bread and water, and the first ten days of the second, third, fourth and fifth months to be stood on a barrel every alternate hour from reveille to retreat, and to forfeit to the United States ten dollars of his monthly pay for six months."

10th..Private *John Burns*, Co. E, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *John Burns*, Co. E, 2d Infantry, a regularly enlisted soldier in the army of the United States, did absent himself without leave at Bowling Green, Ky., on or about the 23d day of January, 1868, and did remain absent until apprehended on or about the 15th day of February, 1868. Thirty dollars being paid for his apprehension. This at Bowling Green, Ky., at the dates above specified.

CHARGE 2D—Violation of the 38th Article of War.

SPECIFICATION—In this: that he, Private *John Burns*, Co. E, 2d Infantry, did between the 23d day of January, 1868, and the 15th day of February, 1868, dispose of, lose or destroy the following articles, the property of the United States viz: one bayonet, one scabbord, one waistbelt and plate, one letter E, one figure 2, and one flat bugle. All this at or near Bowling Green, Ky., on or about the dates and times above specified.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Burns*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for four months and to forfeit twelve dollars of his monthly pay for the same period."

11th..Corporal *Charles Long*, Co. H, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Corporal *Charles Long*, Co. H, 2d Infantry, did absent himself without permission from proper authority from his company quarters and garrison after tatoo roll call on the 25th day of February, 1868, and did remain absent until about 10 o'clock, P. M., on the same day. This at or near Taylor Barracks, Louisville, Ky., on or about the time specified above.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this: that he, Corporal *Charles Long*, Co. H, 2d Infantry, in repairing to his company quarters about 10 o'clock, P. M., on the 25th day of February, 1868, did jump over the fence in rear of the company quarters in order to get inside the barrack grounds, and when ordered to halt by a sentinel posted there, the sentinel repeating this order loudly several times did not stop, but ran into his quarters. This at Taylor Barracks, Louisville, Ky., at about the time specified above.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *Charles Long*, Co. H, 2d Infantry, "to be reduced to the rank of a private soldier, and to forfeit ten dollars of his monthly pay for one month."

12th. Sergeant *James Mooney*, Co. H, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this ; that he, Sergeant *James Mooney*, Co. H, 2d Infantry, did absent himself without permission from proper authority from his company quarters and garrison after tattoo roll call, on the 25th day of February, 1868, and did remain absent until about 10 o'clock P. M., on the same day. This at or near Taylor Barracks, Louisville, Ky., at or near the time above specified.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this ; that he, Sergeant *James Mooney*, Co. H, 2d Infantry, in repairing to his company quarters about ten o'clock, P. M., on the 25th day of February, 1868, did jump over the fence in rear of the company quarters in order to get inside of the barrack grounds, and when ordered to halt by a sentinel posted there, the sentinel repeating this order loudly several times, did not stop, but ran into his quarters. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *James Mooney*, Co. H 2d Infantry, "to be reduced to the rank of a private soldier, and forfeit ten dollars of his monthly pay for one month."

II. The proceedings and findings in the foregoing cases of Private *John L Cockerhan*, of Co. G, 45th Infantry, Private *Frank Weston*, of Co. G, 45th Infantry, Private *John Martino*, of Co. E, 2d Infantry, and Private *John Burns*, of Co. E, 2d Infantry, are approved. The sentences are confirmed and will be carried into effect at the post to which the prisoners belong.

The proceedings, findings and sentences in the cases of Corporal *Charles Long*, Co. H, 2d Infantry, and Sergeant *James Mooney*, of Co. H, 2d Infantry, are approved and confirmed.

Notwithstanding the recommendation of the members of the Court to leniency in these cases, the Major General Commanding the Department can perceive no reason why the sentence should not be carried into effect, for if non-commissioned officers are to be allowed immunity in breaches of standing orders and regulations of a post, how can it be expected that those not holding warrants will deport themselves in good order and as military discipline requires.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D. Whipple
A. A. G.

1..Private MARTIN REDDINGTON, Co. H, 2d Infantry.
2..Private BENJAMIN H. WILLIAMS, Co. F, 2d Infantry.
3..Musician PATRICK HAYS, Co. D, 2d Infantry.
4..Private JAMES L. BLACKSTONE, Co. D, 2d Infantry.
5..Private THOMAS DEVINE, Co. I, 2d Infantry.
6..Sergeant URIAH HEATER, Co. I, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 20th, 1868.

GENERAL ORDERS, No. 22.

I. Before a General Court Martial which convened at Louisville, Ky., March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

13th..Private *Martin Reddington*, Co. H, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Martin Reddington*, Co. H, 2d Infantry, having been regularly detailed for guard at retreat on the 25th of February, 1868, did appear on the parade ground at guard mounting, on the morning of February 26th, 1868, too drunk to perform the duties of a soldier. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Martin Reddington*, Co. H, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, the first and last fourteen days of the time to be in solitary confinement on bread and water diet, and the first fifteen days of the second, third, fourth and fifth months to stand on a barrel in front of the guard house, every alternate hour from reveille to retreat."

14th..Private *Benjamin H. Williams*, Co. F, 2d Infantry.

CHARGE—Violation of the 21st Article of War.

SPECIFICATION—In this; that he, Private *Benjamin H. Williams*, Co. F, 2d Infantry, did absent himself from his company on the morning of the 3d of March, 1868, and did remain absent until the morning of the 5th of March, 1868, at which time he reported for duty.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Benjamin H. Williams*, Co. F, 2d 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.

16th..Musician *Patrick Hays*, Co. D, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION 1ST—In this ; that he, Musician *Patrick Hays*, Co. D, 2d Infantry, being on duty as bugler, did appear on the company parade and attempt to sound the bugle call for the assembly of the guard, he being at the time so much under the influence of intoxicating liquor as to be unable to perform his duties properly. This at Lexington, Ky., on or about the 4th day of March, 1868.

SPECIFICATION 2D—In this ; that he, Musician *Patrick Hays*, Co. D, 2d Infantry, being on duty as orderly for the commanding officer of the post, did get so much under the influence of intoxicating liquor as to be unable to perform his duties properly. This at Lexington, Ky., on or about the 6th day of March, 1868.

To which charge and specifications the prisoner pleaded "Guilty.

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *Patrick Hays*, Co. D. 2d Infantry, "to be confined at hard labor in charge of the guard for the period of two months, during this time to perform all duty belonging to his position as musician."

17th..Private *James L. Blackstone*, Co. D, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION 1ST—In this ; that he Private *James L. Blackstone*, Co. D, 2d Infantry, did absent himself without proper authority from the tattoo roll-call of his company. This at Lexington, Ky., on the 5th day of March, 1868, or thereabouts.

SPECIFICATION 2d—In this ; that he Private *James L. Blackstone*, Co. D, 2d Infantry, did absent himself without proper authority from the reveille roll-call of his company. This at Lexington, Ky., on or about the 6th day of March, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this ; that he, Private *James L. Blackstone*, Co. D, 2d Infantry, did strike with his fist, in his face, and did otherwise abuse, by calling him "no soldier," and using abusive language to him, without any cause or provocation whatever, one Private John Smith, Co. D, 2d Infantry, said Smith at the time being in the proper discharge of his duties. All this in the quarters of Co. D, 2d Infantry, at Lexington, Ky., on or about the 6th day of March. 1868.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James L. Blackstone*, Co. D, 2d Infantry, "to be confined at hard labor in charge of the guard for one month, and to forfeit twelve dollars of his monthly pay for the same period."

18th..Private *Thomas Devine*, Co. I, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *Thomas Devine*, Co. I, 2d Infantry, having received a pass from his commanding officer to be absent from his company from retreat until 12 o'clock at night on the 10th of March, 1868, did fail to return at the expiration of the same, but did remain absent without leave until the morning of the 12th of March, 1868. This at Taylor Barracks, on or about the dates above specified.

To which charge and specifica tion the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Devine*, Co. I, 2d Infantry, "to forfeit to the United States ten dollars of his monthly pay for one month."

20th..Sergeant *Uriah Heater*, Co. I, 2d Infantry.

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

SPECIFICATION 1ST—In this; that he, Sergeant *Uriah Heater*, Co. I, 2d Infantry, having received permission from his commanding officer to visit the theatre on the evening of March 9th, 1868, did remain absent until about 12 o'clock, A. M., at which time he appeared in his company quarters under the influence of intoxicating liquor and did then and there conduct himself in a manner highly unbecoming a non-commissioned officer and soldier. This at or near Taylor Barracks, Louisville, Ky., on or about the dates specified above.

SPECIFICATION 2D—In this; that he, Sergeant *Uriah Heater*, Co. I, 2d Infantry, did absent himself without proper authority from his company and post on March 10th, 1868, from 9 o'clock A. M., until 3 o'clock P. M. same day. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Sergeant *Uriah Heater*, Co. I, 2d Infantry, "to be reduced to the rank of a private soldier, and to forfeit ten dollars of his monthly pay for two months."

The proceedings, findings and sentences in the foregoing cases of Private *Martin Reddington*, Co. H, 2d Infantry, Private *Benjamin H. Williams*, Co. F, 2d Infantry, Musician *Patrick Hays*, Co. D, 2d Infantry, Private *James L. Blackstone*, Co. D, 2d Infantry, Private *Thomas Devine*, Co. I, 2d Infantry, and

Sergeant *Uriah Heater*, Co. I, 2d Infantry, are approved and confirmed. The sentences will be carried into effect at the post to which the prisoners belong.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
AAG

1..Private SAMUEL DEVINE, Co. H, 2d Infantry.
2..Corporal JOHN FOX, Co. H, 2d Infantry.
3..Private WM. W. JENKINS, Co. K, 2d Infantry.
4..Private WM. H. LAVENDER, Co. B, 2d Infantry.
5..Private PRESTON T. NICHOLS, Co. B. 2d Infantry.
6..Private WILLIAM COX, Co I, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 23d, 1868.

GENERAL ORDERS, }
No. 23. }

I..Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

15th..Private *Samuel Devine*, Co. H, 2d Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Samuel Devine*, Co. H, 2d Infantry, having been detailed as corporal of the guard, and being on duty as such, did become so drunk as to be unable to perform his duty. This at Warsaw, Ky., on or about the 22d day of February, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Samuel Devine*, Co. H, 2d Infantry, being on duty as corporal in charge of the guard, did permit the sentinel to leave his post and remain inside the guard house. This at Warsaw, Ky., on or about the 22d of February, 1868.

SPECIFICATION 2D—In this; that he, Private *Samuel Devine*, Co. H, 2d Infantry, being on duty as corporal in charge of the guard, and being asked by Sergeant John W. Jones, Co. B, 2d Infantry, acting 1st Sergeant of the detachment, where his sentinel was, did reply in words to wit: "Go to hell; I can take care of this guard." This at or near Warsaw, Ky., on or about February, 22d, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him.

19th..Corporal *John Fox*, Co. H, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Corporal *John Fox*, Co. H, 2d Infantry, after being duly detailed for guard on the 10th inst., (at retreat,) did appear at

guard mounting so much intoxicated as to be unable to perform his duty as a soldier properly. All this at or near Taylor Barracks, Louisville, Ky., on or about the 11th day of March, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal *John Fox*, Co. H, 2d Infantry, "to be reduced to the rank of a private soldier, and to be confined at hard labor in charge of the guard for two months."

21st..Private *Wm. W. Jenkins*, Co. K, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this ; that he, Private *Wm. W. Jenkins*, Co. K, 2d Infantry, did absent himself from his company quarters and garrison from taps until first call for reveille, in violation of General Orders, No. 55, dated Head-Quarters Post of Louisville, Ky., Taylor Barracks, Ky., October 12th, 1867. This at Taylor Barracks, Louisville, Ky., an or about the 10th of March, 1868.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this ; that he, Private *Wm. W. Jenkins*, Co. K, 2d Infantry, having been regularly detailed for detached service, and ordered by Sergeant Daniel B. Beard, acting 1st Sergeant Co. K, 2d Infantry, to be ready for such service at 5 o'clock A. M., on the 10th of March, 1868, or when called upon, was absent at the time mentioned and another man was detailed in his stead. This at Taylor Barracks, Louisville, Ky. about 5:30 o'clock A M., March 10th, 1868.

SPECIFICATION 2D—In this ; that he, Private *Wm. W. Jenkins*, Co. K, 2d Infantry, did threaten and say to Sergeant Daniel B. Beard, acting 1st Sergeant Co. K, 2d Infantry, "If I catch you outside of this garrison I'll whip you," or words to that effect. This while Sergeant Beard was in the discharge of his duty. All this at Taylor Barracks, Louisville, Ky., on or about the 10th day of March, 1868.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him Private *Wm. W. Jenkins*, Co. K, 2nd Infantry, "to be confined at hard labor in charge of the guard for three months, and to forfeit ten dollars a month of his monthly pay for the same period."

22d..Private *William H. Lavender*,, Co. B, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *William H. Lavender*, Co. B, 2d Infantry, a duly enlisted soldier in the Army of the United States, did desert the same on or about February 1st, 1868, and did remain absent until apprehended at Mud river, West Virginia, on or about February 3d, 1868. Thirty dollars being paid for his apprehension. This at or near Guyandotte, West Virginia, on or about the dates above specified.

To which charge and specification the prisoner pleaded as follows :

To th *Specification*, "Guilty,'

except the word "desert," substituting the words "absent himself without leave."

To the *Charge*, "Not Guilty,"

of desertion, but guilty of "absence without leave."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William H. Lavender*, Co. B, 2d Infantry, "to forfeit all pay and allowances which are or may become due him to the promulgation of this sentence, to be confined in charge of the guard for the period of one year, and to forfeit twelve dollars a month of his monthly pay for the same period ; also, during his term of confinement to wear a ball weighing twenty-four pounds attached to his left leg by a chain six feet in length."

23d..Private *Preston T. Nichols*, Co. B, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Preston T. Nichols*, Co. B, 2d Infantry, being a duly enlisted soldier in the service of the United States, did desert the same on or about the 1st day of February, 1868, and did remain absent until apprehended at Mud river, W. Va., on or about the 3d day of February, 1868. Thirty dollars being paid for his apprehension. This at or near Guyandotte, W. Va., on or about the dates above specified.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"

except the word 'desert' substituting therefor 'absent himself without leave.'

To the *Charge*, "Not Guilty,"

but 'guilty of absence without leave.'

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Preston T. Nichols*, Co. B, 2d Infantry, "to forfeit all pay and allowances which are now or may become due him at the time of the promulgation of this sentence, to be confined in charge of the guard for the period of twelve months, to wear a ball weighing twenty-four pounds attached to his left leg by a chain six feet in length, and to forfeit twelve dollars a month of his monthly pay for twelve months."

25th..Private *William Cox*, Co. I, 2d Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this ; that he, Private *William Cox*, Co. I, 2d Infantry, having been regularly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform his duty as such. This at or near Warsaw, Ky., on or about February 22d, 1868.

CHARGE 2D—Violation of the 46th Article of War.

SPECIFICATION—In this ; that he, Private *William Cox*, Co. I, 2d Infantry, being a member of the guard and having been duly posted as a sentinel, did desert his post without proper authority. This at or near Warsaw, Ky., on or about February 22d 1868."

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

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 2d *Charge* and *Specification*, "Not Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Cox*, Co. Infantry, "to be confined in charge of the guard for the period of four months, the first fourteen days of each month to be in solitary confinement on bread and water, and the remaining days of each month to stand on a barrel in front of the guard house every alternate hour from reveille to retreat."

II..The proceedings, findings and sentence in the foregoing cases of Privates *William W. Jenkins*, Co. K, 2d Infantry, *William H. Lavender*, Co. B, 2d Infantry, *Preston T. Nichols*, Co. B, 2d Infantry, and *William Cox*, Co. I, 2d Infantry, are approved and confirmed. The sentences will be carriedinto effect at the post to which the prisoners belong.

The proceedings and findings in the case of Private *Samuel Devine*, of Co. H, 2d Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Corporal *John Fox*, of Co. H, 2d Infantry, are approved and confirmed. That portion of the sentence relating to confinement at hard labor is remitted. The remainder will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D. Whipple
A. A. G.

1..Private JOHN HICKEY, Co. F, 2d Infantry.
2..Private LOUIS PEDDALD, Co. F, 2d Infantry.
3..Private JAMES WALSH, Co. F, 2d Infantry.
4..Private JOHN COUTURE, Co. K, 2d Infantry.
5..Private HENRY A. STEWART, Co. I, 2d Infantry.
6..Private GEORGE PRATT, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 27th, 1868.

GENERAL ORDERS, No. 24.

I..Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky,, March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried :

24th..Private *John Hickey*, Co. F, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *John Hickey*, Co. F, 2d Infantry, having been duly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform his duty as a sentinel. This at Warsaw, Ky., on or about February 22d, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Hickey*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of four months, the first fourteen days of each month to be placed in solitary confinement on bread and water, the remaining days of each month to be placed on a barrel in front of the guard house every alternate hour from reveille to retreat."

26th..Private *Louis Peddald*, Co. F, 2d Infantry.

CHARGE—Violation of the 21st Article of War.

SPECIFICATION—In this; that he, Private *Louis Peddald*, Co. F, 2d Infantry, did absent himself without permission from company drill, retreat and tattoo roll-calls, on the 13th day of March, 1868. This at Taylor Barracks, Ky.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Louis Peddald*, Co. F, 2d Infantry, "to forfeit ten dollars of his monthly pay for one month."

27th..Private *James Walsh*, Co. F, 2d Infantry.

CHARGE—Violation of the 21st Article of War.

SPECIFICATION—In this: that he, Private *James Walsh*, Co. F, 2d Infantry, did, on the morning of March 13th, 1868, after having been regularly detailed for guard and notified to that effect, absent himself from his company and barracks without permission, and did remain absent until the morning of the 14th day of March, 1868. This at Taylor Barracks, Ky.

To which charge and specification the prisoner pleaded "Guilty.

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Walsh*, Co. F, 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay for one month."

28th..Private *John Couture*, Co. K, 2d Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *John Couture*, Co. K, 2d Infantry, having been duly detailed as a sentinel become so drunk as to be unable to perform his duties in a proper manner. This at Warsaw, Ky., on or about the 8th day of January, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *John Couture*, Co. K, 2d Infantry, did while on duty as a sentinel throw away his rifle, and when ordered by Sergeant George R. D. Hughes, Co. I, 2d Infantry, to take his rifle and walk his post, did reply to wit: 'I'll be damned if I do,' or words to this effect. This at or near Warsaw, Ky., on or about the 8th day of January, 1868.

SPECIFICATION 2D—In this; that he, Private *John Couture*, Co. K, 2d Infantry, when ordered by Sergeant George R. D. Hughes, Co. I, 2d Infantry, to take off his belts and go to the guardhouse, did reply, to wit: 'Go to hell you son-of-a-bitch, do your worst, I want to go to Louisville.' This at or near Warsaw, Ky., on or about the 8th day of January, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Couture*, Co. K, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, the first fourteen days of the first, third, and sixth month to be in solitary confinement on bread and water, and to forfeit twelve dollars of his monthly pay for six months.

29th..Private *Henry A. Stewart*, Co. I, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *Henry A. Stewart*, Co. I, 2d Infantry, while in confinement at the military prison, Taylor Barracks, Louisville, Ky., did abstract from the person of Private August Burtz, Co. H, 2d Infantry, with intent to dishonestly convert to his own use and benefit the sum of $9. This at Taylor Barracks, Louisville, Ky., on or about the 11th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry A. Stewart*, Co. I 2d Infantry, "to be confined at hard labor in charge of the guard for the period of one year, the first and last three months to be paraded in front of the guard, house in charge of the sentinel, wearing a placard with the word 'Thief' thereon in letters three inches long, during the remaining time to wear a ball weighing twenty-four pounds attached to his left leg by a chain six feet long; to be indelibly marked on the left hip with the letter 'T' one and a half inches long. At the termination of his sentence to have his head shaved and be drummed out of the service, with a forfeiture of fourteen dollars of his monthly pay during the entire time specified in this sentence.

30th..Private *George Pratt*, Co. H, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *George Pratt*, Co. H, 2d Infantry, having been regularly detailed as cook for the enlisted men at Head-Quarters Military District of Kentucky, did absent himself without proper authority from such duty at about noon on the 10th day of March, 1868, and did remain absent until on or about the morning of the 13th day of March, 1868. All this at or near Louisville, Ky., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George Pratt*, Co. H, 2d Infantry, "to forfeit ten dollars of his monthly pay for two months."

II..The proceedings, findings and sentence in the foregoing cases of Privates *John Hickey*, Co. F, 2d Infantry, *Louis Peddald*, Co. F, 2d Infantry, *James Walsh*, Co. F, 2d Infantry, *John Couture*, Co. K, 2d Infantry, and *George Pratt*, Co. H, 2d Infantry, are approved and confirmed. The sentences will be carried into effect at the post to which the prisoners belong.

The proceedings and findings in the case of Private *Henry A. Stewart*, of Co. I, 2d Infantry, are approved. The sentence is confirmed except that porton, 'to be indelibly marked on the left hip with the letter 'T' one and a half inches long. At the termination of this sentence to have his head shaved and be drummed out of the service,' which is disapproved.

The remainder of the sentence will be carried into effect at the post to which the prisoner belongs.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A A G

1..Corporal PETER HUGHES, Co. D, 45th Infantry.
2..Private JOHN THOMAS JOHNSON, Co. B, 45th Infantry.
3..Private JAMES BRENNAN, Co. B, 5th Cavalry.
4..Private THOMAS HEWITT, Co. M, 5th Cavalry.
5..Private GEORGE RESSEL, Co. M, 5th Cavalry.
6..Private JAMES WALLACE, Co. B, 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 28th, 1868.

GENERAL ORDERS, No. 25.

1..Before a General Court Martial which convened at Nashville, Tenn., March 10th, 1868, pursuant to Special Orders, No. 45, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 29th, 1868, and of which Captain FRED. E. TROTTER, 45th Infantry, is President, and Bvt. Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried:

1st..Corporal *Peter Hughes*, Co. D, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this: that he, Corporal *Peter Hughes*, Co. D, 45th Infantry, was drunk on dress parade on the evening of February 3d, 1868. This at Ash Barracks, Nashville, Tenn., on the date above mentioned.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Corporal *Peter Hughes*, Co. D, 45th Infantry, "to be reduced to the ranks, and confined at hard labor in charge of the guard for three months."

2d..Private *John Thomas Johnston*, Co. B, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Thomas Johnston*, Co. B, 45th Infantry, a regularly enlisted soldier in the service of the United States, did desert the same at Nashville, Tenn., on or about the 8th day of October, 1867, and did remain absent until arrested, in citizens' clothing, by Policeman Cochran at Louisville, Ky., on or about the 4th day of January, 1868. Thirty dollars reward being paid for his apprehension. All this at the time and places above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Thomas Johnson*, Co. B, 45th Infantry, "to forfeit to the United States fourteen dollars of his monthly pay for twelve months, and to be confined at hard labor in charge of the guard for the same period, at the expiration of which to be dishonorably discharged the service."

3..Private *James Brennan*, Co. B, 5th Cavalry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this ; that he, Private *James Brennan*, Co. B, 5th Cavalry, having been properly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform his duty properly. This at Nashville, Tenn., on or about the 2d day of March, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this: that he, Private *James Brennan*, Co. B, 5th Cavalry, being a member of the guard did go into his quarters to sleep. All this at Ash Barracks, Nashville, Tenn., on or about the 2d day of March, 1868

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Brennan*, Co. B, 5th Cavalry, "to be confined at hard labor in charge of the guard for the period of five months, and to forfeit to the United States eight dollars of his monthly pay for the same period."

4th .Private *Thomas Hewitt*, Co. M, 5th Cavalry.

CHARGE 1ST—Violation of the 42d Article of War.

SPECIFICATION—In this ; that he, Private *Thomas Hewitt*, Co. M, 5th Cavalry, did, without permission from proper authority, lie out of his quarters and go to bed in a negro hut and remain there all night. This at Gallatin, Tenn., on or about the night of January 31st, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this ; that he, Private *Thomas Hewitt*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did absent himself without permission from proper authority from his company and quarters from after tattoo on the night of January 31st 1868, and did get drunk and remain absent until after retreat roll-call on February 1st, 1868, after having been regularly detailed for guard the evening previous at retreat. This at Gallatin, Tenn., on or about the dates above specified.

CHARGE 3D—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this ; that he, Private *Thomas Hewitt*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did enter the house of a colored man named Tom Noble, compelled him to get out of bed, beat him with his fist, and threatened to take his life by striking at him several times with an open clasp knife, saying at the same time to the said Noble, "You damned black son-of-a-bitch, I'll cut your damned throat," or words to that effect. This at Gallatin, Tenn., on the night of January 31st, 1868, between the hours of 11 o'clock P. M. and 2 o'clock A. M.

SPECIFICATION 2D — In this; that Private *Thomas Hewitt*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did, on a public street in the town of Gallatin, Tenn., by threat of violence and otherwise, take a coat from off the back of a colored boy named Tom Wallace, and did retain possession of the said coat until taken from him upon returning to his company quarters, some twelve hours or more thereafter. This at Gallatin, Tenn., on or about the 1st day of February, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, "Not Guilty.
To the 2d *Charge* and *Specification*, "Guilty."
To the 3d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Specification*, 1st *Charge*, "Guilty,"
except the words "without permission from proper authority."

Of the 1st *Charge*, "Not Guilty,"
Of the 2d *Charge* and *Specification*, "Guilty."
Of the 1st *Specification*, 3d *Charge*, "Guilty,"
except the words "beating with his fist," and substituting therefore "striking with a switch."

Of the 2d *Specification*, 3d *Charge*, "Guilty,"
except the words "by threats of violence and otherwise," and "off the back of."
Of the 3d *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said Private *Thomas Hewitt*, Co. M, 5th Cavalry, "to forfeit to the United States ten dollars per month of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period."

5th..Private *George Ressel*, Co. M, 5th Cavalry.

CHARGE 1ST—Violation of the 42d Article of War

SPECIFICATION—In this; that he, Private *George Ressel*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did without permission from proper authority lie out of his company quarters, and go to bed in a negro hut and remain there all night. This at Gallatin, Tenn., on or about the night of January 31st, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this ; that he, Private *George Ressel*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from his company and quarters without permission from proper authority after tatoo on the night of January 31st, 1868. This at Gallatin, Tenn., on or about the dates above specified.

CHARGE 3D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *George Ressel*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did in company with Private Thomas Hewitt, of the same company enter the house of Tom Noble, a collored citizen, compelled him to get out of his bed, beat the said Noble with his fist, and threatened his life by cutting at him with an open clasp knife, and did also beat and otherwise maltreat a colored woman residing in the same house. All this at or near Gallatin, Tenn., on or about the night of January 31st, 1868, between the hours of 11 o'clock, P. M., and 2 o'clock, A. M.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 2d *Charge* and *Specification*, "Guilty."

Of the 3d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Specification* 1st *Charge*, "Guilty," except the words 'without permission from proper authority.'

Of the 1st *Charge*, "Not Guilty."

Of the 2d *Charge* and *Specification*, "Guilty."

Of the *Specification* 3d *Charge*, "Guilty," except the words 'compelled him to get out of his his bed, beat the said Noble with his fists, and threatened his life by cutting at him, with an open clasp knife,' also 'and otherwise maltreat.'

Of the 3d *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said Private *George Ressel*, Co. M, 5th Cavalry, "to be confined in charge of the guard for thirty days at hard labor, and to forfeit to the United States ten dollars of his pay for one month."

6th..Private *James Wallace*, Co. B, 5th Cavalry.

CHARGE—Absence without leave.

SPECIFICATION—In this ; that he, Private *James Wallace*, Co. B, 5th Cavalry, did absent himself without permission from proper authority from his quarters and company, on the 22d day of February, 1868, and remain absent until the first day of March, 1868. This at Ash Barracks, Nashville, Tenn.

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

FINDINGS :

Of the *Charge and Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Wallace*, Co. B, 5th Cavalry, "to be confined in charge of the guard for three months, and to forfeit to the United States, twelve dollars of his monthly pay for the same period.

II..The proceedings, findings and sentence in the case of Corpl. *Peter Hughes*, of Co. D, 45th Infantry, are approved and confirmed. On the recommendation of the members of the Court to clemency, that portion of the sentence relating to confinement for three months, is remitted; the remainder will be carried into effect at the post to which the prisoner belongs.

The proceedings and findings in the case of Private *John Thomas Johnson*, of Co. B, 45th Infantry, are approved. The sentence is confirmed but mitigated to forfeiture of twelve dollars per month, during the period of the prisoner's confinement, all of which will be carried into effect at the post to which he belongs. That portion relating to dishonorable discharge is disapproved.

The proceedings, findings and sentence in the cases of Privates *James Brennan*, Co. B, 5th Cavalry, and *James Wallace*, Co. B, 5th Cavalry, are approved and confirmed. The sentences will be carried into effect at the post to which the prisoners belong.

The findings to the 1st charge and the specification thereto, in the cases of Privates *Thomas Hewitt*, Co. M, 5th Cavalry, and *George Ressel*, Co M, 5th Cavalry, are disapproved, the evidence adduced clearly showing that the accused did lie out of quarters without permission from proper authority during the identical period, to which, under the second charge, they plead guilty to absence without leave, and which plea is confirmed by the court in its finding. Under the second and third charges the proceedings, findings and sentences are approved and confirmed, the sentences to be executed at the post to which the prisoners belong.

By command of Major General Geo. H. Thomas :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
A A G

1..Private JOHN MONROE, Co. K, 2d Infantry.
2..Private HUGH SANDS, Co. F, 2d Infantry.
3..Private CONRAD SCHLOTTERBECK, Co. I, 2d Infantry.
4..Private H. C. CLINTON, Co. C, 2d Infantry.
5..Private JAMES COYLE, Co. F, 2d Infantry.
6..Private ROBERT MCALLISTER, Co. D, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 30th, 1868.

GENERAL ORDERS, No. 26.

1..Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., March 2d, 1868, pursuant to Special Orders No 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

31st..Private *John Monroe*, Co. K, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *John Monroe*, Co. K, 2d Infantry, did absent himself from his company quarters and garrison, from 7 o'clock P. M., the 17th, and did remain absent until reveille roll-call on the 19th day of March, 1868, in violation of General Orders, No. 55, Head-Quarters Post of Louisville, Ky., dated October 12th, 1867. This at Taylor Barracks, Louisville, Ky., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Monroe*, Co. K, 2d Infantry, "to forfeit ten dollars of his monthly pay for one month."

32d..Private *Hugh Sands*, Co. F, 2d Infantry.

CHARGE—Violation of the 21st Article of War.

SPECIFICATION—In this; that he, Private *Hugh Sands*, Co. F, 2d Infantry, did absent himself from reveille, Sunday morning inspection and retreat on the 15th day of March, 1868. This at Taylor Barracks, Louisville, Ky.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Hugh Sands*, Co. F, 2d Infantry, "to forfeit eight dollars of his monthly pay for one month."

33d..Private *Conrad Schlotterbeck*, Co. I, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *Conrad Schlotterbeck*, Co. I, 2d Infantry, having been duly detailed on March 14th, 1868, for guard on the following day, did absent himself from his company and post before guard mounting on the morning of March 15th, 1868, without proper authority, and did remain absent until about 6 o'clock P. M., on the same day, thereby rendering it necessrry to detail another soldier to perform his duty for him. This at or near Taylor Barracks, Louisville, Ky., on or about the 15th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Conrad Schlotterbeck*, Co. I, 2d Infantry, "to forfeit ten dollars of his monthly pay for two months."

34th..Private *Henry C. Clinton*, Co. C, 2d Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Henry C. Clinton*, Co. C, 2d Inf., did on the 13th day of March, 1868, turn out on company drill with arms, accoutrements and clothing in such a dirty and slovenly condition as to be a disgrace to the military service of the United States of America. This at Taylor Barracks, Louisville, Ky., on or about the date above specified.

SPECIFICATION 2D—In this; that he, Private *Henry C. Clinton*, Co. C, 2d Infantry, having been regularly detailed for guard on the morning of March 16th, 1868, did fail to parade with his company detail on the following morning and did without permission from proper authority absent himself from his detail, company and quarters from 9 o'clock, A. M., March 17th, until reveille on the morning of the 18th of March, 1868. This at Taylor Barracks, Louisville, Ky., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specifications*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry C. Clinton*, Co. C, 2d Infantry, "to forfeit twelve dollars of his monthly pay for the period of two months."

35th..Private *James Coyle*, Co. F, 2d Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *James Coyle*, Co. F, 2d Infantry, did become noisy and boisterous in the hospital at Taylor Barracks, Louisville, Ky., and when ordered by Bvt. Major S. A. Storrow, Asst. Surgeon, U. S. Army, then in discharge of his duty, to keep silent, did continue to talk in an insolent manner and fail to obey said order. This at or near Taylor Barracks, Louisville, Ky., on or about March 9th, 1868.

CHARGE 2D—Violation of the 6th Article of War.

SPECIFICATION—In this; that he, Private *James Coyle*, Co. F, 2d Infantry, did say to Bvt. Major S. A. Storrow, Asst. Surgeon, U. S. Army, then in the discharge of his duty as Post Surgeon, 'I'll let you know, I am better than any doctor or hospital steward either.' This in an offensive and threatening manner. This at or near Taylor Barracks, Louisville, Ky., on or about March 9th, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Coyle*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for six months, and to forfeit fourteen dollars of his monthly pay for the same period.

37th. Private *Robert McAllister*, Co. D, 2d Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Robert McAllister*, Co. D, 2d Infantry, did while a prisoner in charge of the Corporal of the guard, rush upon and strike and beat with his clenched fists one Musician Hays, Co. D, 2d Infantry, without any provocation or cause whatever, and did hold onto and continue striking said Hays after the Corporal told him to let Hays go, Hays being at the time a prisoner under charge of the guard. This at Lexington, Ky., on or about March 14th, 1868.

CHARGE 2D—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Robert McAllister*, Co. D, 2d Infantry, was so much under the influence of liquor, as to be unable to perform the duties of a soldier, he being at the time on duty as 'cooks police,' having been regularly detailed as such. This at Lexington, Ky., on or about the 14th day of March, 1868.

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

FINDINGS:

Of the *Charges and Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert McAllister*, Co D, 2d Infantry, "to forfeit ten dollars of his monthly pay for the period of three months, and to be confined at hard labor in charge of the guard for the period of one month, the first fourteen days to be placed in solitary confinement on bread and water."

II. The proceedings, findings and sentence in the foregoing cases of Privates *John Monroe*, of Co. K, 2d Infantry, *Hugh Sands*, of Co. F, 2d Infantry, *Conrad Schlotterbeck*, of Co. I, 2d Infantry, *Henry C. Clinton*, of Co. C, 2d Infantry, *James Coyle*, of Co. F, 2d Infantry, and *Robert McAllister*, of Co. D, 2d Infantry, are approved and confirmed. The sentences will be carried into effect at the post to which the prisoners belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private FREDERICK S. MOFFATT, Co. A, 12th Infantry.
2..Recruit WM. A. WOODBURN, General Service, U. S. A.
3..Recruit JOHN MCDONALD, Co. B, Music Boys, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 2d, 1868.

GENERAL ORDERS, No. 27.

I. Before a General Court Martial which convened at Newport Barracks, Ky., February 25th, 1868, pursuant to Special Orders No. 38, dated Headquarters Department of the Cumberland, Louisville, Ky., February, 17, 1868, and of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry, is President, and Brevet Major W. R. LOWE, Capt. 19th Infantry, Judge Advocate, were arraigned and tried :

6th..Private *Frederick S. Moffatt*, Co. A, 12th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, the said Private *Frederick S. Moffatt*, Co. A, 12th Infantry, having been duly enlisted in the service of the United States, did desert the same at Mansfield, Ohio, while on furlough, on or about the 26th day of January, 1868, and did remain absent until he surrendered at Cincinnati, Ohio, on or about the 25th day of February, 1868.

To which charge and specification the prisoner pleaded "Guilty.

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said Private *Frederick S. Moffatt*, Co. A, 12th Infantry, "to be confined at hard labor in charge of the guard for the period of six months, and to forfeit twelve dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Frederick* S. *Moffatt*, of Co. A, 12th Infantry, are approved and confirmed.

On the recommendation of a portion of the members of the Court to leniency in this case, that part of the sentence relating to confinement for six months is mitigated to read "for three months," and the forfeiture of pay is entirely remitted. As altered, the sentence will be carried into effect.

7th..Recruit *William A Woodburn*, General Service, U. S. A.

CHARGE 1ST—Violation of the 23d Article of War.

SPECIFICATION—In this ; that he, the said Recruit *William A. Woodburn*, General Service, U. S. A., having been placed in charge of one Louis Scott, a deserter from the 20th Infantry, by his commanding officer, Captain *James McCleery*, 45th Infantry, at Evansville, Indiana, on or about the 2d

day of January, 1868, and ordered to proceed to Newport Barracks, Ky., and deliver him, the said deserter, to the Commanding Officer of that place, did release the prisoner, giving him the transportation vouchers which had been issued to transport the two to Newport and advised and permitted him, the said deserter to make his escape.

CHARGE 2D—Disobedience of Orders.

SPECIFICATION—In this; that he, the said Recruit *William A. Woodburn*, General Service, U. S. A., having been ordered to take charge of one Louis Scott, a deserter from the 20th Infantry, and deliver him to the Commanding Officer at Newport Barracks, Ky., did disobey said orders and neglect to deliver the prisoner to the party and at the place commanded. This at Evansville, Indiana, on or about the 2d day of January, 1868.

CHARGE 3D—Desertion.

SPECIFICATION—In this; that he, the said Recruit *William A. Woodburn*, General Service, U. S. A., an enlisted soldier in the service of the United States, a recruit unassigned, did desert the said service while *en route* to Newport, Ky., near Evansville, Ind., on or about the 2d day of January, 1868, and did remain absent until arrested at Evansville, Ind., on or about the 4th of the same month. Thirty dollars reward was paid for his apprehension.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *William A. Woodburn*, General Service, U. S. A., "to be confined at hard labor in charge of the guard for the period of two years, with a ball weighing twelve pounds attached to his leg by a chain two feet long, and to forfeit twelve dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Recruit *William A. Woodburn*, General Service, U. S. A., are approved and confirmed; that portion of the sentence relating to confinement for two years is mitigated to confinement for one year, and will be carried into effect at the post where he may be serving.

8th.. Recruit *John McDonald*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, the said Recruit *John McDonald*, Co. B, Music Boys, General Service, U. S. A., did without cause or provocation, stab in the back and severely wound Recruit John Monk, Co. C, Select General Service, U. S. A. This at Newport, Ky., in a saloon known as the General Grant Saloon, on or about the evening of the 27th of January, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words, 'without cause or provocation.'

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Recruit *John McDonald*, Co. B, Music Boys, General Service, U. S. A., "to be confined in charge of the guard, for one year, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, attending to music practice, and to forfeit ten dollars of his monthly pay per month, for the same period.

The proceedings, findings and sentence in the case of Recruit *John McDonald*, of Co. B, Music Boys, General Service, U. S. A., are approved and confirmed.

The sentence will be carried into effect at the post where the prisoner may be serving.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple

A.A.G.

1..Private BENJAMIN URICH, Co. C, 2d Infantry.
2..Private GEORGE W. MANNES, Co. F, 2d Infantry.
3..Private EDWARD NIPE, Co. A, 2d Infantry.
4..Private PATRICK MEAGHER, Co. F, 2d Infantry.
5..Private JAMES WATERS, Co. F, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 10th, 1868.

GENERAL ORDERS, No. 29.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

38th..Private *Benjamin Urich*, Co. C, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *Benjamin Urich*, Co. C, 2d Infantry, having been duly mounted as sentinel on the morning of the 15th of March, 1868, and having been placed in charge of prisoners, Privates Devine and Reddington, Co. H, 2d Infantry, with orders to conduct them to 'the rear,' did allow said prisoners to obtain or receive one bottle of whiskey. This at Taylor Barracks, Louisville, Ky., March 15th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Benjamin Urich*, Co. C, 2d Infantry, "to forfeit ten dollars of his monthly pay for two months."

The proceedings, findings and sentence in the case of Private *Benjamin Urich*, of Co. C, 2d Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of ten dollars of his monthly pay for one month and will be carried into effect.

40th..Private *George W. Mannes*, Co. F, 2d Infantry.

CHARGE 1ST—Neglect of Duty.

SPECIFICATION—In this; that he, Private *George W. Mannes*, Co. F, 2d Infantry, being a member of the guard and regularly posted as a sentinel over two prisoners, did not prevent one of said prisoners (Private William Hoben, Co. H, 2d Infantry,) to approach the fence forming the enclosure of Taylor Barrrcks and to procure from a party stationed outside, a bottle of liquor. This at Taylor Barracks, Louisville, Ky., on or about the 13th day of March, 1868, between the hours of 3 and 4 P. M.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *George W. Mannes*, Co. F, 2d Infantry, being a member of the guard and regularly posted over two prisoners as sentinel, did give his permission to one of said prisoners (Private William Hoben, Co. H, 2d Infantry,) and consented to it to approach the fence forming the enclosure of Taylor Barracks, and to procure from a party stationed outside, a bottle of liquor. This at Taylor Barracks, Louisville, Ky., on or about the 13th day of March, 1868, between the hours of 3 and 4 P. M.

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

FINDINGS:

Of the *Specification*, 1st *Charge*, "Guilty," except the words 'member of the guard.'

Of the 1st *Charge*, "Guilty."

Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George W. Mannes*, Co. F, 2d Infantry, "to forfeit ten dollars of his monthly pay for two months."

The proceedings, findings and sentence in the case of Private *George W. Mannes*, of Co. F, 2d Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of ten dollars of his monthly pay for one month, and will be carried into effect.

41st..Private *Edward Nipe*, Co. A, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Edward Nipe*, Co. A, 2d Infantry, being regularly detailed for guard and duly posted as a sentinel did quit his arms, and leave his post. All this at Guyandotte, West Va., on or about the 29th day of February, 1868.

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

FINDINGS:

Of the *Specification*, "Guilty,' of the facts set forth in the specification but attach no criminality thereto.

Of the *Charge*, "Not Guilty,"

And the Court does therefore acquit him, Private *Edward Nipe*, Co. A, 2d Infantry.

The proceedings, findings and acquittal in the case of Private *Edward Nipe*, Co. A, 2d Infantry, are disapproved.

The prisoner pleads guilty of quitting his arms and leaving his post after having been duly posted as a sentinel, and that plea is confirmed by the court, 'attaching no criminality thereto,' although evidence as to the facts set forth in the specification was taken neither by the prosecution nor by the defence, and the record does not show that the prisoner had been '*regularly relieved*' before he left his post.

To guide him in his decision, the reviewing authority recurs to principles of presumptive evidence which lead him to infer the existence of a fact, not known, from its connection with other facts and circumstrnces known to exist, and therefore cannot arrive at the same conclusion that has confirmed the court in its action. Private *Edward Nipe*, Co. A, 2d Infantry, will be released from confinement and restored to duty.

42d..Private *Patrick Meagher*, Co. F, 2d Infantry,

CHARGE 1ST—Quitting his post, in violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Patrick Meagher*, Co. F, 2d Infantry, having been regularly detailed for guard and duly posted as a sentinel on post No. 2, of the guard at Crittenden Barracks, Louisville, Ky, did quit said post before he was relieved, and go outside the garrison, leaving the post without a sentinel on duty. This on or about the 22d day of March, 1868.

CHARGE 2D—Drunkenness on duty, in violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Patrick Meagher*, Co. F, 2d Infantry, having been regularly detailed for guard, and being a member of the guard at Crittenden Barracks, Louisuille, Ky., did get so drunk as to be unable to perform his duty as a member of the guard in a proper manner. All this at Crittenden Barracks, Louisville, Ky., on or about the 22d day of March, 1868, between the hours of 10 P. M. and 1 A. M.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Meagher*, Co. F, 2d Infantry, as follows: "To be confined in charge of the guard for the period of four months, the first fourteen days of each month to be in solitary confinement, and the remaining days of each month to carry a log of wood weighing twenty-five pounds, every alternate hour from reveille to retreat, and to forfeit fourteen dollars a month of his monthly pay for the same period."

In the case of Private *Patrick Meagher*, of Co. F, 2d Infantry, the findings and proceedings are approved.

The penalty attached to a violation of the 45th Article of War by a non-commissioned officer or soldier, is *corporeal* punishment. The Judge Advocate General of the Army holds that confinement or forfeiture of pay is inoperative as a sentence for an enlisted man under that Article, (see Digest, 45th Article, par. 3.) Since rendering that decision, the Judge Advocate General has reconsidered the same in so far as relates to confinement, not, however, altering his opinion with regard to forfeiture of pay. (See decision in the case of Private Henry Costigan, Co. A, 45th Infantry, published in General Orders, No. 11, C. S., from Head-quarters Department of the Cumberland.)

The sentence being a sequence of all the findings, that portion of it, in the case of Private *Patrick Meagher*, of Co. F, 2d Infantry, relating to forfeiture of pay is disapproved; the remainder will be carried into effect at the post where the prisoner may be serving.

43d..Private *James Waters*, Co. F, 2d Infantry.

CHARGE—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *James Waters*, Co. F, 2d Infantry, a member of the guard at Crittenden Barracks, did, in violation of orders, absent himself from said guard without permission from the Sergeant commanding the guard, (Sergeant Ledlie, Co. C, 2d Infantry,) and remain absent for about fifteen minutes, when brought back by the corporal of the guard. All this at or near Crittenden Barracks, Louisville, Ky., on or about the 24th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Waters*, Co. F, 2d Infantry, "to forfeit ten dollars of his monthly pay for one month."

The proceedings, findings and sentence in the case of Private *James Waters*, of Co. F, 2d Infantry, are approved and confirmed. The sentence will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple

A A G.

1 .Brevet Colonel JOSEPH B. COLLINS, Major 2d Infantry.

———x———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 15th, 1868.

GENERAL ORDERS,
No. 30.

Before a General Court Martial which convened at Newport Barracks, Ky., February 25th, 1868, pursuant to Special Orders No. 38, dated Headquarters Department of the Cumberland, Louisville, Ky., February, 17, 1868, and of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry, is President, and Brevet Major W. R. LOWE, Capt. 19th Infantry, Judge Advocate, were arraigned and tried :

9th..Brevet Colonel *Joseph B. Collins*, Major 2d Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION 1ST—In this ; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, did, while Commanding Officer of the post of Ceredo, West Virginia, become so drunk as to be utterly unable to perform his duties as Commanding Officer of the aforesaid post, or any military duty whatever, and did, while so intoxicated, urinate on the floor of the Adjutant's office of the aforesaid post. This at Ceredo, West Virginia, on or about the 9th day of May, 1867.

SPECIFICATION 2D—In this ; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, did, while Commanding Officer of the post of Ceredo, West Virginia, become so drunk as to be unable to perform his duty as Commanding Officer of the aforesaid post, or any other military duty whatever, and while so intoxicated, being unable to walk, was assisted to his quarters by Capt. F. E. Lacy and 1st Lieut. Charles Harkins, both of the 2d U. S. Infantry, and on duty with the command at Ceredo, West Virginia. This at Ceredo, West Virginia, on or about the 30th of July, 1867.

CHARGE 2D—Conduct unbecoming an officer and a gentleman.

SPECIFICATION—In this ; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, did, while Commanding Officer of the post of Ceredo, West Virginia, order the officer of the day, 2d Lieut. John C. Bateman, 2d Infantry, a young and inexperienced officer, being assigned a few days previous, to go on board of a steamboat lying at the landing at Ceredo, West Virginia, and procure for him, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, for his private use, a bottle of whiskey, which order 2d Lieut. John C Bateman, officer of the day, complied with and did go on board of said steamboat, and did purchase, from his own private funds, a bottle of whiskey, which he sent to Brevet Colonel *Joseph B. Collins*, Major 2d. Infantry, for his private use, and that the money so expended by 2d Lieut. John C. Bateman was not refunded to him by Brevet Colonel *Joseph B. Collins*, Major 2d Infantry. This at Ceredo, West Virginia, on or about the 29th[day of June, 1867.

CHARGE 3D—Violation of the 1017th paragraph of the Army Regulations, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Brevet Colonel *Joseph* B. *Collins*, Major 2d Infantry, did, while Commanding Officer of the post of Ceredo, West Virginia, without the knowledge of the A. A. Quartermaster of the post of Ceredo, West Virginia, order waggoner Dorman, of Co. A, 2d Infantry, to haul with a government team, logs for the benefit of the citizens of Ceredo, West Virginia. This at Ceredo, West Virginia, on or about the 13th day of June, 1867.

SPECIFICATION 2D—In this; that he, Brevet Colonel *Joseph* B. *Collins*, Major 2d Infantry, did, while in command of the post of Ceredo, West Virginia, order Capt. F. E. Lacy, 2d Infantry, to send a government team to haul logs for the building of a bridge for the private benefit of the citizens of Ceredo, West Virginia. This at Ceredo, West Virginia, on or about the 26th day of June, 1867.

SPECIFICATION 3D—In this: that he, Brevet Colonel *Joseph* B. *Collins*, Major 2d Infantry, did, while in command of the post of Ceredo, West Virginia, order 2d Lieut. John C. Bateman, 2d Infantry, Post Adjutant, to detail two non-commissioned officers and ten privates from the command to perform fatigue duty for the citizens of Ceredo, West Virginia. This at Ceredo, West Virginia, on or about the 27th day of June, 1867.

CHARGE 4TH—Signing a false certificate, knowing it to be false, with the intention of defrauding the Government.

SPECIFICATION—In this; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Guyandotte, West Virginia, without the knowledge of the A. A. Q. Master of the Post, order the Corporal of the police, Gregory M. Farrell, Co. A, 2d Infantry, to have two wagon loads of wood hauled from the A. A. Q. Master's wood pile, to his, Brevet Colonel *Joseph B. Collins*' quarters, for his private use, which order said Gregory M. Farrell, Co. A, 2d Infantry, complied with, and did with a government team have two wagon loads of wood hauled to the quarters and for the private use of Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, and that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, did sign a certificate (form 21, Q. M. Dept.) and did thereon certify that he had not received fuel from the government for any part of the time charged for, and did receive commutation value from the A. A. Q. Master of the Post, 1st Lieut. *Charles Harkins*, 2d Infantry, at the same time knowing it to be false, and that he had taken two wagon loads of wood from the public wood pile of the post, during the time charged for in his certificate. All this at Guyandotte, West Va., during and for the month of November, 1867.

To which charges and specifications the accused pleaded as follows:

To the 1st *Specification*, 1st *Charge*,	"Not Guilty."
To the 2d *Specification*, 1st *Charge*,	"Not Guilty."
To the 1st *Charge*,	"Not Guilty."
To the 1st *Specification*, 2d *Charge*,	"Not Guilty."
To the 2d *Charge*,	"Not Guilty."
To the 1st *Specification*, 3d *Charge*,	"Not Guilty."
To the 2d *Specification*, 3d *Charge*,	"Not Guilty."
To the 3d *Specification*, 3d *Charge*,	"Not Guilty."
To the 3d *Charge*,	"Not Guilty."
To the *Specification* 4th *Charge*,	"Not Guilty."
To the 4th *Charge*.	"Not Guilty."

FINDINGS :

Of the 1st *Specification*, 1st *Charge*,	"Not Guilty."
Of the 2d *Specification*, 1st *Charge*,	"Not Guilty."
Of the 1st *Charge*,	"Not Guilty."
Of the *Specification*, 2d *Charge*,	"Not Guilty."
Of the 2d *Charge*,	"Not Guilty."
Of the 1st *Specification*, 3d *Charge*,	"Not Guilty."
Of the 2d *Specification*, 3d *Charge*.	"Not Guilty."
Of the 3d *Specification*, 3d *Charge*,	"Not Guilty."
Of the 3d *Charge*,	"Not Guilty."
Of the *Specification*, 4th *Charge*,	"Not Guilty."
Of the 4th *Charge*,	"Not Guilty."

And the Court does therefore acquit him, Major *Joseph B. Collins*, 2d Infantry, and Brevet Colonel, U. S. A., of the charges and specifications preferred against him.

In the case of Brevet Colonel *Joseph* B. *Collins*, Major 2d Infantry, the finding to the 1st, 2d and 4th charges, with their specifications, are disapproved.

The evidence of two witnesses, Captain Lacy and Lieut. Harkins, places beyond dispute the fact that Colonel *Collins* did become intoxicated at the time and place mentioned in the 2d specification to the 1st charge, and that he became unable to perform his duty as commanding officer of the Post. What occurred thereafter had nothing to do with the specific charge and should not have been considered.

Under the second charge and its specification it is posively testified to by the only witness examined, Lieut. Bateman, that at the time it was given, and the manner of its expression, that the directions to him to purchase a bottle of whiskey, was considered by him as an order of Colonel *Collins*, and that he complied with it under protest. Lieut. Bateman, a young and inexperienced officer, was taken advantage of, and his temporary position of honor as officer of the day was assailed by one, who, after serving in the army for twenty years, ought certainly to have refrained from misdirecting a novice in the profession.

To the 4th charge and specification the accused pleads not guilty, but subsequently admits the entire facts as stated in the specification, 'reserving the right of explaining the transaction.' His admission is supported by the evidence taken on both sides, yet in the face of all this the court finds the accused not guilty of that which he himself admits having done. His reserving to himself the right of explaining the transaction, which explanation in nowise mitigates the offence, should not have influenced the court nor have been at all considered by them.

Colonel *Collins* will be released from arrest and report for duty.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A A G

1..1st Sergeant JAMES HAMILTON, Co. D. 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 16th, 1868.

GENERAL ORDERS,
No. 31.

Before a General Court Martial which convened at Newport Barracks, Ky., February 25th, 1868, pursuant to Special Orders No. 38, dated Headquarters Department of the Cumberland, Louisville, Ky., February, 17, 1868, and of which Brevet Major General S. W. CRAWFORD, Lieut. Col. 2d Infantry, is President, and Brevet Major W. R. LOWE, Capt. 19th Infantry, Judge Advocate, were arraigned and tried :

10th..1st Sergeant *James Hamilton*, Co. D, 2d Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this : that he, 1st Sergeant *James Hamilton*, of Co. D, 2d Infantry, having been placed by his Commanding Officer in charge of clothing, the property of the United States, intended for issue to Co. D, 2d Infantry, and having, furthermore, been entrusted with the making out of the returns accounting for the clothing aforesaid, did sell, misapply or embezzle clothing amounting in value to one thousand and fifty dollars ($1,050.) more or less, on or about and during the following periods, viz : March, May, June, August, September, October and November, 1866 ; January, April, July, August, September, October and December, 1867, and on or about the 8th day of January, 1868. All this at Crittenden Barracks, Louisville, Ky., Camp Nelson and Lexington, Ky., on or about and during the dates above mentioned.

SPECIFICATION 2D—In this ; that he, 1st Sergeant *James Hamilton*, Co. D, 2d Infantry, having been placed by his Commanding Officer in charge of clothing, the property of the United States, intended for issue to Co. D, 2d Infantry, did ask Corporal John W. Sturwold, Private Stanley G. Smith, Private William Doyle, and other enlisted men of Co. D, 2d Infantry, to sign clothing receipt rolls for clothing never issued to them, knowing the same to be false, and when remonstrated with by said enlisted men of Co. D, 2d Infantry, did say, "I am short of clothing ; if you will sign this roll the clothing you sign for will not be charged against your accounts," or words to that effect, and did not charge said clothing to the accounts of those enlisted men whom he had asked to sign the receipt roll, thereby defrauding the United States of property amounting in value to two hundred and seventy dollars ($270.) more or less. This at Lexington, Ky., on or about the 9th day of January, 1868.

SPECIFICATION 3D—In this ; that he, 1st Sergeant *James Hamilton*, Co. D, 2d Infantry, having been placed by his Commanding Officer in charge of clothing, the property of the United States, intended for issue to Co. D, 2d Infantry, did sell, or cause to be sold, to Private Tewksbury, of Co. D,

2d Infantry, one uniform coat, the property of the United States, for which he received from the said Tewksbury twelve dollars ($12.) more or less, and did appropriate the same to his own use, thereby defrauding the United States. This at Lexington, Ky., on or about the 15th day of January, 1867.

SPECIFICATION 4TH—In this; that he, 1st Sergeant *James Hamilton*, Co. D, 2d Infantry, having been placed by his commanding officer in charge of clothing the property of the United States, did sell or cause to be sold to Private Samuel B. Little of Co. D, 2d Infantry, one uniform coat, the property of the United States, for which he charged the said Little the sum of six dollars, ($6.) more or less, whereby he defrauded the United States of the value of one uniform dress coat, worth twelve dollars more or less. This at Lexington, Ky., on or about the 6th day of March, 1867.

SPECIFICATION 5TH—In this; that he, 1st Sergeant *James Hamilton*, Co. D, 2d Infantry, having been placed by his commanding officer in charge of clothing, the property of the United States, did sell or cause to be sold to Private William T. Best, of Co. D, 2d Infantry, the following articles of clothing, the property of the United States, on or about the following dates, for which he, 1st Sergeant *James Hamilton*, received the amounts set forth as follows, viz: One uniform coat, November 25th, 1866, six dollars, ($6.) one flannel sack coat, July 28th 1867, four dollars, ($4.) one hat and appendages, November 15th, 1867, two dollars and fifty cents. ($2.50.) more or less which he appropriated to his own use, thereby defrauding the United States of the articles above mentioned. This at Lexington, Ky., on or about the dates above mentioned.

To which charges and specifications the accused pleaded as follows:

To the 1st *Specification* of the *Charge*, "Not Guilty."

To the 2d *Specification* of the *Charge*, "Guilty,"

excepting the words, 'when remonstrated with by said enlissed men of Co. D, 2d Infantry,' the words 'if you will sign this roll the clothing you sign for will not be charged against your accounts, or words to that effect,' and the words 'thereby defrauding the United States of property amounting in value to two hundred and seventy dollars ($270.) more or less.'

To the 3d *Specification* of the *Charge*, "Not Guilty."

To the 4th *Specification* of the *Charge*, "Guilty."

To the 5th *Specification*, of the *Charge*, "Not Guilty."

To the *Charge*, "Not Guilty."

FINDINGS:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Not Guilty."

Of the 4th *Specification*, "Guilty."

Of the 5th *Specification*, "Not Guilty."

Of the *Charge*, "Guilty."

SENTENCE:

The Court does sentence him, 1st Sergeant *James Hamilton*, Co. D, 2d Infantry, "to forfeit to the United States States all pay and allowances due him, excepting the just dues of the laundress and sutler, and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of 1st Sergeant *James Hamilton*, of Co. D, 2d Infantry, are approved, except the finding to the 3d specification, of which there is no reasonable doubt to confirm a plea of not guilty, and the evidence of the only witness examined is direct for conviction. The sentence is confirmed and will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private JOHN JONES, Co. C, 2d Infantry.
2..Private ROBERT FIELD, Co. D, 2d Infantry.
3..Private JAMES CARR, Co. F, 2d Infantry.
4..Private JOHN BLAIR, Co. C, 45th Infantry.
5..Private ALFRED WAIT, Co. H, 2d Infantry.
6..Private DANIEL NEVINS, Co. B, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 17th, 1868.

GENERAL ORDERS, No. 32.

I Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., March 2d, 1868, pursuant to Special Orders No. 43, dated Headquarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Captain 2d Infantry, is President, and Bvt. Major S. A. STORROW, Asst. Surgeon, U. S. A., Judge Advocate were arraigned and tried:

36th..Private *John Jones*, Co. C, 2d Infantry.

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

SPECIFICATION—In this: that he, Private *John Jones*, Co. C, 2d Infantry, did, on or about the night of the 1st of March, 1868, forcibly enter the store of one Ike Lejenne and did feloniously take and carry away therefrom about the sum of twelve dollars, the property of said Lejenne, and without his knowledge or consent, with the intention of applying the same to his own use. This at Owensboro, Ky., on or about the dates above given.

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

FINDINGS:

Of the *Specification* of the *Charge*, "Guilty,"

except the words "forcibly enter the store of Ike Lejenne," and "did feloniously take and carry away therefrom," and "without the knowledge and consent of the said Lejenne," substituting therefor the words "did steal from Ike Lejenne with the intention dishonestly to convert to his own use and benefit."

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Jones*, Co. C, 2d Infantry, "to be confined in such State prison or penitentiary as the Major General Commanding the Department may direct, for the term of two years, to be dishonorably discharged the service of the United States, and to forfeit all pay and allowances that are or may become due him."

39th..Private *Robert Field*, Co. D, 2d Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, was so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier properly. This at or near Lexington, Ky., on or about the 7th day of March, 1868.

SPECIFICATION 2D—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, was so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier in a proper manner. This at or near Lexington, Ky., on or about the 14th day of March, 1868.

CHARGE 2D—Violation of the 45th Article of War.

SPECIFICATION 1ST—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, being on detached service at Covington, Ky., and having been placed on duty by proper authority as cook for the detachment of the 2d Infantry doing duty in the Bureau of R, F and A. L., at Covington, Ky., was so much under the influence of intoxicating liquor as to be utterly unable to perform his duties properly. This at or near Covington, Ky., on or about the 17th day of February, 1868.

SPECIFICATION 2D—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, having been detached by proper authority to act as cook for the detachment of the 2d Infantry on duty in the Bureau of R., F. and A. L, at Covington, Ky., was so much under the influence of intoxicating liquor as to be utterly unable to perform his duties properly. This at or near Covington, Ky., on or about the 18th day of February, 1868.

SPECIFICATION 3D—In this; that he, Private *Robert Field*, Co D, 2d Infantry, having been detached by proper authority to act as cook for the detachment of the 2d Infantry on duty in the Bureau of R., F. and A. L., at Covington, Ky., was so much under the influence of intoxicating liquor as to be utterly unable to perform his duties properly. This at Covington, Ky., on or about the 19th day of February, 1868.

SPECIFICATION 4TH—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, having been duly detailed by proper authority to act as cook for the detachment of the 2d Infantry, on duty in the Bureau of R, F. and A. L., at Covington, Ky., was so much under the influence of intoxicating liquor as to be utterly unable to perform his duties properly. This at or near Covington, Ky., on or about the 20th day of February, 1868.

SPECIFICATION 5TH—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, having been regularly detailed by competent authority to act as cook for the detachment of the 2d Infantry at Covington, Ky., on duty in the Bureau of R. F. and A. L., did become so much under the influence of intoxicating liquor as to be utterly unable to perform his duty in a proper manner. This at or near Covington, Ky., on or about the 21st day of February, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st and 2d *Specifications*, 1st *Charge*,	"Guilty."
To the 1st *Charge*,	"Not Guilty."
To the 2d *Charge and Specifications*,	"Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specifications*,	"Guilty."
Of the 1st, 2d, 3d and 4th *Specifications*, 2d *Charge*	"Guilty."
Of the 5th *Specification*, 2d *Charge*,	"Guilty,"

except the words "unable to perform duty."

Of the 2d *Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert Field*, Co. D, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, the first and last fourteen days to be in solitary confinement on bread and water, the first ten days of the second, third, fourth, fifth and sixth months to stand on a barrel in front of the guard house every alternate hour from reveille to retreat, and to forfeit twelve dollars a month of his monthly pay for two months."

44d. Private *James Carr*, Co. F, 2d Infantry.

CHARGE—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *James Carr*, Co. F, 2d Inf., being a member of the guard at Crittenden Barracks, did, in violation of orders, absent himself from said guard without permission from the Sergeant commanding the guard, (Sergeant Ledlie, Co. C, 2d Infantry,) and remain absent for about fifteen minutes, when brought back by the corporal of the guard. All this at or near Crittenden Barracks, Louisville, Ky., on or about the 24th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Carr*, Co. F, 2d Infantry, "to forfeit ten dollars of his monthly pay for one month."

45th..Private *John Blair*, Co. C, 45th Infantry.

CHARGE 1ST—Violation of the 50th Article of War.

SPECIFICATION—In this: that he, Private *John Blair*, Co. C, 45th Infantry, having been properly mounted as a member of the guard on the morning of March 12th, 1868, at Jeffersonville Barracks, Ind., did quit the same without leave or urgent necessity before being duly relieved and failed to return during that tour. This at Jeffersonville, Ind., on or about the 12th day of March, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *John Blair*, Co. C, 45th Infantry, a duly enlisted soldier in the service of the United States did absent himself without leave on the 12th day of March, 1868, from his post and command, and did remain absent until apprehended in Louisville, Ky., March 20th, 1868. This at Jeffersonville, Indiana, on or about the dates above specified.

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

FINDINGS:

Of the *Charges and Specifications*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Private *John Blair*, Co. C, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of four months, the first fifteen days of each month to carry a knapsack weighing twenty-five pounds every alternate hour from reveille to retreat, and to forfeit twelve dollars of his monthly pay for the space of four months."

46th..Private *Alfred Wait*, Co. H, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *Alfred Wait*, Co. H, 2d Infantry, was absent from his company and regiment without permission from proper authority from 12 o'clock mid-night of the 10th day of March, 1868, until about 7 o'clock, P. M., of the 19th day of March, 1868. This at or near Taylor Barracks, Louisville, Ky., on or about the times specified above.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Alfred Wait*, Co. H, 2d Infantry, "to forfeit ten dollars of his monthly pay for one month."

47th..Private *Daniel Nevins*, Co. B, 2d Infantry.

CHARGE 1ST—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *Daniel Nevins*, Co. B, 2d Infantry, did on or about the 18th day of March, 1868, become so much under the influence of intoxicating liquor as to be totally unfit to perform the duties of a soldier. This at Guyandotte, West Va.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *Daniel Nevins*, Co. B, 2d Infantry, did without proper authority absent himself from his company and quarters from about 3 o'clock, P. M., of the 18th day of March, 1868, until about 11 o'clock, P. M., of the 19th day of March, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Daniel Nevins*, Co. B, 2d Infantry, "to be confined at hard labor in charge of the guard for one month, and to forfeit ten dollars of his monthly pay for the same period."

II. The proceedings and findings in the case of Private *John Jones*, Co. C, 2d Infantry, are approved. The sentence is disapproved because considered excessive as a penalty for the offence committed and the circumstances attending the same, it admits of no mitigation owing to its construction. Although in this case the crime charged is not purely a military offence, it might as a misdemeanor have been punished under the 99th Article of War, with a discretionary sentence more in keeping with its magnitude. Private *Jones* will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Robert Field*, of Co. D, 2d Infantry, are approved. The sentence is confirmed, except that portion relating to forfeiture of pay which is disapproved. The remainder will be carried into effect.

The proceedings, findings and sentence in the cases of Privates *James Carr*, of Co. F, 2d Infantry, *John Blair*, of Co. C, 45th Infantry, *Alfred Wait*, of Co. H, 2d Infantry, and *Daniel Nevins*, of Co. B, 2d Infantry, are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners belong.

III. The General Court Martial of which Brevet Lieut. Col. JOSEPH S. CONRAD, Captain 2d Infantry, is President, and Brevet Major S. A. STORROW, Assistant Surgeon, U. S. A., Judge Advocate is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Sewell
A. A. G.

1..Private ROBERT MCCRACKEN, Co. B, 5th Cavalry.
2..Private JAMES WALLACE, Co. B, 5th Cavalry.
3..Private JOHN KASTNER, Co. B, 45th Infantry.
4..Corporal ISAAC N. EVELETH, Co. F, 45th Infantry.
5..Private LEWIS FOX, Co. B, 45th Infantry.
6..Private JAMES WHITEHEAD, Co. H, 45th Infantry.
7..Private THOMAS MOONEY, Co. F, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 18th, 1868.

GENERAL ORDERS, }
No. 33. }

Before a General Court Martial which convened at Nashville, Tenn., March 10th, 1868, pursuant to Special Orders, No. 45, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 29th, 1868, and of which Captain FRED. E. TROTTER, 45th Infantry, is President, and Bvt. Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried :

7th..Private *Robert McCracken*, Co. B, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Robert McCracken*, Co. B, 5th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Ash Barracks, Nashville, Tenn., on or about the 11th day of November 1866, and did remain absent until apprehended on the 11th day of February, 1868. Thirty dollars paid for his apprehension.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Robert McCracken*, Co. B, 5th Cavalry, "to be confined in charge of the guard for the period of eighteen months, and to forfeit to the United States fourteen dollars of his monthly pay for the same period, and to make good the time lost by desertion."

The proceedings, findings and sentence in the case of Private *Robert McCracken*, of Co. B, 5th Cavalry, are approved and confirmed. The sentence is mitigated to confinement for the period of twelve months, forfeiting twelve dollars of his monthly pay per month for the same period. To be carried into effect at the post to which he belongs.

11th..Private *James Wallace*, Co. B, 5th Cavalry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this ; that he, Private *James Wallace*, of Co. B, 5th Cavalry, and while a prisoner under guard refused to go to the guard house and attacked a patrol, sent to take him to the guard house, and did strike Corporal G. W. Cardwright, Co. A, 45th Infantry, commanding said patrol, and Private J. Kestner, Co. A, 45th Infantry.

CHARGE 2D—Violation of the 6th Article of War.

SPECIFICATION—In this; that he, Private *James Wallace*, Co. B, 5th Cavalry, did call Brevet Major F. A. H. Gaebel, 1st Lieut. 45th Infantry, a God damned son-of-a-bitch, and did use the same language towards Corporal G. W. Cardwright, Co. A, 45th Infantry, both, officer and non-commissioned officer being at the time in the discharge of their duties.

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

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty,"
except the words 'attacked' and substituting therefor 'resist' and excepting 'Private J. Kestner, Co. A, 45th Infantry.'

Of the 1st *Charge*, "Guilty."

Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Wallace*, Co. B, 5th Cavalry, "to be confined in charge of the guard for four months at hard labor, and to forfeit to the United States ten dollars of his monthly pay for the same period, and to carry a log of wood twenty-five pounds weight from guard mount until retreat for two months."

The proceedings, findings and sentence in the case of Private *James Wallace*, of Co. B, 5th Cavalry, are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

12th..Private *John Kastner*, Co. B, 45th Infantry.

CHARGE 1ST—Disobedience of Orders.

SPECIFICATION—In this; that he, Private *John Kastner*, Co. B, 45th Infantry, did without a written pass approved by the commanding officer of the post, and in violation of existing orders, absent himself from his company from the 29th day of March until the 31st day of March, 1868. This at Ash Barracks, Nashville, Tenn., on the dates above specified.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *John Kastner*, Co. B, 45th Infantry, did without permission from proper authority absent himself from his company from the 29th day of March until the 31st day of March, 1868. This at Ash Barrachs, Nashville, Tenn., on the dates above specified.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Kastner*, Co. B, 45th Infantry, "to forfeit to the United States, one month's pay proper.

The proceedings, findings and sentence in the case of Private *John Kastner*, of Co. B, 45th Infantry, are approved and confirmed. The sentence will be carried into effect.

13th..Corporal *Isaac N. Eveleth*, Co. F, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this: that he, Corporal *Isaac N. Eveleth*, Co. F, 45th Infantry, having been regularly detailed for guard on the morning of the 21st of March, 1868, did become so intoxicated as to be unable to perform his duty as a Corporal of the guard. All this while on guard at Ash Barracks, Tenn., about 11 o'clock, A. M., March 21st, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the court does therefore sentence him, Corporal *Isaac N. Eveleth*, Co. F, 45th Infantry, "to be reduced to the ranks and confined at hard labor in charge of the guard for four months."

In the case of Corporal *Isaac N. Eveleth*, of Co. F, 45th Infantry, the findings and sentence are disapproved. The evidence adduced not appearing sufficiently strong to support the same. Corporal *Eveleth* will be released from arrest and restored to duty.

14th..Private *Lewis Fox*, Co. B, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Lewis Fox*, Co. B, 45th Infantry, being a member of the garrison guard, duly detailed and mounted, did become so much under the influence of liquor as to be unable to perform properly his duty as a soldier. This at Ash Barracks, Nashville, Tenn., on the 3d day of April, 1868.

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

FINDINGS:

Of the *Charge and Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Lewis Fox*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of four months."

The proceedings, findings and sentence in the case of Private *Lewis Fox*, of Co. B, 45th Infantry, are approved and confirmed. The sentence is mitigated to confinement for two months, and will be carried into effect.

15th..Private *James Whitehead*, Co. H, 45th Infantry.

CHARGE 1ST—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *James Whitehead*, Co. H, 45th Infantry, after being regularly detailed and posted as a guard, did leave his post.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *James Whitehead*, of Co. H, 45th Infantry, did permit prisoners while under his charge to become intoxicated All this at or near Nashville, Tenn., March 18th, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James Whitehead*, Co. H.

45th Infantry, "to forfeit to the United States fourteen dollars of his monthly pay for nine months, and to be confined in charge of the guard for the same period."

In the case of Private *James Whitehead*, of Co. H, 45th Infantry, the finding under the first charge is supported neither by the specification nor by the evidence. If properly worded, the specification might have supported a violation of the 46th article, and the evidence would have confirmed a finding of guilty thereunder. The present finding is improper, as the specification, defective in itself, fails to support the charge, and is therefore disapproved. Under the 2d charge the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to confinement for four months, forfeiting twelve dollars of his monthly pay per month for that period, and the same will be carried into effect at the post where he may be serving.

16th..Private *Thomas Mooney*, Co. F, 45th Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Thomas Mooney*, of Co. F, 45th Infantry, having been regularly detailed for guard, did become so drunk as to be unable to perform the duties of a soldier. This at or near Ash Barracks, on or about the 25th day of March, 1868.

CHARGE 2D—Violation of the 44th Article of War.

SPECIFICATION—In this; that he, Private *Thomas Mooney*, of Co. F. 45th Infantry, having been regularly detailed at retreat on the evening of March 24th 1868 for guard duty, to report for the same at guard mounting on the morning of March 25th, 1868, did fail to appear or report for said duty. All this at or near Ash Barracks, on or about the 25th of March, 1868.

To which charges and specifications the accused pleaded "Not Guilty."

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty."
Of the 1st *Charge*, "Not Guilty,"
but 'guilty' of violation of the 99th Article of War.
Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Thomas Mooney*. Co. F, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of six months."

The proceedings, finding and sentence in the case of Private *Thomas Mooney*, of Co. F, 45th Infantry, are approved and confirmed. The sentence is mitigated to confinement for three months, and will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

2d Lieut. THOMAS M. CANTON, 25th Infantry, Brevet Captain U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., April 30th, 1868.

GENERAL ORDERS,
No. 34.

I. Before a General Court Martial which convened at Memphis, Tennessee, on the 2d day of April, 1868, pursuant to Special Order, No. 55, paragraph I, dated Head-Quarters Department of the Cumberland, Louisville, Ky,, March 18th, 1868, and of which Brevet Major F. A. DAVIES, Captain 25th Infantry is President, and Captain W. S. TREMAINE, Asst. Surgeon, U. S. A., Judge Advocate, was arraigned and tried :

2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this ; that he, 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A., while acting as Acting Asst. Quarter-Master of the post of Columbus, Ky., did unlawfully use the company of infantry stationed at the post, viz : Co. I, 25th Infantry, together with the public animals under his control, to tear down and get together for his own private use, certain old buildings, a certain number of which were situated on the ground leased by the United States for the erection of barracks. All this during the month of September, 1867, at the post of Columbus, Columbus, Ky.

SPECIFICATION 2D—In this; that he, 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain, U. S. A., while acting as Acting Asst. Quarter-Master of the post of Columbus, Columbus, Ky., did unlawfully use the company of infantry, viz : Co. I, 25th Infantry, stationed at the post, together with the public animals under his control, for the purpose of tearing down and getting together certain old buildings that were his own private property, and in so doing did delay the erection of the barracks he was ordered to build. All this in the month of September, 1867, at the post of Columbus, Columbus, Ky.

SPECIFICATION 3D—In this ; that he, the said 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A., while acting as Acting Asst. Quarter-Master of the post of Columbus, Columbus, Ky., after having purchased certain old buildings for the sum of fifty dollars ($50.) more or less, for his own private use, and having unlawfully used the company of infantry, viz : Co. I, 25th Infantry, stationed at the post, together with the public animals under his (Brevet Captain Canton's,) control for the purpose of getting together the material from the said old buildings, did dispose of the same for the purpose of deception, to one J. H. Bollem, a citizen of Columbus, Ky., that through the said Bollem the material might be

bought by him (Brevet Captain *Canton*, Acting Asst. Quarter-Master of the post,) for the Government, for his own private benefit. All this at the post of Columbus, Columbus, Ky., on or about and between the 1st day of September, 1867, and the 16th day of January, 1868.

SPECIFICATION 4TH—In this; that he, the said 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A., while acting as Acting Asst. Quarter-Master of the post of Columbus, Ky., after having purchased material for his own private use, from certain old buildings, did purchase during the months of November or December, or both, 1867, and issue to Co. I, 25th Infantry, without the knowledge or consent of his Commanding Officer, a certain amount of the said material, called by Brevet Captain *Canton*, U. S. A., ten cords, more or less, for which the sum of three dollars per cord for the same was paid. All this after having given his Commanding Officer to understand at the time, he, the said Brevet Captain *Canton*, U. S. A., submitted his papers for his Commanding Officer's approval, that the amount of wood appearing in his abstract of purchases as purchased during the months of November and December, 1867, was of the quality shown the Commanding Officer, viz; green hard wood. All this at the post of Columbus, Columbus, Ky., between the time from November 1st 1867 to January 16th, 1868.

CHARGE 2D—Conduct unbecoming an officer and a gentleman.

SPECIFICATION—In this; that he, the said 2d Lieut, *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A.. while acting Acting Asst. Quarter-Master of the post of Columbus, Columbus, Ky., for the purpose of covering up a fraudulent transaction, did enter into an agreement with one Joseph Henry Bollem, a citizen of Columbus, Ky., to transfer to him (Bollem,) certain material, and did transfer the said material to the said Bollem, and did then enter into a fraudulent transaction with the said Joseph Henry Bollem for this material for issue to the troops at this post as wood, the said material having been purchased by Brevet Captain *Canton* for his own private use, for a sum of fifty dollars, ($50.) more or less; that through the said Bollem he (Brevet Captain *Canton*,) might dispose of the same to the Government for gain, and did dispose of the same to the Government, through the said Bollem for the sum of one hundred and thirty dollars, ($130.) moro or less. All this in direct disobedience to instructions for his (Brevet Captain *Canton's*,) guidance in paragraph 1000, Revised Regulations, U. S. A. All this at the post of Columbus, Columbus, Ky., during the time between the 1st day of September, 1867, and the 16th day of January, 1868.

To which charges and specifications the accused pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty"

And the Court does therefore acquit him, 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A.

II. The proceedings and findings in the case of 2d Lieut. *Thomas M. Canton*, 25th Infantry, Brevet Captain U. S. A., are approved.

While approving the action of the Court in its acquittal of Brevet Captain *Canton*, the Major General Commanding cannot pass over the conduct of the accused in entering into a transaction which, to say the least, was subversive of good order and military discipline, although the evidence in the case, together

with an allowance of reasonable doubts, fail to impute any fraudulent intent on the part of the accused. His conduct becomes excusable only on a manifestation of a want of judgement in the discharge of his official duties. It is incumbent on all judicious and right-minded officers to so arrange their private transactions as to prevent any possible collusion with the duty they owe to the public.

Brevet Captain *Canton* will resume his sword and return to duty.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
a. a. g.

1..Private MICHAEL FREUND, Co. B, 45th Infantry.
2..Private HENRY BLAKE, Co. F, 45th Infantry.
3..Private EDWARD THOMPSON, Co. M, 5th Cavalry.
4..Private GEORGE W. CRAIG, Co. M, 5th Cavalry.
5..Private VITAL GILBERT, Co. M, 5th Cavalry.
6..Private WILLIAM JONES, Co. E, 45th Infantry.
7..Sergeant THOMAS BROWN, Co. M, 5th Cavalry.
8..Private JOHN O'RILEY, Co. B, 45th Infantry,
9..Private BENJAMIN F. FRAZEY, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., May 5th, 1868.

GENERAL ORDERS, No. 36.

Before a General Court Martial which convened at Nashville, Tenn., March 10th, 1868, pursuant to Special Orders, No. 45, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 29th, 1868, and of which Captain FRED. E. TROTTER, 45th Infantry, is President, and Bvt. Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried :

9th..Private *Michael Freund*, Co. B. 45th Infantry.

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

SPECIFICATION—In this ; that he, Private *Michael Freund*, Co. B, 45th Infantry, being duly mounted as a supernumerary guard on the morning of March 3d, 1868, did get so drunk as to be unable to perform his duty as guard when called upon by the Sergeant commanding the guard. All this at Ash Barracks, Nashville Tenn., on or about the dates above specified.

To which charge and specification the prisoner pleaded "Guilty"

FINDINGS :

Of the *Charge and Specification*, "Guilty"

SENTENCE :

And the Court does therefore sentence him, Private *Michael Freund*, of Co. B 45th Inf., "to be confined at hard labor in charge of the guard for six months, and to forfeit to the United States ten dollars of his monthly pay for the same period."

In the case of Private *Michael Freund*, of Co. B, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

10th Private *Henry Blake*, Co. F, 45th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this ; that Private *Henry Blake*, Co. F, 45th Infantry, a duly enlisted soldier in the service of the United States, having been properly detailed and mounted as a member of the guard, and duly posted as a sentinel, was found asleep on his post by Sergeant Robert Hefferman, Co. B, 45th Infantry, sergeant of the guard, while making his rounds. This at Ash Barracks, Nashville, Tenn., on the 9th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Private *Henry Blake*, Co. F, 45th Infantry, "to forfeit ten dollars of his monthly pay for six months. and to be confined at hard labor in charge of the guard for the same period."

In the case of Private *Henry Blake*, of Co. F, 45th Infantry, the proceedings, findings and sentence are approved and confirmed.

The sentence will be carried into effect at the post to which the prisoner belongs.

17th..Private *Edward Thompson*, Co. M, 5th Cavalry.

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

SPECIFICATION—In this; that Private *Edward Thompson*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, and a member of the guard regularly mounted at Gallatin, Tenn., on the 16th of March, 1868, did connive with and assist in the escape of a prisoner confined in a cell of the guard house for desertion, by going outside the guard house while the said prisoner was engaged in breaking, with a crowbar, the lock of the cell door wherein he was confined. This at Gallatin, Tenn., on or about the dates above specified.

To which charge and specification the prisoner pleaded "Guilty"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Edward Thompson*, Co. M, 5th Cavalry, "to be confined in charge of the guard for six months wearing a ball and chain, thirty pounds weight, attached to his left leg, and to forfeit all pay now due or to become due, up to the expiration of his sentence; ten days of each month solitary confinement on bread and water."

In the case of Private *Edward Thompson*, of Co. M, 5th Cavalry, the proceedings, findings and sentence are approved and confirmed.

That portion of the sentence relating to the forfeiture of pay, is mitigated "to forfeit all pay due up to the promulgation of this sentence, and ten dollars per month of his monthly pay thereafter during the period of six months." The solitary confinement on bread and water diet will be executed during the last ten days of each month. All this to be carried into effect at the post to which the prisoner belongs.

18th..Private *George W. Craig*, Co. M, 5th Cavalry.

CHARGE—Neglect of duty.

SPECIFICATION—In this: that Private *George W. Craig*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, and a member of the guard regularly mounted at Gallatin, Tenn., on the 16th day of March, 1868, and duly posted as a sentinel on post No. 1, in front of the guard house, between the hours of six and eight o'clock P. M., did allow a prisoner, confined for desertion, to break out of the guard house and escape. This at Gallatin, Tenn., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty"

And the Court does therefore acquit him, the said Private *George W. Craig*, Co. M, 5th Cavalry.

In the case of Private *George W. Craig*, of Co. M, 5th Cavalry, the proceedings and findings are approved. He will be released from confinement and restored to duty.

19th..Private *Vital Gilbert*, Co. M, 5th Cavalry.

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

SPECIFICATION—In this; that Private *Vital Gilbert*, Co. M, 5th Cavalry, a duly enlisted soldier of the United States, did become so drunk as to be unable to appear at inspection on Sunday morning the 8th day of March, 1868. This at Gallatin, Penn., on or about the date above specified.

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

FINDINGS:

Of the *Charge and Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Private *Vital Gilbert*, Co. M, 5th Cavalry.

In the case of Private *Vital Gilbert*, of Co. M, 5th Cavalry, the proceedings and findings are approved. He will be released from confinement and restored to duty.

20th..Private *William Jones*, Co E, 45th Infantry.

CHARGE 1ST—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *William Jones*, Co, E, 45th Infantry, being duly posted as a sentinel, did leave it before he was regularly relieved, and was apprehended while absent from his said post. All this at the Post of Chattanooga, Tenn., on or about February 26th 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *William Jones*, Co. E, 45th Infantry, being posted as a sentry in charge of a store house containing government property, did lay aside his arms, accoutrements and shoes and did forcibly enter said storehouse by removing a window, and did take one pair of infantry trowsers, the property of the United States, with the intent to convert the same to his own use, when he was discovered and apprehended. All this at the post of Chattanooga, Tenn. on or about February 26th, 1868.

To which charges and specifications the prisoner pleaded "Guilty"

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Jones*, Co. E, 45th Infantry, "to be confined in charge of the guard for two years, the first six months to wear a ball and chain, weighing twenty-five pounds, attached to his left leg, and to forfeit to the United States ten dollars per month of his monthly pay for the period of one year."

In the case of Private *William Jones*, of Co. E. 45th Infantry, the proceedings, findings and sentence are approved and confirmed.

On the recommendation of the members of the Court to leniency, giving as a

reason therefor the youth of the prisoner, his inexperience and his pliability to the intrigues of certain of his comrades, especially when superinduced through the means of intoxicating liquor, the Major General Commanding is pleased to mitigate the sentence of Private *Jones* to "confinement at hard labor with ball and chain for six months, forfeiting ten dollars of his monthly pay for that period." This to be carried into effect at the post to which the prisoner belongs.

21st..Sergeant *Thomas Brown*, Co. M, 5th Cavalry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that Sergeant *Thomas Brown*, Co. M, 5th Cavalry, being in charge of a prisoner, Private Francis Jaihle, Co. M, 5th Cavalry, a witness before a General Court Martial at Ash Barracks, Nashville, Tenn., did, when dismissed from further attendance before said court, and when ordered to return with his prisoner by the afternoon train to Gallatin, Tenn., the station of his company, fail to do so, and did, with his prisoner, go to the city of Nashville, Tenn., and there become so drunk that it became necessary for the aforesaid prisoner, Jaihle, to take him to a place of safety, put him to bed and take charge of him until the following morning. This at Ash Barracks, Nashville, Tenn., on or about the 14th day April, 1868.

CHARGE 2D—Violation of the 45th Article of War.

SPECIFICATION—In this; that Sergeant *Thomas Brown*, Co. M, 5th Cavalry, having been regularly detailed to take charge of a prisouer, Private Francis Jaihle, Co. M, 5th Cavalry, a witness before a General Court Martial at Ash Barracks, Nashville, Tenn., and when dismissed from further attendance before said court, and ordered to return with his prisoner to Gallatin, Tenn., the station of his company, did become so drunk as to be unable to do so. This at Nashville, Tenn., on or about the 14th day of April, 1868.

CHARGE 3D—Violation of the 42d Article of War.

SPECIFICATION—In this; that Sergeant *Thomas Brown*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did, without permission from his superior officer, lie out of his quarters and garrison. This at Nashville Tenn., on or about the 14th day of April, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, the said Sergeant *Thomas Brown*, Co. M, 5th Cavalry.

In the case of Sergeant *Thomas Brown*, of Co. M, 5th Cavalry, the proceedings and findings are approved.

Sergeant *Brown* will be released from arrest and return to duty.

23d..Private *John O'Riley*, Co. B, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Private *John O'Riley*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the service of the same at different periods, to wit: at Jeffersonville, Ind., May 10th, 1867, apprehended May 12th, 1867, deserted from confinement at

Jeffersonville, Ind., May 17th, 1867, apprehended May 19th, 1867, deserted from confinement at Jeffersonville, Ind., June 12th, 1867, apprehended June 13th, 1867, deserted from hospital, Nashville, Tenn., January 14th, 1868, apprehended Jan. 18th, 1868. This at Jeffersonville, Ind., and Nashville, Tenn., on or about the above mentioned dates.

SPECIFICATION 2D—In this; that he, Private *John O'Riley*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, has performed but ten days duty since his assignment to the company, February 13th, 1867, and with the exception of those ten days has been in confinement in the guard house, deserted, or in hospital suffering from *delirium tremens*. This at Jeffersonville, Ind., and Nashville, Tenn., since enlistment, January 16th, 1867.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification* of the *Charge*, "to the jurisdiction of the court."
To the 2d *Specification*, of the *Charge*, "Not Guilty,"
To the *Charge*, "Not Guilty."

FINDINGS:

Of the 2d *Specification* of the *Charge*, "Guilty"
Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John O'Riley*, Co. B, 45th Infantry, "to forfeit to the United States all pay now due and to be dishonorably discharged."

In the case of Private *John O'Riley*, of Co. B, 45th Infantry, the prisoner's plea to the jurisdiction of the court, under his arraignment upon the 1st specification to the charge, on the ground that he had already been tried and sentenced upon two of the four offences named therein, and that furthermore he should be tried for each offence separately, was improperly admitted. Private *O'Riley* is not being again tried for desertion but for utter worthlessness, the gravamen of that condition being his propensity for avoiding fulfilling the discharge of his duty as a soldier, by absenting himself and violating the laws and regulations provided for the maintenance of good order and discipline in the army.

The proceedings, findings and sentence under the 2d specification of the charge, are approved and confirmed. In consideration of the long period the prisoner has been in the service of the United States, that portion of the sentence relating to forfeiture of all pay due or becoming due is remitted; the remainder will be carried into effect by the proper authority.

24th..Private *Benjamin F. Frazey*, Co. B, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Private *Benjamin F. Frazey*, Co. B, 45th Infantry, did on the 6th of April use the following language to Q. M. Sergt. Albert P. Titcomb, Co. D, 45th Infantry, in the presence of 1st Sergt. W. H. Taylor, Co. B, 45th Infantry, calling the said 1st Sergt. W. H. Taylor, a 'God damn dirty son-of-a-bitch,' or words to that effect.

SPECIFICATION 2D—In this; that he, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, did after being ordered to the guard house by 1st Sergt. W. Henry Taylor, Co. B, 45th Infantry, continue his abusive language by telling him (1st Sergt. W. Henry Taylor) to go to hell, and that he was a

God damned pup, and that he was God damned glad he was going to the guard house, and that he hoped 1st Sergt. W. Henry Taylor would inform the court to keep him there the balance of his term, or words to that effect. This at Ash Barracks, Nashville, Tenn., on or about the 6th day of April 1868.

SPECIFICATION 3D—In this; that he, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, did, after being turned over to the Corporal of the guard, on the 6th day of April 1868, for confinement by order of Captain C. G. Freudenberg, 45th Infantry, turn upon and strike 1st Sergt. W. Henry Taylor, Co. B, 45th Infantry, this while said 1st Sergt. W. Henry Taylor was in the execution of his duty. This at Ash Barracks, Nashville, Tenn., on or about the date above mentioned.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, "to be confined at hard lobor in charge of the guard for six months, having a ball and chain attached to his left leg, the ball to weigh 30 pounds, and to forfeit to the United States fourteen dollars of his monthly pay for the same period.

In the case of Private *Benjamin F. Frazey*, Co. B, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

Wm D Whipple
a a g

1..Private JAMES COOPER, Co. F, 24th Infantry.
2..Private CHARLES GALLAGHER, Co. K, 25th Infantry.
3..Private WOLFF BORRSHOGHT, Co. C, 25th Infantry.
4 Private CHARLES WATSON, Co. B. 25th Infantry.
5..Private JAMES LEE, Co. B, 25th Infantry.
6..Private JOHN WATSON, Co. B, 25th Infantry.
7 Private JOHN COLLINS, Co. B, 25th Infantry.
8 Private GEORGE ROSS, Co. K, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., May 9th, 1868.

GENERAL ORDERS,
No. 38.

Before a General Court Martial which convened at Memphis, Tennessee, on the 2d day of April, 1868, pursuant to Special Order, No. 55, paragraph 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky,, March 18th, 1868, and of which Brevet Major F. A. DAVIES, Captain 25th Infantry is President, and Captain W. S. TREMAINE, Asst. Surgeon, U. S. A., Judge Advocate, were arraigned and tried :

2d.. Private *James Cooper*, Co. F, 24th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, *James Cooper*, a private of Co. F, 24th Infantry, and a duly enlisted soldier in the service of the United States, did desert the same at Vicksburg, Miss., on or about the 27th day of April, 1867, and did remain absent until apprehended at or near Memphis, Tenn., on or about the 1st day of March, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty"

SENTENCE :

And the Court does therefore sentence him, Private *James Cooper*, Co. F, 24th Infantry, "to forfeit all pay and allowances that are now or may become due him at the promulgation of this sentence, and to be confined at hard labor in charge of the guard for the period of nine months, with a ball weighing twenty-four pounds attathed to his left leg by a chain six feet long, and to forfeit ten dollars per month of his montly pay for the same period."

In the case of Private *James Cooper*, of Co. F, 24th Infantry, the proceedings, findings and sentence are approved and confirmed.

The sentence will be carried into effect at the post to which the prisoner belongs.

3d..Private *Charles Gallagher*, Co. K, 25th Infantry.

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

SPECIFICATION—In this: that he, Private *Charles Gnllagher*, Co. K, 25th Infantry, being at the time a member of the guard, and having been duly posted as a sentinel, was so much under the influence of intoxicating liquor as to be unfit to perform, in a proper manner, the duty of a sentinel. This at Memphis, Tenn., on or about the 14th day of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles Gallagher*, Co. K, 25th Infantry, "to be confined at hard labor in charge of the guard for the period of two months, and to carry a log weighing twenty-five pounds every alternate two hours from reveille to retreat during the last twenty days of this sentence."

In the case of Private *Charles Gallagher*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

4th. Private *Wolff Borrshoght*. Co. C, 25th Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Wolff Borrshoght*, of Co. C, 25th Infantry, did feloniously steal, take or carry away from the quarters of Asst. Surgeon W. S. Tremaine, Medical Department. U. S. A., the sum of forty-eight dollars, currency of the United States, more or less, and did appropriate the same to his own use. This to the prejudice of good order and military discipline, and on or about the night of April 13th, 1868, and the morning of April 14th, 1868, at or near Memphis, Tenn.

CHARGE 2D—Desertion.

SPECIFICATION—In this; that he, Private *Wolff Borrshoght*, of Co. C, 25th Infantry, having been duly enlisted as a soldier in the Army of the United States, did desert the same on or about the night of April 13th, 1868, at Memphis, Tenn., and did remain absent until apprehended at Memphis, Tenn., on or about the morning of April 14th, 1868. At the time of his apprehension he was found in a new suit of citizens' clothing, consisting of a new felt hat, new shirt, new coat, new trowsers, and new shoes. The sum of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Wolff Borrshoght*, of Co. C, 25th Infantry, "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 of the United States, and to be confined in such penitentiary as the Commanding General may direct for the period of two years."

In the case of Private *Wollff Borrshoght*, of Co. C, 25th Infantry, the proceedings and findings are approved. The sentence is confirmed and will be carried into effect. The State penitentiary at Nashville, Tenn., is designated as the place of confinement.

5th..Private *Charles Watson*, Co. B, 25th Infantry.

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

SPECIFICATION 1ST—In this; that he, Private *Charles Watson*, Co. B, 25th Infantry, did, in conjuntion with Privates John Collins and James Lee, of the aforesaid company and regiment, forcibly enter the house of one Mrs. Donohue, and take therefrom, without authority, one basket of oranges valued at two dollars, and one kit of mackerel valued at three dollars and fifty cents. This at Humboldt, Tenn., on or about the night of the 1st of March, 1868.

SPECIFICATION 2D—In this; that he, Private *Charles Watson*, Co. B, 25th Infantry, after having forcibly entered the house of Mrs. Donohue, did demand of her, the said Mrs. Donohue, liquor, upon being refused, he, the said *Charles Watson*, did present a loaded pistol at the head of the said Mrs. Donohue and did say to her that "if she did not give himself and party (meaning Lee and Collins,) what they wanted, he would shoot her," or words to that effect. This at Humboldt, Tenn., on or about the night of the 1st of March, 1868.

To which charge and specifications the prisoner pleaded as follows:

To the 1st and 2d *Specifications*, "Not Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Private *Charles Watson*, Co. B, 25th Infantry, "to forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General may direct for the period of two years."

In the case of Private *Charles Watson*, of Co. B, 25th Infantry, the proceedings and findings are approved. The sentence is confirmed and will be carried into effect. The State penetentiary at Nashville, Tenn., is designated as the place of confinement.

6th..Private *James Lee*, Co. B, 25th Infantry.

CHARGE—Burglary; to the prejudice of good order and military dicipline.

SPECIFICATION—In this; that he, the said Private *James Lee*, Co. B, 25th Inf., did, in conjunction with John Collins and Charles Watson of the aforesaid company and regiment, forcibly enter the house of one Mrs. Donohue, and take therefrom, [without authority, one basket of oranges valued at two dollars, and one kit of mackerel valued at three dollars and a half. This at Humboldt, Tenn., on or about the night of the 1st of March, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty"

And the Court does therefore acquit him, Private *James Lee*, Co. B, 25th Infantry.

In the case of Prviate *James Lee*, of Co. B, 25th Infantry, the proceedings and findings are disapproved. The evidence clearly shows the presence of the accused on the occasion charged, engaged with other parties in forcibly enter-

ing the house of Mrs. Donohue. He was with the parties who removed a basket of oranges and a kit of mackerel from the house after forcibly entering the same, not deferred therefrom by the protest of the occupant, whereby he became an accomplice, and by his presence aided and abetted the unlawful act. His criminal intent is farther shown by his offer to hush the matter up with a proffer of money, to prevent it reaching the ears of his officer. In permitting this man to escape all punishment, the action of the Court appears exceedingly inconsistent, especially when the severe penalty awarded to to the associates is taken into consideration. Private *Lee* will be released from confinement and returned to duty.

7th..Private *John Collins*, Co. B, 25th Infantry.

CHARGE—Burglary ; to the prejudice of good order and military discipline

SPECIFICATION—In this ; that he, the said Private *John Collins*, Co. B, 25th Infantry, did, in conjunction with Privates James Lee and Charles Watson, of the aforesaid company and regiment, forcibly enter the house of one Mrs. Donohue, and take therefrom, without authority, one basket of oranges valued at two dollars, and one kit of mackerel valued at three dollars and a half. This at Humboldt Tenn., on or about the night of the 1st of March, 1868.

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

FINDINGS :

Of the *Charge and Specification*, "Guilty"

SENTENCE :

And the Court does therefore sentence him, Private *John Collins*, Co. B, 25th Infantry, "to forfeit all pay and allowances that are now or may become due him at the promulgation of this sentence, to be discharged the service of the United States, and to be confined in such penitentiary as the Commanding General may direct for one year."

The proceedings, findings and sentence in the case of Private *John Collins*, of Co. B, 25th Infantry, are approved and confirmed.

Nothwithstanding the recommendation to clemency of the members of the Court, the Major General Commanding can find no reason for mitigation or remission of punishment for so grave an offence as that with which the prisoner stands convicted. The credit and honorable position of a soldier of the Army of the United States require vindication and punishment for acts of lawlessness infringing the rights of individuals, done by ill regulated members of the profession, and to insure a non-repitition of future irregularities of a similar nature, it is deemed necessary that in the present instance the full penalty awarded be carried into execution. The penitentiary at Nashville, Tenn., is designated as the place of confinement.

8th..Private *George Ross*, Co. K, 25th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this ; that he, Private *George Ross*, of Co. K, 25th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his command without proper authority, between the hours of seven o'clock A. M., and twelve o'clock M., on or about the 20th day of March 1868. This at Memphis, Tenn., on or about the time above specified.

ADDITIONAL CHARGE—Desertion.

SPECIFICATION—In this: that he, the said Private *George Ross*, Co. K, 25th Infantry, a duly enlisted soldier in the service of the United States, while in confinement awaiting trial, did escape from the guard and did desert the service of the United States at Memphis, Tenn., on or about the 3d day of April, 1868, and did remain absent until apprehended at Memphis, Tenn., on or about the 14th day of April, 1868. All this at Memphis, Tenn., on or about the times specified. Thirty dollars having been paid for his apprehension.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge and Specification*, "Not Guilty."

To the *Specification, Additional Charge*, "Guilty," with the exception of the words "and did desert the service of the United States."

To the *Additional Charge*, "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the *Additional Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George Ross*, Co. K, 25th Infantry, "to forfeit all pay and allowances that are or may become due him at the promulgation of this sentence, and to be confined at hard labor in charge of the guard for ten months, and to forfeit twelve dollars of his monthly pay for the same period."

In the case of Private *George Ross*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

Wm D Whipple

A. A. G.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 19th, 1868.

GENERAL ORDERS,
No. 43.

General Court Martial Orders No. 21, current series, dated Head-Quarters of the Army, Adjutant General's Office, June 9th, 1868, with endorsement directing the report of execution from the Major General Commanding the Department, has been received at these Head-Quarters.

2d Lieutenant *Smith J. Gurney*, 45th Infantry, was tried before a Court Martial of his peers, and fonnd guilty of embezzling public money, and making false returns, and was sentenced to "refund to the United States one hundred and five dollars, ($105.) or to be imprisoned until such time as that amount shall be refunded, and to be cashiered."

After a careful examination of the proceedings of the Court, the Major General Commanding deemed it his duty to approve the same, and forward them for the approval of the President of the United States. The President has directed that so much of the sentence as relates to cashiering be commuted as follows: "That 2d Lieutenant *Smith J. Gurney*, 45th Infantry, shall be placed at the foot of the list of Second Lieutenants, forfeiting all rank, and claims, and privileges, arising from services rendered previous to the date of the promulgation of this sentence, and that the portion relating to imprisonment be remitted; his pay will be stopped until he has refunded to the United States one hundred and five dollars ($105.)"

The Commanding Officer of the 45th Infantry will see that the sentence as commuted is executed.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Brt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. A. A. G.

1..Private THOMAS BURNS, Co. H, 2d Infantry.
2..Private JOHN LOONEY, Co. C, 2d Infantry.
3..Private FRANCIS MCWILLIAMS, Co. I, 2d Infantry.
4 Private PETER DEARY, Co. F, 2d Infantry.
5..Musician JAMES A. STEWART, Co. G, 45th Infantry.
6..Private JOHN FLETCHER, Co. G, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 20th, 1868.

GENERAL ORDERS, No. 44.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 16th, 1868, pursuant to Special Orders No. 106, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

1st..Private *Thomas Burns*, Co. H, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Thomas Burns*, Co. H, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Louisville, Ky., on or about the 24th day of July, 1867, and did remain absent until arrested at Humboldt, Tenn., on or about the 19th day of March, 1868. Thirty dollars reward has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Burns*, Co. H, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit fifteen dollars of his monthly pay, per month for the same period."

The proceedings, findings and sentence in the case of Private *Thomas Burns*, of Co. H, 2d Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of twelve dollars per month, and will be carried into effect.

2d..Private *John Looney*, Co. C, 2d Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *John Looney*, Co. C, 2d Infantry, after having been regularly mounted as a sentinel and stationed on Post No. 3, at Crittenden Barracks, Louisville, Ky., did become so drunk as to be unable to perform his duties in a proper manner. This on or about the 10th day of April, 1868, at or about the hour of 9 o'clock, P. M.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Looney*, Co. C, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of four (4) months."

The proceedings, findings and sentence in the case of Private *John Looney*, Co. C, 2d Infantry, are approved and confirmed. The sentence will be carried into effect.

3d..Private *Francis Mc Williams*, Co. I, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Francis Mc Williams*, Co. I, 2d Infantry, having been duly detailed and mounted on guard on the 8th day of May, 1868, and having been properly posted as a sentinel on post No. 2, did sleep on his post. This at Crittenden Barracks, Louisville, Ky., between the hours of 12 o'clock, M., and 1 o'clock, P. M., on the 8th day of May, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Francis Mc Williams*, Co. I, 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month for the period of four months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings and sentence in the case of Private *Francis Mc-Williams*, of Co. I, 2d Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of twelve dollars per month, and will be carried into effect.

4th..Private *Peter Deary*, Co. F, 2d Infantry.

CHARGE 1ST—Violation of the 50th Article of War.

SPECIFICATION—In this; that he, Private *Peter Deary*, Co. F, 2d Infantry, having been regularly mounted as a member of the guard at Head-Quarters Military District of Kentucky, did quit the same at about 9 o'clock, P. M., May 6th, 1868, and did remain absent until apprehended (in citizen clothing) on the 7th day of May, 1868. All this at Louisville, Ky., on or about the dates above mentioned.

CHARGE 2D—Desertion.

SPECIFICATION—In this: that he, Private *Peter Deary*, Co. F, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same on or about the sixth day of May, 1868, and did remain absent until apprehended (in citizen clothing,) on or about the 7th day of May, 1868. Thirty dollars paid for his apprehension. All this at Louisville, Ky., on or about the date above mentioned.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Guilty."

To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."

Of the *Specification* 2d *Charge*, "Guilty,"
except the words 'did desert,' substituting therefor the words 'did absent himself without proper authority.'

Of the 2d *Charge*, "Not Guilty,"
but guilty of 'absence without leave.'

SENTENCE :

And the Court does therefore sentence him, Private *Peter Deary*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, and to forfeit ten dollars ($10.) per month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Peter Deary*, of Co. F, 2d Infantry, are approved and confirmed. The sentence will be carried into effect.

5th..Musician *James A. Stewart*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Musician *James A. Stewart*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service, on the 25th day of March, 1868, and remain absent from his company, until the 12th day of April, 1868, the date of his apprehension, for which thirty dollars has been paid. This at or near the post of Jeffersonville, Ind., on or about the dates above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *James A. Stewart*, Co. G, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Musician *James A. Stewart*, of Co. G, 45th Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of twelve dollars per month, and will be carried into effect.

6th..Private *John Fletcher*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Fletcher*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service and remain absent therefrom until arrested, and returned to his company by Detective James Kennedy, Jeffersonville Police. Thirty dollars having been paid for his apprehension. This at or near the Post of Jeffersonville, Ind., on or about the 4th and 5th day of May, 1868.

To which charge and specification the prisoner pleaded 'Not Guilty.'

FINDINGS :

Of the *Specification*, "Guilty,"
except the words, 'did desert,' substituting therefor the words, 'did absent himself without leave.'

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

SENTENCE :

And the Court does therefore sentence him, Private *John Fletcher*, Co. G, 45th Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month for three months, and to be be confined at hard labor under charge of the guard for the same period."

The proceedings, findings and sentence in the case of Private *John Fletcher*, of Co. G, 45th Infantry, are approved and confirmed. The sentence is mitigated to forfeiture of twelve dollars per month, and will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Alfred L. Hough
A. A. A. G.

1..Private PATRICK CLARK, Co. D, 25th Infantry.
2..Private CHARLES PRATT, Co. K, 25th Infantry.
3..Private CURTIS D. BLILER, Co. K, 25th Infantry.
4 .Private WILLIAM MALOY, Co. F, 25th Infantry.
5..Private WILLIAM MCMULLEN, Co. K, 25th Infantry.
6..Private HENRY CARR, Co. K, 25th Infantry.
7..Hospital Steward W. P. FLEMING, U. S. Army.
8..Private HARVEY HUXLEY, Co. K, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 22d, 1868.

GENERAL ORDERS, No. 45.

I. Before a General Court Martial which re-convened at Memphis, Tenn., May 26th, 1868, pursuant to Special Orders No. 93, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., May 18th, 1868, and of which Brevet Major F. A. DAVIES, Captain 25th Infantry, is President, and Captain W. S. TREMAINE, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried :

1st..Private *Patrick Clark*, Co. D, 25th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this ; that he, Private *Patrick Clark*, Co. D, 25th Infantry, having been properly posted as a sentinel between the hours of 10, A. M., and 1, P. M., on May 6th, 1868, was so much under the influence of intoxicating liquor as to be unable to perform his duty properly. All this at Memphis, Tenn., on or about May 6th, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Patrick Clark*, Co. D, 25th Infantry, "to be confined at hard labor under charge of the guard for the period of sixty (60) days, during the last twenty (20) days of his confinement to carry a log of wood on his back weighing thirty (30) pounds every alternate hour from reveille to retreat."

In the case of Private *Patrick Clark*, of Co. D, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

2d..Private *Charles Pratt*, Co. K, 25th Infantry.

CHARGE 1ST—Theft, to the prejudice of good order and military discipline.

SPECIFICATION—In this ; that he, Private *Charles Pratt*, Co. K, 25th Infantry, in conjunction with Private Curtis D. Bliler, Co. K, 25th Infantry, did go

to the residence of Braxton Lewis, in Hawkinsville, Ga., and did break into the house of the said Braxton Lewis, and take or steal two pair of pants valued at twelve dollars, one vest valued at three dollars and one shirt valued at one dollar, also one pair of pants which were subsequently recovered. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *Charles Pratt*, Co. K, 25th Infantry, in conjunction with Private Curtis D. Bliler, Co. K, 25th Infantry, after having been confined in the county jail at Hawkinsville, Ga., did cause to be sent a letter to 1st Lieut. Wm. Conway, Commanding Officer of U. S. Forces, at Hawkinsville, Ga., with their names affixed thereunto stating if they were not released they would never serve another day in the regiment. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."
To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles Pratt*, Co. K, 25th Infantry, "to be confined at hard labor in charge of the guard for the period of six calendar months, and to forfeit fifteen dollars ($15.) per month of his monthly pay for the same period."

In the case of Private *Charles Pratt*, Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

3d. Private *Curtis D. Bliler*, Co. K, 25th Infantry.

CHARGE 1ST—Theft, to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Curtis D. Bliler*, Co. K, 25th Infantry, in conjunction with Private *Charles Pratt*, Co. K, 25th Infantry, did go to the residence of Braxton Lewis, in Hawkinsville, Ga., and did break into the house of the said Braxton Lewis, and take or steal two pairs of pants valued at twelve dollars, one vest valued at three dollars, and one shirt valued at one dollar, also one pair of pants which were subsequently recovered. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *Curtis D. Bliler*, Co. K, 25th Infantry, in conjunction with Private *Charles Pratt*, Co. K, 25th Infantry, having been confined in the county jail at Hawkinsville, Ga., did cause to be sent a letter to 1st Lieut. Wm. Conway, Commanding Officer of U. S. Forces, Hawkinsville, Ga., with their names affixed thereunto, stating that if they were not released they would never serve another day in the regiment. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Curtis D. Bliler*, Co. K, 25th Infantry, "to forfeit ten dollars ($10.) of his monthly pay per month for the period of two months."

In the case of Private *Curtis D. Bliler*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect.

4th..Private *William Maloy*, Co. F, 25th Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *William Maloy*, Co. F, 25th Infantry, after being ordered by Sergeant George W. Blodgett, Co. F, 25th Infantry, to put his bunk in order did say, 'you puke, you had better go and make your own bed up before you tell any one else to make up theirs.' This at Memphis, Tenn., on the 16th day of April, 1868.

SPECIFICATION 2D—In this; that he, Private *William Maloy*, Co. F, 25th Infantry, while being conducted to the guard house by Sergeant George W. Blodgett, Co. F, 25th Infantry, did repeatedly call him (Sergt. Blodgett) 'a God damn dirty puke.' This at Memphis, Tenn., on the 16th day of April, 1868.

SPECIFICATION 3D—In this; that he, Private *William Maloy*, Co. F, 25th Infantry, upon being confined by Sergeant George W. Blodgett, Co. F, 25th Infantry, by order of the Commanding Officer, did say to said Sergeant George W. Blodgett, 'you are a God damn dirty liar.' This at Memphis, Tenn., on the 16th of April, 1868.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Maloy*, Co. F, 25th Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for three months, and to be confined at hard labor for the same period under charge of the guard."

In the case of Private *William Maloy*, Co. F, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

5th..Private *William McMullen*, Co. K, 25th Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *William McMullen*, Co. K, 25th Infantry, in conjunction with Private Henry Carr, Co. K, 25th Infantry, having been confined in the county jail for safe keeping at Hawkinsville, Ga., did send a letter to 1st Lieut. William Conway, Commanding Officer of the Post of Hawkinsville, Ga., having their names affixed thereunto, stating if they were not released they would never serve another day in

the regiment. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William McMullen*, Co. K, 25th Infantry, "to be confined at hard labor in charge of the guard for the period of four months, and to forfeit fourteen dollars of his monthly pay per month for the same period."

In the case of Private *William McMullen*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for two months, and will be carried into effect.

6th..Private *Henry Carr*, Co. K, 25th Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *Henry Carr*, Co, K, 25th Infantry, in conjunction with Private William McMullen, Co. K, 25th Infantry, having been confined in the county jail for safe keeping at Hawkinsville, Ga., did send a letter to 1st Lieut. Wm. Conway, Commanding Officer of the Post of Hawkinsville, Ga., having their names affixed thereunto, stating if they were not released they would never serve another day in the regiment. This at or near Hawkinsville, Ga., on or about April 28th, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *Henry Carr*, Co. K, 25th Infantry, "to be confined at hard labor in charge of the guard for the period of four months, and to forfeit fourteen dollars of his monthly pay per month for the same period."

In the case of Private *Henry Carr*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for two months, and will be carried into effect.

7th..Hospital Steward *W. P. Fleming*, U. S. A.

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

SPECIFICATION 1ST—In this; that he, *Wm. P. Fleming*, Hospital Steward, U. S. A., did while on duty at the Post Hospital at Paducah, Ky., on or about the 24th of December, 1867, purchase of one George Oelschlaeger, a citizen of Paducah, Ky., two cans of oysters for two dollars ($2.) and one box of cigars for four dollars ($4.) and did have the same charged to the account of said Hospital as items of eggs, butter and potatoes, to the amount of the cost or price of said oysters and cigars; he the said *Fleming*, being permitted to purchase for the use of said Hospital of the said Oelschlaeger, from time to time and keep with him a running account of the same, such articles for the use of the sick as should be ordered by the surgeon thereof; said surgeon having never ordered the articles above mentioned so pnrchased and charged.

SPECIFICATION 2D—In this; that he, *William P. Fleming*, Hospital Steward, U. S. A., did buy one box of cigars of one George Oelschlaeger, a citizen of Paducah, Ky., for four dollars, and did wrongfully have the same charged to the account of the hospital of which he was then steward, as items of eggs, butter and potatoes to the amount of cost or price of said box of cigars. This at Paducah, Ky., on or about the 1st day of January, 1868.

SPECIFICATION 3D—In this; that he, *William P. Fleming*, Hospital Steward, U. S. A., did sell to one Sergeant Crowl, Co. E, 25th Infantry, one pint of whiskey, for which he received and appropriated to his own use and benefit seventy-five cents, said whiskey being part of the hospital stores of the Post of Paducah, and of which said *Fleming* was the steward. This at Paducah, Ky., on or about the 15th day of January, 1868.

SPECIFICATION 4TH—In this; that he, *William P. Fleming*, Hospital Steward, U. S. A., did board out of the stores belonging to the hospital at Paducah, Ky., one L. D. Olin, a citizen and received pay therefor which he appropriated to his own use and benefit, at the rate of twenty-five cents per day, from the 21st day of January, to the 14th day of March, 1868. This at Paducah, Ky., on or about the dates above mentioned.

To which charge and specifications the accused pleaded "Not Guilty."

FINDINGS:

Of the 1st and 2d *Specifications*,	"Guilty."
Of the 3d and 4th *Specifications*,	"Not Guilty."
Of the *Charge*,	"Guilty.

SENTENCE:

And the Court does therefore sentence him, *William P. Fleming*, Hospital Steward, U. S. A., "to make good to the United States the value of the oysters and cigars charged against the hospital fund, and that he be reprimanded by the Major General Commanding the Department."

In the case of Hospital Steward *William P. Fleming*, United States Army, the proceedings, findings and sentence are approved and confirmed, and will be carried into effect. In carrying into execution that portion of the sentence of Hospital Steward *Fleming* which calls for a reprimand from the Major General Commanding the Department, he expresses his regret that the law does not provide for a greater punishment than has been awarded in this case. A non-commissioned officer of the line would, for this offence, have no doubt been reduced to the ranks, and it is hoped that Hospital Steward *Fleming*, may so conduct himself in the future, as to regain the confidence of his officers, and justify the lightness of his sentence

8th..Private *Harvey Huxley*, Co. K, 25th Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Harvey Huxley*, Co. K, 25th Infantry, did go to the residence of Nancy Howard in Hawkinsville, Ga., and make base proposals to her, and on being refused locked the door and put the key in his pocket. he then continued his obscene language and threatened to shoot the said Nancy Howard if she did not do as he desired. This at or near Hawkinsville, Ga., on or about April 25th, A. D. 1868.

SPECIFICATION 2D—In this; that he, Private *Harvey Huxley*, Co. K, 25th Infantry, having been canfined in the county jail for safe keeping at Hawkins-

ville, Ga., did cause to be sent a letter to 1st Lieut. Wm. Conway, Commanding Officer, U. S. Forces at Hawkinsville, Ga., having his name affixed thereunto, stating if he was not released he would never serve another day in the regiment. This at or near Hawkinsville, Ga., on or about April 28th, A. D. 1868.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification* and *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Harvey Huxley*, Co. K, 25th Infantry, "to forfeit fifteen dollars per month of his monthly pay for three months."

In the case of Private *Harvey Huxley*, of Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for two months, and will be carried into effect.

II. The Major General Commanding has noticed with surprise the very little accomplished by this court for the term it was in existence. Of seventeen days, it was in session but eleven, and from the record it is believed that the work performed by it could have been done in half that time. It is feared that the personal comforts and pleasures of the members were more regarded by them, than were the interests of the service, and economy in public expenses.

III. The General Court Martial of which Brevet Major F. A. DAVIES, Captain, 25th Infantry, is President, and Captain W. S. TREMAINE, Assistant Surgeon, U. S. A., Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Alfred Sturgis
A. A. A. G.

1..Private M. WOLFE, Co. D, 2d Infantry.
2..Private PATRICK MORRIS, Co. E, 2d Infantry
3..Private JOHN THOMAS, Co. E, 2d Infantry.
4 .Private HAMLIN BAZELLE, Co. E, 2d Infantry.
5..Private JAMES GILL, Co. E, 2d Infantry.
6..Private Private ANDREW J. SPEED, Co. E, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 24th, 1868.

GENERAL ORDERS, }
No. 46. }

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 16th, 1868, pursuant to Special Orders No. 106, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868. and of which Bvt. Lieut. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

8th..Private *M. Wolfe*, Co. D, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *M. Wolfe*, Co. D, 2d Infantry, having been regularly posted as a sentinel on post No. 2, in rear of guard house, did go to sleep, before being regularly relieved. This at Lexington, Ky., on or about the night of the 10th of May, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Martin Wolfe*, Co. D, 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month, for the period of four months, and to be confined at hard labor in charge of the guard for the same period."

9th..Private *Patrick Morris*, Co. E, 2d Infantry.

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

SPECIFICATION 1ST—In this; that he, Private *Patrick Morris*, Co. E, 2d Infantry, having been regularly detailed and mounted as a member of the guard, did in presence of the guard, take off his equipments and fling them on the ground, in a violent manner, saying, 'I am a son-of-a-bitch, if I ever do another day's duty in this company,' or words to that effect. This at Bowling Green, Ky., on or about the 19th day of April, 1868.

SPECIFICATION 2D—In this; that he, Private *Patrick Morris*, Co. E, 2d Infantry, having been repeatedly ordered by Sergeant Joseph Daniels, of Co. E. 2d

Infantry, (Sergeant Daniels being at the time he gave said order, commanding the guard, and in the execution of his office) to put on his equipments, and get ready to go on post did positively refuse to obey said order. This at Bowling Green, Ky., on or about the 19th day of April, 1868.

SPECIFICATION 3D—In this; that he, Private *Patrick Morris*, of Co. E, 2d Infantry, having been asked by Captain Thomas Byrne, 2d Infantry, his company and post commander, if he refused to perform his duty as a member of the guard, did reply, 'I have refused, and no man can make me do duty in this company; I will desert the first opportunity I get,' or words to that effect. This at the post of E company, 2d Infantry, near Bowling Green, Ky., on or about the 19th day of April, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Specification*, "Guilty."
except the words 'I am a son-of-a-bitch.'

Of the 2d and 3d *Specifications*, "Guilty."

Of the *Charge*, "Guilty.

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Morris*, Co. E, 2d Infantry. "to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit twelve dollars of his monthly pay per month for the same period, and to wear a twenty-four pound ball attached to his left leg by a chain six (6) feet long, during the entire time specified for confinement.

10th..Private *John Thomas*, Co. E, 2d Infantry.

CHARGE 1ST—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *John Thomas*, Co. E, 2d Infantry, having been regularly detailed for guard, and duly posted, as a sentinel on post No. 3, between the hours of 1 and 3, A. M., on the 21st day of May, 1868, did sleep on said post and was found so sleeping by Private Wm. Crocket, of Co. E, 2d Infantry, Lance Corporal of the guard, while posting the relief. This at Bowling Green, Ky.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *John Thomas*, of Co. E, 2d Infantry, being duly mounted as a supernumary guard, on the morning of May 13th, 1868, did quit his post at retreat, and remain absent till 9 o'clock, A. M., May 14th, 1868, when he was arrested, about three miles from the post, by Sergeant Joseph Daniels, and did say to the Sergeant, 'Daniels you can kiss my arse,' and did run from him, the said Sergeant at the time being in the execution of his duty. This at Bowling Green, Ky.

CHARGE 3D—Disobedience of Orders.

SPECIFICATION—In this; that he, Private *John Thomas*, of Co. E, 2d Infantry, did absent himself from his company and post about retreat the 13th of May, 1868, in direct violation of S. O. No 67, dated post of Bowling Green, Ky., July 1st, 1867, and did remain absent until 9 o'clock, P. M., May 14th, 1868, when he was arrested by a guard from his company. All this at or near Bowling Green, Ky., on or about the dates above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, Guilty."

To the *Specification* 2d *Charge*, "Guilty,"
except the words 'Daniels you can kiss my arse.'

To the 2d *Charge*, "Guilty."
To the 3d *Charge* and *Specification*, "Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."

Of the *Specification* 2d *Charge*, "Guilty,"
except the words 'Daniels you can kiss my arse.'

Of the 2d *Charge*, "Guilty."
Of the 3d *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Thomas*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of ten months, and to forfeit twelve dollars of his monthly pay per month for the same period."

11th..Private *Hamlin Bazelle*, Co. E, 2d Infantry.

CHARGE 1ST—Neglect of Duty.

SPECIFICATION—In this: that he, Private *Hamlin Bazelle*, Co. E, 2d Infantry, having been regularly detailed as company cook of his company, did neglect said duty by absenting himself about retreat on the 12th day of May, 1868, and did remain absent till about 9 o'clock, A. M., May 14th, 1868, when he was arrested about 1½ miles miles from the post, by a guard from his company. This at Bowling Green, Ky.

CHARGE 2D—Disobedience of Orders.

SPECIFICATION—In this; that he, Private *Hamlin Bazelle*, Co. E, 2d Infantry, did absent himself from his company and post about retreat on the 13th of May, 1868, in direct violation of S. O. No. 67, dated post of Bowling Green, Ky., July 1st 1867, and did remain absent till about 9 o'clock, A. M., May 14th, 1868, when he was arrested about 1½ miles from the post, by a guard from his company. This at or near Bowling Green, Ky., on or about the dates above specified.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Hamlin Bazelle*, Co. E, 2d Infantry, "to forfeit to the United States ten dollars of his monthly pay per month for four months and to be confined at hard labor under charge of the guard for the same period."

12th..Private *James Gill*, Co. E, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *James Gill*, Co. E, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert said service, from the post of Bowling Green, Ky., on or about the eleventh day of April, 1868, and did remain absent from said service until delivered up as a prisoner at the post of Bowling Green, Ky., on or about the 15th day of April, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
except the words 'did desert,' substituting therefor the words 'did absent himself without proper authority.'

To to *Charge*, "Not Guilty,"
but guilty of 'absence without leave.'

FINDINGS :

Of the *Specification*, "Guilty,"
except the words, 'did desert,' substituting therefor, 'did absent himself without leave.'

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

SENTENCE :

And the Court does therefore sentence him, Private *James Gill*, Co. E. 2d Infantry, "to be confined at hard labor in charge of the guard for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period."

13th..Private *Andrew J. Speed* Co. E, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, *Andrew J. Speed*, a duly enlisted soldier in the service of the United States, Private of Co. E, 2d Infantry, did desert the said service from the post of Bowling Green, Kentucky, on or about the 11th of April, 1868, and did remain absent from said service until delievered up as a prisoner at the post of Bowling Green, Ky., on or about the 15th day of April, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
except the words 'did desert,' substituting therefor the words 'did absent himself without proper authority.'

To the *Charge*, "Not Guilty,"
but guilty of 'absence without leave.'

FINDINGS :

Of the *Specification*, "Guilty,"
except the words 'did desert,' substituting therefor, 'did absent himself without leave.'

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

SENTENCE :

And the Court does therefore sentence him, Private *Andrew J. Speed*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period."

II. In the foregoing cases of Privates *Patrick Morris*, Co. D, *John Thomas*, Co E, *James Gill*, Co. E, and *Andrew J. Speed*, Co. E, all of the 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the post to which the prisoners belong.

The proceedings, findings and sentence in the case of Private *M. Wolfe*, of Co. D, 2d Infantry, are approved and confirmed. The evidence in the case of Private *M. Wolfe* showing that he was sick at the time of the commission of the offence, and on the recommendation of the members of the court the sentence in his case is remitted; he will be released from confinement and returned to duty.

In the case of Private *Hamlin Bazelle*, of Co. E. 2d Infantry, the proceedings and findings on the 1st charge and specification are disapproved; there being no article of War or statute on which to base the charge, it is inoperative: the offence should have been charged under the 99th article of War. The proceedings and findings on the 2d charge and specification are approved. The sentence is mitigated to forfeiture of ten dollars per month for three months, and confinement at hard labor, in charge of the guard, for the same period, and will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Brt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
A. A. A. G.

1..Recruit R. B. HOWARD, Co. C, Select General Service, U. S. A.
2..Private THOMAS CURTIS, Co. B, 45th Infantry.
3..Recruit SOLOMON FRAZEE, Co. C, Select General Service, U. S. A.
4..Recruit JOHN P. SCHNIDER, Co. B, Music Boys, General Service, U. S. A.
5..Recruit HENRY GRAVES, *alias* HENRY ELLSWORTH *alias* CHARLES GRANT, General Service, U. S. A.
6..Private MENOAH SPENCER, Co. H, 4th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 26th, 1868.

GENERAL ORDERS, No. 47.

Before a General Court Martial which convened at Newport Barracks, Ky., June 16th, 1868, pursuant to Special Ordres, No. 106, paragraph III, dated Head-Quarters Department of the Cumberland Louisville, Ky., June 11th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon U. S. A., is President, and Bvt. Major WM. R. LOWE, Captain 19th Infantry, Judge Advocrte, were arraigned and tried :

1st—Recruit *Richard B. Howard*, Co. C, Select General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Recruit *Richard* B. *Howard*, Co. C, Select Recruits, General Service, U. S. A., did desert the service of the United States on the 9th day of December, 1867, and did remain absent until he surrendered himself on the 28th day of April, 1868, at Indianapolis, Ind. This at or near Newport Barracks, Ky., on or about the dates specified.

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

FINDINGS :

Of the *Charge* and *Spcification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *Richard B. Howard*, Recruit Co. C, Select General Service, U. S. A.. "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence, to be confined at hard labor in charge of the guard. wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of six months forfeiting fifteen dollars per month of his monthly pay for the same period."

In the case of *Richard B. Howard*, Recruit of Co. C, Select General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to "confinement at hard labor in charge of the guard for six months, and fofeiture of thirteen dollars per month of his monthly pay for the same period." That portion of the sentence relating to the wearing of a ball and chain is remitted. The sentence will be carried into effect at the post to which he belongs.

2d—Private *Thomas Curlis*, Co. B, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Thomas Curtis*, Co. B, 45th Infantry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on or about the 17th day of May, 1868, and did remain absent until he surrendered at Newport Barracks, Ky., on or about the 29th day of May, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Thomas Curtis*, Co. B, 45th Infantry, "to forfeit all pay and allowances that are or may become due up to the promulgation af this sentence, to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of six months, forfeiting fifteen dollars per month of his monthly pay for the same period."

In the case of Private *Thomas Curtis*, of Co. B, 45th Infantry, the proceedings, findings and sentence are appoved and confirmed. The sentence is mitigated to "confinement at hard labor in charge of the guard for six months, and forfeiture of thirteen dollars per month of his monthly pay for the same period." That portion of the sentence relating to wearing of a ball and chain is remitted. The sentence will be carried into effect at the post to which he belongs.

3d—Recruit *Solomon Frazee*, Co. C, Select General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Recruit *Solomon Frazee*, Co. C, Select Recruits, General Service, U. S. A., did desert from his company, station and the service of the United States on or about the 17th day of May, 1868, and did remain absent until he surrendered himself on the 20th of May, 1868. This at or near Newport Barracks, Ky., on or about the 17th, 18th and 19th of May, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except the word 'desert,' substituting therefor 'absent himself without leave.'

To the *Charge*, "Not Guilty,"

but guilty of 'absence without leave.'

FINDINGS:

Of the *Specification*, "Guilty."

excepting the word 'desert,' substituting therefor 'absent himself without leave,'

Of the *Charge*, "Not Guilty,"

but guilty of 'absence without leave.'

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Solomon Frazee*, of Co. C, Select Recruits, General Service, U. S. A., "to forfeit ten dollars per month of his monthly pay for one month."

In the case of Recruit *Solomon Frazee*, of Co. C, Select Recruits, General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. He will be released from confinement and returned to duty.

4th..Recruit *John P. Schnider*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Recruit *John P. Schnider*, Co. B, Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 8th day of December, 1867, and did remain absent until apprehended at or near Louisville, Ky., on or about the —— day of March, 1868. This at Newport Barracks, Ky., on or about the 8th day of December, 1867.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," excepting the word 'apprehended,' substituting therefor, 'he surrendered.

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *John P. Scheider*, Co. B, Music Boys, General Service. U. S. A.. "to forfeit all pay and allowances that are, or may become due up to the promulgation of this sentence; to attend music practice with his company, and to be confined at hard labor. in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of six months; forfeiting fifteen dollars per month, of his monthly pay for the same period."

In the case of Recruit *John P. Schnider*, of Co. B, Music Boys, General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. That portion of the sentence relating to forfeiture of fifteen dollars per month, is mitigated to forfeiture of thirteen dollars per month for six months, and will be carried into effect.

5th..Recruit *Henry Graves*, alias *Henry Ellsworth*, alias *Charles Grant*, General Service. U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, *Henry Graves*, alias *Henry Ellsworth*, alias *Charles Grant*, Recruit General Service. U. S. A., did escape from the guard house at this depot, on or about the 30th of September, 1867, while undergoing sentence of General Court Martial, and did remain absent until apprehended on the 28th of March, 1868. Thirty dollars reward paid for his apprehension. This at or near Newport Barracks, Ky., on or about the dates specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Recruit *Henry Graves*, alias *Henry Ellsworth*, alias *Charles Grant*, General Service, U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor in charge of the guard, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of five months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

In the case of Recruit *Henry Graves*, alias *Henry Ellsworth*, alias *Charles Grant*, General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

6th..Private *Menoah Spencer*, Co. H, 4th Infantry.

CHARGE—Desertion.

SPECIFICATION 1ST—In this; that the said Private *Menoah Spencer*, Co. H, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same at New York city, on or about the 26th day of July, 1865, and did remain absent until apprehended at Keokuk, Iowa, on or about the 2d day of December, 1867. A reward of thirty dollars has been paid for his apprehension.

SPECIFICATION 2D—In this; that the said Private *Menoah Spencer*, Co. H, 4th Infantry, having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 12th day of February, 1868, and did remain absent until apprehended at Newport, Ky., on or about the 18th day of May, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Menoah Spencer*, Co. H, 4th Infantry, "to forfeit all pay and allowances that are, or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of eighteen months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

In the case of Private *Menoah Spencer*, of Co. H, 4th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

1..Musician NICHOLAS TURNBULL, Co. G, 8th Infantry.
2..Private MAX SCHRŒDER, Co. D, 19th Infantry.
3..Sergeant MATTHEW B. PLATT, Co. K, 5th Infantry.
4..Private FRANK CLARK, Co. A, P. P., General Service, U. S. A.
5..Private HIRAM B. LEWIS, Co. A, P. P., General Service, U. S. A.
6..Recruit SAMUEL ISRAEL, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 30th, 1868.

GENERAL ORDERS,
No. 48.

I. Before a General Court Martial which convened at Newport Barracks, Ky., June 16th, 1868, pursuant to Special Ordres, No. 106, paragraph III, dated Head-Quarters Department of the Cumberland Louisville, Ky., June 11th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon U. S. A., is President, and Bvt. Major WM. R. LOWE, Captain 19th Infantry, Judge Advocrte, were arraigned and tried:

7th—Musician *Nicholas Turnbull*, Co. G, 8th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that the said *Nicholas Turnbull*, Co. G, 8th Infantry, having been duly enlisted in the service of the United States, did desert the same at Aqua Creek, Va., on or about the —— day of May, 1863, and did remain absent until apprehended at Chicago, Ill., on or about the 31st day of March, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Musician *Nicholas Turnbull*, of Co. G, 8th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fifteen dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Musician *Nicholas Turnbull*, of Co. G, 8th Infantry, are approved. The sentence is confirmed, except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of fourteen dollars per month, for twelve months, and will be carried into effect at the post to which he belongs.

8th—Private *Max Schrœder*, Co. D, 19th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Private *Max Schrœder*, Do. D, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fayetteville, Arkansas, on or about the 2d day of October, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 4th day of May, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Max Schrœder*, of Co. D, 19th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fifteen dollars of his monthly pay, per month, for the same period."

The proceedings and findings in the case of Private *Max Schrœder*, of Co. D, 19th Infantry, are approved. The sentence is confirmed, except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of fourteen dollars per month, for twelve months, and will be carried into effect at the post to which the prisoner belongs.

9th—Sergeant *Matthew B. Platt*, Co. K, 5th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Sergeant *Matthew B. Platt*, Co. K, 5th Infantry, did desert from his company and regiment, and from the service of the United States, on or about 3d May, 1866, at or near Fort Harker, Kansas, and did remain absent until apprehended on or about 5th May, 1868, at or near Cincinnati, Ohio. All this on or about the dates, and at or near the places specified.

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

FINDINGS:

Of the *Charge* and *Specification*, Guilty."

SENTENCE:

And the Court does therefore sentence him Sergeant *Matthew B. Platt*, Co. K, 5th Infantry, "to be reduced to the ranks; to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fifteen dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Sergeant *Matthew B. Platt*, of Co. K, 5th Infantry, are approved. The sentence is confirmed, and will be carried into effect, except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of fourteen dollars per month, for twelve months. The sentence will be carried into effect at the post to which the prisoner belongs.

10th..Private *Frank Clark*, Co. A, Permanent Party, Gen'l Service, U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, the said Private *Frank Clark*, Co. A, Permanent Party, General Service, U. S. A., did absent himself from his company and command after being duly detailed for escort duty from this depot, to participate in the ceremony of decorating the soldiers' graves at Spring Grove Cemetery, in the State of Ohio, without authority from his commanding officer, and did leave the ranks while on the march between the hours of 8 and 11 A. M., and remain absent until retreat of the same day. This at Cincinnati Ohio, on or about the 30th day of May, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"
but attach no criminality thereto.
Of the *Charge*, "Not Guilty,"

The Court does therefore acquit him, the said Private *Frank Clark*, Co. A, Permanent Party, General Service, U. S. A., of the charge and specification prefered against him.

The proceedings, findings and acquittal in the case of Private *Frank Clark*, of Co. A. Permanent Party, General Service, U. S. A., are approved and confirmed. He will be released from confinement and returned to duty.

11th..Private *Hiram B. Lewis*, Co. A, Permanent Party, General Service, U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, the said Private *Hiram B. Lewis*, Co. A, Permanent Party, General Service, U. S. A., did absent himself from his company and tattoo roll-call of the evening of the 2d day of June, 1868, without authority from his commanding officer. This at Newport Barracks Ky., on or about the 2d day of June, 1868.

SPECIFICATION 2D—In this: that he, the said Private *Hiram B. Lewis*, Co. A, Permanent Party, General Service, U. S. A., did, in direct violation of General Orders, No. 7, C. S., dated Head-Quarters, April 19th, 1868, absent himself from the garrison between retreat and tattoo on the night of the 2d of June, 1868, without authority from his commanding officer. This at Newport Barracks, Ky., on or about the 2d day of June, 1868.

To which charge and specification the prisoner pleaded as follows:

To the 1st *Specification*, "Guilty."
To the 2d *Specification* and *Charge*, "Not Guilty."

FINDINGS:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the *Charge*, "Guilty.

SENTENCE:

The Court does therefore sentence him, the said Private *Hiram B. Lewis*, Co. A, Permanent Party, General Service, U. S. A., "to forfeit five dollars per month of his monthly pay for one month."

The proceedings and findings in the case of Private *Hiram B. Lewis*, of Co. A,

Permanent Party, General Service, U. S. A., are approved. The sentence is confirmed and will be carried into effect. Private *Lewis* will be released from confinement and returned to duty.

12th..Private *Samuel Israel*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION..In this; that he, Recruit *Samuel Israel*, General Service, U. S. A., did desert the service of the United States on the 30th of December, 1867, at Newport Barracks, Ky., and did remain absent until apprehended on the 5th of May, 1868, at Cincinnati, Ohio. Thirty dollars reward paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said Recruit *Samuel Israel*, General Service, U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor in charge of the guard with a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

The proceedings and findings in the case of Recruit *Samuel Israel*, General Service, U. S. A., are approved.

The sentence is confirmed and will be carried into effect except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of fourteen dollars per month for twelve months. The sentence will be carried into effect at the post to which the prisoner belongs.

II. The General Court Martial of which Bvt. Lt. Col. GLOVER PERIN, Surg. U. S. A., is President, and Bvt. Major WM. R. LOWE, Capt. 19th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough

Bvt Col U S A. A A A G

1..Private JOHN WILKINSON, Co. B, 2d Infantry.
2 .Private WILLIAM POWELL, Co. G, 2d Infantry.
3..Private WILLIAM MCGRATH, Co. C, 2d Infantry.
4..Private WILLIAM PETERSON, Co. G. 2d Infantry.
5..Private WILLIAM P. BRASHEAR, Co. H, 2d Infantry.
6..Private ZACHARIAS T. HALL, Co. A, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 30th, 1868.

GENERAL ORDERS, No. 49.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 16th, 1868, pursuant to Special Orders No. 106, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 16th. 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried :

14th—Private *John Wilkinson*, Co. B, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *John Wilkinson*, of Co. B, 2d Infantry, being a duly enlisted soldier in the Army of the United States, did desert the service at Jeffersonville, Indiana, on or about the 27th day of May, 1866, and did remain absent until apprehended at New York city, on or about the 7th day of March, 1868. Thirty dollars being paid for his apprehension. This at or about the times and places above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Wilkinson*, Co. B, 2d Infantry, "to forfeit to the United States fifteen dollars per month of his monthly pay for twelve months, 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 *John Wilkinson*, of Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect, except that portion relating to forfeiture of fifteen dollars per month which is mitigated to forfeiture of fourteen dollars per month for twelve months. The sentence will be carried into effect at the post to which the prisoner belongs.

15th—Private *William Powell*, Co. G, 2d Infantry.

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

SPECIFICATION 1ST—In this ; that he, Private *William Powell*, Co. G, 2d Infantry, did enter a store at Stanford, Ky., on or about the 12th day of May, 1868, and steal therefrom, or cause to be stolen, one citizen coat, the property of Mr. Shank.

SPECIFICATION 2D—In this ; that he, Private *William Powell*, of Co. G, 2d Infantry, did have in his possession a citizen coat, which was stolen from the store of Mr. Shank, a citizen of Stanford. This at Stanford, Ky., on or about the 12th day of May, 1868.

To which charge and specifications the prisoner pleaded 'Not Guilty."

FINDINGS :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty,"

except the words 'which was stolen from Mr. Shank, a citizen of Stanford, Kentucky.'

Of the *Charge*, "Not Guilty.

And the Court does therefore acquit him, Private *William Powell*, Co. G, 2d Infantry.

The proceedings, findings and acquittal in the case of Private *William Powell*, of Co. G, 2d Infantry, are approved and confirmed. He will be released from confinement and returned to duty.

16th—Private *William McGrath*, Co. C, 2d Infrntry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *William McGrath*, Co. C, 2d Infantry, a regularly enlisted soldier in the Army of the United States, did absent himself without proper authority on the 4th day of May, 1868, and did remain absent until apprehended and delivered up to the military authorty, at Taylor Barracks, Louisville, Kentucky, on the 8th day of May, 1868. Thirty dollars paid for his apprehension. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William McGrath*, Co. C, 2d Infantry, "to forfeit to the United States, fifteen dollars per month of his monthly pay for the period of two months."

The proceedings and findings in the case of Private *William McGrath*, of Co. C, 2d Inf'y, are approved. The sentence is confirmed and will be carried into effect, except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of twelve dollars per month, for two months. The prisoner will be released from confinement and returned to duty.

17th..Private *William Peterson*, Co. G, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *William Peterson*, Co. G. 2d Infantry, having received an order, the following being a correct copy to wit:

HEAD QUARTERS POST OF LOUISVILLE, KY.,
Taylor Barracks, June 3d, 1868.

SPECIAL ORDERS, No. 61.

Private *William Peterson*, of Co. G, 2d Infantry, having been discharged from the hospital at this Post will proceed without delay to join his company at Danville, Ky.

The Quartermaster's Department will furnish the necessary transportation.

By command of General CRAWFORD :

(Signed) CHAS. SELMER,
2d Lieut. 2d Inf., Post Adjt.

did absent himself without permission from proper authority, and did fail to report to his company and post of Danville, Ky., from on or about June 3d, until on or about June 11th, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Peterson*, Co. G. 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month for the period of two months, 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 *William Peterson*, of Co. G, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect except that portion relating to forfeiture of fifteen dollars per month, which is mitigated to forfeiture of fourteen dollars per month for two months The sentence will be carried into effect at the post to which the prisoner belongs.

18th..Private *William P. Brashear*, Co. H, 2d Infantry.

CHARGE 1ST—Violation of the 38th Article of War.

SPECIFICATION—In this; that he, Private *William P. Brashear*, Co. H, 2d Inf., did sell on or about the 5th of May, 1868., one pair of government trowers and one flannel sack coat, and on or about the 15th of May, 1868, one government shirt, in a second hand clothing store at Louisville, Ky. This at or about the time and place above specified.

CHARGE 2D—Theft, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that Private *William P. Brashear*, of Co. H, 2d Infantry, did steal one flannel sack coat, the property of Private Oliver Newell, of Co. H, 2d Infantry, the said coat having been found and identified in a second hand clothing siore in Louisville, Ky., by Private Newell, the storekeeper stating that he bought the same from Private *Brashear*. This at or near Louisville, Ky., on or about the 5th of May, 1868.

SPECIFICATION 2D—In this; that Private *William P. Brashear*, of Co. H, 2d Infantry, did steal one shirt the property of Private Erastus Ludy, Co. H, 2d Infantry, and take it to the city, the said shirt having been recognized by Private Ludy in the streets of Louisville while in possession of *Brashear*, who then on the admonition of Ludy took the shirt back to the Barracks. This at or near Louisville, Ky., on or about the 15th of May, 1868.

CHARGE 3D—Violation of the 21st Article of War.

SPECIFICATION—In this; that Private *William P. Brashear*, of Co. H, 2d Infantry, did absent himself without permission from proper authority from his company and quarters after tattoo roll-call on the 9th of June 1868, and did remain absent until about 4 o'clock. P. M., on the 10th of June, 1868, thereby failing to answer reveille roll-call, and to appear on parade for guard mounting on the morning of the 10th of June, 1868, having been regularly detailed for guard about retreat on the 9th of June, 1868. This at or near Taylor Barracks. Louisville, Ky., on or about the time above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 1st *Specification*, 2d *Charge*, "Not Guilty."

To the 2d *Specification*, 2d *Charge*, "Guilty."

except the words "did steal one shirt the property of Private Erastus Ludy, of Co. H, 2d Infantry, and."

To the 2d *Charge*, "Not Guilty."

To the *Specification*, 3d *Charge*. "Guilty,"

except the words "having been regularly detailed for guard about retreat on the 9th of June, 1868."

To the 3d *Charge*, "Guilty."

FINDINGS:

Of the *Specification*, 1st *Charge*, "Guilty."

except the words "one Government shirt."

Of the 1st *Charge*, "Guilty."

Of the 1st *Specification*, 2d *Charge*, "Guilty."
except the words "the property of Private Oliver Newell, of Co. H. 2d Inf." substituting therefor "the property of Private William Sly, Co. H, 2d Inf."

Of the 2d *Specification*, 2d *Charge*, "Guilty;"
except the words "did steal."

Of the 2d *Charge*, "Guilty."

Of the 3d *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William P. Brashear*, Co. H. 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month for the period of six months, and to be confined at hard labor in charge of the guard for the same period, excepting the first and last twenty days of the first and last months specified in this sentence, when he is sentenced to walk with No. 1 sentinel, at the post of his company, from reveille to retreat each day, wearing a placard on his breast and back, with the word "THIEF" inscribed thereon in letters one and a half inches in length, and at the expiration thereof to be dishonorably discharged from the United States service."

The proceedings and findings in the case of Private *William P. Brashear*, of Co. H. 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

16th..Private *Zacharias T. Hall*, Co. A, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Zacharias T. Hall*, Co. A, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same at Louisville, Ky., on or about the 10th day of March, 1867, and did remain absent until he was apprehended at Jeffersonville, Ind., on or about the 9th day of June, 1868. This at the time and place above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Zacharias T. Hall*, Co. A, 2d Infantry, "to forfeit to the United States fifteen dollars of his monthly pay per month for twelve months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in the case of *Zacharias T. Hall*, of Co. A, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect except that portion relating to forfeiture of fifteen dollars per month which is mitigated to forfeiture of fourteen dollars per month for twelve months. The sentence will be carried into effect at the post to which the prisoner belongs.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Hough
Bvt-Col USA, A.A.A.G.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 30th, 1868.

GENERAL ORDERS,
No. 50.

General Court Martial Orders No. 31, current series, dated Head-Quarters of the Army, Adjutant General's Office, June 22d, 1868, with endorsement directing the report of execution from the Major General Commanding the Department, has been received at these Head-Quarters.

Bvt. Capt. JAMES BUTLER, 1st Lieut. 2d U. S. Infantry, was tried before a Court Martial of his peers, and found guilty of "Couduct unbecoming an officer and a gentleman." After a careful examination of the proceedings of the Court, the Major General Commanding approved the same and forwarded them for the action of the President of the United States.

The proceedings and findings have there been approved, but the sentence is commuted to loss of rank, so that hereafter the name of Bvt. Capt. JAMES BUTLER, 1st Lieut. 2d Infantry, shall be borne on the official army register among the officers of his rank and regiment, next bebow that of 1st Lieut. MICHAEL DOLAN, and he will be required to refund to the company the amount of one hundred and forty-nine dollars, forty cents, ($149.40) found to be due from him.

The Commanding Officer of the 2d U. S. Infantry will see that the sentence as commuted is executed.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

1..Private JOHN BOWES, Co. A, 45th Infantry.
2..Musician BARNEY CARNEY, Co. A, 45th Infantry.
3..Private WILLIAM LENIHAN, Co. A, 45th Infantry.
4..Private JOHN KASTNER, Co. B, 45th Infantry.
5..Private JOHN BELL, Co. F, 45th Infantry.
6..Private MICHAEL FITZPATRICK, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 7th, 1868.

GENERAL ORDERS, No. 51.

I. Before a General Court Martial which convened at Nashville, Tenn., June 16th, 1868, pursuant to Special Orders, No. 106, par. IV, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Lt. Col. GEO. A. WOODWARD, 45th U. S. Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

1st..Private *John Bowes*, Co. A, 45th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *John Bowes*, Co. A, 45th Infantry, having been regularly posted as a sentinel on post No. 4, did sleep on said post, and was found so sleeping by the corporal of the guard. This at Ash Barracks, Nashville, Tenn., on the night of the 20th of May, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Bowes*, Co. A, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of six months, and to forfeit twelve dollars per month of his monthly pay for the same period."

2d..Musician *Barney Carney*, Co. A, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Musician *Barney Carney*, Co. A, 45th Infantry, did enter the company messroom of Co. A, 45th Infantry, and attempt to create a disturbance therein, by throwing a piece of radish at Q. M. Sergeant William M. Collins, Co. A, 45th Infantry, while he, the said sergeant was in the proper discharge of his duty. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of May, 1868.

SPECIFICATION 2D—In this; that Musician *Barney Carney*, Co. A, 45th Infantry, on being told by Q. M. Sergeant Wm. M. Collins, Co. A, 45th Infantry, to desist from throwing at him, or he the said sergeant would confine him, did say in a loud and threatening manner, 'God damn you, you

can't take me to the guard house,' or words to that effect. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of May, 1868.

SPECIFICATION 3D—In this; that Musician *Barney Carney*, Co. A, 45th Infantry, did resist the efforts of Q. M. Sergeant Wm. M. Collins, Co. A, 45th Infantry, to eject him from the company messroom by force and convey him to the guard house. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of May, 1868.

SPECIFICATION 4TH—In this; that Musician *Barney Carney*, Co. A, 45th Infantry, on being conveyed to the guard house by corporal Michael Marion, Co. A, 45th Infantry, did say to said corporal 'Collins is a dirty son-of-a-bitch, God damn him, I'll get even with him before my time is out,' or words to that effect, meaning thereby Q. M. Sergeant Wm. M. Collins, Co. A, 45th Infantry. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of May, 1868.

To which charge and specifications the prisoner pleaded as follows:

To the 1st and 2d *Specification*, "Not Guilty."

To the 3d *Specifiction*, "Guilty."

To the 4th *Specification*, "Not Guilty."

To the *Charge*, "Guilty."

FINDINGS:

Of the 1st 2d and 3d *Specifications*, "Guilty."

Of the 4th *Specification*, "Guilty,"

except the words, 'did say to said corporal, Collins is a dirty son-of-a-bitch, God damn him, I'll get even with him before my time is out,' and substituting therefor the words, did say to Sergeant Collins, 'never mind Collins you are confining me for nothing, and God damn you, I'll be even with you some time for it.'

Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, "to forfeit twelve dollars per month of his monthly pay for three months, and to be confined at hard labor in charge of the guard for thirty days."

3d. Private *William Lenihan*, Co. A, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *William Lenihan*, Co. A, 45th Infantry, did appear at 'dress parade' on the evening of June the 8th, 1868, so drunk as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Lenihan*, Co. A. 45th Infantry, "to be confined at hard labor in charge of the guard for the period of three months."

4th..Private *John Kastner*, Co. B, 45th Infantry.

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

SPECIFICATION—In this; that Private *John Kastner*, of Co. B, 45th Infantry, did on or about the 25th day of April, 1868, escape from the post guard house, while serving sentence, and did remain absent until the morning of the 26th day of April, 1868. This at Ash Barracks, Nashville, Tenn., on or about the dates above mentioned.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Kastner*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of fifteen days."

5th..Private *John Bell*, Co. F, 45th Infantry:

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *John Bell*, Co. F, 45th Infantry, a member of the guard mounted at the post of Nashville, on the morning of April, 28th, 1868, was drunk, and incapable of performing the duties of a sentinel. This at the post of Nashville, Nashville, Tenn., on or about the 28th day of April, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

6th..Private *Michael Fitzpatrick*, Co. B, 45th Infantry.

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

SPECIFICATION—In this; that Private *Michael Fitzpatrick*, Co. B, 45th Infantry, did on or about the 30th day of April, 1868, become so drunk as to be utterly unable to perform his duties as a soldier, and did fail to parade with his company for inspection and muster. This at Ash Barrsecks, Nashville, Tenn., on or about the above mentioned date.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Michael Fitzpatrick*, Co. B, 45th Infantry, "to forfsit to the United States ten (10) dollars per month of his monthly pay for three months."

II. The proceedings and findings in the foregoing cases of Musician *Barney Carney*, of Co. A, Private *William Lenihan*, of Co. A, Private *John Kastner*, of Co. B, and Private *Michael Fitzpatrick*, of Co. B, 45th Infantry, are approved. The sentences are confirmed and will be carried into effect at the post to which they belong.

In the case of Private *John Bowes*, Co. A, 45th Infantry, the proceedings are approved; in-as-much as the evidence for the prosecution is not positive, leaving a doubt as to the prisoner's guilt the findings are disapproved. He will be released from confinement and returned to duty.

The proceedings, findings and acquittal in the case of Private *John Bell*, of Co. F, 45th Infantry, are approved and confirmed. He will be released from confinement and returned to duty.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Pugh
Bvt. Col. U. S. A., A. A. G.

7..Private GEO. W. ANDERSON, Co. D, 2d Infantry.
20..Private THOMAS MITCHELL, Co. G, 45th Infantry.
21..Private CAMILLE MAYER, Co. K, 2d Infantry, alias Private HENRY MAYER. Co. I, 24th Infantry, alias LOUIS HUFFMANN, Co. I, 1st Infantry.
22..Private NAPOLEON B. LAND, Co. A, 2d Infantry.
23..Private RICHARD DUBLEY, Co. I, 2d Infantry.
24..Private JOHN BRIGHTON, Co. C, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 15th, 1868.

GENERAL ORDERS, No. 52.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 16th, 1868, pursuant to Special Orders No. 106, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th 1868, and of which Bvt. Lieut. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

7th..Private *Geo. W. Anderson*, Co. D, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *George W. Anderson*, Co. D, 2d Infantry, did absent himself without permission from proper authority from his quarters from 11 P. M. on the 6th until about the hours of 1 and 2 A. M., of the 7th of June, 1868. This at Lexington, Ky.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *George W. Anderson*, Co. D, 2d Infantry, did enter into and have a fight with Private John Booker, of Co. D, 2d Infantry, at or near a house of ill-fame, situated on a lot called 'the half acre.' This at Lexington, Ky., on or about the hours of between 10 and 11 P. M., of the 6th of June, 1868.

SPECIFICATION 2D—In this; that he, Private *George W. Anderson*, Co. D, 2d Infantry, being engaged in a fight with Private John Booker of Co. D, 2d Infantry, between the hours of ten and eleven P. M., on the 6th of June, 1868, at or near a house of ill-fame situated on a lot called 'the half acre.' at Lexington, Ky., did when Private John Callihan, Co. D, 2d Infantry, tried to stop the fight, between the parties above mentioned, strike and inflict serious wounds with a knife on the body of said John Callihan, as follows:—A deep gash on the right thigh, a cut on the right temple, and a slight cut below the left knee, all this to the great injury and damage to the life of said John Callihan, and after having inflicted said wounds, when Private Callihan tried to escape, said Private *Geo. W. Anderson*, gave chase to Private Callihan with an open knife in his hand and with the intent to inflict other wounds on the body of Private Callihan. All this at or near Lexington, Ky., at the time and date as above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Guilty."

To the 2d *Charge* and *Specifications*, "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 1st *Specification* 2d *Charge*, "Guilty," but 'attach no criminality thereto.'

Of the 2d *Specification* 2d *Charge*, "Guilty," except the words 'when Private John Callihan, of Co. D, 2d Infantry, tried to stop the fight between the parties above mentioned,' and 'great damage to the life of,' and 'when Private Callihan tried to escape, said Private *Anderson* gave chase to Private Callihan, with an open knife in his hand, and with the intent to inflict other wounds on the body of Private Callihan,' but 'attach no criminality thereto.'

Of the 2d *Charge*, "Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George W. Anderson*, Co. D, 2d Infantry, "to forfeit to the United States twelve dollars of his monthly pay for one month."

29th..Private *Thomas Mitchell*, Co. G, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Thomas Mitchell*, Co. G, 45th Infantry, after having been properly posted as a sentinel on post No. 2, over the garrison gate did sit down on his post and remain sitting out of sight of said gate until a near approach of the Post Adjutant 1st Lieut. Hugh D. Bowker, 45th Infantry, and did further neglect his duty by failing to challenge said officer on approaching his post. This in or near the garrison near the city of Jeffersonville, Ind., on or about the 12th day of June, 1868, at the hour of 9¼ o'clock, P. M., or thereabouts.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Mitchell*, Co. G, 45th Infantry, "to be confined at hard labor in charge of the guard for one month, and to forfeit twelve dollars of his monthly pay per month for the period of two months."

21st..Private *Camille Mayer*, Co. K, 2d Infantry, *alias* Private *Henry Mayer*, Co. I, 24th Infantry, *alias Louis Huffmann*, Co. I, 1st Infantry.

CHARGE 1ST—Desertion.

SPECIFICATION 1ST—In this; that he, Private *Camille Mayer*, Co. K, 2d Infantry, having been duly enlisted as a soldier in the United States Army, did desert the service of the same from Co. K, 2d Infantry, at Crittenden Barracks, Louisville, Ky., on or about the 9th day of April, 1866.

SPECIFICATION 2D—In this; that he, Private *Henry Mayer*, of Co. I, 24th Inf., *alias Louis Huffmann*, Co. I, 1st Infantry, having been duly enlisted as a soldier in the United States Army, did desert the service of the same from

Co. I, 24th Infantry, at or near Vicksburg, Miss., on or about the 21st day of September, 1867.

CHARGE 2D—Conduct to the prejudice of good and military discipline.

SPECIFICATION—In this; that he, Private *Camille Mayer*, Co. K, 2d Infantry, did break open the desk of Captain A. W. Kroutinger, 2d Infantry, and feloniously steal, take, or carry away from said desk a memorandum book containing the sum of two hundred and eighty-five dollars ($285.00) currency of the United States, more or less, and did appropriate the same to his own use. This in the quarters of Captain A. W. Kroutinger, at Crittenden Barracks, Louisville, Ky., on or about the 9th day of April, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specifictions*, "Guilty."

To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Camille Mayer*, Co. K, 2d Infantry, *alias* Private *Henry Mayer*, Co. I, 24th Infantry, *alias Louis Huffman*, Co. I, 1st Infantry, "to forfeit all pay and allowances that are now due or that may become due, and to be confined at hard labor under charge of the guard for the period of two (2) years, wearing a ball weighing twenty-four pounds attached to his left leg by a chain six feet long; and at the expiration of that period to be indelibly marked on the right hip with the letter 'T', and on the left hip with the letter 'D', with letters one and one half inches in length, to be then dishonorably discharged from the service, and to be drummed out of the camp of his company or regiment."

22d..Private *John Brighton*, Co. C, 45th Infantry.

CHARGE 1ST—Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he Private *John Brighton*, Co. C, 45th Infantry, having been duly enlisted in the service of the United States on the 15th day of February, 1867, has performed but one hundred and twenty-nine (129) days service in his company to the present date June 23d, 1868. This at Louisville, Nashville, Tenn., and Jeffersonville, Ind., between the dates above specified.

SPECIFICATION 2D—In this; that he, Private *John Brighton*, Co. C, 45th Infantry, having been in the service of the United States for the period of four hundred and ninety-three (493) days has during that period been in confinement two hundred and sixty-four (264) days and absent without leave one hundred (100) days. This at Louisville, Ky., Nashville, Tenn., and Jeffersonville, Ind., between the 15th day of February, 1867, and the 23d day of June, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *John Brighton*, Co. C, 45th Infantry, did absent himself from his company and post without proper authority from Reveile on the morning of June 15th, 1868, until 10 o'clock, P. M., June 18th, 1868. This at Jeffersonville, Ind., on or about the dates above specified.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Brighton*, Co. C, 45th Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him, and to be dishonorably discharged the United States service."

23d..Private *Napoleon B. Land*, Co. A, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *Napoleon B. Land*, of Co. A, 2d Infantry, did load a musket and shoot at Private John W. Paris, Co. A, 2d Infantry, with intent to kill him the said Private John W. Paris, and that when he, Private *Napoleon B. Land*, Co. A, 2d Infantry, was questioned by 1st Lieut. S. H. Carey, 2d Infantry, commanding detachment 2d Infantry, Logan court house, West Va., as to his intention in shooting at said Private John W. Paris, Co. A, 2d Infantry, he, Private *Napoleon B. Land*, Co. A, 2d Infantry, replied that it was his intention to kill him. This at Logan court house, West Va., on the 21st day of April, 1868.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
'but in self-defence.'

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Napoleon R. Land*, Co. A, 2d Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him, to be dishonorably discharged the service of the United States, and confined for the period of twelve months in such prison or penitentiary as the Major General Commanding the Department may direct.

24th..Private *Richard Dubley*. Co. I, 2d Infantry.

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

SPECIFICATION 1ST—In this; that he, Private *Richard Dubley*, Co. I, 2d Infantry, did become under the influence of intoxicating liquor and did engage in a fight in the quarters of his company. This at Taylor Barracks, Ky., on or about the 25th day of June, 1868.

SPECIFICATION 2D—In this; that Private *Richard Dubley*, Co. I, 2d Infantry, did interfere with and strike Corporal William Wallace Co. I, 2d Infantry, and call said corporal a son-of-a-bitch, or words to that effect, while said corporal Wallace was trying to preserve order and in the performance of his duty. This at Taylor Barracks, Ky., on or about the 25th day of June, 1868.

To which charge and specifications the prisoner pleaded as follows :

Of the 1st *Specification*, "Guilty,"
except the words 'in the quarters of his company.'

To the 2d *Specification*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Richard Dubley*, Co. I, 2d 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 dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the foregoing cases of Privates *Thomas Mitchell*, Co. G, 45th Infantry, *John Erighton*, Co. C, 45th Infantry, and *Richard Dubley*, Co. I, 2d Infantry, are approved. The sentences are confirmed and will be carried into effect.

The proceedings and findings in the case of Private *Geo. W. Anderson*, Co. D, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect. Private *Anderson* will be released from confinement and returned to duty.

In the case of Private *Camille Mayer*, of Co. K, 2d Infantry, *alias Henry Mayer*, Private Co. I, 24th Infantry, *alias Louis Huffman*, Co. I, 1st Infantry, the proceedings and findings are approved. The Court erred in permitting counsel to appear and address the court in his own name instead of that of the accused. It also erred in permitting such a scurrilous and vulgar paper to be read as was the defence of the accused by his counsel. The sentence is confirmed and will be carried into effect.

The proceedings and findings in the case of Private *Napoleon B. Land*, of Co. A, 2d Infantry, are approved. There being a doubt as to whether the offence was wilfully committed and reason to believe that Private *Land* thought he was acting in self-defence, the sentence is mitigated to confinement with hard labor in charge of the guard, and will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

1..Private JOHN MCMAHON, Co. C, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., July 18th, 1868.

GENERAL ORDERS, No. 53.

Before a General Court Martial which convened at Memphis, Tennessee, April 2d, 1868, pursuant to Special Orders, No. 55, dated Head-Quarters Department of the Cumberland, Louisville, Ky., March 18th, 1868, and of which Brevet Major F. A. DAVIES, Captain 25th Infantry, is President, and Captain, W. S. TREMAINE, Assistant Surgeon, U. S. A., Judge Advocate, were arraigned and tried :

1st..Private *John McMahon*, Co. C, 25th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *John McMahon*, Co. C, 25th Infantry, being a member of the guard, and having mounted as such on the 28th day of April, 1868, was so much under the influence of intoxicating liquor as to be incapacitated from performing the duties of a sentinel in a proper manner. All this on or about April 28th, at or near Memphis, Tenn.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John McMahon*, Co. C, 25th Infantry "to be confined at hard labor in charge of the guard for the period of sixty days, during the last twenty days of his confinement to carry a log of wood on his back weighing thirty pounds every alternate hour from reveille to retreat."

The proceedings and findings in the case of Private *John McMahon*, Co. C, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple

A. A. G.

25..Private JOSEPH NEWKIRK, Co. B, 2d Infantry.
26..Sergeant GEORGE L. FISHER, Co. A, 2d Infantry.
29..Private EDWARD H. LAYTON, Co. F, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., July 20th, 1868.

GENERAL ORDERS,
No. 54.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., June 16th, 1868, pursuant to Special Ordres, No. 106, par. 2, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

25th..Private *Joseph Newkirk*, Co. B, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *Joseph Newkirk*, Co. B, 2d Infantry, did absent himself from his command without permission from proper authority, from noon of the 14th of January, 1868, until 9 o'clock A. M. of the 15th of January, 1868. This at Logan Court House, West Virginia.

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

FINDINGS:

Of the *Specification*, "Guilty."
except the words "from noon," substituting therefor the words "from retreat."
Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Newkirk*, Co. B, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for one month."

The proceedings and findings in the case of Private *Joseph Newkirk*, of Co. B, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

26th..Sergeant *George L. Fisher*, Co. A, 2d Infantry.

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

SPECIFICATION 1ST—In this; that he, Sergeant *George L. Fisher*, Co. A, 2d Infantry, did order Private William Shirmaker, company clerk of said company and regiment, to charge on the clothing receipt rolls of said company and regiment, several articles of clothing against Privates Gibbons, McGeohegan, Bedient, Walsh, Braumfield, Craig, Cartmill and Swanson, belonging to the above mentioned company and regiment, which clothing was not issued to or received by the above named privates, the said *Fisher* knowing the charges to be false, and which charges were made against the said privates on the aforesaid clothing receipt rolls. This at Guyandotte, West Virginia, on or about the 11th day of January, 1868.

SPECIFICATION 2D—In this; that he, Sergeant *George L. Fisher*, Co. A, 2d Infantry, did sell to Private Lawrence Corsey, of said company and regiment, one uniform coat, which article of clothing was the property of the United States. This at Guyandotte, West Virginia, during the month of February, 1868.

SPECIFICATION 3D—In this; that he, Sergeant *George L. Fisher*, of Co. A, 2d Infantry, did call Privates Bedient, Walsh, Kennedy, Braumfield, Craig, Contmill, Swanson, and other enlisted men of the above mentioned company and regiment, and told them that they had been overcharged with clothing on the clothing receipt rolls for the month of January, 1868, by Private Charles L. Baldwin, of said company and regiment, (company clerk previous to the 1st of January, 1868,, and if they did not consent to have the same amounts entered in the clothing book, they would involve him and Lieut. Harkins into serious difficulties, and did give Private Swanson one uniform coat, to Private Contmill one uniform coat, to Private Craig one pair of trowsers and one pair of drawers, to Private Braumfield one uniform coat, one shirt and two pairs of stockings, to Corporal O'Neill one shirt and one pair of drawers, to Private Kennedy one shirt, to Private Walsh two shirts, to Sergeant Fugitt one great coat and two pairs of stockings, and to Private Kelley one shirt, all of which articles were the property of the United States. in order to obtain the consent of the men to be overcharged on the clothing book, and which said articles of clothing were not entered on the clothing receipt rolls of said company and regiment. This at Guyandotte, West Virginia, on or about the 12th day of March, 1868.

SPECIFICATION 4TH—In this; that he, Sergeant *George L. Fisher*, Co. A, 2d Infantry, did overcharge Sergeant Fugitt, Corporal O'Neill, Privates Bedient, Kennedy, Kelley, McGeohegan and other enlisted men of said company and regiment, to such an extent that he had more drawers, shirts and stockings on hand than he was accountable for, and that he did issue two shirts to Corporal Green, two pairs of drawers to Corporal O'Neill, two pairs of drawers and two pairs of socks to Musician Dillworth, one pair of drawers to Private Braumfield, one pair of drawers to private Craig, one pair of drawers and one pair of socks to private Clark, two shirts and three pairs of drawers to private Dunn, one pair drawers and two pairs socks to private Teel, one pair of drawers to private Shirmaker of the above mentioned company and regiment, without charging the above mentioned articles on the clothing receipt rolls or the clothing book thereby defrauding the Government of the United States of the above-mentioned clothing. This at Guyandotte, West Virginia, on or about the 3d day of March, 1868.

To which chargeand specifications the prisoner pleaded "Not Guilty:"

FINDINGS:

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

except the words "which article of clothing was the property of the United States."

Of the 3d *Specification*, "Guilty,"

except the words specifying the articles set against the names of privates Swanson, Contmill, Craig, Braumfield, Walsh and Kelley, substituting therefor the words "certain articles of clothing, the property of the United States."

Of the 4th *Specification*, "Guilty,"
except the words specifying the articles set against the names of Corporal Green, privates Braumfield, Craig and Clark, substituting therefor the words "certain articles of clothing, the property of the United States," and excepting the words specifying the names of musician Dillworth, privates Dunn and Teel, and the articles set against their names.

Of the *Charge*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Sergeant *George L. Fisher*, Co. A, 2d Infantry, "to be reduced to the rank of a private soldier, and be confined at hard labor in charge of the guard for the period of four months, refunding to the United States the amount of nine dollars and sixty-four cents, ($9,64.) the money value of the clothing lost to the Government."

In the case of Sergeant *George L. Fisher*, of Co. A, 2d Infantry, the proceedings, findings and sentence are approved and confirmed; but in consideration of his good character, and on the recommendation of the members of the Court the sentence is remitted, except so much as directs the sum of nine dollars and sixty-four cents ($9,64.) to be refunded to the Government. He will be released from arrest and returned to duty.

29th..Private *Edward H. Layton*, Co. F, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *Edward H. Layton*, Co. F, 2d Infantry, did absent himself without leave from proper authority from his quarters and garrison on the 4th day of July, 1868, and did remain absent until the 5th day of July, 1868, at which time he was arrested in a drunken condition by a member of the garrison guard, sent for that pupose by the officer of the day. This at Taylor Barracks, Ky., on or about the dates above specified.

SPECIFICATION 2D—In this; that he, Private *Edward H. Layton*, Co. F, 2d Infantry, did absent himself without leave from proper authority from his quarters and garrison at reveille roll-call July 7th, 1868, and did remain absent until 5 o'clock P. M., July 8th 1868, at which time he was arrested in a drunken condition by Corporal Gregory Farrell, Co. A, 2d Infantry, corporal of the garrison guard, who was sent out for that purpose. This at Taylor Barracks, Ky., on or about the dates above specified.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Edward H. Layton*, Co. F, 2d Infantry, having been regularly detailed for guard on the 6th day of July, 1868, did absent himself and fail to appear at the parade of the guard detail of his company on the morning of the 7th of July, 1868. This at Taylor Barracks, Ky., on or about the 7th day of July, 1868.

CHARGE 3D—Utter worthlessness to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Edward H. Layton*, Co. F, 2d Infantry, a duly enlisted soldier in the service of the United States, has performed no duty since enlistment in company, October 24th, 1867, with the exception of one guard from which he was relieved, tried, found guilty and sentenced for drunkenness on duty, having been in confinement for various offences two hundred and thirty-three days since enlistment. This at Louisville, Ky., and Franklin, Ky., since enlistment.

To which charges and specifications the prisoner pleaded as follows:

To the 1st and 2d *Charges* and *Specifications*, "Guilty."

To the *Specification*, 3d *Charge*, "Guilty."

To the 3d *Charge*, "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Edward H. Layton*, Co. F, 2d Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress, to be dishonorably discharged the service, have his head shaved and be drummed out of the camp of his company or regiment."

The proceedings and findings in the case of Private *Edward H. Layton*, of Co. F, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect, except that portion requiring him to have his head shaved, which is remitted.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

7..Private FLORIANUS ANSELM, Co. H, 45th Infantry.
8 .Private DAVIDSON HUNTER, Co. H, 45th Infantry.
9..Private CHARLES A. FISKE, Co. H, 45th Infantry.
10..Private WILLIAM EASTMAN, Co. H, 45th Infantry.
11..Private HUGH TIERNEY, Co. H, 45th Infantry.
12..Private WILLIAM SMITH, Co. H, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., July 20th, 1868.

GENERAL ORDERS, No. 55.

I. Before a General Court Martial which convened at Nashville, Tenn., June 16th, 1868, pursuant to Special Orders, No. 106, par. IV, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Lt. Col. GEO. A. WOODWARD, 45th U. S. Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

7th..Private *Florianus Anselm*, Co. H, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Florianus Anselm*, Co. H, 45th Infantry, did on the evening of April 30th, 1868, in front of and near the Commissary buildings at Ash Barracks, Nashville, Tenn., say to the Quartermaster Sergeant Henry Krause, 45th Infantry, in a loud and boisterous manner, that he did not get enough extra pay; that Mr. Daily had allowed him 22½ days, while the Quartermaster had only allowed him 21 days, and when Sergeant Krause explained to him that he had been seen several times loitering around the grocery opposite the Quartermaster's office during working hours, and by Lieut. Cleghorn's orders his pay had been stopped for such times, replied that Lieut. Cleghorn wanted to cheat him out of it, and Sergeant Krause also, or words to that effect, and did also say to the said Sergeant Krause that the officers sold the rations and put the money in their pockets, referring thereby to the commanding officer of Co. F, 45th Infantry, to which company the said Private *Anselm*, Co. H, 45th Infantry, is assigned for rations, which language was spoken in a loud and boisterous tone and manner calculated to create a disturbance. All this at the time and place above specified.

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

FINDINGS:

Of the *Specification*, "Guilty,"
except the words, 'referring thereby to the commanding Officer of Co. F, 45th Infantry, to which company the said Private *Anselm*, Co. H, 45th Infantry, is assigned for rations.'
Of the *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Florianus Anselm*, Co.

H, 45th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for two months."

8th..Private *Davidson Hunter*, Co. H, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Davidson Hunter*, Co. H, 45th Infantry, while on duty as teamster and being with his team in Chattanooga, Tenn., did become so drunk, as to be incapable of driving his team to camp, and did leave said team standing in the street. All this at or near Chattanooga, Tenn., on or about the first day of June, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Davidson Hunter*, Co. H, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of two (2) months."

9th..Private *Charles A. Fiske*, Co. H, 45th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *Charles A. Fiske*, Co. H, 45th Infantry, did absent himself from his command without leave April, 12th, 1868, while under marching orders, and did not join his company until May, 16th, 1868, when he was found at the post of Chattanooga, Tenn., by his company commander.

HARGE 2D—Conduct to the prejudice of good and military discipline.

SPECIFICATION—In this; that he, Private *Charles A. Fiske*, Co. H, 45th Infantry, did leave his company quarters in direct violation of orders received from his first Sergeant and after having been warned to hold himself in readiness to march with his company at a moments notice. All this at Ash Barracks, Nashville, Tenn., on or about April 12th, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles A. Fiske*, of Co. H, 45th Infantry, "to forfeit to the United States ten (10) dollars per month of his monthly pay for the period of two months."

10th..Private *William Eastman*, Co. H, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *William Eastman*, Co. H, 45th Infantry, did desert his company May 3d, 1868, at Dalton, Ga., and did remain absent until May 28th, 1868, when he surrendered himself at Chattanooga, Tenn. All this at Dalton, Ga., and Chattanooga, Tenn., on or about the 3d and 28th day of May, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Eastman*, Co. H, 45th Infantry, "to be confined at hard labor in 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."

11th..Private *Hugh Tierney*, Co. H, 45th Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *Hugh Tierney*, Co. H, 45th Infantry, became drunk while regularly detailed for guard and on guard. This at Dalton, Ga., April 13th, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that Private *Hugh Tierney*, Co. H, 45th Infantry, did go in the town of Dalton, and while drunk disturbed the citizens of said town by vulgar language and insults and this on a Sabbath morning, May 10th, 1868, at Dalton, Ga.

SPECIFICATION 2D—In this; that Private *Hugh Tierney*, Co. H, 45th Infantry, after returning from the town of Dalton, in his company quarters, did take his gun and a ball cartridge and did load said gun, on the steps of his company quarters saying that he was to kill a certain citizen of Dalton, who was standing or sitting a hundred yards from him on the steps of the M. E. church, waiting for the commencement of the Sabbath service. This at Dalton, Ga., May 10th, 1868.

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

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 1st *Specification* 2d *Charge*, "Not Guilty."

Of the 2d *Specification* 2d *Charge*, "Guilty,"

excepting the words, 'saying that he was to kill a certain citizen of Dalton, who was standing or sitting a hundred yards from him on the steps of the M. E. church, waiting for the commencement of the Sabbath service.'

Of the 2d *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Hugh Tierney*, Co. H, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of three calender months, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

12th..Private *William Smith*, Co. H, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Private *William Smith*, Go. H, 45th Infantry, was absent from afternoon drill, on May 15th, 1868, at Dalton, Ga.

SPECIFICATION 2D—In this; that Private *William Smith*, Co. H, 45th Infantry, did speak in a disrespectful manner, of the management and command of his company. This at Dalton, Ga., May, 15th, 1868.

SPECIFICATION 3D—In this; that Private *William Smith*, Co. H, 45th Infantry, was very noisy and boisterous and told the corporal of the guard J. C. Davis, of Co. H, 45th Infantry, when ordered by said corporal to keep quiet, that he should go to hell, or words to that effect, at the same time saying that he knew he was the corporal of the guard. This at Dalton, Ga., on or about May, 16th, 1868.

SPECIFICATION 4TH—In this; that Private *William Smith*, Co. H, 45th Infantry, was fighting and striking four non-commissioned officers of Co. H, 45th Infantry, who were ordered to take the said Private *William Smith*, to the guard house. This at Dalton, Ga., on or about May, 16th, 1868.

SPECIFICATION 5TH—In this; that Private *William Smith*, Co. H, 45th Infantry, did appropriate without any authority, four chairs, belonging to the county commissioners of Wheatfield, Co. Ga., and kept them in his wifes' quarters or tent and caused by such conduct a search of the baggage car in which the company and other military stores were loaded previous to being transported with company H, to its new post Chattanooga, Tenn. This at Dalton, Ga., on or about May, 16th, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the 3d *Specification*,	"Guilty."
Of the 4th *Specifiaction*, excepting the figure 'four.'	"Guilty,"
Of the 5th *Specification*,	"Not Guilty."
Of the *Charge*,	"Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Smith*, Co. H. 45th Infantry, "to be confined at hard labor in charge of the guard for thirty (30) days and to forfeit ten dollars per month of his monthly pay for one month."

The proceedings and findings in the foregoing cases of Privates *Florianus Anselm*, *Davidson Hunter*, *Charles A. Fiske*, *William Eastman*, *Hugh Tierney* and *William Smith* all of Co. H, 45th Infantry, are approved. The sentences are confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

13..Private THOMAS PETERS, Co. H, 45th Infantry.
14..Private JAMES MCINTIRE, Co. B, 5th Cavalry.
16..Sergeant WILLIAM H. WHITE, Co. F, 45th Infantry.
17..Private HENRY COSTIGAN, Co. A, 45th Infantry.
18..Private GEO. E. LONGSDORF, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., July 30th, 1868.

GENERAL ORDERS,
No. 56.

I. Before a General Court Martial which convened at Ash Barracks, Nashville, Tenn., June 16th, 1868, pursuant to Special Orders, No. 106, par. IV, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

13th..Private *Thomas Peters*, Co. H, 45th Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION 1ST—In this; that Private *Thomas Peters*, did absent himself without leave from reveille and tattoo roll calls, May 15th, 1868. All this at or near Dalton, Ga.

SPECIFICATION 2D—In this; that Private *Thomas Peters*, did absent himself without leave from tattoo roll call. All this on or about May 17th, 1868, at or near Chattanooga, Tenn.

CHARGE 2D—Conduct to the prejudice of good and military discipline.

SPECIFICATION 1ST—In this; that Private *Thomas Peters*, Co. H, 45th Infantry, was not present when his company did march from its Barracks to the R. R. depot. All this on or about May 16th, 1868, at or near Dalton, Ga.

SPECIFICATION 2D—In this; that Private *Thomas Peters*, Co. H, 45th Infantry, was so drunk that he joined his company at the R. R. depot without his arms or accoutrements after being ordered to keep himself in readiness to march with his company. All this on or about May 16th, 1868, at or near Dalton, Ga.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Specification* 1st *Charge*,	"Not Guilty."
To the 2d *Specification* 1st *Charge*,	"Guilty."
To the 1st *Charge*,	"Guilty."
To the 1st *Specification* 2d *Charge*,	"Guilty."
To the 2d *Specification* 2d *Charge*,	"Not Guilty."
To the 2d *Charge*,	"Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*,	"Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas Peters*, Co. H, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of fifteen days, and to forfeit ten (10) dollars per month of his monthly pay for one month."

14th..Private *James McIntire*, Co. B, 5th Cavalry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *James McIntire*, Co. B, 5th Cavalry, was so drunk at stable call, as to be unable to do his duty. This at Ash Barracks, Nashville, Tenn., on the 22d day of June, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James McIntire*, Co. B, 5th Cavalry, "to be confined at hard labor in charge of the guard for the period of thirty (30) days."

16th..Sergeant *William H. White*, Co. F, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Sergeant *Wm. H. White*, Co. F, 45th Infantry, did while commanding the guard at Ash Barracks, Nashville, Tenn., allow and permit two prisoners to leave the guard house and absent themselves without permission from proper authority. This at Ash Barracks, Nashville, Tenn., on or about the 22d day of May, 1868, between 9 o'clock P. M., and 4 o'clock, A. M.

SPECIFICATION 2D—In this; that he, Sergeant *William H. White*, Co. F, 45th Infantry, being under arrest on the charge of permitting prisoners to escape from the guard house while he was Sergeant of the guard did go outside of the garrison and visit a grocery thereby breaking his arrest. This at Ash Barracks, Nashville, Tenn., on or about the 26th of June, 1868.

SPECIFICATION 3D—In this; that he, Sergeant *William H. White*, Co. F, 45th Infantry, being at the time in arrest, did go into a grocery outside of the garrison kept by P. H. Long, (citizen) and did abuse and beat said Long by striking him with a mallet on the head. This at or near Ash Barracks, Nashville, Tenn., June 26th, 1868.

To which charge and specifications the prisoner pleaded as follows:

To the 1st and 2d *Specification*, "Not Guilty."

To the 3d *Specification* to the jurisdiction of the court; which plea was sustained.

To the *Charge*, "Not Guilty."

FINDINGS :

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, " Guilty."
Of the *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Sergeant *William H. White*, Co. F, 45th Infantry, to be reduced to the ranks, and confined at hard labor in charge of the guard for the period of six (6) months, and forfeit twelve (12) dollars per month of his monthly pay for the same period."

17th..Private *Henry Costigan*, Co. A, 45th Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *Henry Costigan*, Co. A, 45th Infantry, being regularly detailed as company cook, did become so drunk as to be unable to perform his duties properly. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of June, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that Private *Henry Costigan*, Co. A, 45th Infantry, while on duty as company cook, did enter the company mess-room of Co. A, 45th Infantry, in a drunken condition and did endeavor to excite a quarrel therein, and without any provocation call Private Gilbert Bertholl, Co. A, 45th Infantry, 'a thieving son-of-a-bitch,' or words to that effect, and when ordered to the guard house by Q. M. Sergeant William M. Collins, Co. A, 45th Infantry, did say to said sergeant, 'Collins you're a thief and a son-of-a-bitch, I can prove it by God,' or words to that effect. This at Ash Barracks, Nashville, Tenn., on or about the 26th day of June 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Costigan*, Co. A 45th Infantry, 'to be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit twelve (12) dollars per month of his monthly pay for the same period."

18th..Private *George E. Longsdorf*, Co. B, 45th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *George E. Longsdorf*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, after having been duly detailed and mounted as a member of the guard on the 8th day of June, 1868, and after having been posted as a sentinel over prisoners at the guard house, at Ash Barracks, Nashville, Tenn., did go to sleep and remain sleeping until he was awakened by the sergeant of the guard. All this at Ash Barracks, Nashville, Tenn., on or about the 8th day of June, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George E. Longsdorf*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of six months, and to forfeit (12) dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the cases of Private *Thomas Peters*, Co. H, 45th Infantry, Private *James McIntire*, Co. B, 5th Cavalry, Sergeant *William*

H. White, Co. F, 45th Infantry, Private *Henry Costigan*, Co. A, 45th Infantry and Private *George E. Longsdorf*, Co. B, 45th Infantry, are approved. The sentences are confirmed and will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
A. A. G.

19..Private ROBERT ELLIOTT, Co. B, 45th Infantry.
20..Private ROBERT PELTON, Co. D, 45th Infantry.
21..Private JAMES DEMPSEY, Co. M, 5th Cavalry.
22..Private JAMES SILVER, Co. F, 45th Infantry.
23..Corporal THOMAS N. WAY, Co. M, 5th Cavalry.
24..Private PHILLIP O'DONNELL, Co. A, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 5th, 1868.

GENERAL ORDERS,
No. 57.

Before a General Court Martial which convened at Ash Barracks, Nashville, Tenn., June 16th, 1868, pursuant to Special Orders, No. 106, par. IV, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

19th..Private *Robert Elliott*, Co. B, 45th Infantry.

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

SPECIFICATION—In this: that Private *Robert Elliott*, Co. B, 45th Infantry, duly detailed and mounted as a member of the garrison guard did become so much under the influence of intoxicating liquor as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn., on or about the 6th day of July, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert Elliott*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of three months."

The proceedings and findings in the case of Private *Robert Elliott*, of Co. B, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

20th..Private *Robert Pelton*, Co. D, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this: that he, Private *Robert Pelton*, Co. D, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 24th day of May, 1868. All this on or about May 24th, 1868, at or near Columbia, Tenn. Thirty dollars have been paid for his apprehension.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Robert Pelton*, Co. D, 45th Infantry, "to forfeit all pay now due or that may become due, to be confined at hard labor in charge of the guard for one (1) year, at the expiration of which period, to be dishonorable discharged the service of the United States."

The proceedings and findings in the case of Private *Robert Pelton*, of Co. D, 45th Infantry, are approved. The sentence is confirmed but mitigated to confinement at hard labor in charge of the guard for eight (8) months, forfeiting all pay due at the promulgation of this sentence, and twelve dollars per month thereafter during the period of his confinement. That portion of the sentence relating to dishonorable discharge is disapproved. As mitigated the sentence will be carried into effect at the post where the prisoner belongs.

21st. Private *James Dempsey*, Co. M, 5th Cavalry.

CHARGE 1ST Disobedience of Orders.

SPECIFICATION—In this; that he, Private *James Dempsey*, Detachment Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, did leave camp without permission from his commanding officer and visit the city of Chattanooga, Tenn., and when ordered by his commanding officer Brevet Captain Robert P. Wilson, to return to camp immediately did fail to do so.

CHARGE 2D—Violation of the 6th Article of War.

SPECIFICATION—In this; that he, Private *James Dempsey*, Detachment Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, upon his return to camp when the order was given for him to be confined, did in a disrespectful and contemptuous manner face toward his commanding officer, Brevet Captain Robert P. Wilson, and say, 'I dont care a God damn for you or any other man, tie me up God damn you, I am a soldier,' or words to that effect. All this at Chattanooga, Tenn., on or about the 18th day of June, 1868.

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

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 2d *Charge* and *Specification*, "Not Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *James Dempsey*, Co. M, 5th Cavalry, "to forfeit ten (10) dollars per month of his monthly pay for two months."

The proceedings and findings in the case of Private *James Dempsey*, of Co. M, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

22d. Private *James Silver*, Co. F, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *James Silver*, Co. F, 45th Infantry, a member of the guard did become so drunk as to incapacitate him for duty

as a sentinel. This at Ash Barracks, Nashville, Tenn., on or about the 15th day of May, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *James Silver*, of Co. F, 45th Infantry, are approved and confirmed. He will be released from confinement and returned to duty.

23d..Corporal and Lance Sergeant *Thomas N. Way*, Co. M, 5th Cavalry.

CHARGE—Disobedience of Orders.

SPECIFICATION—In this ; that Corporal and Lance Sergeant *Thomas N. Way*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, while in arrest under charge of 'Absence without leave,' having been found by his commanding officer, Brevet Lieut. Colonel E. H. Leib, 5th Cavalry, on the streets of Gallatin, Tenn., without leave, did when ordered by his said commanding officer to return to his quarters, fail to obey said order, and did get on a train and go to Nashville, Tenn., where he remained until apprehended as a deserter. This at Gallatin, Tenn., on or about the 15th day of May, 1868.

ADDITIONAL CHARGE—Absence without leave.

SPECIFICATION—In this ; that Corporal and Lance Sergeant *Thomas N. Way*, Co. M. 5th Cavalry, a duly enlisted soldier in the service of the United States, and while awaiting trial under a charge of 'Absence without leave,' did absent himself from his proper command at Gallatin Tenn., without authority on or about the 15th day of May, 1868, and did remain absent until apprehended at Nashville, Tenn., on or about the 16th of May, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the *Specification* 1st *Charge*, "Guilty,"
with the exception of the words, 'while in arrest under charges of Absence without leave.'

To the 1st *Charge*, "Guilty."

To the *Specification* of the *Additional Charge*, "Guilty,"
with the exception of the words, 'and while awaiting trial under a charge of absence without leave."

To the *Additional Charge*, "Guilty."

FINDINGS :

Of the *Specification* of the *Charge*, "Guilty,"
excepting the words, 'while in arrest under charges of Absence without leave.'

Of the *Charge*, "Guilty."

Of the *Specification* of the *Additional Charge*, "Guilty,"
excepting the words 'and while awaiting trial under a charge of absence without leave.'

Of the *Additional Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, "to be reduced to the ranks, and to forfeit ten (10) dollars per month of his monthly pay for three months."

The proceedings and findings in the case of Corporal and Lance Sergeant *Thomas N. Way*, of Co. M, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

24th..Private *Phillip O'Donnell*, Co. A, 45th Infantry.

CHARGE 1ST—Violation of the 50th Article of War.

SPECIFICATION—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, being a member of the guard mounted at the Post of Nashville, on the 24th of May, 1868, and placed in charge of Private Floyd, Co. F, 45th Infantry, and Private McCracken, Co. B, 5th Cavalry, prisoners, undergoing sentence, did, without leave from his superior officer, quit his guard, take off his arms and equipments, and leave the garrison in company with said prisoners. This at or near the post of Nashville, Tenn., on or about the date above mentioned.

CHARGE 2D—Conduct to the prejudice of good and military discipline.

SPECIFICATION 1ST—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, being a member of the guard mounted at the Post of Nashville, on the 24th of May, 1868, and in charge of Private Floyd, Co. F, 45th Infantry, and Private McCracken, Co. B, 5th Cavalry, prisoners undergoing sentence, did permit and allow said prisoners to remove the irons from their limbs and did at the same time take off his accoutrements and hide his musket and the balls and chains taken off the limbs of said prisoners in the privy, to which place he had conducted said prisoners and did allow them to escape from his custody, and did leave the garrison in company with said prisoners. This at or near the Post of Nashville, Tenn., on or about the date above mentioned.

SPECIFICATION 2D—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, being a prisoner in the guard house, did become drunk and conduct himself in an outrageous manner towards other prisoners confined with him and did strike with a bottle and wound Private Bell, Co. F, 45th Infantry, and when attempts were made by the officer of the day (Lieut. Mangan, 45th Infantry,) to prevent him from further injuring the said Private Bell, did apply to said officer of the day vulgar and abusive language, and on being conveyed, by order of said Lieut. Mangen, to the outside of the guard house for the purpose of being bound with a rope, did call said officer in a loud and threatening manner 'a Bastard son-of-a-bitch,' or words to that effect, and did continue to repeat it until gagged and bound with a rope. This at or near Ash Barracks, Nashville, Tenn., on or about the 25th day of May, 1868.

CHARGE 3D—Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, enlisted at Covington, Ky., on the 18th day of December, 1866, has not since the organization of the company ('A,') June 26th, 1867, unto the present (June 16th, 1868,) done seven (7) consecutive days duty in his company, being during the period stated either in confinement in the guard house, sick from excessive use of liquor, in confinement by civil authority or absent by desertion. This at or near Louisville, Ky., Jeffersonville, Ind., or Nashville, Tenn., between the dates herein specified.

SPECIFICATION 2D—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, deserted the service of the United States, at Nashville, Tenn., April

26th, 1867, and remaining absent until apprehended June 13th, 1867, for which apprehension thirty dollars was paid by the United States. This at or near Nashville, Tenn., on or about the dates above mentioned.

SPECIFICATION 3D—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, while confined in the guard house at the post of Nashville, undergoing sentence for desertion, did conduct himself at different times in an outrageous manner viz: July 16th, 1868, and did repeatedly break through the guard on the dates as follows: November 2d, 1867, November 16th, 1867, November 26th, 1867, and go to the city of Nashville, Tenn. This at or near Nashville, Tenn., on or about the dates above mentiioned.

SPECIFICATION 4TH—In this; that Private *Phillip O'Donnell*, Co. A, 45th Infantry, has been arrested for various offences by the civil authorities of Nashville, Tenn., as follows: November 25th, 1867, for alleged grand larceny, and retained therefor until April 17th 1868, and May 15th, 1868, for disorderly conduct and retained until May 17th, 1868. This at or near Nashville, Tenn., on or about the dates above mentioned.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."
To the 2d *Charge* and *Specifications*, "Not Guilty."
To the 1st *Specifiaction* 3d *Charge*, "Not Guilty."
To the 2d *Specification* 3d *Charge*, "Guilty."
To the 3d and 4th *Specifications* 3d *Charge*, "Not Guilty."
To the 3d *Charge*, "Not Guilty."

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty,"
interposing between the words 'prisoner' and 'undergoing' the words 'one of whom was.'

Of the 1st *Charge*, "Guilty."

Of the 1st *Specification* 2d *Charge*, "Guilty,"
interposing between the words 'prisoners' and 'undergoing' the words 'one of whom was.'

Of the 2d *Specification* 2d *Charge*, "Guilty,"
excepting the words 'conduct himself in an outrageous manner towards other prisoners confined with him, and did strike with a bottle and wound Private Bell, Co. F, 45th Infantry.

Of the 2d *Charge*, "Guilty."
Of the 1st *Specification* 3d *Charge*, "Guilty."
Of the 2d *Specification* 3d *Charge*, "Guilty."
Of the 3d *Spicification* 3d *Charge*, "Guilty,"
excepting the words 'and go to the city of Nashville.'

Of the 4th *Specification* 3d *Charge*, "Guilty,"
excepting the words and figures, 'for various offences, November 26th, 1867, for alleged grand larceny and retained therefor until April 17th, 1868, and' and 'disorderly conduct' and substituting therefor the words 'assault and battery, and attach no criminality thereto.

Of the 3d *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Phillip O'Donnell*, Co. A 45th Infantry, "to be confined at hard labor in charge of the guard, wearing a

ball twenty-four (24) pounds weight attached to his leg by a chain two feet in length, for the period of six months, to forfeit all pay now due, and at the expiration of his term of confinement to be dishonorable discharged the service and drummed out of the camp."

The proceedings and findings in the case of Private *Phillip O'Donnell*, of Co. A, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where the prisoner belongs.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Major Genl U S A
A. A. Genl

15..Corporal EUGENE A HANKIE, Co. E, 45th Infantry.
25..Private WILLIAM C. SMITH, Co. F, 45th Infantry.
26..Private DAVID POWER, Co. K, 29th Infantry.
27..Corporal and Lance Sergeant AUGUST JEBSON, Co. M, 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Aug. 7th, 1868.

GENERAL ORDERS, No. 58.

1. Before a General Court Martial which convened at Ash Barracks, Nashville, Tenn., June 16th, 1868, pursuant to Special Orders, No. 106, par. IV, dated Head-Quarters Department of the Cumberland, Louisville, Ky., June 11th, 1868, and of which Lt. Col. GEO. A. WOODWARD, 45th Infantry, is President, and 1st Lieut. J. K. WARDEN, 45th Infantry, Judge Advocate, were arraigned and tried:

15th..Corporal *Eugene A. Hankie*, Co. E, 45th Infantry.

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

SPECIFICATION—In this; that he, Corporal *Eugene A. Hankie*, Co. E, 45th Infantry, having been duly summoned to appear before the General Court Martial convened in the case of Assistant Surgeon P. J. A. Cleary, as a witness, did fail to appear in obedience to said summons, he, (Corporal *Hankie*,) having been notified by the Judge Advocate to remain within the limits of the garrison each day during the session of the Court until he should be called. This at the post of Chattanooga, Tenn, on or about the 5th day of June, 1868.

To which charge and specification the prisoner pleaded "to the jurisdiction of the Court in bar of trial," which was sustained.

The proceedings in the case of Corporal *Eugene A. Hankie*, of Co. E, 45th Infantry, are disapproved. The prisoner excepts to the jurisdiction of the Court, and pleads in bar of trial thereunder on the ground that his offence—contempt of court—was committed against another court than the one before which he is arraigned, and that the Court should have compelled his attendance as a witness. The plea is admitted by the Court before which the prisoner is arraigned, which action is disapproved.

A military court has not the same means as has a civil court at its command to enforce compulsory attendance of witnesses, especially if they happen to be civilians; yet, when summons has been served on a person in the military service, the Judge Advocate has authority, and it is his duty, if he can, to enforce attendance. A neglect on the part of a military person to obey such summons becomes a military offence against good order and discipline, and as such is triable by any Court Martial as is any other offence named in the 99th Article of War. His failure to obey a summons from the Judge Advocate is not a contempt of court as contemplated by the 76th Article of War, and is therefore, it

is believed, not punishable under that Article by the Court issuing said summons, but becoming a breach of good order and military discipline is triable by any Court Martial within the jurisdiction of the United States.

Corporal *Haukie*, of Co. E, 45th Infantry, will be released from arrest and returned to duty.

25th..Private *William C. Smith*, Co. F, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, *William C. Smith*, Co. F, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Cumberland Barracks, Nashville, Tenn., on or about the 22d day of August, 1867, and did remain absent until apprehended on or about the 9th day of March, 1868, at or near Chattanooga, Tenn. Thirty dollars reward paid for his apprehension.

To which charge and specification the prisoner pleaded "Not Guilty:"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *William C. Smith*, Co. F, 45th Infantry, "to forfeit fourteen dollars per month of his monthly pay for the period of ten months, 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 *William C. Smith* of Co. F, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post to which the prisoner belongs.

26th..Private *David Power*, Co. K, 29th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *David Power*, Co. K, 29th Infantry, after having been duly enlisted into the service of the United States, did desert the same at Union, West Virginia, on or about the 15th day of June, 1868, and did remain absent until arrested in citizens' clothing by 1st Sergt. John W. Holmes, Co. K, 29th Infantry, at Covington, Va., on or about the 17th day of June, 1868. Thirty dollars reward being paid for his apprehension. All this at the time and place above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *David Power*, Co. K, 29th Infantry, "to be confined at hard labor in charge of the guard for six months, and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings and findings in the case of Private *David Power*, of Co. K, 29th Infantry, are approved. The sentence is confirmed and will be carried into effect at the post where the prisoner belongs.

27th..Corporal and Lance Sergeant *August Jebson*, Co., M5th Cavalry.

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

SPECIFICATION 1ST—In this; that Corporal and Lance Sergeant *August Jebson*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, being sergeant of the guard, did permit Private Thomas Kelley, Co. M, 5th Cavalry, a prisoner under his charge, to leave the guard house after tattoo on the night of December 24th, 1867, and remain out until after reveille on the 25th of December, 1867, he having in the meantime reported the prisoners all present at reveille. This at Galtatin, Tenn., on or about the dates above specified.

SPECIFICATION 2D—In this; that Corporal and Lance Sergeant *August Jebson*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, being sergeant of the guard, did permit Privates Barney Malloy, Thomas Hewitt, Thomas Kelley, Francis Jaihl, Vital Gilbert and William A. Cox, Co. M, 5th Cavalry, prisoners under his charge, to leave the guard house after tattoo and remain out over night on or about the following date, to wit: December 30th, 1867. All this at Gallatin, Tenn.

SPECIFICATION 3D—In this; that Corporal and Lance Sergeant *August Jebson*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, being sergeant of the guard, and having been ordered by his commanding officer, Bvt. Lt. Col. E. H. Leib, 5th Cavalry, to keep two prisoners tied up until otherwise ordered, did fail to do so, and did take off part of his accoutrements, go to sleep and neglect to keep a sentinel on No. 1 post. This at Gallatin, Tenn., on or about the 13th day of May, 1868.

SPECIFICATION 4TH—In this; that Corporal and Lance Sergeant *August Jebson*. Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, being sergeant of the guard, did, while under the influence of liquor, with a file of his guard, assault, strike over the head and shoulders with a pistol or carbine, disarm, arrest and confine in a cell of the guard house, Sergeant Frederick Pfaff, Co. M, 5th Cavalry, the said Sergeant Pfaff being at the time in the execution of his duty as sergeant of a patrol. All this at Gallatin, Tenn,, on or about the 13th day of May, 1866.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st and 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Guilty."

excepting the words "did fail to do so," "go to sleep," and "neglect to keep a sentinel on No. 1 post," and attach no criminality thereto.

Of the 4th *Specification*, "Guilty,"

excepting the words "while under the influence of liquor, with a file of his guard, assault, strike over the head and shoulders with a pistol or carbine,," and the words, "the said Sergeant Pfaff being at the time in the execution of his duty as sergeant of a patrol," and attach no criminality thereto.

Of the *Charge*, "Not Guilty,"

And the Court does therefore acquit him, Corporal and Lance Sergeat *August Jebson*, Co. M, 5th Cavalry.

The proceedings findings and acquittal in the case of Corporal and Lance Sergeant *August Jebson*, of Co. M, 5th Cavalry, are approved and confirmed. He will be released from arrest and returned to duty.

II. The General Court Martial of which Lieut. Col. GEO. A. WOODWARD, 45th Infantry is President, and Lieut. J. K. WARDEN, Judge Advocate, is hereby dissolved.

III. The General Court Martial of which Bvt. Lt. Col. JOSEPH S. CONRAD, Capt. 2d Infantry is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, is hereby dissolved.

IV. The General Court Martail of which Bvt. Maj. GEO. H. MCLOUGHLIN, Capt. 2d Infantry is President, and Bvt. Major WM. R. LOWE, Capt. 19th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

1..Private STUDOR CONRAD, Co. K, 25th Infantry.
2..Private EDWARD THOMPSON, Co. D, 25th Infantry.
3..Private JOHN MURPHY, Co. D, 25th Infantry.
4..Corporal MICHAEL LAMP, Co. C, 25th Infantry.
5..Private RICHARD NAGLE, Co. K, 25th Infantry.
6..Private GEORGE D. DAUGHERTY, Co. K, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., August 8th, 1868.

GENERAL ORDERS, }
No. 59. }

1. Before a General Court Martial which convened at Memphis, Tenn., July, 27th, 1868, pursuant to Special Orders, No. 130, par. VII, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 18th, 1868, and of which Brevet Major JOHN CHRISTOPHER, Captain 25th Infantry, is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried:

1st..Private *Studor Conrad*, Co. K, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Studor Conrad*, Co. K, 25th Infantry having been duly enlisted in the United States service, did desert the same on or about November 28th, 1867, and did remain absent until on or about June 14th, 1868, when he voluntarily delievered himself up to the commanding officer, post of Memphis. All this at or near Memphis, Tenn., on or about the above specified dates.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *Studor Conrad*, Co. K, 25th Infantry, "to forfeit to the United States ten (10) dollars of his monthly pay for six months, and be confined at hard labor in charge of the guard for the same period, and make good the time lost by desertion."

2d..Private *Edward Thompson*, Co. D, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Edward Thompson*, Co. D, 25th Infantry, having been duly enlisted as a soldier in the army of the United States, did desert the same at Memphis, Tenn., on or about the 20th day of April, 1868 and did remain absent until he was apprehended at Memphis, Tenn., on or about July 15th, 1868. The sum of thirty dollars has been paid for his apprehension.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said Private *Edward Thompson*, Co. D, 25th Infantry, "to be confined at hard labor in charge of the guard for twelve months, and forfeit fourteen dollars of his monthly pay for the same period, also all pay due up to his desertion."

3d. Private *John Murphy*, Co. D, 25th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that Private *John Murphy*, Co. D, 25th Infantry, having been duly posted as a sentinel was found asleep on his post between the hours of four and five o'clock, A. M. This at or near Memphis, Tenn., on or about the 25th of June, 1868.

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

SPECIFICATION—In this; that he, Private *John Murphy*, Co. D, 25th Infantry, a prisoner under guard, and out of the guard house for police purposes, did steal one towel, the property of 1st Lieut. William Conway, 25th Infantry. This at or near Memphis, Tenn., on or about July 4th, 1868.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *John Murphy*, Private Co. D, 25th Infantry, "to be confined at hard labor in charge of the guard for the period of one year, and to forfeit fourteen dollars of his monthly pay for the same period."

4th Corporal *Michael Lamp*, Co. C, 25th Infantry.

CHARGE 1ST—Violation of the 9th Article of War.

SPECIFICATION 1ST—In this; that he, Corporal *Michael Lamp*, Co. C, 25th Infantry, having reported himself sick with Diarrhoea at 'Surgeon's call' and having been lawfully ordered by his superior officer, Asst. Surg. W. S. Tremaine, U. S. A., Post Surgeon, Memphis, Tenn., to go into the Post Hospital, did disobey said lawful order of his superior officer, Asst. Surg. W. S. Tremaine, U. S. A. All this at or near Memphis, Tenn., on or about the 31st day of May, 1868.

SPECIFICATION 2D—In this; that he, Corporal *Michael Lamp*, Co. C, 25th Infantry, after having been ordered by his superior officer Asst. Surg. W. S. Tremaine, U. S. A., not to wear a blouse with velvet and staff buttons thereon, did willfully disobey said order of his superior officer, Asst. Surg. W. S. Tremaine, U. S. A., by presenting himself at 'Surgeon's call' while wearing the said blouse with velvet collar and staff buttons. All this at or near Memphis, Tenn., on or about the 2d day of June, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Corporal *Michael Lamp*, Co. C, 25th Infantry, having been sent for by his superior officer, Asst. Surg. W. S. Tremaine, U. S. A., and questioned as to his reason for disobeying his, (Asst. Surg. W. S. Tremaine's) orders viz: to go into the Post Hospital, did reply:

'because I thought I was better off in the quarters and the confinement would not suit me,' or words to that effect. All this at or near Memphis, Tenn., on or about the 1st day of June, 1868.

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

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Corporal Michael Lamp, Co. C, 25th Infantry, "to be reduced to the grade of a private soldier, to be confined at hard labor in charge of the guard for the period of one month, and to forfeit to the United States fourteen dollars of his monthly pay for one month."

5th..Private *Richard Nagle*, Co. K, 25th Infantry.

CHARGE 1ST—Violation of the 50th Article of War.

SPECIFICATION—In this ; that he, Private *Richard Nagle*, Co. K, 25th Infantry, being a member of the guard, did without urgent necessity, or without the leave of his superior officer quit his guard. This at Memphis, Tenn., on or about the evening of June 5th, and the morning of June 6th, 1868.

CHARGE 2D—Violation of the 45th Artice of War.

SPECIFICATION—In this ; that he, Private *Richard Nagle*, Co. K, 25th Infantry, being a member of the guard was so much under the influence of intoxicating liquor as to be unable to perform his duties in a proper manner. This at Memphis, Tenn., on or about the evening of June 5th, 1868, and the morning of June 6th, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, "Guilty."

To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Richard Nagle*, Co. K. 25th Infantry, "to be confined at hard labor in charge of the guard for twenty days, to carry a log of wood weighing twenty-five (25) pounds from four to six o'clock, P. M., each day."

6th..Private *George D. Daugherty*, Co. K, 25th Infantry.

CHARGE—Sleeping on Post, in violation of the 46th Article of War.

SPECIFICATION—In this ; that he, Private *George D. Daugherty*, of Co. K, 25th Infantry, being a duly enlisted soldier in the service of the United States, and having been duly detailed as a member of the guard and posted as a sentinel, was found sleeping upon his post between the hours of twelve o'clock midnight, and one o'clock, A. M., on or about June 1st, 1868. This at or near Memphis, Tenn., on or about the time specified above.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George D. Daugherty*, Co.

K, 25th Infantry, "to forfeit to the United States, twelve dollars of his monthly pay for four months, and to be confined at hard labor under charge of the guard for one month."

II. The proceedings and findings in the forgoing cases of Privates *Studor Conrad*, Co. K, 25th Infantry, *Edward Thompson*, Co. D, 25th Infantry, *John Murphy*, Co. D, 25th Infantry, Corporal *Michael Lamp*, Co. C, 25th Infantry, Privates *Richard Nagle*, Co K, 25th Infantry, and *George D. Daugherty*, Co. K, 25th Infantry, are approved. The sentences are confirmed and will be carried into effect.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

7..Private JOHN BOON, Co. C, 25th Infantry.
8..Private JOSEPH MURPHY, Co. F, 25th Infantry.
9..Private THOMAS DAVIS, Co. G, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Aug. 8th, 1868.

GENERAL ORDERS, }
No. 60. }

I. Before a General Court Martial which convened at Memphis, Tenn., July, 27th, 1868, pursuant to Special Orders, No. 130, par. VII, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 18th, 1868, and of which Brevet Major JOHN CHRISTOPHER, Captain 25th Infantry, is President, and 1st Lieut. W. J. KYLE, 25th Infantry, Judge Advocate, were arraigned and tried :

7..Private *John Boon*, Co. C, 25th Infantry.

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

SPECIFICATION—In this ; that he, the said Private *John Boon*, Co. C, 25th Infantry, did feloniously steal, take or carry away from the quarters of Co. C, 25th Infantry, —— ——, and did break open the same and did take therefrom ten dollars, currency of the United States, more or less, also several articles of clothing, namely : three shirts, three undershirts and two pairs of drawers, and did appropriate the same to his own use. All this at Memphis, Tenn., on or about midnight June 6th, 1868.

To which charge and specification the prisoner pleaded "Not Guilty:"

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Boon*, Co. C, 25th Infantry, "to be dishonorobly discharged 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 hard labor in such penitentiary as the Commanding General may direct for the period of eighteen months."

The proceedings and findings in the case of Private *John Boon*, of Co. C, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect. The penitentiary at Nashville, Tenn., is designated as the place of confinment, to which place the Commanding Officer of the District of Memphis, will forward the prisoner under guard.

8th..Private *Joseph Murphy*, Co. F, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Joseph Murphy*, Co. F, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Memphis, Tenn., on or about the 18th day of June, 1868, and did remain absent until apprehended at Memphis, Tenn., on or about the 20th day of June, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS :

Of the *Specification*, "Guilty,"
except the words "did desert the same," substituting therefor the words "did absent himself without leave."

Of the *Charge*, "Not Guilty,"

but guilty of "absence without leave."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Murphy*, Co. F, 25th Infantry, "to forfeit to the United States ten dollars of his monthly pay for one month."

The proceedings and findings in the case of Private *Joseph Murphy*, of Co. F, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th..Private *Thomas Davis*, Co. G, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION 1ST—In this; that he, Private *Thomas Davis*, Co. G, 25th Inf., having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 3d day of October, 1867, and did remain absent until apprehended at or near Memphis, Tenn., on or about the 8th day of October, 1867.

SPECIFICATION 2D—In this; that he, the aforesaid Private *Thomas Davis*, Co. G, 25th Infantry, having been duly enlisted as a soldier in the service of the United States, did again desert the same at or near Humboldt Tenn., on or about the 26th day of November, 1867, and did remain absent until apprehended at or near Gadsden, Tenn., on or about the 13th day of June, 1868. Thirty dollars having been paid for his apprehension.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Davis*, Co. G, 25th Infantry, "to make good the time lost by desertion, to forfeit all pay and allowances that are now due or may become due except the just dues of the laundress, and to be confined at hard labor under charge of the guard during the remainder of his enlistment, and at the expiration of his enlistment to be dishonorably discharged and drummed out of the service of the United States."

The proceedings and findings in the case of Private *Thomas Davis*, of Co. G, 25th Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which Bvt. Major JOHN CHRISTOHER, Captain 25th Infantry, is President, and 1st Lt. W. J. KYLE, 25th Infantry, Judge, Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

A. A. G.

1st Lieutenant *A. Werninger, Jr.*, 2d U. S. Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 11th, 1868.

GENERAL ORDERS, }
No. 61. }

Before a General Court Martial which convened at Louisville, Ky., July 29th, 1868, pursuant to Special Orders, No. 130, par. VI, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 18th, 1868, and of which Brevet Major General D. B. SACKET, Colonel and Inspector General, U. S. A., is President, and Brevet Major DANIEL W. BURKE, Captain 45th Infantry, Judge Advocate, was arraigned and tried:

1st Lieutenant *A. Werninger, Jr.*, 2d U. S. Infantry.

CHARGE 1ST. Disobedience of Orders.

SPECIFICATION 1ST—In this; that 1st Lieut. *A. Werninger, Jr.*, Co. I, 2d U. S. Infantry, did absent himself from the garrison without proper authority, and in violation of the provisions of par. I, General Orders, No. 55, Head-Quarters Post of Louisville, Ky., series 1867, which is in facts and figures as follows, viz:

HEAD-QUARTERS POST OF LOUISVILLE, KY.,
Taylor Barracks, Oct. 12th, 1867.

GENERAL ORDERS, }
No. 55. }

I. Hereafter, no officer or enlisted man shall absent himself from this garrison, without permission of the commanding officer; verbal permission of the commanding officer for officers, for enlisted men a pass, properly signed by the company commander, and no passes except for special purpose will be granted for men to be absent from the garrison after tattoo.

By command of Brevet Major General S. W. CRAWEORD:

JOSHUA N. DANFORTH,
2d Lieut. 2d Inf., Post Adjt.

This at Taylor Barracks, Post of Louisville, Ky., on or about the 6th day of July, 1868.

SPECIFICATION 2D—In this; that 1st Lieut. *A. Werninger, Jr.*, Co. I, 2d Infantry, did absent himself without permission from the regular morning drill of his company and in violation of General Orders, No. 19, par. I, c. s., Head-Quarters Post of Louisville, Ky., which is in facts and figures as follows: viz:

HEAD-QUARTERS POST OF LOUISVILLE, KY.,
Taylor Barracks, June 23d, 1868.

GENERAL ORDERS, }
No. 19. }

I. Hereafter, when the temporary absence of any officer from the garrison involves an absence from any stated duty, permission will be obtained through the Adjutant of the Post before 12 o'clock, noon.

By order of General CRAWFORD:

CHARLES SELMER,
2d Lieut. 2d Inf., Post Adjt.

This at Taylor Barracks, Post of Louisville, Ky., on or about the 10th day of July, 1868.

SPECIFICATION 3D—In this; that 1st Lieut. *A. Werninger, Jr.*, Co. I, 2d Infantry, did absent himself without permission from the regular morning drill of his company, and in violation of General Orders, No. 19, par. I, c. s.,

Head-Quarters Post of Louisville, Ky., which is in facts and figures as follows; viz :

HEAD-QUARTERS POST OF LOUISVILLE, KY.,
Taylor Barracks, June 23d, 1868.

GENERAL ORDERS, No. 19.

1. Hereafter, when the temporary absence of any officer from the garrison involves an absence from any stated duty, permission must be obtained through the Adjutant of the Post before 12 o'clock, noon.

By order of General CRAWFORD :

CHARLES SELMER,
2d Lieut. 2d Inf. Post Adjt

This at Taylor Barracks, Post of Louisville, Ky., on or about the 18th day of July, 1868.

CHARGE 2D—Neglect of duty, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this: that 1st Lieut. *A. Werninger, Jr.*, Co. I, 2d Infantry, did absent himself from the regular morning drill of his company thus leaving it without a commissioned officer to drill, making it necessary to detail an officer from another company to perform his duty. This at Taylor Barracks, Post of Louisville, Ky., on or about the 10th day of July, 1868.

SPECIFICATION 2D—In this ; that 1st Lieut. *A. Werninger, Jr.*, Co. I, 2d Infantry, did absent himself from the regular morning drill of his company, thus leaving it without a commissioned officer to drill, making it necessary to detail an officer from another company to perform his duty. This at Taylor Barracks, Post of Louisville, Ky., on or about the 11th day of July, 1868.

To which charges and specifications the accused pleaded as follows :

To the 1st and 2d *Specifications* 1st *Charge*, in bar of trial which was sustained.

To the 3d *Specification* 1st *Charge*, "Not Guilty."
To the 1st *Charge*, "Not Guilty."
To the 1st *Specification* 2d *Charge*, in bar of trial, which was sustained.
To the 2d *Specification* 2d *Charge*, "Not Guilty."
To the 2d *Charge*, "Not Guilty."

FINDINGS :

Of the 3d *Specification* 1st *Charge*, "Guilty," excepting all the words after company.
Of the 1st *Charge*, "Not Guilty."
Of the 2d *Specification* 2d *Charge*, "Guilty."
Of the 2d *Charge*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, 1st Lieut. *A. Werninger, Jr.*, 2d Infantry, "to be confined to the limits of Taylor Barracks, Louisville, Ky., for one month, attending to all duties except officer of the day."

The proceedings, findings and sentence in the case of 1st Lieut. *A. Werninger, Jr.*, 2d Infantry, are approved and confirmed. The commanding officer Post of Louisville, Ky., is charged with the execution of this sentence.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
Bvt Maj Genl U S A., A.A.G.

1..Private CHARLES F. DUBOIS, Co. K, 2d Infantry.
2..Private DENNIS G. MULLANE, Co. I, 2d Infantry.
3..Private JOHN CUSACK, Co. A, 2d Infantry.
4..Private EUGENE SHAFFER, Co. F, 2d Infantry.
5..Private WILLIAM CLARK, Co. A, 2d Infantry.
6..Private WILLIAM JOHNSON, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Aug. 24th, 1868.

GENERAL ORDERS, }
No. 62. }

1. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., August 18th, 1868, pursuant to Special Orders, No. 147, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 13th, 1868, and of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lt. W. R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

1st..Private *Charles F. Dubois*, Co. K, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Charles F. Dubois*, of Co. K, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 16th day of August, 1867, and did remain absent until apprehended at Paducah, Ky., on or about the 25th day of July, 1868. Thirty dollars having been paid for his apprehension. This at Louisville, Ky., on or about the dates above specified.

To which charge and specification the prisoner pleaded "Guilty:"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles F. Dubois*, Co. K, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him at the promulgation of this sentence, to be indelibly marked on his left hip with the letter D, one and one-half inches long; to be drummed around and out of the garrison, and be dishonorably discharged the United States service."

2d..Private *Dennis G. Mullane*, Co. I, 2d Infantry.

CHARGE—Violation of the 46th Article of War—sleeping on post.

SPECIFICATION—In this; that, Private *Dennis G. Mullane*, Co. I, 2d Infantry, a member of the guard, and posted as a sentinel at Crittenden Barracks, did sit down in the sentry box and go to sleep, and was found so sleeping by the officer of the day in making his round between the hours of 11 and 12 at night. This at or near Crittenden Barracks, Louisville, Ky., on or about the 28th of July, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Dennis G. Mullane*, Co. I, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for the period of six months."

3d..Private *John Cusack*, Co. A, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that Private *John Cusack*, of Co. A, 2d Infantry, having been regularly detailed for guard and having been duly posted as a sentinel on post No. 2, at Crittenden Barracks, Louisville, Ky., was found sleeping on his post between the hours of twelve and one o'clock, on the night of the 22d and 23d day of July, 1868. This at Crittenden Barracks, Louisville, Ky., on or about the date above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *John Cusack*, Co. A, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for the period of six months."

4th..Private *Eugene Shaffer*, Co. F, 2d Infantry.

CHARGE—Violation of the 46th Artice of War.

SPECIFICATION—In this; that he, Private *Eugene Shaffer*, Co. F, 2d Infantry, having been regularly detailed for guard and duly posted as a sentinel on post No. 5, was found sleeping on said post by the sergeant of the guard, between the hours of ten and twelve P. M., of the 11th day of July, 1868. This at Taylor Barracks, Louisville, Ky,, on or about the dates above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Eugene Shaffer*, Co. F, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for the period of six months."

5th..Private *William Clark*, Co. A, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that Private *William Clark*, Co. A, 2d Infantry, having been regularly detailed for guard and duly posted as a sentinel, did go to sleep on his post. This at Crittenden Barracks, Louisville, Ky., between the hours of three and five A. M., on the morning of the 24th of July, 1868.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Clark*, Co. A, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for the period of six months."

6th..Private *William Johnson*, Co. H, 2d Infantry.

CHARGE 1ST—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that Private *William Johnson*, of Co. H, 2d Infantry, was so much under the influence of intoxicating liquor on the 4th day of August, 1868, as to be unable to perform the duties of a soldier. This at Taylor Barracks, Ky., on or about the date above mentioned.

SPECIFICATION 2D—In this; that Private *William Johnson*, of Co. H, 2d Infantry, detailed at that time on extra duty in the Quartermaster's department, did leave said duty and jump the fence, and when called back by Sergeant Schubert of Co. F, did fail to comply with said order. This at Taylor Barracks, Ky., on or about the 4th day of August, 1868

CHARGE 2D—Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION—In this; that Private *William Johnson*, of Co. H, 2d Infantry, during about twenty-nine months service in the company, was about fifteen months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. This at Warsaw, Ky., and Taylor Barracks, Louisville, Ky., about the time between March, 1866, and August, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Specification* 1st *Charge*, "Guilty."
To the 2d *Specification* 1st *Charge*, "Not Guilty."
To the 1st *Charge*, "Guilty."
To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Johnson*, Co. H, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress, to be drummed around and out of the garrison, and be dishonorably discharged from the service of the United States."

II. The proceedings and findings in the foregoing cases of Privates *Dennis G. Mullane*, of Co. I; *John Cusack*, of Co. A; *Eugene Shaffer*, of Co. F; *William Clark*, of Co. A, and *William Johnson*, of Co. H, all of the 2d Infantry, are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

III. In the case of Private *Charles F. Dubois*, of Co. K, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed, but commuted

to confinement at hard labor in charge of the guard for one year, forfeiting all pay and allowances due up to the promulgation of this sentence, and ten dollars per month thereafter during the period of his confinement. To be carried into effect at the post where the prisoner belongs.

By command of Major General Geo. H. Thomas :

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

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7..Private JAMES WARD Co. C, 2d Infantry.
8..Private FRANCIS CLAREMONT, Co. C, 45th Infantry.
8..Private MICHAEL RYAN, Co. C, 45th Infanty.
10..Private PATRICK KING, Co. C, 2d Infantry.
11..Private PETER KAVANAGH, Co. C, 2d Infantry.
12..Private SAMUEL OGDEN, Co. D, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Aug. 27th, 1868.

GENERAL ORDERS, }
No. 63. }

1. Before a General Court Martial which convened at Taylor Barracks Louisville, Ky., August 18th, 1868, pursuant to Special Orders, No. 147, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 13th, 1868, and of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lt. W. R. DUNTON, 2d Infantry, Judge Advocate were arraigned and tried:

7th..Private *James Ward*, Co. C, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *James Ward*, Co. C, 2d Infantry, having been duly enlisted as a soldier in the military service of the United States on the 10th day of July, 1866, has since that time been so much given to the lowest dissipation and debauchery, in person and character, as to be decidedly worthless to the army in any capacity whatever, as the said Private *James Ward*, Co. C, 2d Infantry has been 323 days in the guard house, 84 days on the sick report, and 20 days absent without leave, more or less. This at Taylor Barracks, Louisville. Ky., between the months of July, 1866 and July 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *James Ward*, Co. C, 2d Infantry, "to forfeit all pay and allowances that are or may become due him, at the promulgation of this sentence. to have his head shaved, to be indellbly marked on his left hip with the letter W, one and one-half inches long. To be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *James Ward*, Co. C, 2d Infantry, are approved. The sentence is confirmed, except that portion relating to the branding on the left hip with the letter W, one and one-half inches long, which is remitted. As mitigated, the sentence will be carried into effect, at the Post where the prisoner belongs.

8th Private *Francis Claremont*, Co. C, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *Francis Claremont*, Co. C, 45th Infantry, did, at drill and during a rest, address 1st Sergeant William Irvine, Co. C, 45th Infantry, as follows: "I do not care a damn for you, or all the rest of them," (meaning the non-commissioned officers of the company,) "and Captain Burke too," and "You can all go to hell and I will do as I damn please" or words to that effect. This at Jeffersonville, Ind., on the 7th day of July, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "You can go to hell, and I will do as I damn please."

To the *Charge*, "Guilty,"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Francis Claremont*, Co C, 45th Infantry, "to forfeit to the United States ten dollars of his monthly pay per month for the period of three months."

The proceedings and findings in the case of Private *Francis Claremont*, Co. C, 45th Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th Private *Mickael Ryan*, Co. C, 45th Infantry.

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

SPECIFICATION 1ST—In this; that he, Private *Michael Ryan*, Co. C, 45th Infantry, was drunk in the mess room of his company, and did behave in a boisterous and disgraceful manner. This at Jeffersonville, Ind., on or about the 6th day of July, 1868.

SPECIFICATION 2D—In this; that he, Private *Michael Ryan*, Co. C, 45th Inf. did resist Quartermaster Sergeant Hayes, Co. C, 45th Infantry, while attempting to take him to the guard-house, and did say to Sergeant Hays, while on his way to the guard-house under charge of Corporal Enright, Co. C, 45th Infantry, "Come out, you son-of-a-bitch, and fight me," repeating that expression several times. This at Jeffersonville, Ind., on or about the 6th day of July, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Specification*, "Guilty." except the words "did behave in a boisterous and disgraceful manner."

Of the 2d *Specification*, "Guilty." except the words "repeating that expression several times."

Of the *Charge*, "Guilty,"

SENTENCE:

And the Court does therefore sentence him, Private *Michael Ryan*, Co. C, 45th Infantry, (V. R. C.,) "to be confined at hard labor in charge of the guard for the period of two months; the first and last fourteen days to be in solitary confinement on bread and water diet, and to forfeit to the United States fifteen dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Michael Ryan*, Co. C, 45th Infantry, are approved and confirmed. The sentence is mitigated to confinement at hard labor in charge of the guard for one month, the last seven days of that period to be solitary confinement on bread and water diet, and to forfeit fifteen dollars of his pay for one month. As mitigated, the sentence will be carried into effect at the post where the prisoner belongs.

10th..Private *Patrick King*, Co. C, 2d Infantry.

CHARGE 1ST—Disobedience of orders.

SPECIFICATION—In this; that he, Private *Patrick King*, Co. C, 2d Infantry, in violation of a General Order issued from Head-Quarters Post of Lebanon, Lebanon, Ky., forbidding the carrying of pistols or knives by any member of the detachment on duty at said post, did carry and conceal on his person a revolving pistol, and while under the influence of intoxicating liquor, did draw the same in a bar-room in the town of Lebanon. All this at Lebanon, Ky., on or about the 23d day of July, 1868.

CHARGE 2D—Drunkenness and riotous conduct, to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Patrick King*, Co. C, 2d Infantry, did become drunk, and whilst in this state did draw a revolving pistol in a bar-room, and did otherwise act in a boisterous and unsoldierly manner, and did continue to act in a riotous manner until arrested by a guard sent from the detachment, and carried to his quarters. This at Lebanon, Ky., on or about the 23d day of July, 1868.

SPECIFICATION 2D—In this; that he, Private *Patrick King*, Co. C, 2d Infantry, while under the influence of intoxicating liquor, and in passing the place of business of one John Davis, a citizen of the town of Lebanon, did commence to curse and abuse said Davis, accusing him of having a secession or rebel flag hanging in front of his store, and did order him to tear it down, threatening to tear it down himself if he did not; said flag being a piece of canvass with letters printed on it, and used for a sign. This at Lebanon, Ky., on the evening of August 4th, 1868.

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

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty,"

except the words "in violation of a General Order issued from Head-Quarters Post of Lebanon, Lebanon, Ky., forbidding the carrying of pistols or knives by any member of the detachment on duty at said post, did carry and conceal on his person a revolving pistol, and," and omiting the words "the same," and substituting the words "a pistol" therefor.

Of the 1st *Charge*, "Not Guilty,"

but guilty of "conduct to the prejudice of good order and military discipline."

Of the 1st *Specification*, 2d *Charge*, "Guilty",

except the words "and did contiune to act in a riotous manner."

Of the 2d *Specification* 2d *Charge*, "Guilty."

Of the 2d *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick King*, Co. C, 2d Infantry, "to forfeit to the United States the sum of ten dollars per month of his monthly pay for the period of two months."

The proceedings and findings in the case of Private *Patrick King*, of Co. C, 2d Infantry, are approved, The sentence is confirmed and will be carried into effect.

11th..Private *Peter Kavanagh*, Co. C, 2d Infantry.

CHARGE 1ST—Drunkenness on duty, in violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Peter Kavanagh*, Co. C, 2d Infantry, while a member of the guard mounted at Taylor Barracks, Louisville, Ky., on the 6th day of August, 1868, did become so much intoxicated as to be unable to perform the duty of a soldier in a proper manner.

CHARGE 2D—Sleeping on post—in violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Peter Kavanagh*, Co. C, 2d Infantry, having been regularly detailed as a member of the guard mounted at Taylor Barracks, Louisville, Ky., on the 6th day of August, 1868, and properly posted as a sentinel on Post No. 4, in rear of the guard-house, did, while on said post, go to sleep, and was found asleep by the sergeant of the guard. All this at Taylor Barracks, Louisville, Ky., on or about the 6th day of August, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him.

The proceedings and findings in the case of Private *Peter Kavanagh*, of Co. C, 2d Infantry, are approved. Private *Kavanagh* having been acquited, will be released from confinement and returned to duty.

12th..Private *Samuel Ogden*, Co. D, 2d Infantry

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Samuel Ogden*, of Co. D, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the said service and remain absent from the 12th day of July, 1868, until the 17th day of July, 1868, at which time he surrendered himself at Bedloe's Island, New York Harbor. This at Lexington, Ky., on or about the date above specified.

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

FINDINGS:

Of the *Specification*, "Guilty,"
except the words "did desert," substituting therfor the words "did absent himself without authority."

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

SENTENCE:

And the Court does therefore sentence him, Private *Samuel Ogden*, Co. D, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for the period of two months, and to refund to the United States all the expenses incurred in his transportation to join his company."

The proceedings and findings in the case of Private *Samuel Ogden*, of Co D, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

A. L. Hough
Bvt. Col. U. S. A. A. A. G.

13..Private JOHN SHEPPARD, Co. C, 2d Infantry.
14..Private JOSEPH MORGAN, Co. C, 2d Infantry.
15..Private JOHN CONWELL, Co. I, 2d Infantry.
16..Private PATRICK ENRIGHT, Co. C, 45th Infantry.
17..Private JULIUS OTTO WALBERG, Co. G, 2d Infantry.
18..Private JOHN CLARK, Co. K, 2d Infantry.
19..Private JAMES E. WALTERS, Co. K, 2d Infantry.
20..Private BENJAMIN H. WILLIAMS, Co. F, 2d Infantry.
21..1st Sergeant THOMAS BROWN, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Aug. 31st, 1868.

GENERAL ORDERS, No. 64.

I. Before a General Court Martial which convened at Taylor Barracks Louisville, Ky., August 18th, 1868, pursuant to Special Orders, No. 147, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 13th, 1868, and of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lt. W. R. DUNTON, 2d Infantry, Judge Advocate were arraigned and tried:

13th..Private *John Sheppard*, Co. C, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Sheppard*, of Co. C, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same November 6th, 1867, at Louisville, Ky., and did remain absent until he surrendered himself at Philadelphia, Pa., on or about the 30th day of June, 1868. All this on or about the times and places above specified.

To which charge and specification the prisoner pleaded "Guilty:"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does sentence him, Private *John Sheppard*, Co. C, 2d Inf., "to forfeit all pay and allowances that are now or may become due him; to be indelibly marked on the left hip with the letter D, one and one-half inches long: to be drummed around and out of the garrison, and be dishonorably discharged from the United States service."

The proceedings and findings in the case of Private *John Sheppard*, of Co. C, 2d Infantry, are approved. Inasmuch as Private *Sheppard* surrendered himself voluntarily, the sentence in his case is confirmed, but commuted to confinement at hard labor in charge of the guard for eight months, forfeiting ten dollars per month of his monthly pay during the period of his confinement, besides all pay and allowances due up to the promulgation of this sentence, and will be carried into effect at the post where he may be serving.

It is not considered to be of benefit to the service to discharge men by sentence of court martial, except in cases of utter worthlessness or of aggravated crime.

14th..Private *Joseph Morgan*, Co. C, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Joseph Morgan*, of Co. C, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same November 6th, 1867, at Louisville, Ky., and did remain absent until he surrendered himself at Philadelphia, Pa., on or about the 30th day of June, 1868. All this on or about the times and places above specified

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Morgan*, Co. C, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him; to be indelibly marked on the left hip with the letter D, one and one-half inches in length, to be drummed around and out of the garrison, and to be dishonorably discharged the United States service."

In the case of Private *Joseph Morgan*, of Co. C, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed, but owing to the fact that the prisoner surrendered himself voluntarily, the same is commuted to confinement at hard labor in charge of the guard for eight months; forfeiting ten dollars of his monthly pay per month for the same period, besides all pay and allowances due at the promulgation of this sentence. To be carried into effect at the post to which the prisoner belongs.

15th..Private *John Conwell*, Co. I, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *John Conwell*, Co. I, 2d Infantry, having been duly detailed as a member of the guard, to be mounted at Taylor Barracks on the evening of August 13th, 1868, did become so much under the influence of intoxicating liquor that he was unable to perform his duties at the parade of his detail for guard. This at the place, and on or about the date specified above.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Conwell*, Co. I, 2d Infantry, "to stand on a barrel in front of the guard house three hours in the forenoon and three hours in the afternoon each day, wearing a knapsack loaded to weigh twenty-five pounds, and then to be placed in solitary confinement for fourteen days on bread and water diet."

In the case of Private *John Conwell*, of Co. I, 2d Infantry, the proceedings and findings are approved. The first portion of the sentence is indefinite, being evidently faultily worded, and thereby becomes inoperative for a longer period than one day, no limit being given as to the number of days the prisoner shall so stand on a barrel in front of the guard house. So much of the sentence as reads "to be placed in solitary confinement for fourteen days on bread and water diet" is confirmed and will be carried into effect.

16th..Corporal *Patrick Enright*, Co. C, 45th Infantry.

GE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Corporal *Patrick Enright*, Co. C, 45th Infan-

try, having been regularly summoned as a witness before a General Court Martial in session at Louisville, Ky., did appear before the said court under the influence of liquor. This at Taylor Barracks, Louisville, Ky., on or about the 20th day of August, 1868.

To which charge and specification the accused pleaded "In bar of trial," which was admitted by the Court, and his release from arrest ordered.

The proceedings of the Court in the case of Corporal *Patrick Enright*, Co. C 45th Inf., are approved. The plea "in bar of trial" offered by the accused that on the occasion refered to in the specification he gave evidence before a Court Martial, which evidence was received and entered on record, and no objection being made at the time as to his elegibility as a witness by either of the parties, affords a *prima facia* conclusion that he was not sufficiently under the influence of intoxicating liquor to invalidate his competency as a witness. As the record does not show that the accused introduced evidence in support of his plea, it is believed that the Court had grounds sufficient for admitting the same on the accused's own statement.

17th..Private *Julius Otto Walberg*, Co. G, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Julius Otto Walberg*, a regularly enlisted soldier in the United States Army, did desert the same at Louisville, Ky,, on or about the 10th day of December, 1866, and did remain absent therefrom until August 19th, 1868, when he surrendered himself.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Julius Otto Walberg*. Co G, 2d Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him; to be indelibly marked on his left hip with the leter D, one and one-half inches in length, to be drummed around and out of the garrison, and then be dishonorably discharged from the service of the United States."

The proceedings and findings in the case of Private *Julius Otto Walberg*. Co. G, 2d Infantry, are approved. The sentence is confirmed but commuted to confinement at hard labor in charge of the guard for eight months, forfeiting all pay due up to the promulgation of this sentence, and ten dollars of his monthly pay per month thereafter during the period of his confinement. To be carried into effect at the post where he belongs.

18th Private *John Clark*, Co. K, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Clark*, Co. K, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Louisville, Ky., on or about the 2d day of December, 1867, and did remain absent until apprehended August 21st, 1868, at or near Jeffersonville, Ind. Thirty dollars paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty;"

SENTENCE:

And the Court does therefore sentence him, Private *John Clark*, Co. K, 2d Infantry, "to forfeit to the United States all pay and allowances that are or may become due him; to be indelibly marked on his left hip with the letter D,

one and one-half inches in length; to be drummed around and out of the garrison, and then to be dishonorably discharged from the United States service."

The proceedings and findings in the case of Private *John Clark*, Co. K, 2d Infantry, are approved. The sentence is confirmed but commuted to confinement at hard labor in charge of the guard for one year, forfeiting all pay due up to the promulgation of this sentence and ten dollars per month of his monthly pay thereafter during the period of his confinement. To be carried into effect at the post where he belongs.

19th..Private *James E. Walters*,Co. K, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *James E. Walters*, Co. K, 2d Infantry, having been duly enlisted into the service of the United States, did desert the same at Paducah, Ky., on or abont the 23d day of November, 1866, and did remain absent until August 8th, 1868, when he surrendered himself at or near St. Louis, Mo.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *James E. Walters*, Co. K, 2d Infantry, "to forfeit all pay and allowances that are or may become due him, to be indelibly marked on the left hip with the letter D, one and one-half inches in length, to be drummed around and out of the garrison, and then to be dishonorably discharged from the service of the United States,"

The proceedings and findings in the case of Private *James E. Walters*, Co. K, 2d Infantry, are approved. The sentence is confirmed but commuted to confinement at hard labor in charge of the guard for eight months, forfeiting all pay and allowances due up to the promulgation of this sentence and ten dollars per month of his monthly pay thereafter during the period of his confinement. To be carried into effect at the post where the prisoner belongs.

20th..Private *Benjamin H. Williams*, Co. F, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *Benjamin H. Williams*, Co. F, 2d Infantry, a duly enlisted soldier in the service of the United States, did absent himself without authority from on or about June 14th, 1868 until on or about the 18th day of July, 1868, at which time he was apprehended at or near Louisville, Ky., Thirty dollars having been paid for his apprehension. All this at Louisville, Ky., on or about the dates above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Benjamin H. Williams*, Co. F, 2d Infantry, "to forfeit fifteen dollars per month of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings and sentence in the case of Private *Benjamin H. Williams*, of Co. F, 2d Infantry, are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner belongs.

21st..1st Sergeant *Thomas Brown*, Co. H, 2d Infantry.

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

SPECIFICATION 1ST—In this; that he, 1st Sergeant *Thomas Brown*, of Co. H, 2d Infantry, being present for duty with the company, failed to comply with paragraph 376, Revised Army Regulations, and ordered Sergeant Abraham B. Crandall to form and march the guard detail of the company on the battalion parade ground, thereby neglecting and absenting himself from his stated duty as 1st Sergeant. This at Taylor Barracks, Louisville, Ky., on or about the evening of the 20th day of August, 1868.

SPECIFICATION 2D—In this; that 1st Sergeant *Thomas Brown*, 'Co. H, 2d Infantry, did designedly fail to form and march on the guard detail of his company because a junior 1st Sergeant had been temporarily detailed by the Post Adjutant to act as Sergeant Major of the Post, he, Sergeant *Brown*, thinking himself thereby slighted, and in consequence whereof he failed to perform his duty as 1st Sergeant of the company. This at Taylor Barracks, Louisville, Ky., on or about the evening of the 20th day of August, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty.'

FINDINGS:

Of the 1st *Specification*, "Guilty,"
except the words "being present for duty with the company, failed to comply with paragraph 376, Revised Army Regulations," and "thereby neglecting and absenting himself from his stated duty as 1st Sergeant," but attach no criminality thereto.

Of the 2d *Specification*, "Guilty,"
except the words "whereof he failed to perform his duty as 1st Sergeant of the company," but attach no criminality thereto.

Of the *Charge*, "Not Guilty."

And the Court does therefore acquit him, 1st Sergeant *Thomas Brown*, Co. H, 2d Infantry,

The procesdings and findings in the case of 1st Sergeant *Thomas Brown*, Co. H, 2d Infantry, are approved. He will be released from arrest and returned to duty.

II. The General Court Martial of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lt. W. R. DUNTON, 2d Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred Hough
Bt Col U.S.A. A.A.G.

Bvt. Col. JOSEPH B. COLLINS, Major 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 11th, 1868.

GENERAL ORDERS,
No. 67.

Before a General Court Martial which convened at Louisville, Ky,, July 29th, 1868, pursuant to Special Orders, No 130, paragraph VI, dated Head-Quarters Department of the Cumberland, Louisville, Ky., July 18th, 1868, and of which Bvt. Maj. Gen. D. B. SACKET, Col. and Inspector General, U. S. A., is President, and Bvt. Major JACOB KLINE, Capt. 25th Infantry, Judge Advocate, was arraigned and tried :

Bvt. Col. *Joseph B. Collins*, Major 2d Infantry.

CHARGE 1ST—Embezzlement of public property.

SPECIFICATION—In this ; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Ceredo, West Virginia, through a citizen of Ceredo, West Virginia, James McIntyre, sell to A. A. Q. M., of the Post, 1st Lieut. Charles Harkins, a horse, the property of the United States, for the sum of one hundred and fifty dollars, representing said horse at the time of sale as being his, Bvt. Col. *Joseph B. Collins'*, private property. This at Ceredo, West Virginia, on or about the 31st day of May, 1867.

CHARGE 2D—Signing a false certificate, knowing it to be false, with the intention of defrauding the government.

SPECIFICATION—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did. while commanding officer of the Post of Ceredo, West Virginia, frequently order Capt. F. E. Lacey and 2d Lt. J. C. Bateman, 2d U. S. Infantry, when performing their duties as officers of the day, to have wood sent from the A. A. Quartermaster's wood pile to his, Bvt. Col. *Joseph B. Collins'*, quarters, and for his own private use, which orders said officers complied with, and did send wood from the A. A. Quartermaster's wood pile (without the knowledge or consent of the A. A. Quartermaster of the Post,) to Col. *Collins'* quarters, for his private use and that he, Bvt. Col. *Joseph B. Collins* Major 2d Infantry, did sign a certificate (Form 21, Q. M. Dept.,) and did thereon certify that he had not been furnished with fuel for any part of the time charged, at the same time knowing it to be false, and that he had been supplied with fuel from the public wood, and that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did draw from the A. A. Quartermaster of the Post, 1st Lt. Charles Harkins, commutation value for the amount of fuel charged for on his certificate. This at Ceredo, West Virginia, on and during the month of September, 1867.

CHARGE 3D—Violation of the 45th Article of War.

SPECIFICATION 1ST—In this ; that he, Bvt. Col. *Joseph B. Collins*, Major 2d In-

fantry, did, while commanding officer of the Post of Ceredo, West Virginia, and while on a visit to the town of Guyandotte, West Va., become quite drunk, and did stagger while attempting to walk. This at Guyandotte, West Va., on or about the 11th day of July, 1867.

SPECIFICATION 2D—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Inf., did, while commanding officer of the Post of Guyandotte, West Va., become so drunk as to be unable to perform his duties as Commanding Officer of said Post, and while so intoxicated, was assisted to his quarters through the streets of Guyandotte, West Va., being unable to walk alone without staggering, by a citizen named Washington Adkins. This at Guyandotte, West Va., on or about the 18th day of February, 1868.

CHARGE 4TH—Conduct unbecoming an officer and a gentleman.

SPECIFICATION 1ST—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Ceredo, West Virginia, and while on a visit to the town of Guyandotte, West Va,, for the purpose of meeting the Governor of the State of West Virginia, and while wearing his uniform as an officer of the United States Army, did expose himself to the view of the citizens of said town in a state of drunkenness, and while so intoxicated did stagger while attempting to walk alone. This at Guyandotte, West Va., on or about the 11th day of July, 1868.

SPECIFICATION 2D—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while a passenger on board the steamboat Edinburg on her way from Cincinnati, Ohio, to Guyandotte, West Va., on the Ohio river, and while wearing sufficient of his uniform to be identified by the officers and passengers of said steamboat, as an officer of the United States Army, become quite drunk, and while so intoxicated did annoy his fellow-passengers by his noise and disturbance and his threats and attempts to jump overboard. This at the place above specified, on or about the 9th day of March, 1868.

SPECIFICATION 3D—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Guyandotte, West Virginia, and while wearing his uniform as an officer of the United States Army, expose himself in daylight to the view of the citizens of the town of Guyandotte, West Va., and to the enlisted men of his command, in a state of drunkenness, and while so intoxicated did stagger while attempting to walk alone, and was assisted to his quarters through the streets of Guyandotte, West Va., by a citizen named Washington Adkins. This at Guyandotte, West Va., on or about the 18th day of February, 1868.

CHARGE 5TH—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Ceredo, West Virginia, and while on a visit to the town of Guyandotte, West Va., for the purpose of meeting the Governor of the State of West Virginia, while wearing his uniform as an officer of the United States Army, expose himself to the view of the citizens of said town in a state of drunkenness, and while so intoxicated did stagger while attempting to walk alone. This at Guyandotte, West Va., on or about the 11th day of July, 1867.

SPECIFICATION 2D—In this; that he .Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, did, while commanding officer of the Post of Guyandotte, West Virginia, and while wearing his uniform as an officer of the United States

Army, expose himself to the view of the citizens of the town of Guyandotte, West Va., and to the enlisted men of his command, in a state of drunkenness, and while so intoxicated did stagger while attempting to walk alone, and was assisted to his quarters through the streets of Guyandotte, West Va., by a citizen named Washington Adkins. This at Guyandotte, West Va., on or about the 18th day of February, 1868.

SPECIFICATION 3D—In this; that he, Bvt. Col. *Joseph B, Collins*, Major 2d Infantry, did, while a passenger on board of the steamboat Edingburg, on his way from Cincinnati, Ohio, to Guyandotte, West Va., on the Ohio river, and while wearing sufficient of his uniform to be identified by the officers and passengers of said steamboat as an officer of the United States Army, become quite drunk, and while so intoxicated did annoy his fellow passengers by his noise and disturbance and his threats and attempts to jump overboard. This at the place above specified, on or about the 9th day of March 1868.

To which charges and specifications the accused pleaded as follows :

To the 1st *Specification*, 1st *Charge*, "Not Guilty."
To the 1st *Charge*, "Not Guilty."
To the 1st *Specification* 2d *Charge*, "Not Guilty."
To the 2d *Charge*, "Not Guilty."
1st *Specification*, 3d *Charge*, stricken out as not substantiating the charge.
To the 2d *Specification*, 3d *Charge*, "Not Guilty."
To the 3d *Charge*, "Not Guilty."
To the 1st *Specification* 4th *Charge*, "Not Guilty."
To the 2d *Specification*, 4th *Charge*, "Not Guilty."
To the 3d *Specification*, 4th *Charge*, "Not Guilty."
To the 4th *Charge*, "Not Guilty."
To the 1st *Specification*, 5th *Charge*, "Not Guilty,"
To the 2d *Specification*, 5th *Charge* "Not Guilty."
To the 3d *Specification*, 5th *Charge*, "Not Guilty."
To the 5th *Charge*, "Not Guilty."

FINDINGS :

Of the 1st *Specification*, 1st *Charge*, "Not Guilty."
Of the 1st *Charge*, "Not Guilty."
Of the 1st *Specification*, 2d *Charge*, "Not Guilty,"
Of the 2d *Charge*, "Not Guilty."
Of the 2d *Specification* 3d *Charge*, "Not Guilty."
Of the 3d *Charge*, "Not Guilty."
Of the 1st *Specification* 4th *Charge*, "Not Guilty."
Of the 2d *Specification* 4th *Charge*, "Guilty."
except the words "threats and attempts to jump overboard."
Of the 3d *Specification* 4th *Charge*, "Not Guilty."
Of the 4th *Charge*, "Not Guilty,"
of the charge, but guilty of "conduct prejudicial to good order and miltary i discipline."
Of the 1st *Specification* 5th *Charge*, "Not Guilty,"
Of the 2d *Specifiaction* 5th *Charge*, "Not Guilty."
Of the 3d *Specification* 5th *Charge*, "Guilty,"
except the words "threats and attempts to jump overboard."
Of the 5th *Charge*, - "Guilty,"

SENTENCE:

And the Court does therefore sentence him, the said Major *Joseph B. Collins*, 2d Inf., Bvt. Col. U. S. Army, "to be suspended from rank and command for the period of twelve months, and to be confined to such limits as the Commanding General of the Department may direct, and to be reprimanded in General Orders by the Commanding General of the Department."

In the case of Bvt. Col. *Joseph B. Collins*, Major 2d Infantry, the proceedings and findings are approved. The sentence is confirmed and will be carried into effect at the Head-Quarters of the 2d Infantry, where Bvt. Col. *Collins*, Major 2d Infantry, will report to the Commanding Officer for confinement within the limits of the garrison.

While deeming the sentence awarded by the Court in this case a sufficient reprimand, the Major General Commanding regrets that an officer of the experience and length of service of Col. *Collins* should offer to the junior officers of the army no better example of dignity and military bearing than, from the evidence adduced in this case, it has been shown customary for Col. *Collins* to exhibit.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. G.

OFFICIAL:

Alfred L. Hough
Bvt. Col. & A. A. G.

1. . Private JOHN HARDING, Co. B, 5th Cavalry.
2. . Private HIRAM DEEMER, Co. B, 5th Cavalry.
3. . Private FRANCIS O. ADAIR, Co. B, 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 14th, 1868.

GENERAL ORDERS,
No. 68.

1. Before a General Court Martial which convened at Nashville, Tenn., August 25th, 1868, pursuant to Special Orders No. 151, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 18th, 1868, and of which Bvt. Col. GEORGE A. WOODWARD, Lieut. Col. 45th Infantry is President, and Bvt. Capt. W. W. ROGERS, 1st Lieut. 45th Infantry, Judge Advocate, were arraigned and tried :

1st. . Private *John Harding*, Co. B, 5th Cavalry.

CHARGE 1st.—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that Private *John Harding*, Co. B, 5th Cavalry, did leave his company and barracks on the night of the 31st of July, 1868, without permission from proper authority, and did go to the farm of Mr. G. W. HARDING and enter his water-melon patch with the intention of stealing, and while in the act of stealing was shot by a citizen. This at or near Ash Barrcks, Nashville, Tenn., on or about the 31st of July, 1868.

CHARGE 2d.—Violation of the 21st Article of War.

SPECIFICATION—In this; that Private *John Harding*, Co. B, 5th Cavalry, did absent himself from his company, without leave from his commanding officer. This at or near Ash Barracks, Nashville, Tenn., on or about the 31st of July, 1868.

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

FINDINGS :

Of the *Specification 1st Charge*, "Guilty"
except the words "without permission from proper authority."
Of the *1st Charge*, "Guilty."
Of the *2d Charge and Specification*, "Not Guilty."

SENTENCE.

"And the Court does therefore sentence him the said Private *John Harding*, Co. B, 5th Cavalry, to forfeit fifteen (15) dollars per month of his monthly for six (6) months, and to be confined at hard labor in charge of the guard for the same period, wearing a twenty-four pound ball attached to his leg by a chain two feet in length."

2d. . Private *Hiram Deemer*, Co. B, 5th Cavalry.

CHARGE 1st.—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that Private *Hiram Deemer*, Co. B, 5th Cavalry, did leave his company and barracks on the night of the 31st of July, 1868, without permission from proper authority, and did go to the farm of Mr. G. W. HARDING, and enter his water-melon patch with the intention of stealing, and while in the act of stealing was fired upon and captured by a citizen, and turned over to the civil authority of Nashville, Tenn. All this at or near Ash Barracks, Nashville, Tenn., on or about the 31st day of July, 1868.

CHARGE 2d.—Violation of the 21st Article of War.

SPECIFICATION—In this; that Private *Hiram Deemer*, Co. B, 5th Cavalry, did absent himself from his company without leave from his commanding officer. This at or near Ash Barracks, Nashville, Tenn., on or about the 31st of July, 1868.

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

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

"And the Court does therefore sentence him the said Private *Hiram Deemer*, Co. B, 5th Cavalry, to forfeit fifteen (15) dollars per. month 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 ball weighing twenty-four pounds attached to his leg by a chain two feet in length."

3d.. Private *Francis O. Adair*, Co. B, 5th Cavalry.

CHARGE 1st—Desertion.

SPECIFICATION—In this; that Private *Francis O. Adair*, Co. B, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Corinth, Miss., on or about the 26th day of March, 1867, and did remain absent until apprehended at Nashville, Tenn., on or about the 13th day of August, 1868. Thirty dollars paid for his apprehension.

CHARGE 2d.—Violation of the 38th Article of War.

SPECIFICATION—In this; that Private *Francis O. Adair*, Co. B, 5th Cavalry, in deserting the service of the United States, did sell, or otherwise dispose of one horse and horse equipments, and other articles, the property of the United States, and belonging to Co. B, 5th Cavalry. This while on detached service at Corinth, Miss., on or about the 26th day of March, 1867.

To which charges and specifications the prisoner pleaded "Guilty:"

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

"And the Court does therefore sentence him, the said Private *Francis O. Adair*, Co. B, 5th Cavalry, to have stopped from his pay in favor of the United States, one dollar and eighty-six and one-half cents, ($1,86½) per week, for the period of twenty months and twenty-two days; to be confined at hard labor in charge of the guard for the same period; to be branded on his left hip with the letter "D" in indelible ink, and to be drummed out of the service at the expiration of his term of enlistment."

In the cases of Privates *John Harding*, *Hiram Deemer* and *Francis O. Adair*, of Co. B, 5th Cavalry, the proceedings of the Court are disapproved. The omission to swear to the faithful performance of his duty the citizen clerk, authorized to be employed by the Judge Advocate at the first sitting of the Court, being considered an irregularity fatal to the validity of the sentences. (See Digest of Opinions—3d Ed., "Clerk" Par. 2, page 104.)

Privates *Harding*, *Deemer* and *Adair*, Co. B, 5th Cavalry, will be released from confinement and returned to duty.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Bvt Col U.S.A. A.A.G

1st Lieut. CHARLES HARKINS, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 18th, 1868.

GENERAL ORDERS,
No. 69.

1. Before a General Court-Martial which convened at Louisville, Ky., July 29th, 1868, pursuant to Special Orders No. 130, Par. VI, dated Head Quarters Department of the Cumberland, Louisville, Ky., July 18th, 1868, and of which Bvt. Major General D. B. SACKET, Colonel and Inspector General U. S. A., is President, and Bvt. Major JACOB KLINE, Captain 25th Infantry Judge Advocate, was arraigned and tried:

1st Lieut. *Charles Harkins*, 2d Infantry.

CHARGE 1st—Embezzling money belonging to the United States Government.

SPECIFICATION Ist.—In this; that he, 1st Lt. *Charles Harkins*, 2d Infantry, A. A. Q. M., did send, or cause to be sent to the Quartermaster General U. S. A., a voucher for thirteen cords of wood at three dollars per cord, which said voucher is fraudulent. This at or near Ceredo, West Va., during the month of May, 1867.

SPECIFICATION 2d—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did send, or cause to be sent, to the Quartermaster General U. S. A., a voucher for eleven cords of wood at three dollars per cord; which said voucher is fraudulent. This at or near Ceredo, West Va., on or about the 27th of June, 1867.

SPECIFICATION 3d—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry A. A. Q. M., did send, or cause to be sent, to the Quartermaster General U. S. A,, a voucher signed by A. C. Hanley, for twelve cords of wood at three dollars per cord; which said voucher is fraudulent, the said *Harkins* having only paid or caused to be paid to the said *Hanley*, one dollar and fifty cents per cord for the wood charged in the aforesaid voucher. This at or near Ceredo, West Va., on or about the first day of July, 1867.

SPECIFICATION 4th.—In this, that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did send, or cause to be sent to the Quartermaster General U. S. A., a voucher for thirteen cords of wood at three dollars per cord; which said voucher is fraudulent. This at or near Ceredo, West Va., on or about the 20th of August, 1867.

SPECIFICATION 5th.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did send, or cause to be sent, to the Quartermaster General U. S. A., a voucher for twelve cords of wood at three dollars per cord, which said voucher is fraudulent. This at or near Ceredo, West Va., on or about the 30th of September, 1867.

CHARGE 2d.—Signing false certificates, knowing the same to be false, for the purpose of defrauding the United States Government; and defrauding said Government.

SPECIFICATION 1st—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry,

A. A. Q. M., did sign the certificate to a voucher (form 12, Q. M. D.,) and did send, or cause to be sent, to the Quartermaster General U. S. A., from Hamilton Mills, for thirteen cords of wood at three dollars per cord; which amount of money was not paid, or caused to be paid, by the said *Harkins* to said Mills for said wood. This at or near Ceredo, West Va., on or about the 31st of May, 1867.

SPECIFICATION 2d.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did sign the certificate to a voucher (form 12, Q. M. D.,) and did send or cause the same to be sent to the Quartermaster General U. S, A., from John Kelly, for eleven cords of wood at three dollars per. cord; when said *Harkins* only paid, or caused to be paid, to said Kelly, about one dollar and fifty cents per cord for said wood. This at or near Ceredo, West Va., on or about the 27th June, 1867.

SPECIFICATION 3d.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did sign the certificate to a voucher, (form 12 Q. M. D.,) and did send, or cause the same to be sent to the Quartermaster General U. S. A. from E. T. Mitchell for thirteen cords of wood at three dollars per cord; which amount of money was not paid, or caused to be paid, by the said *Harkins* to the said Mitchell for said wood. This at or near Ceredo, West Va., on or about the 30th of August, 1867,

SPECIFICATION 4th.—In this, that he, 1st Lieut. *Charles Harkins*, 2d Infantry, A. A. Q. M., did sign the certificate to a voucher, (form 12. Q. M. D.,) and did send, or cause the same to be sent to the Quartermaster General U. S. A. from George N. Osenton for twelve cords of wood at three dollars per cord; which amount of money was not paid by the said *Harkins* to said Osenton for said wood. This at or near Ceredo, West Va, on the 30th September, 1867.

CHARGE 3d.—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1st.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, did order Sergeant C. M. Barrett, Co. B 2d Infantry, when he went to Trout's Hill, West Va., to order Sergeant Paul Kelliher, Co. A, 2d Infantry, to give any of the men of his (Kelliher's) detachment passes to leave that place, which said order Sergeant Kelliher obeyed; the said *Harkins* not being in command of said troops, and not being authorized to give such orders. This at Guyandotte, West Va., on or about the 27th of January, 1868.

SPECIFICATION 2d.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, did order Sergeant C. M. Barrett, Co, B, 2d Infantry, when he went to Cassville, West Va., to order Sergeant James Garrity, Co. A, 2d Infantry, to give any of the men of his (Garrity's) detachment passes to leave that place, which said orders Sergeant Garrity obeyed; the said *Harkins* not being in command of said troops, and not being authorized to give such orders. This at or near Guyandotte, West Va., on or about the 27th of January, 1868.

SPECIFICATION 3d.—In this; that he, 1st Lieut. *Charles Harkins*. 2d Infantry, officer of the day, did order members of the guard to be taken from the place where they had been ordered to be posted by order of his (*Harkins*') commanding officer, Bvt. Colonel Joseph B. Collins. He, the said *Harkins*, having been previously told by the sergeant of the guard, that Bvt. Colonel Collins, commanding officer of the Post, had ordered them there to arrest some horse-thieves, or suspicious persons, who had been seen

prowling about the town of Guyandotte, West Va., and did put upon the Post guard report, and sign officially, the following words and figures, viz: "When I visited the guard-house last night at 20 minutes past 12, I found that the sergeant of the guard had, without my knowledge, and on the verbal representation of an irresponsible citizen, sent all the privates of the guard to the suburbs of town, with orders to remain there until four o'clock this morning. I immediately ordered them to join their guard. I would recommend that in future some steps be taken to prevent such irregularities and violations of Army Regulations." This at or near Guyandotte, West Va., on or about the 9th of June, 1868.

CHARGE 4th.—Conduct unbecoming an officer and a gentleman.

SPECIFICATION 1st.—In this; that he, 1st Lieut. *Charles Harkins*, 2d Infantry, commanding Co. A, 2d Infantry, did tell Private William Schirmaker of same company and regiment, that he might have evaded making a correct statement to his commanding officer, Bvt. Colonel Joseph B. Collins, in relation to fraudulent issue and charges of clothing by sergeant Fisher, of said company and regiment; and did censure the said Schirmaker for not making a false statement to the said Col. Collins, and for telling him the facts in the case after he had been ordered to do so. This at or near Guyandotte, West Va., on or about the 27th May, 1868.

SPECIFICATION 2d.—In this; that he, 1st Lieut. *Charles Harkins*, commanding Co. A, 2d Infantry, did call to him Private William Schirmaker, of said company and regiment, and call him a God-damned scoundrel; did strike him a violent blow on the head with his sword; did throw his sword at him with the wilful and malicious intent of killing or seriously injuring him, and did order several of the enlisted men of the Post to shoot him, the said Schirmaker. This at or near Guyandotte, West Va., on or about the 30th May, 1868.

To which charges and specifications the accused pleaded "Not Guilty:"

FINDINGS:

Of the 1st *Specification*, 1st *Charge*, "Not Guilty."
Of the 2d *Specifiaction* 1st *Charge*, "Not Guilty."
Of the 3d *Specification* 1st *Charge*, "Guilty,"
excepting the word "fraudulent" and substituting "irregular."
Of the 4th *Specification* 1st *Charge*, "Guilty."
excepting the word "fraudulent" and substituting "irregular."
Of the 5th *Specification* 1st *Charge*, "Not Guilty."
Of the 1st *Charge*, "Not Guilty."
Of the 1st *Specification*, 2d *Charge*, "Not Guilty."
Of the 2d *Specification*, 2d *Charge* "Not Guilty."
Of the 3d *Specification*, 2d *Charge*, "Guilty."
Of the 4th *Specification*, 2d *Charge*, "Guilty."
Of the 2d *Charge*, "Guilty."
Of the 1st *Specification*, 3d *Charge*, "Not Guilty."
Of the 2d *Specification* 3d *Charge*, "Not Guilty."
Of the 3d *Specification*, 3d *Charge*, "Not Guilty."
Of the 3d *Charge*, "Not Guilty."
Of the 1st *Specification* 4th *Charge*, "Not Guilty."
Of the 2d *Specification*, 4th *Charge*, "Guilty."
excepting the words "with the wilful and malicious intent of killing or seriously injuring him."
Of the 4th *Charge*, "Not Guilty,"
but guilty of "conduct prejudicial to good order and military discipline."

SENTENCE:

"And the Court does therefore sentence him 1st Lieut. *Charles Harkins*, 2d Infantry, to be placed in arrest at the station of his company for the period of three (3) months, and to be deprived of rank and pay during the same period."

II. In the case of 1st Lieut. *Charles Harkins*, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed and will be carried into effect.

The circumstances developed by this case should prove to those officers of the Army who are entrusted with the disbursement of public money, that they cannot confine themselves too closely to the laws and regulations laid down for their guidance, any departure from which is certain to bring trouble officially as well as personally.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple

Bvt Maj Genl U S A., A.A.G.

4..Private ALEXANDER YOUNG, Co. B, 45th Infantry.
5..Private GREENBURY MCCOMBS, Co. A, 45th Infantry.
6..Private JOHN RANDOLPH, Co. B, 5th Cavalry.
7..Private HENRY RICE, Co. G, 45th Infantry.
8..Private GEORGE SANDERS, Co. B, 5th Cavalry.
9..Private JOHN KILE, Co. M, 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 21st, 1868.

GENERAL ORDERS, }
No. 71. }

Before a General Court Martial which convened at Nashville, Tenn., August 25th, 1868, pursuant to Special Orders, No. 157, par. III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 18th, 1868, and of which Bvt. Col. GEORGE A. WOODWARD, Lieut. Col. 45th Infantry, is President, and 2d Lt. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

4th..Private *Alexander Young*, Co. B, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *Alexander Young*, Co. B, 45th Infantry, having been detailed on extra duty in the Quartermaster's Department as a fireman, to assist in attending the steam engine, did become so drunk as to be unable to properly perform the duties assigned him. This at Ash Barracks, Nashville, Tenn., on or about July 16th and 17th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Alexander Young*, Co. B, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of four months."

In the case of Private *Alexander Young*, Co. B, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post where the prisoner belongs.

5th..Private *Geeenbury McCombs*, Co. A, 45th Infantry,

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

SPECIFICATION—In this; that Private *Greenbury McCombs*, Co. A, 45th Infantry, being at the time in the drinking saloon of Whitemuller's, near Ash Barracks, did, without any evident cause or provocation, say to Private Peter Post, Co. B, 45th Infantry, "Post, you're a damned son-of a bitch," and at the same time did draw from his pocket a pistol, and did discharge the contents thereof at the said Private Peter Post, Co. B, 45th Infantry, shooting him in the hand, and causing a partial disability for life thereby. This at or near Whitemuller's saloon, near Ash Barracks, Nashville, Tenn., on or about the 17th day of July, 1868.

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

FINDINGS :

Of the *Charge and Specification*, "Not Guilty."

And the Court does therefore acquit him, Private *Greenbury McCombs*, Co. A, 45th Infantry.

The proceedings and findings in the case of Private *Greenbury McCombs*, of Co. A, 45th Inf., are approved. He will be released from confinement and returned to duty.

6th..Private *John Randolph*. Co. B, 5th Cavalry.

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that Private *John Randolph*, of Co. B, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Knoxville, Tenn., on or about the 8th day of June, 1868, and did remain absent until apprehended at Loudon, Tenn., on or about the 12th day of August, 1868.

CHARGE 2D—Violation of the 38th Article of War.

SPECIFICATION—In this; that Private *John Randolph*, of Co. B, 5th Cavalry, in deserting the service of the United States, did sell or otherwise dispose of his arms and accoutrements and one set of blacksmith's tools, the property of the United States. This while on detached service at Knoxville, Tenn., on or about the 8th day of June, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, "Guilty."
To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Guilty."
Of the *Specification* 2d *Charge*, "Guilty."
except the word "accoutrements."
Of the 2d *Charge*, "Guilty,"

SENTENCE :

And the Court does therefore sentence him, Private *John Randolph*, Co. B, 5th Cavalry, "to have stopped from his pay, (in order to reimburse the United States the value of one Spencer's carbine,) one dollar and fifty-six and one quarter cents per week for sixteen weeks, to forfeit five dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The findings under the second charge in the case of Private *John Randolph*, Co. B, 5th Cavalry, are disapproved, they not being supported by the evidence adduced; and as by that finding the Court sentences the prisoner to have part of his pay stopped for sixteen weeks in order to reimburse the United States for the value of one Spencer's carbine, that portion of the sentence is disapproved. The remainder of the sentence is confirmed and will be carried into effect.

7th..Private *Henry Rice*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Henry Rice*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 24th day of July, 1868, and remain absent until he surrendered himself at Nashville, Tenn., on the 7th day of August, 1868. This at the Post of Jeffersonville, Ind., on or about the above specified dates.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty;"

SENTENCE :

And the Court does therefore sentence him, Private *Henry Rice*, Co. G, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of two months, and to forfeit ten dollars per month of his monthly pay for the same period."

In the case of Private *Henry Rice*, of Co. G, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post where the prisoner belongs.

8th..Private *George Sanders*, Co. B, 5th Cavalry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this ; that Private *George Sanders*, Co. B, 5th Cavalry, a member of the guard mounted at the post of Nashville, 21st July, 1868, having been duly posted as a sentinel over the company stables, did sleep on his post, and was so found sleeping by the officer of the day and the sergeant of the guard, when making the rounds between the hours of 2 and 4 o'clock A. M. All this at Ash Barracks, Nashville, Tenn., on or about the 22d day of July, 1868.

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

FINDINGS :

Of the *Specification*, "Guilty,"
except the words "did sleep on post, and was so found sleeping," substituting therefor the words "did lie down on post and was so found lying."

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 *George Sanders*, Co. B, 5th Cavalry, "to forfeit fifteen dollars per month of his monthly pay for the period of four months."

The proceedidgs and findings in the case of Private *George Sanders*, Co. B, 5th Cavalry, are approved. The sentence is confirmed but mitigated to forfeiture of ten dollars per month of his monthly pay for two months, which being more in accordance with the degree of the offense, will be carried into effect.

9th..Private *John Kile*, Co. M, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this ; that Private *John Kile*, Co. M, 5th Cavalry, a duly enlisted soldier in the service of the United States, having been regularly detailed as a member of an escort sent from Mitchellville, Tenn., to Louisville, Ky., in charge of a party of citizen prisoners, guerillas, &c., did desert said service at or near Louisville, Ky., on or about the 20th day of November, 1866, taking with him one Sharpe's carbine and set of cavalry accoutrements, and did remain absent until he surrendered himself at Gallatin, Tenn., on or about the 19th day of August, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Kile*, Co. M, 5th Cavalry, "to be confined at hard labor in charge of the guard for the period of twelve months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

In the case of Private *John Kile*, Co. M, 5th Cavalry, the proceedings and findings are approved. The sentence is confirmed but in consideration of the man's having surrendered himself, is mitigated to confinement at hard labor in charge of the guard for eight months, forfeiting fifteen dollars per month of his monthly pay during that period.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U S A, A. A. G.

1st Lieut. JAMES K. WARDEN, Adjutant 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 22d, 1868.

GENERAL ORDERS,
No. 72.

Before a General Court Martial which convened at Louisville, Ky., September 15th, 1868, pursuant to Special Orders, No 165, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 14th, 1868, and of which Bvt. Maj. Gen. D. B. SACKET, Col. and Inspector General, U. S. A., is President, and Bvt. Major JACOB KLINE, Capt. 25th Infantry, Judge Advocate, was arraigned and tried :

1st Lieut. *James K. Warden*, Adjutant 45th Infantry.

CHARGE—Positive and wilful disobedience of orders, in violation of the 9th Article of War.

SPECIFICATION—In this ; that 1st Lieut. *James K. Warden*, Adjutant 45th Infantry, having been ordered by his commanding officer Bvt. Brig. Gen. Thomas Duncan, commanding Post of Nashville, through the proper staff officer, to vacate a set of quarters occupied by him, (Lieut. *Warden*,) which had been assigned to another officer, to wit : Bvt. Capt. Wm. W. Rogers, 1st Lieut. 45th Infantry, an extract from which order, dated June 27th, 1868, is in the following language and figures, to wit :

"I am directed to inform you that this will be considered an order for you "to vacate the quarters in question, now occupied by you, on Monday "the 29th inst., in order that the officer to whom they have been assigned "may take possession of the same at that time.

"Very respectfully, your obedient servant,

"(Signed) WM. W. ROGERS,
"*1st Lt. 45th Inf., Bvt. Capt. U. S. A., Post Adjutant.*"

and which order the said 1st Lieut. *James K. Warden*, Adjutant 45th Infantry, did positively and wilfully disobey, and did return the same to Head-Quarters Post of Nashville, with the following endorsement thereon, in words and figures, to wit :

"HEAD-QUARTERS 45TH INFANTRY,
"*Ash Barracks, Nashville, Tenn., June 28th*, 1868.

"Respectfully returned to Bvt. Capt. Wm. W. Rogers, 1st Lieut. 45th In-"fantry, Post Adjutant. There was no doubt in my mind as to the in-"structions contained in the letter of the 25th inst., refered to within, viz : " 'that it was an order for me to vacate the quarters I now occupy,' but "there *was* a doubt as to the legality of said order, and that doubt still "exists, and with the utmost respect I decline to obey said order until the "doubt I entertain shall have been removed by higher authority, to which "I have appealed,"

and the said 1st Lieut. *James K. Warden*, Adjutant 45th Infantry, did fail

to vacate said quarters, but continued to occupy them up to July 3d, 1868, in defiance and contempt of the orders of his commanding officer. All this at the Post of Nashville, Nashville, Tenn., and between the dates of June 27th and July 3d, 1868.

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty,"

To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty"

Of the *Charge*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 1st Lieut. *James K. Warden*, 45th Infantry, "to be placed at the foot of the 1st Lieutenants in his regiment, to be suspended from rank and command for three months, and confined during that period at the Head-Quarters of his regiment."

In the case of 1st Lieut. *James K. Warden*, 45th Infantry, the proceedings and findings are approved. On account of the excellent character as an officer borne by the accused, as established in the record, and believing that Lieut. *Warden* has been led into this serious violation of discipline by a misconcieved idea of what are his rights, the Major General Commanding is pleased to remit that portion of the sentence which reads "to be placed at the foot of the 1st Lieutenants in his regiment." The remainder of the sentence is confirmed and will be carried into effect by the Commanding Officer of the 45th Infantry.

By command of Major General Thomas,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
Bvt Maj Genl U S A, A.A.G.

10. Private DANIEL WOOD, Co. H, 45th Infantry.
11. Musician THOMAS A. BRIGMAN, Co. F, 45th Infantry.
12. Private WILLIAM NUNAN, Co. A, 45th Infantry.
13. Private HERMAN WAGONER, Co. F, 45th Infantry.
14. Private THOMAS WILSON, *alias* JONES, Co. D, 45th Infantry.
15. Private WILLIAM GALLAGHER, Co. D, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 24th, 1868.

GENERAL ORDERS, }
No. 73. }

I. Before a General Court Martial which convened at Nashville Tenn. August 25th, 1868, pursuant to Special Orders, No. 151, par. III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 18th, 1868, and of which Bvt. Col. GEORGE A. WOODWARD, Lieut. Col. 45th Infantry, is President, and 2d Lt. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

10th. Private *Daniel Wood*, Co. H, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this; that Private *Daniel Wood*, Co. H, 45th Infantry, a duly enlisted soldier in the United States Army, did desert the same on or about May 3d, 1868, at or near Dalton, Ga., and did remain absent until apprehended on or about July 1st, 1868, at or near Rome, Ga. Thirty (30) dollars paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Daniel Wood*, Co. H 45th Infantry, "to be confined in charge of the guard for the period of twelve months; to forfeit twelve dollars per month of his monthly pay for the same period; to be indelibly marked on the left hip with the letter D, and to be dishonorably discharged from the service of the United States."

11th. Musician *Thomas A. Brigman*, Co. F, 45th Infantry.

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

SPECIFICATION.—In this; that Musician *Thomas A. Brigman*, Co. F, 45th Infantry, did, while serving sentence of General Court-Martial at Ash Barracks Nashville, Tenn., escape from the guard-house on the 31st of March 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 15th day of August, 1868. Thirty (30) dollars reward having been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty:"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Thomas A. Brigman*, Co, F, 45th Infantry, "to be confined at hard labor in charge of the guard, wearing a ball and chain weighing twenty-four (24) pounds attached to his left leg by a chain two feet in length, for the period of four months, and to forfeit ten dollars per month of his monthly pay for the same period."

12th. Private *William Nunan*, Co. A, 45th Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION.—In this; that Private *William Nunan*, Co. A, 45th Infantry, a member of the guard of the Post of Nashville, and regularly posted as a sentinel, did sleep on his post, and was found asleep by the corporal of the guard. This at or near Nashville, Tenn., on or about the 15th of July, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Nunan*, Co. A. 45th Infantry, "to be confined at hard labor in charge of the guard for the period of twelve (12) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

13th. Private *Herman Wagoner*, Co. F, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION.—In this; that Private *Herman Wagoner*, Co. F, 45th Infantry, being a member of the guard mounted at the Post of Nashville, on the 15th day of July, 1868, did become so drunk as to be unable to perform the duties of a sentinel properly. This at the Post of Nashville, Tenn., on or about the date above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Herman Wagoner*, Co. F, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of six months."

14th. Private *Thomas Wilson*, alias *Jones*, Co. D, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this; that Private *Thomas Wilson*, alias *Jones*, Co. D, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 24th of May, 1868, and did remain absent until apprehended at Waverly, Tenn., on or about the 28th day of May, 1868. This at Columbia, Tenn., on or about May 24th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Wilson*, alias *Jones*, Co. D 45th Infantry, "to be confined at hard labor in charge of the guard for the period of twelve (12) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period, and to be dishonorably discharged the United States service at the expiration of that time."

15th. Private *William Gallagher*, Co. D, 45th Infantry.

CHARGE 1st.—Violation of the 45th Article of War.

SPECIFICATION.—In this; that Private *William Gallagher*, Co. D, 45th Infantry, having been regularly detailed and mounted as a member of the guard, was found drunk. This at Fort Donelson, Tenn., on or about the 22d day of July, 1868.

CHARGE 2d.—Violation of the 46th Article of War.

SPECIFICATION.—In this; that Private *William Gallagher*, Co. D, 45th Infantry, having been duly detailed and mounted as a member of the guard, and posted as a sentinel, was found sleeping upon his post. This at Fort Donelson, Tenn., on or about the 22d day of July, 1868.

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

FINDINGS:

Of the *Specification* 1st *Charge*, "Guilty."
except the words, "having been regularly detailed and mounted as a member of the guard."

Of the 1st *Charge*, "Not Guilty."
but guilty of "conduct to the prejudice of good order and military discipline."

Of the 2d *Charge* and *Specification*, "Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Gallagher*, Co. D, 45th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for the period of four (4) months."

II. The proceedings and findings in the foregoing cases of Private *Daniel Wood* of Co. H, Musician *Thomas A. Brigman* Co. F, Privates *Herman Wagoner* Co. F, *Thomas Wilson* alias *Jones* Co. D, and *William Gallagher* Co. D, all of the 45th Infantry, are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

III. The proceedings and findings in the case of Private *William Nunan* of Co. A, 45th Infantry, are approved. The sentence is confirmed, but mitigated to confinement at hard labor in charge of the guard for six (6) months, forfeiting ten (10) dollars per month of his monthly pay for the same period, and will be carried into effect at the post where his company may be serving.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Gen U S A, A. G.

1..Recruit DAVID HILLHOUSE, Co. B, Music Boys, General Service, U. S. A.
2..Recruit FRANK BROWN, Co. B, Music Boys, General Service, U. S. A.
3..Recruit HENRI BUTTLE, Co. B, Music Boys, General Service, U. S. A.
4..Recruit WILLIAM MITCHELL, Co. B, Music Boys, General Service, U. S. A.
5..Recruit JOHN GRAY, Co. B, Music Boys, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 28th, 1868.

GENERAL ORDERS, No. 74.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Sept. 21st, 1868, per Special Orders, No. 166, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 15th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon, U. S. A., is President, and 1st Lt. JOHN W. WHITTEN, 2d Infantry, Judge Advocate, were arraigned and tried:

1st..Recruit *David Hillhouse*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Destroying government property.

SPECIFICATION—In this; that the said Recruit *David Hillhouse*, Co. B, Music Boys, General Service, U. S. A., being accountable for, and having in his possession and charge, one fife, the property of the United States, did intentionally break or destroy said fife while on garrison parade for drill, on or about the 2d day of Sept., 1868. This at Newport Barracks, Ky., on or about the 2d day of September, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty;"

SENTENCE:

And the Court does therefore sentence him, Recruit *David Hillhouse*, Co. B, Music Boys, General Service, U. S. A., "to be confined at hard labor under charge of the guard for the period of ten days, and to have stopped from his pay in favor of the United States the sum of twenty-six cents, the value of the government property destroyed."

2d..Recruit *Frank Brown*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that Recruit *Frank Brown*, Co. B, Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same from Newport Barracks, Ky., on or about the 30th day of January, 1868, and did remain absent until apprehended at or near Cincinnati, Ohio, on or about the 25th day of July, 1868. A reward of thirty dollars being paid for his apprehension.

To which the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *Frank Brown*, Co. B, Music Boys, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor in charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

3d..Recruit *Henri Buttle*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION 1ST—In this; that the said Recruit *Henri Buttle*, Co. B, Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 4th day of July, 1868, and did remain absent until apprehended at St. Louis, Mo., on or about the 8th day of July, 1868. A reward of thirty dollars being claimed for his apprehension.

SPECIFICATION 2D—In this; that the said Recruit *Henri Buttle*, Co. B, Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at St. Louis, Mo., while *en route* to Newport Barracks, Ky., on or about the 10th day of July, 1868, and did remain absent until apprehended at Memphis, Tenn., on or about the 11th day of August, 1868. A reward of thirty dollars being paid for his apprehension.

SPECIFICATION 3D—In this; that the said Recruit *Henri Buttle*, Co. B, Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Cincinnati, Ohio, while *en route* to Newport Barracks, Ky., on or about the 14th day of August, 1868, and did remain absent until apprehended at Indianapolis, Ind., on or about the 21st day of August, 1868. A reward of thirty dollars being there paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *Henri Buttle*, Co. B, Music Boys, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due up to the promulgation of this sentence, to be confined at hard labor under charge of the guard, having a twenty-four pound ball attached to his left leg by a chain two feet long, for the period of eighteen months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

4th..Recruit *William Mitchell*, Co. B, Music Boys, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Recruit *William Mitchell*, Co. B. Music Boys, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 12th day of March, 1868, and did remain absent until apprehended at Newport Barracks, Ky., on or about the 25th day of June, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows :

To the *Specification*, "Guilty,"
To the *Charge*, "Guilty,"

FINDINGS :

Of the *Charge and Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *William Mitchell*, Co. B, Music Boys, General Service U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

5th..Recruit *John Gray*, Co. B, Music Boys, General Service, U. S. A.,

CHARGE—Destroying government property.

SPECIFICATION—In this; that the said Recruit *John Gray*, Co. B, Music Boys, General Service, U. S. A., did, while at practice with his company on or about the 2d day of September, 1868, intentionally break or destroy one drum, the property of the United States, said drum being in the charge of Recruit W. A. Ford, Co. B, Music Boys, General Service, U. S. A., and for which Recruit W. A Ford was accountable. This at Newport Barracks, Ky., on or about the 2d day of September, 1868.

To which the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."
To the *Charge*, "Not Guilty,"

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him, the said Recruit *John Gray*, Co. B, Music Boys, General Service, U. S. A.

The proceedings and findings in the foregoing cases of Recruits *David Hillhouse*, *Frank Brown*, *Henri Buttle* and *William Mitchell*, all of Co. B, Music Boys, General Service, U. S. A., are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

II. In the case of Recruit *John Gray*, Co. B, Music Boys, General Service, U. S. A., the proceedings and findings are approved. He will be released from confinement and returned to duty.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
Bvt Maj Gen U S A A.A.G.

6 .Private WARREN N. SIMPSON, Co. A, P. P., Newport Barracks, Ky.
7..Private GEORGE W. HENDERSON, Co. A, P. P., Newport Barracks, Ky.
8 .Recruit GEORGE CUMMINGS, General Service U. S. A.
9..Recruit FRANK MCCOOLEY, General Service U. S. A.
10..Private JOHN C. PETERSON, Co. F, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 29th, 1868.

GENERAL ORDERS, No. 75.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Sept. 21st, 1868, per Special Orders, No. 166, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 15th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon, U. S. A., is President, and 1st Lt. JOHN W. WHITTEN, 2d Infantry, Judge Advocate, were arraigned and tried :

6th..Private *Warren N. Simpson*, Co. A, P. P., Newport Barracks, Ky.

CHARGE—Neglect of duty.

SPECIFICATION.—In this; that he, Private *Warren N. Simpson*, Co. A, P. P., Newport Barracks, Ky., having been duly detailed and marched on guard, did, while on duty as a sentinel on post No. 4, allow Corporal Gustav Kurzel and Private Peter Miller, (the latter wearing citizen's clothing,) to pass out of the garrison without examining their passes, in direct violation of existing orders. This at Newport Barracks, Ky.. on or about the 19th day of August, 1868, between the hours of 7 and 9 o'clock P. M.

To which the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him the said Private *Warren N. Simpson*, Co. A, P. P., Newport Barracks, Ky.

7th..Private *George W. Henderson*, Co. A, P. P., Newport Barracks, Ky.

CHARGE.—Gross neglect of duty.

SPECIFICATION.—In this, that he, Private *George W. Henderson*, Co. A, Permanent Party, Newport Barracks Ky., having been duly detailed as police guard, did, while in charge of prisoners working at the wood-yard, permit one of them, Recruit Samuel Israel, General Service, U. S. A., to go to the rear unaccompanied by a sentinel, in consequence of which Recruit Samuel Israel, General Service U. S. A., effected his escape, for which thirty dollars was paid for the apprehension of the said Samuel Israel. This at Newport Barracks, Ky., on or about the 6th day of August, 1868.

To which the prisoner pleaded as follows :

To the *Specification* "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *George W. Henderson*, of Co. A, P. P. Newport Barracks Ky., "to be confined at hard labor under charge of the guard for one month, and to forfeit to the United States ten dollars of his monthly pay per month for the period of three months."

8th..Recruit *George Cummings*, General Service U. S. A.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION.—In this; that he, Recruit *George Cummings*, General Service U. S. A., after having been duly detailed for guard on the evening of the 25th August, 1868, did appear on parade of detail for guard mounting on the morning of the 26th August, 1868, so intoxicated as to be unable to perform the duty of a sentinel. This at or near Newport Barracks Ky., on or about the dates specified.

To which the prisoner pleaded as follows :

To the *Specification* "Not Guilty,"
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *George Cummings*, General Service U. S. A., "to be confined at hard labor under charge of the guard for the period of forty days."

9th..Recruit *Frank McCooley*, General Service U. S. A.

CHARGE—Desertion.

SPECIFICATION 1st—In this, that the said Recruit *Frank McCooley*, Co. C, Disp. General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 18th day of February, 1868, and did remain absent until apprehended at Louisville, Ky., on or about the 10th day of June, 1868. A reward of thirty dollars has been paid for his apprehension.

SPECIFICATION 2d—In this; that the said Recruit *Frank McCooley*, Co. C, Disp. General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same from confinement at Newport Barracks Ky., on or about the 18th day of June, 1868, and did remain absent until apprehended at Louisville Ky., on or about the 22d day of August, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows;

To the 1st *Specification* "Guilty,"
To the 2d *Specification*, "Guilty:"
To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Frank McCooley*, General Service U. S. A. "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long for the period of eighteen months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

10th..Private *John C. Peterson*, Co. F, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Private *John C. Peterson*, Co. F, 45th Infantry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on or about the 1st day of June, 1868, and did remain absent until apprehended at Dayton, Ohio, on or about the 2d day of September, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John C. Peterson*, Co. F, 45th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him, up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

II..In the case of Private *Warren N. Simpson*, Co, A, P. P., Newport Barracks, Ky., the proceedings and findings are approved. He will be released from confinement and returned to duty.

III..The proceedings and findings in the cases of Private *George W. Henderson*, Co. A, P. P. Newport Barracks, Ky., Recruits *George Cummings*, General Service U. S. A., *Frank McCooley*, General Service U. S. A., and Private *John C. Peterson*, Co. F, 45th Infantry, are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

Bvt Maj Genl U S A, A A G

11..Recruit PANEMONDAS AMICK, Co. C, Disp. General Service, U. S. A.
12 Recruit CYRUS STERLING, General Service, U. S. A.
13..Recruit JAMES MOORE, General Service U. S. A.
14 .Recruit GEORGE ROBINSON, General Service, U. S. A.
15 .Private JOHN MORGAN, Co. D. 5th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Sept. 30th, 1868.

GENERAL ORDERS, No. 76.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Sept. 21st, 1868, per Special Orders, No. 166, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 15th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon, U. S. A., is President, and 1st Lt. JOHN W. WHITTEN, 2d Infantry, Judge Advocate, were arraigned and tried:

11th..Recruit *Panemondas Amick*, Co. C, Disp. General Service, U. S. A.

CHARGE—Absence without leave.

SPECIFICATION—In this; that the said Recruit *Panemondas Amick*, Co. C, Disposable Recruits, General Service, U. S. A., having been duly enlisted in the service of the United States, did absent himself without leave from the same at Newport Barracks, Ky., on or about the evening of the 7th day of September, 1868, and did remain absent until on or about the 9th day of September, 1868.

To which the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Recruit *Panemondas Amick*, Co. C, Disposable Recruits, General Service, U. S. A., "to forfeit to the United States ten dollars of his monthly pay for one month."

12th..Recruit *Cyrus Sterling*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Recruit *Cyrus Sterling*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 13th day of November, 1866, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 22d day of June, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty;"

SENTENCE :

And the Court does therefore sentence him, Recruit *Cyrus Sterling*, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor under charge of the guard having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

13th.. Recruit *James Moore*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this ; that the said Recruit *James Moore*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 26th day of February, 1868, and did remain absent until apprehended at Chicago, Ill., on or about the 10th day June, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows :

To the *Specification*, "Guilty,"

To the *Charge*, "Guilty,"

FINDINGS :

Of the *Charge and Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *James Moore*, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay per month for the same period."

14th.. Recruit *George Robinson*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this ; that the said Recruit *George Robinson*, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Elmira, N. Y., on or about the 14th day of October, 1866, and did remain absent until apprehended at Columbus, Ky., on or about the 17th day of July, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows :

To the *Specification*, "Guilty,"

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *George Robinson*, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, to be con-

fined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

15th..Private *John Morgan*, Co, D, 5th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Private *John Morgan*, Co. D, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on or about the 10th day of March, 1866, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 1st day of September, 1868. A reward of thirty dollars has been claimed for his apprehension.

To which the prisoner pleaded as follows:

To the *Specification*, "Guilty."
To the *Charge*, "Guilty,"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Morgan*, Co. D, 5th Cavalry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, to be confined at hard labor in charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the foregoing cases of Recruits *Panemondas Amick*, Co. C, Disp, General Service, U. S. A., *Cyrus Sterling*. General Service, U. S. A., *James Moore*, General Service, U. S. A., *George Robinson*, General Service, U. S. A., and Private *John Morgan*, Co. D, 5th Cavalry, are approved. The sentences are confirmed and will be carried into effect at to post where the prisoners belong.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U S A, A A G

16 .Private CHARLES MILLER, Co. A, 23d Infantry.
17..Private WILLIAM LOVE, Co. K, 29th Infantry.
18..Recruit SAMUEL ISRAEL, General Service U. S. A.
19..Recruit ADOLPH BERGMAN, *alias* JOHN MOSSMAYER, Co. B, Music Boys, General Service U. S. A.
20..Private MICHAEL RILEY, Co. E, 2d battalion 15th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 2d, 1868.

GENERAL ORDERS, No. 78.

I. Before a General Court Martial which convened at Newport Barracks, Ky., Sept. 21st, 1868, per Special Orders, No. 166, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Sept. 15th, 1868, and of which Bvt. Lt. Col. GLOVER PERIN, Surgeon, U. S. A., is President, and 1st Lt. JOHN W. WHITTEN, 2d Infantry, Judge Advocate, were arraigned and tried :

16th..Private *Charles Miller*, Co. A, 23d Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this ; that the said Private *Charles Miller*, Co. A, 23d Infantry, having been duly enlisted in the service of the United States, did desert the same at Hart's Island N. Y. H., on or about the 20th day of November, 1865, and did remain absent until apprehended at St. Louis, Mo., on or about the 1st day of September, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows :

To the *Specification*, "Guilty."
To the *Charge*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Charles Miller*, Co. A, 23d Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence , to be confined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay per month for the same period."

17th..Private *William Love*, Co. K, 29th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *William Love*, Co. K, 29th Infantry, after having been duly enlisted in the service of the United States, did desert the same at Union, West Va., on or about the 26th day of July, 1868, and did remain absent until he was apprehended at Louisville, Ky., on or about the 19th day of August, 1868. Thirty dollars reward being paid for his apprehension. All this at the time and place above specified.

To which the prisoner pleaded as follows :

To the *Specification* "Guilty,"

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *William Love*, Co. K, 29th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence ; to be confined at hard labor under charge of the guard, having a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay per month for the same period."

18th..Recruit *Samuel Israel*, General Service, U. S. A.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION.—In this ; that he, *Samuel Israel*, Recruit General Service U. S. A., did escape from the guard at this depot on or about the 6th day of August, 1868, while undergoing sentence of General Court Martial, and did remain absent until apprehended on the 7th day of August, 1868. Thirty dollars reward paid for his apprehension. This at or near Newport Barracks, Kentucky, on or about the dates above specified.

To which the prisoner pleaded as follows ;

To the *Specification* "Guilty,"

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Samuel Israel*, General Service U. S. A., that, ' in addition to serving out the unexpired portion of the sentence promulgated in General Orders No. 48, dated Headquarters Dept. of the Cumbd., June 30, 1868, he be confined at hard labor under charge of the guard for the period of three months, and to forfeit to the United States ten dollars of his monthly pay per month for the same period."

19th..Recruit *Adolph Bergman*, alias *John Mossmayer*, Co. B, Music Boys, General Service U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this ; that the said Recruit *Adolph Bergman*, alias *John Mossmayer*, Co. B, Music Boys General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks Ky., on or about the 26th day of January, 1868, and did remain absent until apprehended at Fort Leavenworth, Kansas, (after he had again enlisted in the Post band under the name of John Mossmayer,) on or about the 30th day of June, 1868. A reward of thirty dollars has been paid for his apprehension.

To which the prisoner pleaded as follows :

To the *Specification*, "Guilty."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Recruit *Adolph Bergman*. alias *John Mossmayer*, Co. B, Music Boys General Service U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to

the promulgation of this sentence ; to be confined at hard labor under charge of the guard having a twelve pound ball attached to his left leg by a chain two feet long for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay per month, for the same period."

20th . Private *Michael Riley*, Co. E, 2d Batt. 15th Infantry.

CHARGE.—Desertion.

SPECIFICATION—In this ; that he, the said *Michael Riley*, Co. E, 2d battalion 15th Infantry, a duly enlisted soldier in the service of the United States, did desert the same and did remain absent until surrendered at Newport Barracks, Ky., on or about the 29th day of June, 1868. This at Cincinnatti, Ohio, on or about the 3d day of July, 1863,

To which the prisoner pleaded as follows :

To the *Specification* "Guilty."

except the words "2d battalion 15th Infantry," substituting therefor "33d Infantry."

To the *Charge*, "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Michael Riley*, Co. E, 2d battalion 15th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence ; to be confined at hard labor under charge of the guard for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period."

II. . The proceedings and findings in the cases of Private *Charles Miller*, Co. A 23d Infantry, Private *William Love*, Co. K 29th Infantry, Recruit *Samuel Israel* General Service U. S. A. and Recruit *Adolph Bergman*, alias *John Mossmayer*, Co. B. Music Boys General Service U. S.A., are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

III. . The proceedings and findings in the case of Private *Michael Riley*, Co. E, 2d battalion 15th Infantry, are approved. The sentence is confirmed, but on recommendation of the members of the Court to leniency, the same is mitigated to forfeiture of all pay and allowances up to the promulgation of this sentence, and ten dollars per month thereafter for the period of four months, during that time he to be confined at hard labor in charge of the guard at the post where he properly belongs.

IV . . The General Court Martial of which Bvt. Lieut. Col. Glover Perin, Surgeon U. S. Army is President, and 1st Lieut. John W. Whitten, 2d Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS :

WM. D. WHIPPLE,

Brt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm. D. Whipple

Brt Maj Genl U S A A A G

16..Private HENRY B. BURKETT Co. E, 45th Infantry.
17..Private JAMES O'DONNELL, Co. F, 45th Infantry.
18..Private JOSEPH LEWIS, Co. A, 45th Infantry.]
19..Private WILLIAM S. WILSON, Co. A, 45th Infantry.
20..Private BENJAMIN F. FRAZEY, Co. B, 45th Infantry.
21..Musician ALBERT DASSOW, Post Band, Post of Nashville.
22..Private JAMES FIELDS, Co. H, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 3d, 1868.

GENERAL ORDERS,
No. 79.

I. Before a General Court Martial which convened at Nashville Tenn. August 25th, 1868, pursuant to Special Orders, No. 151, par. III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., August 18th, 1868, and of which Bvt. Col. GEORGE A. WOODWARD, Lieut. Col. 45th Infantry, is President, and 2d Lt. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

16th..Private *Henry B. Burkett*, Co. E, 45th Infantry.

CHARGE—Violation of the 99th Article of War.

SPECIFICATION—In this; that Private *Henry B. Burkett*, Co. E, 45th Infantry, having been duly posted as a sentinel on Post No. 1, in front of the guard house, with instructions to walk in front of the guard house and far enough beyond the guard house to see and protect the government stables, did leave said post and go to the side of the guard house farthest from the said stables and did sit down there, thereby violating the instructions turned over to him. All this at or near Chattanooga, Tenn., on or about the 6th day of August, 1868.

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

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry B. Burkett*, Co. E, 45th Infantry, "to forfeit ten dollars per month of his monthly pay for the period of three months."

17th..Private *James O'Donnell*, Co. F, 45th Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *James O'Donnell* Co. F, 45th Infantry, being regularly posted as a sentinel, did become so drunk as to be unable to perform his duty properly. This at or near Fort Donelson, Tenn. on about the 17th day of June, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *James O'Donnell*, Co. F, 45th Infantry, being monuted as a member of a guard at Fort Donelson, Tenn., and

being drunk, did use abuse language towards Sergeant Henry L. Beavers, Co. F, 45th Infantry, calling him a "damned son-of-a-bitch," or words to that effect. This at or near Fort Donelson, Tenn., on or about the 17th day of June, 1868.

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

FINDINGS:

Of the *Charges and Specifications*. 'Guilty.'

SENTENCE:

And the Court does therefore sentence him, Private *James O'Donnell*, Co. F, 45th Infantry, "to forfeit ten dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for two months."

18th..Private *Joseph Lewis*, Co. A, 45th Infantry.

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

SPECIFICATION—In this; that Private *Joseph Lewis*, Co. A, 45th Infantry, while a member of the guard at the Post of Nashville, Tenn., did permit and allow a prisoner, viz: Private John Kastner, Co. B, 45th Infantry, (who had been delivered into his custody to be taken to the rear,) to escape from the garrison. This at the Post of Nashville, Tenn., on or about the 15th day of July, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Not Guilty."

And the Court does therefore acquit him.

19th..Private *William S. Wilson*, Co. A, 45th Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that Private *William S. Wilson*, Co. A, 45th Infantry, having been regularly detailed and mounted as a member of the guard, was found drunk. This at Fort Donelson, Tenn., on or about the 22d day of July, 1868.

CHARGE 2D—Violation of the 46th Article of War.

SPECIFICATION—In this; that Private *William S. Wilson*, Co. A, 45th Infantry having been regularly detailed and mounted as member of the guard, and posted as a sentinel, did leave his post before he was regularly relieved. This at Fort Donelson, Tenn., on or about the 22d day of July, 1868.

CHARGE 3D—Violation of the 99th Article of War.

SPECIFICATION—In this; that Private *William S. Wilson*, Co. A, 45th Infantry, being on post, and having been ordered by Sergeant Henry L. Beavers, Co. F, 45th Infantry, in charge of a detachment of his regiment, of which the said Private *Wilson* was a member, not to leave his post until regularly relieved, did leave his post and start toward the town of Dover, Tenn. This at Fort Donelson, Tenn., on or about the 22d day of July, 1868.

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

FINDINGS:

Of the 1st and 2d *Charges* and *Specifications*, "Guilty."

Of the 3d *Charge* and *Specification*, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William S. Wilson*, Co. A, 45th Infantry, "to be confined at hard labor in charge of the guard for three months, and to forfeit ten dollars per month of his monthly pay for six months."

20th..Private *Benjamin F. Frazey*, Co. B, 45th Infantry.

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

SPECIFICATION 1ST—In this; that Private *Benjamin F. Frazey*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, has, since his enlistment (Feb. 5th, 1867,) up to the present date, August 14th, 1868, proven himself utterly worthless as a soldier; he being either in confinement or sick from the excessive use of liquor. During the above period he has performed but one hundred and five days duty with his company.

SPECIFICATION 2D—In this; that he, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, has since his enlistment, (Feb. 5th, 1867,) until the present date, August 14th 1868, (a period of five hundred and twenty-five days,) been in confinement four hundred and twenty days, serving sentence of General Court Martial or for habitual drunkenness.

SPECIFICATION 3D—In this; that he, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, has, at different periods by his misbehavior, subjected himself to trial by General, Garrison and Regimental Courts Martial, to wit: August 3d, 1867, tried by General Court Martial and sentenced to forfeit ten dollars per month for six months, and to be confined at hard labor for the same period. April 2d, 1868, tried by Garrison Court Martial, and sentenced to forfeit five dollars per month for one month, and May 5th, 1868, was tried by General Court Martial and sentenced to be confined at hard labor in charge of the guard for six months, with a ball and chain attached to his leg, and to forfeit fourteen dollars per month of his monthly pay for the same period. Upon the recommendation of his company commander, based upon the promise of reformation, the Major General Commanding the Department remitted a portion of the latter sentence. As soon as released he absented himself from camp without permission from proper authority. All this at Jeffersonville, Ind., and Nashville, Tenn., between the 5th day of February, 1867, and August 14th, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Benjamin F. Frazey*, Co. B, 45th Infantry, "to be dishonorably discharged from the military service of the United States."

21st..Musician *Albert Dassow*, Post Band, Post of Nashville, Tenn.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Musician *Albert Dassow*, of the Post Band of Nashville, Tenn., having been regularly enlisted into the service of the United States, did absent himself from his camp and quarters without permission from proper authority, at or near Nashville, Tenn., on or about the 4th day of September, 1868, and did remain absent until ap-

prehended in citizens' clothing in the city of Nashville, Tenn., on or about the 14th day of September, 1868. All this at or near Nashville, Tenn., on or about the dates above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Musician *Albert Dassow*, of the Post Band of Nashville, Tenn., "to forfeit ten dollars per month of his monthly pay for the period of six months."

22d..Private *James Fields*, Co. H. 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *James Fields*, Co. H. 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 25th day of July, 1868, and remain absent until apprehended at Jeffersonville, Ind., in the garb of a private citizen, on the 9th day of August, 1868. This at Chattanooga, Tenn., on or about the date above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Fields*, Co. H, 45th Infantry, "to be confined at hard labor in charge of the guard for twelve months, and to forfeit ten dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the cases of Privates *Henry B. Burkett*, Co. E. *James O'Donnell*, Co. F, *William S. Wilson*, Co. A, *Benjamin F. Frazey*, Co. B, *James Fields*, Co. H, all of the 45th Infantry, and Musician *Albert Dassow*, Post Band of Nashville, Tenn., are approved. The sentences are confirmed and will be carried into effect at the post where the prisoners belong.

III. The proceedings and findings in the case of Private *Joseph Lewis*, Co. A, 45th Infantry, are approved. He will be released from confinement and returned to duty.

IV. The General Court Martial of which Bvt. Col. GEO. A. WOODWARD, Lt. Col. 45th Infantry, is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL :

Wm D Whipple
Bvt Maj Genl U S Army A.A.G.

1..Private BENJAMIN H. WILLIAMS, Co. F, 2d Infantry.
2..Wagoner LEWIS PEDDALD, Co. F, 2d Infantry.
3..Private WILLIAM HOBEN, Co. H, 2d Infantry.
4..Private THOMAS DEVINE, Co. I, 2d Infantry.
5..Artificer ALLEN CRAWFORD, Co. A, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 12th, 1868.

GENERAL ORDERS,
No. 80.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 6th, 1868, pursuant to Special Orders, No. 180, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., Oct. 3d, 1868, and of which Bvt. Lt. Col. J. S. CONRAD, Capt. 2d Infantry, is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried :

1st..Private *Benjamin S. Williams*, Co. F, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this ; that he, Private *Benjamin H. Williams*, Co. F, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same on the 16th day of August, 1868, from Post Hospital Louisville. Ky., (Private *Benjamin H. Williams*, Co. F, 2d Infantry, being at the same time a prisoner awaiting trial for previous desertion and under treatment in Post Hospital) and did remain absent until the 22d day of August, 1868, at which time he was apprehended at Louisville, Ky. Thirty dollars paid for his apprehension. This at Louisville, Ky., on or about the dates above specified.

To which charge and specification Private *Benjamin H. Williams*, Co. F, 2d Infantry, pleaded as follows :

To the *Specification*, "Not Guilty,"
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

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

SENTENCE :

And the Court does therefore sentence him, Private *Benjamin H. Williams*, Co. F, 2d Infantry, "to forfeit all pay and allowances now due or to become due him, except the just dues of the laundress, to the expiration of his term of service, (December 29th, 1869,) to be confined at hard labor in charge of the guard for the same period, and then to be dishonorably discharged the United States service."

The proceedings and findings in the case of Private *Benjamin H. Williams*, of Co. F, 2d Infantry, are approved. The sentence is confirmed but mitigated in so far as it relates to the forfeiture of all pay and allowances, to read "forfeiting ten dollars per month of his montly pay during his confinement." To be carried into effect at the post where his company may be serving.

2d. . Wagoner *Lewis Peddald*, Co. F, 2d Infantry.

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

SPECIFICATION—In this; that he, Wagoner *Lewis Peddald*, Co. F, 2d Infantry, having enlisted on the 14th day of July, 1866, in the service of the United States, has been confined since enlistment twenty-five different times (altogether one hundred and sixty-five days,) and once by civil authority for thirty-four days for drunkenness and disorderly conduct, and his propensities for drinking are such that he is an habitual drunkard, which unfits him for the duties of a soldier. This at Louisville and Franklin, Ky., between July 14th, 1866, and September, 1868.

To which charge and specification the prisoner, Wagoner *Lewis Peddald*, Co. F, 2d Infantry, pleaded as follows:

To the *Specification*, "Not Guilty,"
To the *Charge*, "Not Guilty,"

FINDINGS:

Of the *Specification*, "Guilty.",
Of the *Charge*, "Guilty,"
except the word "utter," substituting therefor the word "general.,'

SENTENCE:

And the Court does therefore sentence him, Wagoner *Lewis Peddald*, Co. F, 2d Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence, and to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Wagoner *Lewis Peddald*, Co. F 2d Infantry, are approved. The sentence is confirmed and will be carried into effect by the proper officer.

3d. . Private *William Hoben*, Co. H, 2d Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *William Hoben*, Co. H, 2d Infantry, having been regularly detailed for guard, and duly mounted as a sentinel, was found by Sergeant Richard M. Fox, sergeant of the guard, unarmed, having laid aside his gun, which could not be found until next morning, and when asked by the sergeant of the guard where his gun was, did reply, "I do not know." This at Taylor Barracks, Louisville, Ky., between the hours of midnight of the 9th of September, and 10 o'clock A. M., of 10th of September.

To which charge and specification the prisoner, Private *William Hoben*, Co. H, 2d Infantry, pleaded as follows:

To the *Specification*, "Guilty."
except the words "I do not know."

To the *Charge*, "Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"
except the words "I do not know."

Of the *Charge*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Hoben*, Co. H, 2d Infantry, "to forfeit five dollars per month of his monthly pay for three months."

The proceedings, findings and sentence in the case of Private *William Hoben*, of Co. H, 2d Infantry, are approved and confirmed. The sentence will be carried into effect.

4th..Private *Thomas Devine*, Co. I, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Thomas Devine*, Co. I, 2d Infantry, having been regularly mounted as a member of the guard at Taylor Barracks, Louisville, Ky., Sept. 10th, 1868, and duly posted as a sentinel, did go to sleep, so as to be utterly incapable of performing the duties of a sentinel. This at Taylor Barracks, Louisville, Ky., Sept. 11th, 1868.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Not Guilty."
To the *Charge*, "Not Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Thomas Devine*, Co. I, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for three months."

The proceedings and findings in the case of Private *Thomas Devine*, of Co, I, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th..Artificer *Allen Crawford*, Co. A, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Artificer *Allen Crawford*, Co. A, 2d Infantry, a regularly enlisted soldier in the United States service, did desert the same at Louisville, Ky., on or about the 13th day of September, 1868, and remain absent until he was apprehended and delivered as a deserter (in citizens' clothing,) at Taylor Barracks, Ky., on or about the 14th day of Sept., 1868. Thirty dollars reward being paid for his apprehension. This at Louisville, Ky., on or about the 13th and 14th of September, 1868.

To which charge and specification the prisoner pleaded as follows :

To the *Specification*, "Guilty."
except the words "did desert," substituting therefor "absent himself without leave from proper authority."

To the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Artificer *Allen Crawford*, Co. A, 2d Infantry, "to forfeit all pay and allowances that are or may become due him at the promulgation of this sentence, to be confined at hard labor in charge of the guard for eight months, and to forfeit fourteen dollars per month of his monthly pay for the same period."

The proceedings and findings in the case of Artificer *Allen Crawford*, Co. A, 2d Infantry, are approved. The sentence is confirmed and will be carried into effect at the post to which the prisoner properly belongs.

II. The General Court Martial of which Bvt. Lt. Col. J. S. CONRAD, Captain 2d Infantry, is President, and 2d Lieut. WARREN R. DUNTON, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D. Whipple

Bvt Maj Genl U S Aud A.A.G.

1—Private GEORGE W. HENNESSY, Co. I, 2d Infantry.
2—Private DANIEL B. KENNEDY, Co. A, 2d Infantry.
4—Corporal JAMES A. JOHNSTON, Co. E, 2d Infantry.
5—Private OWEN CLARK, Co. E, 2d Infantry.
6—Private JOHN H. LIEBENGOOD, Co. C, 45th Infantry.
7—Private JOHN F. GORMAN, Co. C, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 20th, 1868.

GENERAL ORDERS, }
No. 82. }

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

1st—Private *George W. Hennessy*, Co. I, 2d Infantry.

CHARGE 1ST—Desertion.

SPECIFICATION—In this; that he, Private *George W. Hennessy*, Co. I, 2d Infantry, a regularly enlisted soldier in the service of the United States, did desert the same at Louisville, Ky., on or about the 12th day of September, 1868, and did remain absent until apprehended at New Albany, Ind., and delivered as a deserter (in citizen's clothing,) at Taylor Barracks, Louisville, Ky., on or about the 14th day of September, 1868. Thirty dollars being paid for his apprehension. This at the places and on the dates above specified.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *George W. Hennessy*, Co. I, 2d Infantry, did steal from Private Isaac Pearson, Co. I, 2d Infantry, one pair of trowsers of the value of three dollars. All this at Taylor Barracks, Louisville, Ky., on the 12th day of September, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George W. Hennessy*, Co. I, 2d Infantry, "to forfeit to the United States all pay and allowances now due or to become due him, except the just dues of the laundress, to have his head shaved, to be drummed around and out of the garrison, wearing a placard with the word "Thief" inscribed thereon six inches in length, and to be dishonorably discharged the United States service."

2d—Private *Daniel B. Kennedy*, Co. A, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *Daniel B. Kennedy*, Co. A, 2d Infantry, a regularly enlisted soldier in the United States service, did desert the same at Louisville, Ky., on or about the 13th day of September, 1868, and did remain absent until he was apprehended and delivered as a deserter at Taylor Barracks, Ky., on or about the 14th day of September, 1868. Thirty dollars reward being paid for his apprehension. This at Louisville, Ky., on or about the 13th and 14th of September, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

except the words "did desert," substituting therefor "did absent himself without permission from proper authority."

To the *Charge*, "Not Guilty,"

but guilty of "absence without leave."

FINDINGS:

Of the *Specification*, "Guilty."

except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

Of the *Charge*, "Not Guilty,"

but guilty of "absence without leave."

SENTENCE:

And the Court does therefore sentence him, Private *Daniel B. Kennedy*, Co. A, 2d Infantry, "to make good to the United States all expenses incurred in his apprehension, and to forfeit ten dollars per month of his monthly pay for one month."

4th—Corporal *James A. Johnston*, Co. E, 2d Infantry.

CHARGE 1ST—Violation of the 44th Article of War.

SPECIFICATION 1ST—In this; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did absent himself from the afternoon drill of the company. This at or near Bowling Green, Ky., on or about the 15th day of July, 1868.

SPECIFICATION 2D—In this; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did absent himself from the afternoon drill of his company. This at or near Bowling Green, Ky., on or about the 20th day of August, 1868.

CHARGE 2D—Absence without leave.

SHECIFICATION 1ST—In this, that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did absent himself from his company and post without permission from his commanding officer, from between the hours of 5 and 6 P. M., until 8½, P. M. This at or near Bowling Green, Ky., on or about the 20th day of August, 1868.

SPECIFICATION 2D—In this; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did absent himself from his company and post from after retreat roll call, until between the hours of 10 and 11 P. M., when arrested and brought back by a guard from his company. This at or near Bowling Green, Ky., on or about the 22d day of August, 1868.

CHARGE 3D . Disobedience of orders.

SPECIFICATION 1ST—In this ; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did absent himself without permission from his commanding officer, from between the hours of 5 and 6 P. M., until about 8½ P. M., thereby violating the existing post orders, which strictly forbid all men from leaving the post without a written pass from the commanding officer. This at or near Bowling Green, Ky., ou or about the 20th day of August, 1868.

SPECIFICATION 2D—In this ; that he, Corporal *James A Johnston*, Co. E. 2d Infantry, did absent himself from his company and post, without permission from his commanding officer, from after retreat roll call, until between the hours of 10 and 11 P. M., when he was arrested and brought back by a guard from his company, thereby violating the existing post orders, which strictly prohibit all men of this command from leaving the post without a written pass from their commanding officer. This at or near Bowling Green, Ky , on or about the 22d day of August, 1868.

SPECIFICATION 3D—In this ; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, having been told positively by his company commander, (Capt. Thomas Byrne, 2d Infantry,) that he could not go to town, did, in direct violation of said order, visit the town of Bowling Green, Ky., and remain there until arrested and brought back by a guard from his company. This at or near Bowling Green, Ky., on or about the 22d day of August, 1868.

CHARGE 4TH—Drunkenness, to the prejudice of good order and military discipline.

SPECIFICATION—In this ; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, did become so drunk as to be unable to perform the duties of a non-commissioned officer and soldier, and did, while in this drunken state, lay down in the post wood-house, and remain there until found by Sergeant Michael Ponderly, (acting 1st Sergeant of the company at the time,) who had him taken to his quarters and bunk, he being at the time so drunk as to be unable to walk there without assistance. This at Bowling Green, Ky., on or about the 15th day of July, 1868.

CHARGE 5TH—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this ; that he, Corporal *James A. Johnston*, of Co. E. 2d Infantry, being under arrest and awaiting trial, did leave his company and post without permission, thereby breaking his arrest. This at Bowling Green, Ky., on the 19th of September, 1868.

CHARGE 6TH—Desertion.

SPECIFICATION—In this ; that he, Corporal *James A. Johnston*, Co. E, 2d Infantry, having been duly enlisted in the United States service, did desert the same on or about the 19th day of September, 1868, and did remain absent until on or about the 24th of September, 1868, when he delivered himself to the officer of the day at Taylor Barracks, Louisville, Ky. This at Bowling Green, Ky., on or about the date above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st and 2d *Charges* and *Specifications*, "Guilty."
To the 1st *Specification*, 3d *Charge*, "Not Guilty,"
To the 2d and 3d *Specifications* and 3d *Charge*, "Guilty."
To the 4th and 5th *Charges* and *Specifications*, "Guilty."
To the *Specification*, 6th *Charge* "Guilty."

except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

To the 6th *Charge*, "Not Guilty."

but guilty of "absence without leave."

FINDINGS.

Of the 1st and 2d *Charges* and *Specifications*, "Guilty."
Of the 1st *Specification* 3d *Charge*, "Not Guilty."
Of the 2d and 3d *Specifications*, 3d *Charge* "Guilty."
Of the 3d *Charge*, "Guilty."
Of the 4th and 5th *Charges* and *Specifications*, "Guilty."
Of the *Specification*, 6th *Charge*, "Guilty."

except the words "did desert," substituting therefor the words "did absent himself without permission form proper authority."

Of the 6th *Charge*, "Not Guilty,"

but guilty of "absence without leave."

SENTENCE:

And the Court does therefore sentence him, Corporal *James A, Johnston*, Co. E, 2d Infantry, "to be reduced to the rank of a private soldier, to forfeit ten dollars per month of his monthly pay for six months, and to have his chevrons cut off in front of his company under arms."

5th—Private *Owen Clark*, Co. E, 2d Infantry.

CHARGE 1ST—Violation of the 21st Article of War.

SPECIFICATION—In this; that he, Private *Owen Clark*, Co. E, 2d Infantry, did absent himself from his company and quarters without permission from his commanding officer, from between the hours of 12 M., and 4 P. M., September 10th, 1868, and did remain absent until about 8 o'clock A. M., September 11th, 1868.

CHARGE 2D—Violation of the 42d Article of War.

SPECIFICATION—In this; that he, Private *Owen Clark*, of Co. E, 2d Infantry, did lie out of his quarters without leave from his superior officer, from between the hours of 12 M., and 4 P. M., on the 10th day of September, 1868, until about 8 o'clock A. M., on the 11th day of September, 1868.

CHARGE 3D—Disobedience of orders.

SPECIFICATION—In this; that he, Private *Owen Clark*, of Co. E, 2d Infantry, did absent himself from his company and post without permission from his commanding officer, from between the hours of 12 M. and 4 P. M., on the 10th of September, 1868, and did remain absent until about 8 o'clock A. M., September 11th, 1868, thereby violating existing post orders which strictly prohibit all men from leaving this post without a written pass from their commanding officer. All this at or near Bowling Green, Ky., on or about the dates above specified.

CHARGE 4TH—Violation of the 99th Article of War.

SPECIFICATION—In this; that he, Private *Owen Clark*, Co. E, 2d Infantry, having been regularly detailed for guard on the 13th day of September, 1868, did appear on the parade ground at guard mounting on the morning of the 14th day of September, 1868, too drunk to perform the duties of a soldier. This at Bowling Green, Ky., on or about the time above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st, 2d and 3d *Charges* and *Specifications*, "Guilty."
To the 4th *Charge* and *Specification*, "Not Guilty."

FINDINGS:

Of the 1st, 2d and 3d *Charges and Specifications*, 'Guilty.'
Of the 4th *Charge* and *Specification*, Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Owen Clark*, Co. E, 2d Infantry, "to forfeit to the United States five dollars per month of his monthly pay for three months."

6th—Private *John H. Liebengood*, Co. C, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John H. Liebengood*, of Co. C, 45th Infantry, having been duly enlisted in the service of the United States, did desert the same at Jeffersonville, Ind., on or about the 22d day of April, 1868, and did remain absent until apprehended at Lockland Ohio, on or about the 29th day of July, 1868.

To which charge and specification the prisoner pleaded Guilty."

FINDINGS:

Of the *Charge* and *Specificaton* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John H. Liebengood*, Co. C, 45th Infantry, "to forfeit ten dollars per month of his monthly pay for six months."

7th—Private *John F. Gorman*, Co. C, 45th Infantry.

CHARGE—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *John F. Gorman*, Co. C, 45th Infantry, having been regularly mounted as a member of the warehouse guard, (acting corporal,) did become so drunk as to be unable to perform the duty of a soldier. This at Jeffersonville, Ind., on or about the 18th day of September, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John F. Gorman*, Co. C, 45th Infantry, "to be confined in charge of the guard for two months, carrying a log of wood weighing twenty-four pounds every alternate hour from reveille to retreat each day."

The proceedings, findings and sentences in the cases of Privates *George W. Hennessy*, Co. I, 2d Infantry, *Daniel B. Kennedy*, Co. A, 2d Infantry, Corporal *James A. Johnston*, Co. E, 2d Infantry, Privates *Owen Clark*, Co. E, 2d Infantry, *John H. Liebengood*, Co. C, 45th Infantry, and *John F. Gorman*, Co. C, 45th Infantry, are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts where the prisoners may be serving.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

3..Private JAMES TAVLIN, Co. D, 2d Infantry.
8 .Private JOHN DONOVAN, Co. C, 45th Infantry.
9..Private OLIVER E. PAIGE, Co. G, 45th Infantry.
10..Private ALEXANDER ELLSTON, Co. G, 45th Infantry.
11..Private JOHN FLANAGAN, Co. E. 2d Infantry.
12..Private MARTIN WHALEN, Co. E, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 26th, 1868.

GENERAL ORDERS,
No ~~84~~ 83

I Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

3d..Private *James Tavlin*, Co. D, 2d Infantry.

CHARGE 1st.—Violation of the 44th Article of War.

SPECIFICATION 1st.—In this; that he, Private *James Tavlin*, Co. D, 2d Infantry, having been regularly detailed as a member of the guard at the Post of Lexington, Ky., did absent himself without proper authority, and did fail to appear on the company parade at guard-mounting. This at the place above specified, on or about the 24th day of August, 1868.

SPECIFICATION 2d.—In this; that he, Private *James Tavlin*, Co. D, 2d Infantry, having been regularly detailed as a member of the guard, did absent himself without permission from proper authority, and did fail to appear on the company parade at guard-mounting. This at Lexington, Ky., on or about the 3d day of September, 1868.

CHARGE 2D.—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1st.—In this; that he, Private *James Tavlin*, Co. D, 2d Infantry, having been regularly detailed as a member of the post guard, at Lexington, Kentucky, did become so drunk as to be incapable of performing the duties of a sentinel in a proper manner. This at Lexington, Ky., on or about the 24th day of August, 1868.

SPECIFICATION 2D.—In this; that he, Private *James Tavlin*, Co. D, 2d Infantry, having been regularly detailed as a member of the guard at the Post of Lexington, Ky., did become drunk and incapable of performing the duties of a sentinel. This at Lexington, Ky., on or about the 3d day of September, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him Private *James Tavlin*, Co. D, 2d Infantry.

8th..Private *John Donovan*, Co. C, 45th Infantry.

CHARGE 1st.—Violation of the 45th Article of War.

SPECIFICATION.—In this; that he, Private *John Donovan*, Co. C, 45th Infantry, having been regularly mounted as a member of the warehouse guard, did become so drunk as to be unable to perform the duties of a soldier. This at Jeffersonville, Ind., on or about the 5th day of September, 1868.

CHARGE 2d.—Violation of the 50th Article of War.

SPECIFICATION.—In this; that he, Private *John Donovan*, Co. C, 45th Infantry, having been regularly mounted as a member of the warehouse guard, did, without urgent necessity or without leave, quit his guard between the hours of eight and ten o'clock P. M., on or about the 5th day of September, 1868, and did remain absent one hour or more. This at Jeffersonville, Ind., on or about the date above specified.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Donovan*, Co. C, 45th Infantry, "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit ten dollars ($10) per month of his monthly pay for the same period."

9th..Private *Oliver E. Paige*, Co. G, 45th Infantry.

CHARGE.—Desertion.

SPECIFICATION.—In this; that Private *Oliver E. Paige*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did, without any permission whatever, absent himself from his company, quarters and garrison, and did remain absent therefrom until apprehended in the county of Washington, State of Indiana, about forty-five (45) miles distant from where his company was stationed, and being at the time of his apprehension dressed in the garb of a private citizen. Thirty dollars paid for his apprehension. This at or near the Post of Jeffersonville, Ind., on or about the 17th and 20th days of August, 1868, respectively.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

To the *Charge*, "Not Guilty."

but guilty of "absence without leave."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Oliver E. Paige*, Co. G, 45th Infantry, (V. R. C.,) "to forfeit all pay and allowances that are now or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard for six (6) months, wearing a twenty-four pound ball attached to his left leg by a chain six (6) feet in length, and to forfeit twelve dollars per month of his monthly pay for the same period."

10th..Private *Alexander Ellston*, Co. G, 45th Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this; that Private *Alexander Ellston*, Co. G, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did, without any permission whatever absent himself from

his company, quarters and garrison. and did remain absent therefrom until apprehended by a citizen (or citizens) in the county of Washington. State of Indiana, about forty-five (45) miles distant from where his company was stationed, and being at the time of his apprehension dressed in the garb of a private citizen. Thirty dollars paid for his apprehension. This at or near the Post of Jeffersonville, Ind,, on or about the 17th and 20th days of August, 1868, respectively.

To which charge and specification the prisoner pleaded as follows;

To the *Specification*, "Guilty"

except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

To the *Charge*, "Not Guilty."

but guilty of absence without leave.

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *Alexander Ellston*, Co. G, 45th Infantry, (V. R. C.,) "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 six feet in length, and to forfeit twelve (12) dollars per month of his monthly pay for the same period."

11th. Private *John Flanagan*, Co, E, 2d Infantry.

CHARGE 1st.—Violation of the 21st Article of War.

SPECIFICATION.—In this; that he, Private *John Flanagan*, Co. E, 2d Infantry, did absent himself from his company and post without permission from his commanding officer, from between the hours of 12 M., and 4 P. M., September 10th, 1868, until between the hours of 4 and 5 P. M., September 11th, 1868.

CHARGE 2d.—Violation of the 42d Article of War.

SPECIFICATION.—In this; that he, Private *John Flanagan*, Co. E, 2d Infantry, did lie out of his quarters without leave from his superior officer, from between the hours of 12 M., and 4 P. M., September 10th, 1868, until between the hours of 4 and 5 P. M., September 11th, 1868.

CHARGE 3d.—Disobedience of Orders.

SPECIFICATION.—In this; that he, Private *John Flanagan*, Co. E, 2d Infantry, did absent himself from his company and post without permission from his commanding officer, from between the hours of 12 M, and 4 P. M., September 10th, 1868, until between the hours of 4 and 5 P. M., September 11th, 1868, thereby violating existing post orders which strictly prohibited all men from leaving this Post without a written pass from their commanding officer.

CHARGE 4th.—Neglect of duty, to the prejudice of good order and military discipline.

SPECIFICATION.—In this; that he, Private *John Flanagan*, Co. E, 2d Infantry, having been regularly detailed for guard on the 10th of September, 1868, did absent himself from his company and post, and did fail to appear at the parade of the guard detail of his company, on the morning of the 11th of September, 1868. All this at or near Bowling Green, Ky., on the dates above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st, 2d and 3d *charges* and *specifications*, ,'Guilty,"

To the 4th *charge* and *specification*, "Not Guilty."

FINDINGS.

Of the 1st, 2d and 3d *charges* and *specifications*, "Guilty."
Of the 4th *charge* and *specification*, "Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Flanagan*, Co, E, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for three months."

12th..Private *Martin Whalen*, Co. E, 2d Infantry.

CHARGE 1st.—Absence without leave.

SPECIFICATION 1st.—In this: that he, Private *Martin Whalen*, of Co. E, 2d Infantry, was absent without permission from proper authority, from the Retreat and Tattoo roll-call of his company, on the 27th of September, 1868.

SPECIFICATION 2d.—In this; that he, Private *Martin Whalen*, Co. E, 2d Infantry was absent from his company and post without permission from proper authority, from after Reveille on the 28th of September, 1868, and remained absent until about 7 o'clock A, M., September 30th, 1868.

CHARGE 2d.—Drunkenness, to the prejudice of good order and military discipline.

SPECIFICATION,—In this; that he, Private *Martin Whalen*, Co. E, 2d Infantry, did, on the 27th of September, 1868, become so much under the influence of intoxicating liquor as to be unfit to perform the duties of a soldier properly. All this at or near Bowling Green, Ky., on or about the dates above specified.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Specification* 1st *Charge*, "Not Guilty,"
To the 2d *Specification* 1st *Charge*, "Guilty."
To the 1st *Charge*, "Guilty"
To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS:

Of the *Charges and Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Martin Whalen*, Co. E, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for three months."

II..The proceedings and findings in the case of Private *James Tuvlin*, of Co. D, 2d Infantry, are approved. He will be released from confinement and returned to duty.

III..In the cases of Privates *John Donovan*, Co. C, 45th Infantry, *Oliver E. Paige*, Co. G, 45th Infantry, *Alexander Ellston*, Co. G, 45th Infantry, *John Flanagan*, Co. E, 2d Infantry, and *Martin Whalen*, Co. E, 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U S A
A A G

13..Private JOHN MARTINO, Co. E, 2d Infantry.
14..Private WILLIAM J. HOOD, Co. K, 2d Infantry.
15..Private JACOB FINK, Co. F, 2d Infantry.
16..Private JOHN RENSHOUSEN, Co. F, 2d Infnatry.
17..Private JOHN SMIDT, Co. C, 2d Infantry.
18..Private HAMILTON B. ALEXANDER, Co. A, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 26th, 1868.

GENERAL ORDERS,
No 84.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

13th..Private *John Martino*, Co. E, 2d Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *John Martino*, Co. E, 2d Infantry, on the 21st of September, 1868, when ordered by 1st Sergeant Emile R. G. Sattis, of Co. E, 2d Infantry, who at the time was in command of a patrol sent after said *Martino*, to halt, did disobey said order, and after being repeatedly ordered to halt, did continue on walking from the patrol until it became necessary to fire a shot at him in order to make him halt.

SPIECFICATION 2D—In this; that he, Private *John Martino*, Co. E, 2d Infantry, did, on the 24th of September, 1868, take a bottle of intoxicating liquor into the company quarters, and after 1st Sergeant Emile R. G. Sattis, Co. E, 2d Infantry, having taken it from him and spilled it, did say in a highly disrespectful manner to 1st Sergeant Sattis, "God damn you, that is all you can do; damn you," or words to that effect.

SPECIFICATION 3D—In this; that he, Private *John Martino*, Co. E, 2d Infantry, did, on the 24th of September, 1868, repeatedly call 1st Sergeant Emile R. G. Sattis, Co. E, 2d Infantry, "a God-damned Dutch son-of-a-bitch," and "a God-damned Dutch bastard," or words to that effect.

SPECIFICATION 4TH—In this; that he, Private *John Martino*, of Co. E, 2d Infan- did, on the 24th of September, 1868, when ordered by the sentinel on No. 1 post to "hush up," answer the sentinel in a highly disrespectful manner, and say "Go to hell; kiss my ass. God damn you; I won't hush up," or words to that effect. All this at Bowling Green, Ky., on or about the dates above specified.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Martino*, Co. E, 2d Infantry, "to be confined at hard labor in charge of the guard for six months, wearing a ball weighing twenty-four pounds attached to his left leg by a chain three feet in length, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

14th..Private *William J. Hood*, Co. K, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *William J. Hood*, Co. K. 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Taylor Barracks, Louisville, Ky., on or about the 11th day of September, 1868, and did remain absent until the 24th day of September, 1868, at which time he was apprehended at Lebanon, Ky. Thirty dollars being paid for his apprehension. All this at Taylor Barracks, Louisville, Ky., on or about the date above specified.

To which charge and specification the prisoner pleaded Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William J. Hood*. Co. K, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, and to forfeit twelve dollars per month of his monthly pay for the same period."

15th..Private *Jacob Fink*, Co. F 2d Infantry.

CHARGE—Sleeping on post, in violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Jacob Fink*. Co. F. 2d Infantry, having been regularly detailed and mounted as a member of the Head-Quarters guard, on the 2d of October, 1868, and having been duly posted as a sentinel on post No. 2. at Head-Quarters Department of the Cumberland, Louisville, Ky.. did sit down and go to sleep on said post, and was found asleep by the officer of the day when making his visit to said guard between the hours of 12 o'clock midnight and 1 o'clock A. M., on the night of October 2d, 1868. This at the time and place above specified.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Jacob Fink*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for three months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

16th..Private *John Renshousen*. Co. F. 2d Infantry.

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

SPECIFICATION—In this; that he, the said Private *John Renshousen*, Co. F, 2d Infantry, while in charge of two prisoners of the 2d Infantry at work in the yard of Lieut. William H. Boyle, 2d Infantry, did allow them to escape, and did fail to give the proper alarm by firing his musket, with a view to having them arrested. All this at or near Taylor Barracks, Louisville, Ky., on the 5th day of October, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Renshousen*, Co. F, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for six months."

17th..Private *John Smidt*, Co. C, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Smidt* Co. C, 2d Infantry, a duly enlisted soldier in the service of the United States did desert the same at Taylor Barracks, Louisville, Ky., on the 11th day of September, 1868, and did remain absent until apprehended at Buffalo, N. Y., on the 22d day of September, 1868. All this at Taylor Barracks, Lousville, Ky., on or about the dates above specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

except the words "did desert," substituting therefor the words, "did absent himself without permission from proper authority.

To the *Charge*, "Not Guilty,"

but guilty of "absence without leave."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Smidt*, Co. C. 2d Infantry, to be confined at hard labor in charge of the guard for six months, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

18th..Private *Hamilton B. Alexander*, Co. A, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *Hamilton B. Alexander*, Co. A, 2d Infantry, did, without permission from proper authority, absent himself from his company and quarters, between the hours of tattoo roll call of the 1st, and 6 o'clock A. M., of the 2d of October, 1868, thereby missing reveille roll call.

SPECIFICATION 2D—In this; that he, Private *Hamilton B. Alexander*, Co. A, 2d Infantry, did, without permission from proper authority, absent himself from his company and quarters, between the hours of 12½ and 6 o'clock A. M., of the 11th of October, 1868, thereby missing reville roll call. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS:

Of the *Charge and Specification*. 'Guilty.'

SENTENCE:

And the Court does therefore sentence him, Private *Hamilton B. Alexander*, Co. A. 2d Infantry, "to forfeit to the United States five dollars per month of his monthly pay for two months."

II. In the cases of Privates *John Martino*, Co. E, *William J. Hood*, Co. K, *Jacob Fink*, Co. F, *John Smidt*, Co. C, and *Hamilton B. Alexander*, Co. A, all of the 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

III. The proceedings, findings and sentence in the case of Private *John Renshousen*. Co. F, 2d Infantry, are approved and confirmed. On the recommendation to clemency of the members of the Court, in consideration of the previous good character as a soldier borne by the prisoner, the Major General Commanding is pleased to mitigate the sentence to forfeiture of ten dollars per month of the monthly pay of the prisoner for three months ; to be carried into effect by the proper officer. In complying with this recommendation, the Major General Commanding does not intend it as a precedent nor as a reward to one guilty of a great neglect in allowing prisoners who are entrusted to his charge to escape from custody, but does it in the belief that it will prove an incentive to a good soldier to more properly discharge any similar future duty.

By command of Major General Geo. H. Thomas :

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

Bvt Maj Genl U S A

A A G

19..Private HENRY TRIER, Co. I, 2d Infantry.
20..Private DICK DECKNATEL, Co. A, 2d Infantry.
21..Private HENRY HERLIHY, Co. A, 2d Infantry.
22..Private MORGAN FRANCIS, Co. B, 2d Infantry.
23 .Private ALBERT MCDONALD, Co, B, 2d Infantry.
24..Private WILLIAM WRIGHT, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 27th, 1868.

GENERAL ORDERS, No. 85.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th, 1868, pursuant to Special Orders No. 184, par. II, dated Head Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried :

19th..Private *Henry Trier*, Co. I, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION 1st.—In this ; that he, Private *Henry Trier*, Co. I, 2d Infantry, did absent himself from his company and quarters without permission from proper authority, between the hours of noon and retreat on the 10th day of October, 1868. This at Taylor Barracks, Louisville, Ky., on the date above specified.

SPECIFICATION 2d.—In this ; that he, Private *Henry Trier*, Co. I, 2d Infantry, did absent himself from his company and quarters without permission from proper authority, from tattoo on the 10th day of October, 1868, until after reveille on the 11th day of October, 1868. This at Taylor Barracks, Louisville, Ky., on the dates above specified.

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

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Trier*,, Co. I, 2d Infantry, "to forfeit to the United States five dollars per month of his monthly pay for two months."

20th..Private *Dick Decknatel*, Co. A, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION.—In this ; that he, Private *Dick Decknatel*, Co. A, 2d Infantry, did, without permission from proper authority, absent himself from his company and quarters between the hours of 7 and 10 o'clock P. M., of the 24th of September, 1868, thereby missing tattoo roll-call. This at Taylor Barracks, Louisville, Ky., on or about the time above specified.

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

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Dick Decknatel*, Co. A, 2d Infantry, "to forfeit five dollars of his monthly pay for one month."

21st..Private *Henry Herliky*, Co. A, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION.—In this; that he, Private *Henry Herliky*, Co. A, 2d Infantry, did, without leave from proper authority absent himself from his company and quarters, from about 6 P. M., of the 9th, until about 6 P. M., of the 10th of September, 1868. This at Taylor Barracks, Louisville, Ky., at the time above specified.

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

FINDINGS:

Of the *Charge and Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Herliky*, Co. A, 2d Infantry, "to forfeit to the United States ten dollars of his monthly pay for one month."

22d..Private *Morgan Francis*, Co. B, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this; that he, Private *Morgan Francis*, Co. B, 2d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Ceredo, West Va., on or about the 8th day of August, 1867, and did remain absent until apprehended at Louisa, Ky., on or about the 13th day of September, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Morgan Francis*, Co. B, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him; to be confined at hard labor in charge of the guard for six months, wearing a ball weighing twenty-four pounds attached to his left leg by a chain three feet long; to wear a placard on his back inscribed with the word "DESERTER" in letters six inches in length, and at the expiration of this sentence to be indelibly marked on the left hip with the letter 'D,'' three inches in length, and to be dishonorably discharged the service of the United States."

23d..Private *Albert McDonald*, Co. B, 2d Infantry,

CHARGE.—Desertion.

SPECIFICATION.—In this; that he, Private *Albert McDonald*, Co, B, 2d Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same at or near Cassville, West Virginia, on or about the 21st of September, 1868, and did remain absent until apprehended at or near Cattellsburg, Ky., on or about the 22d day of September, 1868. Thirty dollars reward will be paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty"

except the words "did desert" substituting therefor the words "did absent himself without permission from proper authority."

To the *Charge*, "Not Gutily."

but guilty of "absence without leave."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Albert McDonald*, Co. B, 2d Infantry, "to forfeit to the United States ten dollars of his monthly pay per month, for four months, and to be confined at hard labor in charge of the guard for the same period, during that time to wear a placard inscribed with the word "DESERTER," in letters six inches in length."

24th..Private *William Wright*, Co. H, 2d Infantry.

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

SPECIFICATION,—In this; that Private *William Wright*, Co. H, 2d Infantry, being regularly detailed and placed in charge of two prisoners, did allow one of them (Private John Looney, Co. C, 2d Infantry,) to become so much under the influence of intoxicating liquors, as to be unable to work. All this at Taylor Barracks, Louisville, Ky., on or about the 23d day of September, 1868.

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

FINDINGS.

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

And the Court does therefore acquit him Private *William Wright*, Co. H, 2d Infantry.

II..In the cases of Privates *Henry Trier*, Co. I, *Dick Decknatel*, Co. A, *Henry Uerliky*, Co. A, and *Albert McDonald*, Co. B, all of the 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

III..The proceedings and findings in the case of Private *Morgan Francis*, of Co. B, 2d Infantry, are approved. The sentence is confirmed, except that portion which reads "and at the expiration of this sentence to be indelibly marked on the left hip with the letter "D" three inches in length, and to be dishonorably discharged the service of the United States," which is remitted. This remission is made on account of this being Private *Francis'* first serious offence, as shown by the records, and because by proper discipline he may yet be made an efficient soldier. The sentence of marking and of dishonorable discharge should only be given in repeated cases of desertion, worthlessness, or other aggravated crimes, and every effort should be first made to reclaim the offenders, and, if possible, save their services to the Government.

IV..The proceedings and findings in the case of Private *William Wright*, of Co. H, 2d Infantry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Brt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

25—Private THOMAS MCKNIGHT, Co. H, 2d Infantry.
26—Private ABNER P. NUNLEY, Co. A, 2d Infantry.
27—Private MICHAEL LYNCH, Co. F, 2d Infantry.
28—Private CHARLES E. PARKER, Co. I, 2d Infantry.
29—Private FRANCIS BURKE, Co. I, 2d Infantry.
30—Private JOHN COGAN, Co. H, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Oct. 29th, 1868

GENERAL ORDERS, No. 86.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

25th—Private *Thomas McKnight*, Co. H, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that he, Private *Thomas McKnight*, Co. H, 2d Infantry, did absent himself without proper authority from retreat roll call of his company. This at Taylor Barracks, Louisville, Ky., October 12th, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Thomas McKnight*, Co. H, 2d Inf., was so much under the influence of intoxicating liquor at retreat roll call as to be unable to perform any duty as a soldier, or to appear at the said r ll call. This at Taylor Barracks, Louisville, Ky., October 12th, 1868.

CHARGE 3D—Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Thomas McKnight*, Co. H, 2d Infantry, during about twelve months' service in the company, has been about ten months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. This at Taylor Barracks, Louisville, Ky., between October, 1867, and October, 1868.

To which charges and specifications the prisoner pleaded as follows:
To the 1st *Charge* and *Specification*, "Guilty."
To the 2d and 3d *Charges* and *Specifications*, "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas McKnight*, Co H. 2d Infantry, "to forfeit all pay and allowances that are now or may become due him to the date of the promulgation of this sentence, to be indelibly marked on the left hip with the letter "W," one and one-half inches in length, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

26th—Private *Abner P. Nunley*, Co. A, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION—In this; that Private *Anber P. Nunley*, Co. H, 2d Infantry, having been duly enlisted in the service of the United States, did absent himself without permission from proper authority on the 8th day of October, 1868, and did remain absent until apprehended on the evening of the same day. This at Taylor Barracks, Louisville, Ky., on or about the date above specified.

CHARGE 2D—Violation of the 50th Article of War.

SPECIFICATION—In this; that Private *Abner P. Nunley*, Co. A, 2d Infantry, having been regularly detailed as a member of the guard, and selected from said guard by the Post Adjutant as orderly to the commanding officer, did, without permission from proper authority, absent himself from his post and garrison, and did visit the city of Louisville, Ky., wearing at the time a suit of civilians' clothing. This at Taylor Barracks, Louisville, Ky., on on about the 8th day of October, 1868.

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

FINDINGS:

Of the *Charges and Specifications*, 'Guilty.'

SENTENCE:

And the Court does therefore sentence him, Private *Abner P. Nunley*, Co. A, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for four months."

27th—Private *Michael Lynch*, Co. F, 2d Infantry.

CHARGE 1ST—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *Michael Lynch*, Co. F, 2d Infantry, being a member of a detachment engaged in surveying battle fields of the Atlanta campaign did absent himself from his detachment and from duty without authority, from on or about the evening of March 16th, 1868, to March 18th, 1868. This at a camp near Marietta Ga.

SPECIFICATION 2D—In this; that he, Private *Michael Lynch*, Co. F, 2d Inf., did absent himself from his detachment and from duty, without authority, from on or about the 11th day of May, 1868, to on or about the 13th day of May, 1868, when he was arrested by Sergeant Wm. Tobin, Co. F, 2d Infantry, at Marietta, Ga., and about six miles from the camp of his detachment. This at Smyrna camp ground, Ga.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Michael Lynch*, Co. F, 2d Infantry, did, on the 18th day of July, 1868, use disrespectful and insubordinate language toward Sergeant Wm. Tobin, Co. F, 2d Infantry, challenging him to fight with him. This near Buckhead, Ga.

SHECIFICATION 2D—In this, that he, Private *Michael Lynch*, Co. F, 2d Infantry, did, on the 20th day of July, 1868, attack John M. Jefferson, a private of Co. F, 2d Infantry, maliciously and without provocation, striking him in the face with his fist and continued trying to beat him until stopped. This at camp near Buckhead.

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

FINDINGS:

Of the 1st *Specification*, 1st *Charge*, "Guilty."

Of the 2d *Specification*, 1st *Charge*, "Guilty."

except the words "on or about the 11th day of May, 1868, to on or about the 13th day of May, 1868," substituting therefor the words "about 8 hours"

Of the 1st *Charge*, "Guilty,"

Of the 1st *Specification* 2d *Charge*, "Not Guilty."

Of the 2d *Specification*, 2d *Charge* "Guilty."

except the word "maliciously."

Of the 2d *Charge*, 'Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Michael Lynch*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of two months."

28th—Private *Charles E. Parker*, Co. I, 2d Infantry.

CHARGE 1ST—Neglect of duty to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Charles E Parker*, Co. I, 2d Infantry, having been regularly detailed as clerk for, and on duty as clerk, of a General Court Martial at Taylor Barracks, Louisville, Ky., did neglect his duty as said clerk; this to the prejudice of good order and military discipline, at Taylor Barracks, Louisville, Ky., on or about the 15th day of September, 1868.

CHARGE 2D—Absence without leave.

SPECIFICATION—In this; that he, Private *Charles E. Parker*, Co. I, 2d Infantry, did absent himself without permission from proper authority, from his company and quarters between the hours of 9 o'clock P. M., of the evening of September 15th, 1868, and reveille on the morning of the 17th of September, 1868. This at Taylor Barracks, Louisville, Ky., on or about the hours and days above specified.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles E. Parker*, Co. I, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for two months."

29th—Private *Francis Burke*, Co. I, 2d Infantry.

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

SPECIFICATION—In this; that he, Private *Francis Burke*, Co. I, 2d Infantry, did, while a patient under treatment in the post hospital, steal from there seven woolen blankets, the property of the United States government. All this at Taylor Barracks, Louisville, Ky., on or about the 15th day of October, 1868.

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

FINDINGS.

Of the *Specification*, "Guilty,"

except the word "seven," substituting therefor the word "three."

Of the *Charge*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Francis Burke*, Co. I, 2d Infantry, "to forfeit to the United States all pay and allowances that are or may become due him to the date of the promulgation of this sentence, to be dishonorably discharged the service of the United States, and to be confined in such State prison or penitentiary as the Major General Commanding the Department may direct for the period of five years."

30th—Private *John Cogan*, Co. H, 2d Infantry.

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

SPECIFICATION—In this; that Private *John Cogan*, Co. H, 2d Infantry, on daily duty learning music, did, upon being ordered by principal musician Ernst Senne, 2d Infantry, to report to the adjutant of the post as orderly, refuse to obey said order, and did reply, "I'll be damned if I wouldn't sooner go to the guard house, for I am not fit for it," or words to that effect; said Senne acting at the time under the authority of the Post Adjutant, and being in charge of the field music of the post, of which said Private *John Cogan*, was a member. This at Taylor Barracks, Louisville, Ky., on or about the 20th of October, 1868.

To which charge and specification the prisoner pleaded Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Cogan*, Co. H, 2d Infantry, "to forfeit to the United States ten dollars per month of his monthly pay for two months."

II. In the cases of Privates *Thomas McKnight*, Co. H, *Abner P. Nunley*, Co. A, *Michael Lynch*, Co. F, *Charles E. Parker*, Co. I, and *John Cogan*, Co. H, all of the 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

III. In the case of Private *Francis Burke*, Co. I, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed, but that portion which directs the prisoner to be confined in the penitentiary for five years is mitigated to the lowest limit of the laws of the State of Kentucky, namely, for three years, and will be carried into effect by the Commanding Officer of the 2d Infantry, who will forward Private *Burke*, under guard and accompanied by a copy of the order promulgating the proceedings and sentence in his case, to the penitentiary of the State of Kentucky at Frankfort, for confinement.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U.S.A.
A.A.G.

31.. Private SAMUEL DEVINE, Co. H, 2d Infantry.

32.. Private JACOB H. DANNY, Co. F, 2d Bat. 16th Infantry, now Co. F, 25th Infantry.

33.. Private ANDREW GREEN, Co. D, 2d Infantry.

34.. Private MICHAEL O'BRIEN, Co. H, 2d Infantry.

35.. Private MARTIN REDDINGTON, Co. H, 2d Infantry.

36.. Private JOHN KELLY, 2d, Co.G, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., November 4th, 1868.

GENERAL ORDERS, No. 88.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th, 1868, pursuant to Special Orders No. 184, par. II, dated Head Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried :

31st.. Private *Samuel Devine*, Co. H, 2d Infantry.

CHARGE 1st.—Absence without leave.

SPECIFICATION—In this; that he, Private *Samuel Devine*, Co. H, 2d Infantry, did absent himself without authority from the Retreat Roll Call of his Company. This at Taylor Barracks Louisville Ky. on or about the 17th day of October, 1868.

CHARGE 2d—Conduct to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he Private *Samuel Devine*, Co. H, 2d Infantry, being on pass which compelled his attendence at Retreat and knowing that his Company was ordered away and that it would start about Retreat, did absent himself without permission from proper authority from the Retreat Roll Call of his Company and after that for so long a time as to not be present to go on detatched service with his Company thereby shirking his duty in a very unsoldierly manner. This at Taylor Barracks, Louisville Ky, on or about October 17th, 1868.

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification*, "Guilty."
To the *Specification* 2d *Charge*. "Guilty."
except the words "knowing that his Company was ordered away and that it would start about Retreat," and the words "thereby shirking his duty in a very unsoldierly manner."

To the 2d *Charge*, "Guilty"

FINDINGS.

Of the 1st *Charge* and *Specification*, "Guilty."
Of the *Specification*, 2d *Charge*, "Guilty."
except the words "knowing that his Company was ordered away and that it

would start about Retreat," and the words "thereby shirking his duty in a very unsoldierly manner."

Of the 2d *Charge*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Samuel Devine*, Co. H, 2d Inf., "to forfeit five dollars per month of his monthly pay for two months."

32d. ..Private *Jacob H. Danny*, Co. F, 2d Battalion, 16th Infantry, now Co. F, 25th Infantry.

CHARGE.—Desertion.

SPECIFICATION.—In this; that he, Private *Jacob H. Danny*, Co. F, 2d Battalion. 16th Infantry, now Co. F, 25th Infantry, being a duly enlisted soldier in the service of the United States did desert the same at or near Chattanoo-Tenn,. on or about the 23d day of April, 1866, and did remain absent until he surrendered at Fort Porter, N. Y., on the 20th day of April, 1868.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Jacob Danny*, Co. F, 2d Battalion, 16th Infantry, now Co. F, 25th Infantry, "to forfeit all pay and allowances that are now or may become due him to the promulgation of this sentence, to make good the time lost by desertion, and to forfeit to the United States fifteen dollars per month of his monthly pay for six months."

33d..Private *Andrew Green*, Co. D, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Andrew Green*, Co. D, 2d Infantry, being a regularly enlisted soldier of the Army of the United States. did desert the service of the same from Lexington Ky. on or about April 20th, 1868, and did remain absent until apprehended on or about the 15th of August, at or near Lexington, Ky. Thirty dollars reward being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
except the words "did desert," subsituting therefore the words "did escape from the Guard while undergoing sentence for desertion."

To the *Charge*, "Not Guilty."

FINDINGS:

Of the *Specification*, "Guilty,"
except the words "did desert" substituting therefore the words did "escape from confinement while undergoing sentence for desertion."

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

SENTENCE:

And the Court does therefore sentence him, Private *Andrew Green*, Co. D, 2d Infantry, "to be confined at hard labor in charge of the guard for one month wearing a ball weighing twenty four pounds attatched to his left leg by a chain three feet in length and to be placed in solitary confinement on bread and water diet for the last ten days thereof."

34..Private *Michael O'Brien*, Co. H, 2d Infantry.

CHARGE—Desertion.

SPECIFICATION.—In this; that Private *Michael O'Brien*, Co. H, 2d Infantry, having been duly enlisted in the United States service, did desert the same on or about October 17th, 1868, and did remain absent until on or about October 21st, 1868, when he voluntary delivered himself up at Taylor Barracks Ky. All this at Taylor Barracks, Louisville Ky, on or about the date above specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty"

except the words "did desert" substituting therefore the words "did absent himself without permission from proper authority."

To the *Charge* "Not Guilty."

but guilty of "absence without leave."

FINDINGS.

Of the Specification, "Guilty"

except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

Of the *Charge*. "Not Guilty,"

but "guilty of absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Michael O'Brien*, Co. H, 2d Infantry, "to forfeit ten dollars per month of his monthly pay for two months."

35th..Private *Martin Reddington*, Co. H, 2d Infantry.

CHARGE 1st.—Violation of the 99th Article of War.

SPECIFICATION,—In this; that *Martin Reddnington*, a Private of Co. H, 2d Infantry, being duly detailed for guard on the evening of October 22d, 1868, did appear on his Company parade for guard mounting so much intoxicated as to be unable to perform the duty of a soldier properly. All this at Taylor Barracks, Ky. on or about the morning of October 23d, 1868.

CHARGE 2D.—Neglect of duty to the prejudice of good order and military discipline.

SPECIFICATION—In this; that *Martin Reddington* a Private of Co. H, 2d. Infantry, being duly detailed for guard did appear on his Company parade at guard mounting in a filthy condition, his arms and accoutrements being in a state of uncleaniness. All this at Taylor Barracks, Louisville Ky., on or about the morning of October 23d, 1868.

CHARGE 3D—Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION—In this; that *Martin Reddington*, a Private of Co. H, 2d Infantry, during about 31 months' service with the Company was about eighteen months in confinement mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. This at Warsaw, Ky., and Taylor Barracks, Louisville, Ky., about the time between May, 20th, 1866, and October, 1868.

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

FINDINGS:

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the *Specification*, 2d *Charge*, "Guilty"

except the words "accoutrements."

Of the 2d *Charge*, "Guilty."

Of the 3d *Charge* and *Specification*, "Guilty"

SENTENCE:

And the Court does therefore sentence him, Private *Martin Reddington*, Co. H, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him to the date of the promulgation of this sentence, to be drummed around and out the Garrison, and to be dishonorably discharged the service of the United States."

36th. Private *John Kelly*, 2d Co. G, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Kelly*, 2d, Co. G, 25th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same from his Post and Company at or near Columbus Ky., on or about the 26th day of May, 1867, and did remain absent until arrested at Memphis, Tenn., on or about the 1st day of August, 1868. All this at Columbus, Ky. and Memphis, Tenn., on or about the dates above specified.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Kelly*, 2d, Co. G 25th. Infantry, 'to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to have his head shaved, be drummed around and out of the Garrison, and to be dishonorably discharged the the service of the United States."

II. In the cases of Private *Samuel Devine*, Co. H, 2d Infantry, Private *Robert H Danny*, Co. F, 2d Battalion, 16th Infantry, now Co. F, 25th Infantry, Privates *Andrew Green*, Co. D, 2d Infantry, *Michael O'Brien*, Co. H, 2d Infantry *Martin Reddington*, Co. H, 2d Infantry, and *John Kelly*, 2d, Co. G, 25th Infantry the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple

Bvt Maj Gen U S A

A. A. G

37..Private GEORGE DAVIS, Co. G, 25th Infantry.
38..Private JOHN ADAMS, Co. G, 25th Infantry.
39..Private SILAS ROHRER, Co. A. 25th Infantry.
40..Private CARL FILBRANT, Co. H, 25th Infantry.
41..Private RICHARD M. J. DILWORTH, Co. K, 25th Infantry.
42..Private WILLIAM H. BIGGS, Co. D, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Nov. 16th, 1868.

GENERAL ORDERS,
No. 89.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

37th..Private *George Davis*, Co. G, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *George Davis*, Co. G, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Humboldt, Tenn., on or about the 4th day of September, 1868, and did remain absent until apprehended in citizen's clothes at Columbus, Ky., on or about the 9th day of September, 1868. Thirty dollars paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George Davis*, Co. G, 25th Infantry, "to be confined at hard labor in 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."

38th..Private *John Adams*, Co. G, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *John Adams*, Co. G, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Humboldt, Tenn., on or about the 4th day of September, 1868, and did remain absent until apprehended in citizen's clothes at Columbus, Ky., on or about the 9th day of September, 1868. Thirty dollars being paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Adams*, Co, G, 25th Infantry, "to be confined at hard labor in 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."

39th..Private *Silas Rohrer*, Co. A, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Silas Rohrer*, Co. A, 25th Infantry, being duly enlisted in the service of the United States, did desert the same at or near Paducah, Ky., on or about April 1st, 1868, and did remain absent until apprehended at or near Taylor Barracks, Louisville, Ky., on or about August 8th, 1868. Thirty dollars having been paid for his apprehension.

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

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Silas Rohrer*, Co. A, 25th Infantry, "to make good all expenses incured in his apprehension; to forfeit all pay and allowances that are now or may become due him at the promulgation of this sentence, to be indelibly marked on the left hip with the letter 'D,' one and one-half inches in length, to have his head shaved and be drummed around and out of the garrison, and to be dishonorably discharged the United States service."

40th..Private *Carl Filbrant*, Co. H, 25th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Carl Filbrant*, Co. H, 25th Infantry, a duly enlisted soldier in the army of the United States, did desert the same at Union City, Tenn., on or about the 4th day of May, 1868, and did remain absent from his company and post until arrested at Louisville, Ky., on or about the 12th day of September, 1868. Thirty dollars reward having been paid for his apprehension.

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

FINDINGS:

Of the *Charge and Specification*, 'Guilty.'

SENTENCE:

And the Court does therefore sentence him, Private *Carl Filbrant*, Co. H, 25th Infantry, "to forfeit all pay and allowances now due or to become due to the promulgation of this sentence, to forfeit to the United States fifteen dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

41st..Private *Richard M. J. Dilworth*, Co. K, 25th Infantry.

CHARGE—Desertion.

SPECIFICATBON—In this; that he, Private *Richard M. J. Dilworth*, Co. K, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Macon, Ga., on or about the 12th day af May, 1868, and did remain absent until he surrendered himself at Atlanta, Ga., on or about the 5th day of June, 1868. This at or near Macon, Ga., on or about the dates specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

To the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

FINDINGS:

Of the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

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

SENTENCE:

And the Court does therefore sentence him, Private *Richard M. J. Dilworth*, Co. K, 25th Infantry, "to forfeit ten dollars per month of his monthly pay for two months."

421..Private *William H. Biggs*, Co. D, 24 Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *William H. Biggs* of Co. D 24 Infantry, being a regularly enlisted soldier in the army of the United States, did desert the service of the same at Lexington, Ky., on or about the 13th day of September, 1868, and did remain absent until apprehended at or near Lexington, Ky., on or about the 25th day of October, 1868. Thirty dollars reward is claimed for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor the words "did absent himself without permission from proper authority."

To the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William H. Biggs*, Co. D, 24 Infantry, "to be confined at hard labor in charge of the guard for eight months, wearing a ball weighing twenty four pounds attached to his left leg by a chain three feet in length, and to forfeit to the United States fifteen dollars per month of his monthly pay for the same period."

II. In the cases of Privates *George Davis*, Co. G, *John Adams*, Co. G, *Silas Rohrer*, Co. A, *Carl Filbrant*, Co. H, *Richard M. J. Dilworth*, Co. K, all of the 25th Infantry, and Private *William H. Biggs*, Co. D 24 Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

J. P. Willard
Bvt. Lt. Col. U. S. A.
A. D. C.

43..Private JAMES CARR, Co. D, 25th Infantry.
44..Private JOHN SCHWARTZE, Co. F, 2d Infantry
45..Private FRANK SHERIDAN, Co. F, 2d Infantry.
46. Private HENRY TRIER, Co. I, 2d Infantry.
47..Private WILLIAM HOBEN, Co. H, 2d Infantry.
48..Private AUGUST BIRKENBUSH, Co. F, 2d Infantry.
49..Private HENRY HUFFMAN, Co. C, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Nov. 18th, 1868.

GENERAL ORDERS,
No. 90.

I. Before a General Court'Martial which convened at Taylor Barracks, Louisville, Ky., October 12th 1868, pursuant to Special Orders, No. 184, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., October 8th, 1868, and of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lieut. WARREN R. DUNTON, 2d Infantry, Judge Advocate, were arraigned and tried:

43d..Private *James Carr*, Co. D, 25th Infantry.

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

SPECIFICATION 1ST—In this; that he, Private *James Carr*, Co. D, 25th Infantry, did, on or about the night of the 26th of June, 1868, enter the house of Isaac Cullum, a freedman, in the village of Lauderdale, Miss., and feloniously take or steal from the said Isaac Cullum, one silver watch.

SPECIFICATION 2D—In this; that he, Private *James Carr*, Co. D, 25th Infantry, did, on or about the night of the 26th of June, 1868, enter the house of Gilbert Taylor, a freedman, in the village of Lauderdale, Miss., and demand the firearms of said Gilbert Taylor, and did make thorough search for them.

SPECIFICATION 3D—In this; that he, Private *James Carr*, Co. D, 25th Infantry did enter the house of Harriet Thompson, at Lauderdale, Miss., and there search the pockets of one Charles Hollenshead, a freedman, and take from him one pocket book.

SPECIFICATION 4TH—In this; that he, Private *James Carr*, Co. D, 25th Infantry, did, on the night of the 26th of June, 1868, detain and search one Thomas Beasley, a freedman, on the public streets in the village of Lauderdale, Miss., and take from him a pocket book containing 40 cents in money.

SPECIFICATION 5TH—In this; that he, Private *James Carr*, Co. D, 25th Infantry, did, on or about the night of the 26th of June, 1868, enter the house of James Smith, a freedman, in the village of Lauderdale, Miss., and demand the firearms of said James Smith, and take one shot-gun, eighteen dollars and seventy-five cents in money, and three razors. All this at or near Lauderdale, Miss., on or about the 26th of June, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Private *James Carr*, Co. D, 25th Infantry.

44th..Private *John Schwartze*, Co. F, 2d Infantry.

CHARGE 1ST—Neglect of duty, to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *John Schwartze*, Co. F, 2d Infantry, being at the time a member of the guard duly mounted at Taylor Barracks, Louisville, Ky., on the 2d day of November, 1868, and having been duly posted as a sentinel on the quarters of Lieut. S. H. Carey, 2d Infantry, a prisoner, and having become aware of the absence of the said Lt. Cary, and having been informed by Private Huffman, Co, C, 2d Infantry, that Lt. Carey had gone to the city, or elsewhere, did fail and neglect to make known to the proper authority the absence of said Lt. Carey, a prisoner. This at Taylor Barracks, Louisville, Ky., on the night of November 2d, and morning of November 3d, 1868.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

SPECIFICATION—In this; that he, Private *John Schwartze*, Co. F, 2d Infantry, a sentinel duly posted and being at the time aware of the absence of Lt. Carey, 2d Infantry, a prisoner, from his place of confinement, (it being his *Schwartze's*) duty to guard said Lt. Carey.) did permit himself to be relieved and did turn over his post to Private Rothschilds, a sentinel without making known the absence of Lt. Carey. This at Taylor Barracks, Louisville, Ky., on the night of November 2d, and morning of November 3d, 1868.

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

FINDINGS:

Of the *Charges and Specifications*, 'Guilty.'

SENTENCE:

And the Court does therefore sentence him, Private *John Schwartze*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, wearing a twenty-four pound ball attached to his right leg by a chain six feet in length, and to forfeit ten dollars per month of his monthly pay for the same period."

45th..Private *Frank Sheridan*, Co. F, 2d Infantry.

CHARGE—Violation of the 46th Article of War.

SPECIFICATION—In this; that he, Private *Frank Sheridan*, Co. F, 2d Infantry, having been regularly mounted as a member of the guard at Memphis, Tenn., and duly posted as a sentinel on post No. 11, (opposite the officers' quarters,) did leave said post before being regularly relieved. This at Memphis, Tenn., on or about the 4th day of November, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does there sentence him, Private *Frank Sheridan*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of eight months, wearing a twenty-four pound ball attached to his left leg by a chain three feet in length, and to forfeit ten dollars per month of his monthly pay for the same period."

46th..Private *Henry Trier*, Co. I, 2d Infantry.

CHARGE—Violation of the 9th Article of War.

SPECIFICATION 1ST—In this; that he, Private *Henry Trier*, Co. I, 2d Infantry, having been ordered by his superior officer, 1st Lt. W. H. Boyle, 2d Infantry, to go in the car and remain there, (the said Lt. Boyle being in the execution of his duty as officer of the day,) did wilfully disobey said order and leave the car. This at Humboldt, Tenn., while *en route* from Louisville, Ky., to Memphis, Tenn., on or about the 1st of November, 1868.

SPECIFICATION 2D—In this; that he, Private *Henry Trier*, of Co. I, 2d Inf., having been ordered by his superior officer, 1st Lt. A. Werninger, Jr., 2d Infantry, to leave the car occupied by officers, (the said Lt. Werninger, 2d Infantry, being in the execution of his office, commanding officer, of Co. I, 2d Infantry.) did reply in words and figures to wit: "I'll go when I get ready," or words to that effect. This at Humboldt, Tenn., on or about the 1st of November, 1868.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Not Guilty."

To the *Charge*, "Not Guilty,"

FINDINGS:

Of the *Charge* and *Specifications* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Trier*, Co. I, 2d Infantry, "to be confined at hard labor in charge of the guard for the period of six months, with a twenty-four pound ball attached to his left leg by a chain three feet in length, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

47th..Private *William Hoben*, Co. H, 2d Infantry.

CHARGE 1ST—Violation of the 45th Article of War.

SPECIFICATION—In this; that he, Private *William Hoben*, Co. H, 2d Infantry, being properly detailed for guard, did get so much under the influence of intoxicating liquor as to be unable to perform his duties of a soldier properly. This at Taylor Barracks, Louisville, Ky., on or about the morning of the 25th of October, 1868.

CHARGE 2D--Utter worthlessness, to the prejudice of good order and military discipline.

SPECIFICATION--In this; that he, Private *William Hoben*, Co. H, 2d Infantry, during about twelve month's service in the company, was about ten months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. This at Taylor Barracks, Louisville, Ky., between 1st November, 1867, and October 25th 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the *Specification*, 2d *Charge*, "Guilty,"

except the words "an habitual drunkard and utterly worthless as a soldier."

To the 2d *Charge*, "Not Guilty,"

FINDINGS:

Of the 1st *Charge* and *Specifiction*, "Not Guilty."

Of the 2d *Charge* and *Specification*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Hoben*, Co. H, 2d Infantry, "to forfeit all pay and allowances that are now or may become due him to the promulgation of this sentence, to be indelibly marked on the left hip with the letter "W," one and one-half inches in length, to be drummed around and out of the garrison, and to be dishonorably discharged the service."

48th..Private *August Birkenbush*, Co. F, 2d Infantry.

CHARGE—Absence without leave.

SPECIFICATION 1ST—In this; that he, Private *August Birkenbush*, Co. F, 2d Infantry, did absent himself from the camp of his detachment without leave, and did remain absent from 4 o'clock P. M., on the 5th of August, 1868, until the morning of the 6th of August, 1868. All this at a camp near Jonesboro, in the State of Georgia.

SPECIFICATION 2D—In this: that he, Private *August Birkenbush*, Co. F, 2d Infantry, did absent himself from the camp of his detachment and did remain absent from 10 o'clock A. M., the 8th day of August, 1868, to the morning of August 9th, 1868. This at a camp near Jonesboro, in the State of Georgia.

To which charge and specifications the prisoner pleaded Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *August Birkenbush*, Co. F, 2d Infantry, "to be confined at hard labor in charge of the guard for two weeks, and to forfeit ten dollars per month of his monthly pay for two months."

49th..Private *Henry Huffman*, Co. C, 2d Infantry.

CHARGE 1ST.—Neglect of duty to the prejudice of good order and military discipline.

SPECIFICATION—In this; that he, Private *Henry Huffman*, Co. C, 2d Infantry, being at the time a member of the guard duly mounted at Taylor Barracks, Louisville, Ky., on the 2d day of November, 1868, and having been duly posted as a sentinel over the person of Lt. S. H. Carey, 2d Infantry, with instructions to not allow said Lt. Carey, a prisoner, to quit his place of confinement, did, at or near the hour of 8 o'clock, P. M., November 2d, 1868, knowingly permit said Lt. Carey, a prisoner, to quit his place of confinement and go to the city of Louisville, Ky., or elsewhere. This at Taylor Barracks, Louisville, Ky., on the evening of November 2d, 1868.

CHARGE 2D—Conduct to the prejudice of good order and military discipline.

SPECIFICATION 1ST—In this; that he, Private *Henry Huffman*, Co. C, 2d Inf., being at the time a member of the guard duly mounted at Taylor Barracks, Louisville, Ky., on the 2d day of November, 1868, and having voluntarily permitted Lt. S. H. Cary, 2d Infantry, a prisoner in his charge to quit his place of confinement, did fail to make known to the proper authority the absence of said prisoner during his tour as a sentinel or at the time of being relieved as such.

SPECIFICATION 2D—In this; that he, Private *Henry Huffman*, Co. C, 2d Infantry, being at the time a member of the guard duly mounted at Taylor Barracks, Louisville, Ky., on the 2d day of November, 1868, did, without proper authority, quit his said guard and remain absent therefrom for two hours, more or less. This at Taylor Barracks Louisville, Ky., during the night of November 2d, 1868.

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

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Henry Huffman*, Co. C, 2d Infantry, "to be confined at hard labor in charge of the guard for twelve months, wearing a twenty-four pound ball attached to his left leg by a chain three feet long, and to forfeit twelve dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the case of Private *James Carr*, Co. D, 25th Infantry, are approved. He will be released from confinement and returned to duty.

III. In the cases of Privates *John Schwartze*, Co. F, *Frank Sheridan*, Co. F, *Henry Trier*, Co. I, *William Hoben*, Co. H, *August Birkenbush*, Co. F, and *Henry Huffman*, Co. C, all of the 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

IV. The General Court Martial of which Lieut. Col. THOMAS L. ALEXANDER, U. S. A., (retired,) is President, and 2d Lt. WARREN. R. DUNTON, 2d Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U.S.A.
A.A.G.

1..Private JAMES L. BLACKSTONE, Co. C, 45th Infantry.
2..Private ALBERT BRAUER, Co. C, 45th Infantry.
3..Private DAVID H. VANBUSKIRK, Co. C. 45th Infantry.
4..Musician THOMAS J. MURRAY, Co. H. 45th Infantry.
5. Private DANIEL KELLEY, Co, F. 45th Infantry.
6..Private WILLIAM C. KELLER, Co. E, 45th Infantry.
7..Private WILLIAM H. CLARK, Co. E, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Dec. 8th, 1868.

GENERAL ORDERS, No. 91.

1. Before a General Court Martial which convened at Nashville, Tenn., on the 24th day of November, 1868, pursuant to Special Orders No. 204, par 1, dated Head-Quarters Department of the Cumberland, Louisville. Ky., November 17th 1868, and of which Brevet Colonel GEORGE A. WOODWARD, Lieut. Colonel 45th Infantry, is President, and Brevet Major D. W. BURKE, Captain 45th Infantry Judge Advocate, were arraigned and tried:

1st..Private *James L. Blackstone*, Co. C. 45th Infantry.

CHARGE.—Absence without leave.

SPECIFICATION—In this; that he, Private *James L. Blackstone* Co. C, 45th Infantry did absent himself from his company and garrison, without permission from proper authority from tattoo roll call on the 7th of November 1868, and from reveille and Sunday morning Inspection on the 8th of November, 1868. This at Jeffersonville, Indiana, on or about the dates above specified.

To which Charge and Specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty"

SENTENCE:

And the Court does therfore sentence him, Private *James L. Blackstone*, Co. C, 45th Infantry, "to forfeit ten dollars of his monthly pay for the period of one month.

2d..Private *Albert Brauer*, Co C, 45th Infantry.

CHARGE.—Absence without leave.

SPECIFICATION—In this; that he, Private *Albert Brauer*, Co. C, 45th Infantry did absent himself from his company and garrison without permission from proper authority from reveille, retreat and tattoo roll calls on the 7th of November 1868, and from reveille and Sunday morning Inspection on the 8th of November, 1868. This at Jeffersonville, Indiana, on or about the dates above specified.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Albert Brauer*, Co. C, 45th Infantry, "to forfeit fifteen dollars of monthly pay for the period of one month."

3d..Private *David H. VanBuskirk*, Co. C, 45th Infantry.

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

SPECIFICATION 1ST.—In this; that he Private *David H. VanBuskirk*, Co. C, 45th Infantry, did steal from the company garden, one-half peck of potatoes This at Jeffersonville, Indiana. on or about the 6th day of October, 1868.

SPECIFICATION 2D.—In this; that he Private *David H. VanBuskirk*, Co. C, 45th Infantry, did steal from the company quarters, one (1) blanket, the property of Private Robertson, Co. C, 45th Infantry. This at Jeffersonville, Indiana, on or about the 22d day of October, 1868.

SPECIFICATION 3d—In this; that he Private *David H. VanBuskirk*, Co. C, 45th Infantry, did steal from Private Donovan, Co. C, 45th Infantry, the sum of ten dollars, ($10). This at Jeffersonville, Indiana, on or about the 7th of November, 1868.

To which *Charge* and *Specifications* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *David H. VanBuskirk*, Co. C, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of six months; to forfeit fifteen dollars ($15) per month of his monthly pay for the same period, and at the expiration of his term of confinement to be dishonorably discharged and drummed out of the garrison."

4th..Musician *Thomas J. Murray*, Co. H, 45th Infantry.

CHARGE.—Desertion.

SPECIFICATION—In this; that he, Musician *Thomas J. Murray*, Co. H, 45th Infantry, having been duly enlisted in the service of the United States, did desert the company at Chattanooga, Tenn., on the 22d day of July, 1868, and did remain absent until apprehended at Louisville, Kentucky, August, 29th, 1868. Thirty dollars paid for his apprehension. All this at or near Chattanooga, Tenn., and Louisville, Ky., on or about the dates above specified.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Musician *Thomas J. Murray*, Co. H, 45th Infantry, "to forfeit ten dollars ($10) per month of his monthly pay for the period of six months."

5th.. Private *Daniel Kelley*, Co. F, 45th Infantry.

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

SPECIFICATION—In this; that Private *Daniel Kelley*, Co F, 45th Infantry a duly enlisted soldier in the United States service, did desert the same by escaping from the guard house on the 28th day of October, 1867, while serving sentence of a General Court Martial, and did remain absent until apprehended as a deserter at Memphis, Tenn., August 25th 1868. Thirty dollars reward having been paid for his apprehension. All this at Ash Barracks, Nashville, Tenn., on the 28th of October 1867, and August 25th 1868.

To which *Charge* and *Speification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Daniel Kelley*, Co. F, 45th Infantry, "to forfeit ten dollars per month of his monthly pay for the period of four months, and to be confined at hard labor in charge of the guard for the same period."

6th..Private *William C. Keller*, Co. E, 45th Infantry.

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

SPECIFICATION—In this; that he, Private *William C. Keller*, Co E 45th Infantry, did while serving sentence of a General Court Martial at the post of Chattanooga, Tenn, desert from the guard house on the 21st day of July, 1868, and did remain absent until apprehended at Dayton, Ohio, on or about the 13th day of August, 1868. Thirty dollars reward having been paid for his apprehension. All this at Chattanooga, Tenn., and Dayton Ohio, on or about the dates above specified.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge and Specification*. 'Guilty.'

SENTENCE:

And the Court does therefore sentence him Private *William C Keller*, Co. E, 45th Infantry, "to serve out the unexpired portion of his former sentence, and in addition to this and all other forfeitures, to forfeit ten dollars per mouth of his monthly pay for the period of two months."

7th..Private *William H. Clark*, Co. E, 45th Infantry.

CHARGE—Absence without leave.

SPECIFICATION—In this; that he, Private *William H. Clark*, Co. E, 45th Infantry, a duly enlisted soldier in the service of the United States, did absent himself without permission from proper authority from his company and quarters from the 23d day of September, 1868, and did remain absent until the 25th day of September, 1868. All this at or near the post of Chattanooga, Tenn., on or about the dates above specified.

To which *Charge* and *Specification* the prisoner pleaded "Guilty,"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *William H. Clark*, Co. E 45th Infantry, "to forfeit ten dollars per month of his monthly pay for the period of two month".

II. In the cases of Privates *James L. Blackstone*, Co. C. *Albert Brauer*, Co. C and *Daniel H. VanBuskirk*, Co. C, Musician *Thomas J. Murray*, Co. H, Privates *Daniel Kelley*, Co. F, *William C. Keller*, Co. E, and *William H. Clark*, Co. E, all of the 45th Infantry, the proceedings findings and sentences are approved and confirmed.

The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
Bvt Col U S A
A A A G

1..Recruit JAMES MCSHAY, General Service, U. S. A.
2..Private JOHN FRAZER, Co. G, 5th Cavalry.
3..Private JOHN CLARK, Co. D, 16th Infantry.
4..Private JOHN SHELLENBERGER, Battery B, 1st Artillery.
5..Private HUGH CONWAY, Co. B, 3d Infantry.
6..Private HUGH CAMERON, Co, C, 7th Cavalry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 9th, 1868.

GENERAL ORDERS, }
No 92. }

I. Before a General Court Martail which convened at Newport Barracks Ky., November 27th, 1868 pursuant to Special Orders No. 208, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1868, and of which Lieut. Colonel T. L. ALEXANDER, U. S. A., (retired) is President, and Brevet Major WM. R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried.

1st..Recruit *James McShay*, General Service, U. S. A.

CHARGE—Desertion.

SPECIFICATION—In this; that the said Recruit *James McShay*, General Service, U. S. Army, having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 10th day of July, 1867, and did remain absent until he surrendered himself at Louisville, Ky., on or about the 13th day of November, 1868.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said Recruit *James McShay*, General Service, U. S. Army, "to forfeit all pay or allowances that are or may become due up to the promulgation of this sentence, to be confined at hard labor under charge of the guard wearing a twelve pound ball attached to his left leg by a chain two feet long for twelve months: and to forfeit fourteen dollars of his monthly pay per month for the same period."

2d..Private *John Frazer*, Co. G, 5th Cavalry,

CHARGE—Desertion.

SPECIFICATION.—In this; that the said *John Frazer*, Private Co. G, 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Montgomery, Ala., on or about the —day of July, 1868, and did remain absent until he surrended at Columbus, Ohio, on or about the 17th day of November, 1868.

To which *Charge* and *Specifiaction* the prisoner pleaded "Guilty.

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him the said Private *John Fraser*, Co. G, 5th Cavalry, "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence, to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for twelve months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

3d..Private *John Clark*, Co. D, 16th Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that Private *John Clark*, Co. D, 16th Infantry, having been duly enlisted in the service of the United Stales, did desert the said service at or near Atlanta, Ga. on or about the 22d day of December, 1867, and remained absent until apprehended by P. O'Conner, Captain of Police, at or near Dayton, Ohio, on or about the 15th day of October, 1868. Thirty dollars reward paid for his apprehension.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said Private *John Clark*, Co. D, 16th Infantry, "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence, to be confined at haad labor in charge of the guard, and wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars of his monthly pay, per month for the same period, and to be indelibly marked on the left hip by a letter "D," two inches in length, and then to be dishonorably discharged.

4tn.. Private *John Shellenberger*, Battery B, 1st Artillery.

CHARGE—Desertion.

SPECIFICATION.—In this; that he, Private *John Shellenberger*, Battery B, 1st Artillery, being a duly enlisted soldier in the army af the United States, did desert the same on the 17th day of July, 1867, and did remain absent until he was apprehended at Cincinnati, Ohio, on the 12th day of October, 1868. This at Fort Wadsworth, N. Y. H.

To which *Charge* and *Specification* the prisoner pleaded 'Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said Private *John Shellenberger*, Battery B, 1st Artillery, "to forfeit all pay and allowances that are, or may become due up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months and to forfeit four teen dollars of his monthly pay, per month, for the same period, and to be indelibly marked on the left hip by a letter "D" two inches in length, and then to be dishonorably discharged."

5th..Private *Hugh Conway*, Co. B, 3d Infantry.

CHARGE—Desertion.

SPECIFICATION—In this; that he, Private *Hugh Conway*, Co. B, 3d Infantry, a duly enlisted soldier in the service of the United States did desert said service on or about the 25th day of December, 1865, and did remain absent until arrested in Chicago, Illinois, on or about the 5th day of July, 1868. This at St. Louis, Mo., on or about the 25th day of December, 1865.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said Private *Hugh Conway*, Co. B 3d Infantry, "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be indelibly marked on the left hip with a letter "D" two inches long, and then to be dishonorably discharged the service."

6th..Private *Hugh Cameron*, Co. C, 7th Cavalry.

CHARGE—Desertion.

SPECIFICATION—In this; that the said *Hugh Cameron*, Co C, 7th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Lyons, Kansas, on or about the — day of October, 1867, and did remain absent until apprehended at Chicago, Illinois, on or about the 21st day of October, 1868. A reward of thirty dollars has been paid for his apprehension.

To which *Charge* and *Specification* the prisoner pleaded "Guilty.

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

The Court does therefore sentence him, the said *Hugh Cameron*, Private Co. C, 7th Cavalry, "to be indelibly marked on the left hip with the letter "D" two inches long, to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard for twelve months, wearing a twelve pound ball attached to his leg by a chain two feet long, forfeiting during that period fourteen dollars of his monthly pay, per month, and then to be dishonorably discharged the service."

II. In the cases of Recruit *James McShay*, General Service, U. S. A., and of Private *John Frazer*, Co. G, 5th Cavalry, the proceedings and findings are approved. The sentences are confirmed. In consideration of the fact that the prisoners voluntarily surrendered themselves the sentences in their cases are mitigated to forfeiture of all pay and allowances due at the promulgation of the same and ten dollars per month of their monthly pay thereafter for six months, during which period they will be confined under charge of the guard at hard labor, at the posts to which they properly belong. As mitigated the sentences will be carried into effect.

III. In the cases of Privates *John Clark* Co. D, 16th Infantry, *John Shellenberger*, Battery B, 1st Artillery, *Hugh Conway*, Co. B, 3d Infantry, and *Hugh*

Cameron, Co. C, 7th [Cavalry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred Hough
A. D. C. U. S. A.
A. D. C. A. G.

7—Private JOHN CUSHMAN, Co. H, 43d Infantry.
8—Private WILLIAM JACOBS, Co. C, P. P., General Service, U. S. A.
9—Private DAVID O'CONNOR, Co. A, P. P., General Service, U. S. A.
10—Recruit GEORGE W. EUBANKS, General Service, U. S. A.
11—Recruit JOHN M. SLAID, Co. C, Select General Service, U. S. A.
12—Private ANDREW M. DRIGGS, Co. C, 30th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 10th, 1868.

GENERAL ORDERS,
No 93.

Before a General Court Martial which convened at Newport Barracks, Ky., November 27th, 1868, pursuant to Special Orders No. 208, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1868, and of which Lieut. Colonel T. L. ALEXANDER, U. S. A., (retired) is President, and Brevet Major WILLIAM R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

7th—Private *John Cushman*, Co. H, 43d Infantry.

Charge—Desertion.

Specification—In this; that he, Private *John Cushman*, Co. H, 43d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 29th day of May, 1868, and did remain absent until apprehended as a deserter at Cincinnati, Ohio, on the 23d day of September, 1868. This at Fort Wayne, Michigan, on or about the date above mentioned.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said *John Cushman*, Private Co. H, 43d Inf., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked on the left hip with the letter "D," two (2) inches long, and to be dishonorably discharged the service."

In the case of Private *John Cushman*, Co. H, 43d Infantry, the proceedings findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer at the post to which the prisoner properly belongs.

8th—Private *William Jacobs*, Co. C, P. P., General Service, U. S. A.

Charge—Desertion.

Specification—In this; that Private *William Jacobs*, Co. C, Permanent Party, General Service, U. S. A., and a duly enlisted soldier, did desert the service of the United States at Fort Columbus, New York Harbor, on

or about the 3d day of June, 1868, and did remain absent until arrested at Chicago, Illinois, on the 3d day of October, 1868. Thirty dollars reward claimed for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *William Jacobs*, Private Co. C, P. P., Gen. Serv , U. S. A., "to be indelibly marked on the left hip with a letter "D," two inches long; to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard for twelve months, wearing a twelve pound ball attached to his leg by a chain two feet long, forfeiting during that period fourteen (14) dollars of his monthly pay, per month, and then to be dishonorably discharged the service."

In the case of Private *William Jacobs*, Co. C, P. P., General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer at the post to which the prisoner properly belongs.

9th—Private *David O'Connor*, Co. A, P. P., General Service, U. S. A.

Charge 1st—Neglect of duty.

Specification—In this; that he, Private *David O'Connor*, Co. A, P. P., General Service, U. S. A., having been duly detailed as Police guard while in charge of prisoners, did permit one of them (Recruit Wm. Mitchell, Co. B, Music Boys,) to go unaccompanied beyond his control, in consequence of which, he, the said Wm. Mitchell, Co. B, Music Boys, effected his escape. This at or near Newport Barracks, Ky., on or about the 14th day of October, 1868.

Charge 2d—Drunkenness on duty, in violation of the 45th Article of War.

Specification—In this; that he, the said Private *David O'Connor*, Co. A, P. P., General Service, U. S. A., after having been duly mounted on guard at Newport Barracks, Ky., on or about the 2d day of October, 1868, did become so intoxicated as to be unable to perform the duties of a sentinel. This at Newport Barracks, Ky., on or about the 2d day of October, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 2d *Charge* and *Specification*, "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *David O'Connor*, Private Co. A, P. P., General Service, U. S. A., "to be confined at hard labor under charge of the guard for the period of six months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period.,'

In the case of Private *David O'Connor*, Co. A, P. P., General Service, U. S. A., the proceedings and fiindings are approved. The sentence is confirmed, but on the recommendation of the members of the Court to clemency, the Major General Commanding is pleased to mitigate the sentence to confine-

ment at hard labor in charge of the guard at the post at which the prisoner may be serving for the period of two (2) months, and to forfeit ten dollars per month of his monthly pay for that period. As mitigated the sentence will be carried into effect by the proper officer.

10th—Recruit *George W. Eubanks*, General Service, U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that the said Recruit *George W. Eubanks*, General Service, U. S. A., did, while undergoing sentence for desertion, per G. O. No. 17, Head-Quarters Department of the Cumberland, Louisville, Ky., dated February 26th, 1868, effect his escape from the guard house in which he was confined at Newport Barracks' Ky., and remained absent until he was apprehended at Chicago, Illinois, on or about October 2d, 1868. Thirty dollars being paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty-"

SENTENCE.

The Court does therefore sentence him, the said *George W. Eubanks*, Rect. Gen. Service, U. S. Army, "to refund to the United States the amount paid for his apprehension; to make good the time lost under his sentence announced in General Orders No. 17, Head-Quarters Department of the Cumberland, Louisville, Ky., February 26th, 1868, and at the expiration of his former sentence o be dishonorably discharged.

In the case of Recruit *George W. Eubanks*, General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer at the post to which the prisoner properly belongs.

11th—Recruit *John M. Slaid*, Co. C, Select General Service, U. S. A.

Charge—Desertion.

Specification—In this: that the said Recruit *John M. Slaid*, Co. C, Select General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 27th day of July, 1868, and did remain absent until apprehended at New Orleans, La., on or about the —— day of ——, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *John M. Slaid*, Recruit, Co. C. G. S., U. S. Army, "to forfeit all pay and allowances that are now or may become due him; to be indelibly marked with a letter "D," two inches long, and to be dishonorably discharged from the service."

In the case of Recruit *John M. Slaid*, Co. C, Select General Service, U. S. A., the proceedings and findings are approved. The sentence is confirmed, but in consideration of this being the first serious offence of the prisoner, that portion of the sentence relating to marking with the letter "D," and dishonorable discharge is remitted. The prisenor will be released from confinement and restored to duty, his pay and allowances, due up to the promulgation of this sentence, being forfeited.

12th—Private *Andrew M, Driggs*, Co C, 30th Infantry.

Charge—Desertion.

Specification—In this; that the said *Andrew M. Driggs*, Private of Co. C, 30th Infantry, having been duly enlisted in the service of the United States, did desert the same ot Fort Saunders, D. T., on or about the 12th day of August, 1868, and did remain absent until he surrendered himself at Chicago, Illinois, on or about the 7th day of October, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Not Guilty."

The Court does therefore acquit him, the said *Andrew M. Driggs*, Private Co. C, 30th Infantry, of the charge and specification against him.

In the case of Private *Andrew M. Driggs*, Co. C, 30th Infantry, the proceedings and findings are approved. He will be released from confinement and returned to duty.

By command of Major General Thomas,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U S A
A. A. G.

8—Private JOHN MACKEL, Co. E, 45th Infantry.
9—Private JOHN WATERMAN, Co. E, 45th Infantry.
10—Private ARCHIBALD BROWN, Co. E, 45th Infantry.
11—Private CHARLES MYERS, Co. A, 45th Infantry.
12—Private JOHN ROZEL, Co. F, 45th Infantry.
13—Private THOMAS J. DONNELLY, Co. F, 45th Infantry.

———c———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Dec. 11th, 1868.

GENERAL ORDERS,
No. 94

I.—Before a General Court Martial which convened at Nashville, Tenn., November 24th, 1868, pursuant to Special Orders No. 204, Par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 17th, 1868, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry is President, and Brevet Major DANIEL W. BURKE, Captain 45th Infantry Judge Advocate, were arraigned and tried:

8th—Private *John Mackel*, Co. E, 45th Infantry.

Charge—Violation of the 45th Article of War..

Specification—In this; that Private *John Mackel*, Co. E, 45th Infantry, having been regularly detailed and mounted as a member of the guard, mounted at the Post of Nashville, Nashville, Tenn., November 2, 1868, and relieved on the 4th of November, was found drunk. This at the Post of Nashville, Nashville, Tenn., on the 3d day of November, 1868.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Mackel*, Co. E 45th Infantry, "to be confined at hard labor under charge of the guard for the period of one month."

9th—Private *John Waterman*, Co. E, 45th Infantry.

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

Specification—In this; that he, Private *John Waterman*, Co. E, 45th Infantry, did steal, take and carry away about fifty (50) pounds (more or less) of horse shoes and other iron from the Post Blacksmith's shop, at Chattanooga, Tenn. All this at or near the Post of Chattanooga, Tenn., on or about September 1st, 1868.

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

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Waterman*, Co

E, 45th Infantry, "to forfeit all pay now due, or that may become due; to be confined in such penitentiary as proper authority may indicate for the period of six months, and to be dishonorably discharged the service."

10th— Private *Archibald Brown*, Co. E, 45th Infantry.

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

Specification 1st.—In this; that he, Private *Archibald Brown*, Co. E, 45th Infantry, did use insubordinate and insulting language to Corporal John Welsh, Co. E, 45th Infantry, while he, Corporal Welsh, was in the execution of his duty, by calling said Corporal Welsh a "God damned son of a bitch, I will kill you the first chance I get," or words to that effect. This at or near Chattanooga, Tenn., on or about the 5th day of October, 1868.

Specification 2d—In this; that he *Archibald Brown*, Co. E, 45th Infantry, did raise a gun and attempt to strike Corporal John Welsh, Co. E, 45th Infantry, while he, the said Corporal John Welsh was in the execution of his duty, endeavoring to quiet Private *Archibald Brown*, who was raising a disturbance in his company quarters by using violent and insulting language, and acting in a boisterous manner. All this at or near the Post of Chattanooga, Tenn., on or about the 5th day of October, 1868.

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

FINDINGS.

Of the *Charge* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *Archibald Brown* Co. E, 45th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for four (4) months."

11th—Private *Charles Myers*, Co. A, 45th Infantry.

Charge 1st—Absence without leave.

Specification—In this; that Private *Charles Myers*, Co. A, 45th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his company without proper authority, at Nashville, Tenn., on or about the 21st day of May, 1868, and did remain absent until arrested at or near Nashville, Tenn., on or about the 25th day of May, 1868. This at or near Nashville, Tenn., on or about the dates above mentioned,

Charge 2d—Desertion.

Specification—In this; that Private *Charles Myers*, Co. A, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert said service from the Post Hospital at Nashville, Tenn., on or about the 2d day of June, 1868, and did remain absent until apprehended as a deserter at or near Chicago, Illinois, on or about the 29th day of July, 1868, thirty dollars having been paid therefor. This at or near Nashville, Tenn., and Chicago, Illinois, on or about the dates above mentioned.

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

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE..

And the Court does therefore sentence him, Private *Charles Myers*, Co. A,

45th Infantry, "to forfeit 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 the same period."

12th—Private *John Rozel*, Co. F, 45th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that he, Private *John Rozel*, Co. F, 45th Infantry, did, after having been ordered by his company commander to prepare to march with his company from Ash Barracks, Nashville, Tenn., to the Steamer "A Baker" then lying at the levee in Nashville, Tenn., become so drunk as to be unable to march with his company. This at Nashville, Tenn., on or about the 7th day of October, 1868.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Private *John Rozel*, Co. F, 45th Infantry, did, while on the Steamer "A Baker" *en route* from Nashville, Tenn., to Livingston, Overton Co., Tenn., act in a manner to incite mutiny in his company by returning such rations as are lawfully provided for every soldier in the service of the United States, and remonstrated with other members of his company for taking such rations by saying that "no such rations as the portion he received was furnished by the United States," when at the same time the ration issued was the full amount allowed by the United States Government. All This on board the Steamer "A Baker," on or about the 7th and 8th days of October, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* "Guilty."
To the 2d *Charge* and *Specification* "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Guilty."
Of the *Specification* 2d *Charge* "Guilty"
excepting the words "no such rations as the portion he received was furnished by the U. S."
Of the 2d *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *John Rozel*, Co. F, 45th Infantry, "to forfeit fifteen (15) dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for two (2) months."

13th—Private *Thomas J. Donnelly*, Co. F, 45th Infantry.

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

Specification—In this; that Private *Thomas J. Donnelly*, Co. F, 45th Infantry, did, while on the Steamer "A. Baker," *en route* from Nashville, Tenn., to Livingston, Overton Co., Tenn., act in a mutinous and disrespectful manner, and did refuse such lawful rations as the United States furnishes to every soldier in the service, by returning his rations to the company cook and remarking to the rest of the members of Co. F, 45th Infantry, "Come, let us all return the ration. I am not going to take any such stuff as this." All this on the Steamer "A. Baker" on or about October 9th, 1868, *en route* from Nashville, Tenn., to Livingston, Overton Co., Tenn.

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

FINDINGS.

Of the *Specification* "Guilty"

except the words "Come, let us all return the ration."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *Thomas J. Donnelly*, Co. F, 45th Infantry, "to forfeit fifteen dollars per month of his monthly pay for the period of six (6) months."

II.—In the cases of Privates *John Mackel* Co. E, *Archibald Brown* Co. E, and *Charles Myers* Co. A, 45th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III.—In the case of Private *John Waterman*, Co. E, 45th Infantry, the proceedings and findings are approved. The sentence is confirmed, and will be carried into effect by the commanding officer of the post at which the prisoner may be serving, who will forward the prisoner under guard and accompanied by a copy of the order promulgating this sentence, to the Warden of the Penitentiary of the State of Tennessee at Nashville, for confinement.

IV.—In the case of Private *John Rozel* of Co. F, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence is mitigated to forfeit fifteen (15) dollars per month of his monthly pay for two months, and confinement at hard labor in charge of the guard for the same period. To be carried into effect at the post to which the prisoner properly belongs.

V.—The proceedings and findings in the case of Private *Thomas J. Donnelly* Co. F, 45th Infantry, are approved. The sentence is confirmed, but mitigated to forfeiture of fifteen dollars per month of his monthly pay for the period of two months, and will be carried into effect by the proper officer.

By command of Major General Geo. H. Thomas

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred S. Hough

Bvt Col U S A

A. A. G.

14—Private JAMES SILVER, Co. F, 45th Infantry.
15—Private CHARLES E. MANNING, Co. F, 45th Infantry.
16—Private JOHN BROWN, Co. A, 45th Infantry.
17—Private LEROY R. TITUS, Co. B, 45th Infantry.
18—Private ROBERT ELLIOTT, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Dec. 12th, 1868.

GENERAL ORDERS, No. 95.

1.—Before a General Court Martial which convened at Nashville, Tenn., November 24th, 1868, pursuant to Special Orders No. 204, Par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 17th, 1868, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry is President, and Brevet Major DANIEL W. BURKE, Captain 45th Infantry Judge Advocate, were arraigned and tried:

14th—Private *James Silver*, Co. F, 45th Infantry.

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

Specification—In this; that Private *James Silver*, of Company F, 45th Infantry did, without cause or provocation, strike and hit with his fist, Corporal Richard Johnson, Co. B, 45th Infantry; this while Corporal Richard Johnson was in the execution of his office. All this at Ash Barracks, Nashville, Tennessee, on or about September 23d, 1868.

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

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Silver*, Co. F, 45th Infantry, "to forfeit ten dollars of his monthly pay for the period of one month."

In the case of Private *James Silver*, Co. F, 45th Infantry, the proceedings, findings and sentence are disapproved, on account of insufficient evidence to warrant a conviction. Private *Silver*, will be released from confinement and restored to duty.

15th—Private *Charles E. Manning*, Co. F, 45th Infantry.

Charge—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that Private *Charles E. Manning*, Co. F, 45th Infantry, has been nearly all the time since his enlistment, March 18th, 1867, either in confinement, awaiting or serving sentence of General Court Martial, as follows, namely, viz:—Enlisted March 18th, 1867, confined November 13th, 1867 to July 30th, 1868, for theft, serving sentence of General Court Martial; confined September 17th, 1868, for drunkenness, released September 18th, 1868; confined September 19th, 1868, for theft, in confinement awaiting trial by General Court Martial.

To which charges and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the *Charge*, "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty"

Of the *Charge* "Not Guilty."

And the Court does therefore acquit him, Private *Charles E. Manning*, Co. F, 45th Infantry.

The proceedings and findings in the case of Private *Charles E. Manning*, Co. F, 45th Infantry, are disapproved; he will be released from confinement and returned to duty. By his plea the prisoner admits the facts as stated in the specification, and that specification fully supports the charge, the prisoner's plea of not guilty of the charge to the contrary notwithstanding. A man who has within a year been twice confined for theft and once for drunkenness is certainly guilty of "conduct to the prejudice of good order and military discipline," if not of "utter worthlessness" as a soldier. How a Court composed of competent officers could arrive at a finding of not guilty with these facts under consideration, although no evidence was taken is a matter of surprise to the Major General Commanding, who accordingly disapproves of the same.

16th—Private *John Brown*, Co. A, 45th Infantry.

Charge—Desertion.

Specification—In this; that Private *John Brown*, Co. A, 45th Infantry, a duly enlisted soldier in the army of the United States, did, on or about the 16th day of August, 1868, desert the same, and di remain absent until apprehended as a deserter at or near the city of Cairo, Illinois, on or about the 11th day of November, 1868. Thirty dollars having been paid for his apprehension. This at Ash Barracks, Nashville, Tenn., on or about the date above mentioned.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Brown*, Co. A, 45th Infantry, "to be confined at hard labor under charge of the guard for four (4) months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

In the case of Private *John Brown*, Co. A, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

17th—Private *Leroy R. Titus*, Co. B, 45th Infantry.

Charge 1st—Violation of the 44th Article of War..

Specification 1st—In this; that he, Private *Leroy R. Titus*, Co. B, 45th Infantry, did fail in repairing, at the time fixed, to the parade ground for retreat roll call on or about the 4th day of November, 1868. This at or near Gallatin, Tenn., on or about the date specified.

Specification 2d—In this; that he, Private *Leroy R. Titus*, Co. B, 45th In-

fantry, did fail in repairing, at the time fixed, to the parade ground for reveille roll call on the morning of the 20th day of November, 1868. This at or near Gallatin, Tenn., on or about the date specified.

Charge 2d—Absence without leave.

Specification—In this; that he, Private *Leroy R. Titus*, Co. B, 45th Infantry, did, without permission from proper authority, absent himself from his company, on or about the 20th day of November, 1868. This at or near Gallatin, Tenn., on or about the date specified.

Charge 3d—Disobedience of Orders.

Specification—In this; that he, Private *Leroy R. Titus*, Co. B, 45th Infantry, did absent himself from his company in violation of outstanding orders and contrary to the direct order of his commanding officer not to leave his quarters. All this at or near Gallatin, Tenn., on or about the 20th day of November, 1868.

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

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *Leroy R, Titus*, Co. B, 45th Infantry, "to forfeit ten dollars per month of his monthly pay for the period of two (2) monthes."

In the case of Private *Leroy R. Titus*, Co. B, 45th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer.

18th—Private *Robert Elliott*, Co. B, 45th Infantry.

Charge 1st—Violation of the 99th Article of War.

Specification 1st—In this; that he, Private *Robert Elliott*, Co. B, 45th Infantry, was so drunk as to be unable to attend the general drill of his company. This at or near the post of Gallatin, Tenn., on or about the 19th day of November, 1868.

Specification 2d—In this; that he, Private *Robert Elliott*, Co. B, 45th Infantry, was so much under the influence of intoxicating liquor as to be unable to attend inspection or dress-parade. This at or near the post of Gallatin, Tenn., on or about the 22d day of November, 1868.

Specification 3d—In this, that he, Private *Robert Elliott*, Co. B, 45th Infantry did appear on the company parade-grounds for drill without a stock, and in a dirty and unmilitary condition. This at or near the post of Gallatin, Tenn., on or about the 19th day of November, 1868.

Charge 2d—Violation of the 6th Article of War.

Specification—In this; that he, Private *Robert Elliott*, Co. B, 45th Infantry, did use the following disrespectful language to his commanding officer; "God damn, I will take my revenge out of you," or words to that effect. This at or near the post of Gallatin, Tenn., on or about the 22d day of November, 1868.

Charge 3d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification.—In this; that he, Private *Robert Elliott*, Co. B, 45th Infantry, having been duly enlisted as a soldier in the military service of the United States on the 22d day of January, 1867, has proved himself worthless as a soldier of the United States army, he, the said Private *Robert Elliott*, having been confined in the guard house at Jeffersonville, Indiana, for drunkenness, from July 18th to July 23d, 1867, again July 25th 1867, for the same offence. Confined at the guard house at Ash Barracks, Nashville, Tenn., July 6th, 1868, for drunkenness on duty and sentenced to confinement at hard labor in charge of the guard for the period of three months—expired November 14th, 1868, again confined November 19th and 22d, 1868. This at or near Jeffersonville, Indiana, Nashville, Tenn., and Gallatin, Tenn., on or about the dates above specified.

To which Charges and Specifications the prisoner pleaded as follows :

To the 1st and 2d *Charges* and *Specifications* "Not Guilty."

To the *Specification* 3d *Charge* "Guilty" excepting the words "having proved himself worthless as a soldier of the U. S. Army."

To the 3d *Charge* "Not Guilty."

FINDINGS.

Of the 1st and 2d *Specifications* 1st *Charge* "Not Guilty."

Of the 3d *Specification*, 1st *Charge* "Guilty."

Of the 1st *Charge* "Guilty."

Of the 2d *Charge* and *Specification* "Guilty."

Of the *Specfication* 3d *Charge* "Guilty." excepting the words, "having proved himself worthless as a soldier of the U. S Army. He, the said Private *Robert Elliott*," and substituting the word "has" for "having."

Of the 3d *Charge* "Not Guilty,"

SENTENCE.

And the Court does therefore sentence him, Private *Robert Elliott*, Co.B, 45th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for the period of six (6) months.'

In the case of Private *Robert Elliott*, Co. B, 45th Infantry, the proceedings, findings and sentence are disapproved, not being in accordance with the evidence adduced as shown by the record. He will be released from confinement and returned to duty.

II.—The General Court Martial of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry is President, and Brevet Major DANIEL W. BURKE, Captain 45th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL :

13—Private JOHN PFEIFFER, Co. A, P. P., General Service, U. S. A.
14—Private FRANK ELLIS, General Service, U. S. A.
15—Recruit JOHN WIEL, General Service, U. S. A.
16—Private ERNEST A. MAURER, Co. A, P. P., General Service, U. S. A.
17—Recruit ADOLPH BERGMAN, *alias* JOHN MOSSMAYER, Co. B, Music Boys, General Service, U. S. A.
18—Private SOLOMON FRAZEE, Co. A, P. P., General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 14th, 1868.

GENERAL ORDERS,
No 96.

I—Before a General Court Martial which convened at Newport Barracks Ky., November 27th, 1868, pursuant to Special Orders No. 208, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1868, and of which Lieut. Colonel T. L. ALEXANDER, U. S. A., (retired) is President, and Brevet Major WILLIAM R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

13th—Private *John Pfeiffer*, Co. A, P. P., General Service, U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Private *John Pfeiffer*, Co. A, Permanent Party, having been duly detailed and marched on guard, did change his post with Private Thomas Moore, Co. A, P. P., without permission from proper authority, to the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 17th day of October, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Not Guilty."

The Court does therefore acquit him, the said *John Pfeiffer*, Co. A, P. P., Newport Barracks, Ky., of the charge and specification preferred against him.

14th—Recruit *Frank Ellis*, General Service U. S. A.

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

Specification—In this; that he, the said Recruit *Frank Ellis*, General Service U. S. A., did steal one (1) Government blanket from the Post Hospital. This at Newport Barracks Ky., on or about the 9th October, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Frank Ellis*, Recruit General Service U. S. A., "to forfeit four dollars of his monthly pay per month, for two months; to be confined at hard labor under charge of the guard for the same period, during the first fourteen days of each month to march in

front of the guard-house, under charge of a guard, each alternate hour from Reveille to Retreat, wearing a large board on his back with "THIEF" in large letters marked thereon."

15th—Recruit *John Wiel*, General Service U. S. A.

Charge—Desertion.

Specification—In this; that the said Recruit *John Wiel*, General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same at Saint Louis, Mo., on or about the 18th day of August, 1867, and did remain absent until apprehended at Saint Louis, Mo., on or about the 19th day of September, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty" except the word "desert," substituting therefor "absent himself without leave from."

To the *Charge*, "Not Guilty," but guilty of absence without leave.

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *John Wiel*, Recruit General Service U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard for twelve (12) months, wearing a ball weighing twelve pounds attached to his left leg by a chain two feet in length, forfeiting twelve dollars of his monthly pay per month for the same period."

16th—Private *Ernest A. Maurer*, Co. A, P. P. G. S. U. S. A.

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

Specification—In this; that he, Private *Ernest A. Maurer*, Co. A, P. P., Newport Barracks, Ky., having been duly detailed as a member of the Police-guard, did, while in charge of a certain number of prisoners, allow one of them, (Recruit William H. Wilson, General Mounted Service U. S. A.,) to escape. This at or near Newport Barracks, Ky., on or about the 22d day of September, 1868.

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

FINDINGS.

Of the *Charge* and *Specification*, "Not Guilty."

The Court does therefore acquit him, the said *Ernest A. Maurer*, Private Co. A, P. P. Newport Barracks, Ky., of the charge and specification preferred against him.

17th—Recruit *Adolph Bergman*, alias *John Mossmayer*, Co. B Music Boys, G. S., U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that the said Recruit *Adolph Bergman*, alias *John Mossmayer*, Co. B, Music Boys, Gen. Service U. S. A., having been appointed by his comrades of the Depot Band, Newport Barracks, Ky., as Treasurer in charge of the funds obtained from the sale of tickets on the occasion of a concert given by them in Newport, Ky., on or about January 23d, 1868, did, when he deserted, appropriate to his own use ninety (90) dollars or thereabouts of said funds. This at Newport Barracks, Ky., on or about January 23d, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except the words "ninety dollars," substituting therefor "fifty dollars."

To the *Charge*, "Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"

except the words "ninety dollars," substituting therefor "fifty dollars."

Of the *Charge* "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Adolph Bergman*, alias *John Mossmayer*, Recruit Co. B, Music Boys, General Service U. S. A., "to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States ten (10) dollars of his monthly pay per month, for five months; this sentence to commence at the expiration of the sentence awarded in General Orders No. 78, Head Quarters Dept., of the Cumberland, Louisville, Ky., Oct. 2d. 1868."

18th—Private *Solomon Frazee*, Co. A, Permanent Party, General Service, U. S. A.

Charge—Desertion.

Specification—In this; that the said Private *Solomon Frazee*, Co. A, Permanent Party, General Service, U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 18th day of September, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 17th day of November, 1868. A reward of thirty (30) dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification* "Guilty."

except the word, "desert" substituting therefor "did absent himself without leave from."

To the *Charge* "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE..

The Court does therefore sentence him, the said, *Solomon Frazee*, Private Co. A, Permanent Party, General Service, U. S. A., "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for six (6) months, and to forfeit ten (10) dollars of his monthly pay, per month for the same period."

II.—In the cases of Privates *John Pfeiffer* and *Ernest A. Maurer*, Co. A, Permanent Party, General Service, U. S. A., the proceedings and findings are approved. They will be released from confinement and returned to duty.

III.—In the cases of Recruit *Frank Ellis*, General Service, U. S. A. and Private *Solomon Frazee*, Co. A, Permanent Party, General Service, U. S. A., the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

IV.—In the case of Recruit *John Wiel*, General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. On the recommendation of the members of the Court to,leniency, owing to the consideration of the prisoner's imperfect und erstanding of the English language and the responsibility of the step taken by him when he enlisted, that portion of the sentence is remitted which relates to confinement for twelve months with ball and chain and forfeiture of twelve dollars per month of his monthly pay for the same period. He will be released from confinement and restored to duty.

V.—In the case of Recruit *Adolph Bergman, alias John Mossmayer*, Co. B, Music Boys, General Service U. S. A. the proceedings, findings and sentence are disapproved. The offense, although specified under the charge of conduct prejudicial to good order and military discipline, is not purely a military crime, disorder, nor a neglect, in that it does not affect the order or discipline of the service. The obligation incurred by *Mossmayer*, when he accepted the trust from his comrades to act as Treasurer for them in a private enterprise became a private affair between himself and those comrades, to whom alone he is answerable,and nothing relating thereto is due fromhim in his military capacity as a soldier or member of the Post Band of Newport Barracks. The charges should not have been considered by the Court, nor will the sentence be executed.

By command of Major General Thomas,

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred Hough

Bvt Col U S A

A A A G

19—Recruit WILLIAM MEYERBEER, 13th Infantry.
20—Recruit GEORGE W. EUBANKS, General Service, U. S. A.
21—Private GEORGE S. HENDERSON, Co. A, P. P., G. S., U. S. A.
22—Private JULES STEIN, Co. D, 3d Cavalry.
23—Corporal JAMES HUGHES, Co. H, 5th Cavalry.
24—Private HEINRICH BRACHMAN, Co. H, 28th Infantry.
25—Private FRANK CHURCH, Co. D, 5th Infantry.
26—Recruit LEWIS THATCHER *alias* LEWIS BOOK, General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 26th, 1868.

GENERAL ORDERS,
No 97.

I—Before a General Court Martial which convened at Newport Barracks Ky., November 27th, 1868, pursuant to Special Orders No. 208, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1868, and of which Lieut. Colonel T. L. ALEXANDER, U. S. A., (retired) is President, and Brevet Major WILLIAM R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

19th—Recruit *William Meyerbeer*, 13th Infantry.

Charge—Desertion.

Specification—In this; that the said Recruit *William Meyerbeer*, 13th Infantry, having been duly enlisted in the service of the United States, did desert the same at Camp Cook, M. T., on or about the 29th day of May 1867, and did remain absent until apprehended at Buffalo, Iowa, on or about the 16th day of April, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification* "Guilty."
except the word, "desert" substituting therefor "did absent himself from, without leave."

To the *Charge*, "Not Guilty,"
but Guilty of absence without leave.

FINDINGS.

Of the *Specification*, "Guilty,"
except the word "desert" substituting therefor "did absent himself from the same without leave" but attach no criminality thereto.

Of the *Charge* "Not Guilty."

The Court does therefore acquit him, the said *William Meyerbeer*, Recruit 13th Infantry, of the charge and specification against him.

20th—Recruit *George W. Eubanks*, General Service, U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Recruit *George W. Eubanks*, General Service, U. S. A., did, while undergoing sentence for desertion, per G. O. No. 17, Head-Quarters Department of the Cumberland, Louisville,, Ky., dated February 26th, 1868, effect his escape from the guard house in which he was confined at Newport Barracks' Ky., between the hours of 5 and 7 o'clock, P. M., on the 25th day of November, 1868, and did remain absent until he was apprehended at Cincinnati, Ohio, on the 26th day of November, 1868. Thirty dollars reward being paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *George W. Eubanks*, Recruit, General Service, U. S. A., "to be indelibly marked with the letter "W" two inches long on his left hip; to carry a log of wood weighing twenty pounds every alternate hour between revelle and retreat for the period of sixty days, and then to be dishonorably discharged." (This being the second time this man has been tried by this Court within two weeks for similiar offence.)

21st—Private *George S. Henderson*, Co. A, P. P., General Service, U. S. A.,

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

Specification—In this; that he, Private *George S. Henderson*, Co. A, P. P. G. S., U. S. A., having been duly detailed and marched on guard and posted as a sentinel on post No. 3, in rear of the guard house, did by his neglizence permit eight (8) prisoners, namely: Recruits Frank McCooley, George W. Eubanks, Samuel Israel and Cyrus Sterling, General Service, U. S. A.,—Recruits William Mitchell and Frank Brown. Co. B, Music Boys, General Service, U. S. A.,—Private Robert Peterson Co. A, P. P., G. S., U. S. A., and Private Chilson Stickles, Co. I, 12th Infantry, confined in the guard house, to escape. This at Newport Barracks, Ky., between the hours of 5 and 7 o'clock, P. M., on the 25th day of November, 1868.

To which *Charge* and *Specification* the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therfore sentence him, the said *George S. Henderson*, Private Co. A, P. P., General Service, U. S. A., "to forfeit to the United States twelve dollars of his monthly pay, per month, for the period of six months, and to be confined at hard labor under charge of the guard, for the same period, wearing a twelve pound ball attached to his left leg by a chain two feet long."

22d—Private *Jules Stein*, Co. D, 3d Cavalry.

Charge—Desertion.

Specification—In this; that the said Private *Jules Stein*, Co. D, 3d Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Smith, Arkansas, on or about the 6th day of March, 1867, and did remain absent until apprehended at Chicago, Ill., on or about the 14th day of August, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty"

except the word "desert," substituting therefor "did absent himself without leave from."

To the *Charge* "Not Guilty."

but guilty of "absence without leave."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Jules Stein*, Private Co. D, 3d Cavalry, "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined at hard labor in charge of the guard wearing a ball weighing twelve pounds attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

23d—Corporal *James Hughes*, Co. H, 5th Cavalry

Charge—Desertion.

Specification—In this; that the said *James Hughes*, Corporal Co. H 5th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Aiken, South Carolina, on or about the 15th day of March, 1868, and did remain absent until apprehended at Alexandria, Ind., on or about the 10th day of September, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the word "desert," substituting therefor "did absent himself without leave from."

To the *Charge*, "Not Guilty." but guilty of "absence without leave."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *James Hughes*, Corporal Co. H, 5th Cavalry, "to be reduced to the ranks, to forfeit all pay and allowance that are or may become due up to the promulgation of this sentence; to be confined at hard labor under charge of the guard for twelve (12) months, wearing a twelve pound ball attached to his left leg by a chain two feet in length, and to forfeit twelve dollars of his monthly pay, per month for the same period."

24th—Private *Heinrich Brachman*, Co. H, 28th Infantry.

Charge—Desertion.

Specification—In this; that the said Private *Heinrich Brachman*, Co. H, 28th Infantry, having been duly enlisted in the service of the United States, did desert the same at Little Rock, Arkansas, on or about the 13th day of June, 1867, and did remain absent until apprehended at Saint Louis, Mo., on or about the 27th day of April, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Heinrich Brachman*, Private Co. H, 28th Infantry, "to be indelibly marked with a letter "D" two inches long on the left hip; to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for twelve months; to forfeit fourteen dollars of his monthly pay, per month, for the same period, and to be dishonorably discharged the service."

25th—Private *Frank Church*, Co. D, 5th Infantry.

Charge—Desertion.

Specification—In this; that the said *Frank Church*, Private Co. D, 5th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the—day of August, 1866, and did remain absent until apprehended at Chicago, Illinois, on or about the 1st day of October, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him the said *Frank Church*, Private Co.

D, 5th Inf., "to be indelibly marked with the letter "D" two inches long on his left hip; to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for twelve months; to forfeit fourteen dollars of his monthly pay, per month, for the same period, and to be dishonorably discharged the service."

26th—Recruit *Lewis Thatcher*, alias *Lewis Book*, General Service U. S. A.

Charge—Desertion.

Specification—In this; that the said *Lewis Thatcher*, alias *Lewis Book*, Recruit General Service U. S. A., having been duly enlisted in the service of the United States, did desert the same at Hart's Island, N. Y. H. on or about the—day of——, 1866, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 26th day of May, 1868. A reward of thirty dollars has been claimed for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification*, "Not Guilty."

The Court does therefore acquit him, the said *Lewis Thatcher*, alias *Lewis Book*, Recruit General Service U. S. A., of the Charge and Specification preferred against him.

II.—In the cases of Recruits *William Meyerbeer*, 13th Infantry, and *Lewis Thatcher*, alias *Lewis Book*, General Service U. S. A., the proceedings and findings are approved. They will be released from confinement and returned to duty.

III.—In the cases of Recruit *George W. Eubanks*, General Service U. S. A., Private *George S. Henderson*, Co. A, P. P., General Service U. S. A., and Corporal *James Hughes*, Co. H, 5th Cavalry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

IV.—In the case of Private *Jules Stein*, Co. D, 3d Cavalry, the proceedings, findings and sentence are approved and confirmed. On the recommendation of the members of the Court, so much of the sentence as relates to forfeiture of fourteen (14) dollars of his monthly pay per month, for twelve months, is remitted. The remainder of the sentence will be carried into effect at the post to which the prisoner properly belongs.

V.—In the cases of Private *Heinrich Brachman*, Co. H, 28th Infantry, Private *Frank Church*, Co. D, 5th Infantry, the proceedings, findings and sentences are approved and confirmed. On the recommendation of the members of the Court, that further confinement would be injurious to the health of the prisoners, so much of the sentence as relates thereto is remitted. The remainder of the sentence will be carried into effect.

By command of Major General Thomas,

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred Hough

Bvt. Col. U. S. A.

A. A. A. G.

27—Private BENJAMIN F. BUTTS, Co. A, P. P., G. S., U. S. A.
28—Recruit MORRIS D, MASON, Co. C, Select G. S., U. S. A.
29—Private JOSEPH SPATH, Co. G, 2d Cavalry.
30—Corporal HARRY BOYD, Co. H, 4th Artillery.
31—Private JOSEPH R. BOLING, Co. B, 2d Cavalry.
32—Private THOMAS MOORE, Co. A, P. P., G. S., U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 30th, 1868.

GENERAL ORDERS, No 98.

I—Before a General Court Martial which convened at Newport Barracks Ky., November 27th, 1868, pursuant to Special Orders No. 208, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., November 23d, 1868, and of which Lieut. Colonel T. L. ALEXANDER, U. S. A., (retired) is President, and Brevet Major WILLIAM R. LOWE, Captain 19th Infantry, Judge Advocate, were arraigned and tried:

27th—Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A.

Charge 1st—Desertion.

Specification—In this; that he, Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 26th day of October, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 31st day of October, 1868. Thirty dollars reward has been paid for his apprehension.

Charge 2d—Theft, to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A., in conjunction with Private Thomas Moore, Co. A, P. P., G. S., U. S. A., did feloniously take or steal government clothing from the Quartermaster's store-rooms at this Depot, for which Captain John McIntosh, 20th Infantry, A. A. Q. M., is responsible, to the value of ($500) five hundred dollars more or less, and carry the same away in a carriage or other divers ways, and did unlawfully sell or dispose of, or make away with said clothing, and appropriate the proceeds thereof to his or their own use and benefit, to the prejudice of good order and military discipline. This at Newport Barracks, Ky. on or about the 29th day of September, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 2d—In this; that he, Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A., in conjunction with Privates Thomas Moore and David Bowen, Co. A, P. P., G. S., U. S. A., did feloniously take, steal, or assist in stealing government clothing from the Quartermaster's store-rooms at this depot for which Capt. John McIntosh, 20th Inf. A. A. Q. M., is responsible, to the value of ($500) five hundred dollars, more or less and did unlawfully sell, dispose of, or make away with said clothing,

and appropriate the proceeds thereof to his or their own benefit, to the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 2d day of October, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 3d—In this; that he, Private *Benjamin F Butts*, Co. A. P. P., G. S., U. S, A., in conjunction with Privates Thomos Moore and Robert Peterson, Co. A, P. P., G.S. U. S. A., did feloniously take or steal government clothing from the Quartermaster's store-rooms at this Depot, for which Captain John McIntosh, 20th Infantry, A. A. Q. M., is responsible to the value of ($500) five hundred dollars, more or less, and carry the same away in a carriage or other divers ways, and did unlawfully sell, dispose of, or make away with said clothing, and appropriate the proceeds thereof to his or their own use and benefit, to the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 10th day of October, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 4th—In this; that he, Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A., did feloniously take, steal, or assist in stealing and appropriate to his own use and benefit, sundry articles of government clothing, from the Quartermaster's store-room at this Depot, for which Captain John McIntosh, 20th Infantry, A. A. Q. M., is responsible, viz: (100) one hundred pairs trowsers, (100) one hundred blouses, (75) seventy-five blankets, (150) one hundred and fifty pairs shoes, (100) one hundred shirts, more or less, valued at about ($1500) Fifteen hundred dollars. This at Newport Barracks, Ky., at divers times between the 1st day of August, 1868, and the 11th day of October, 1868.

Charge 3d—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Private *Benjamin F. Butts*, Co. A, P. P., G, S., U. S. A., did by forged order or false and fraudulent representations obtain from Messrs. Stanage, Saunders & Co., 135 Main Street, Cincinnati, Ohio, on the account of Brevet Major General Charles R. Woods, U. S. A., Commanding this depot, paper on which to print "Programmes" for Davis' Variety Music Hall, No. 174, Race Street, Cincinnati, Ohio; he stating at the time that the paper obtained was for the use and benefit of this depot. This at Cincinnati, Ohio, on or about the 16th day of October, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*	"Guilty."
To the 2d and 3d *Charges* and *Specifications*,	"Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*	"Guilty."
Of the 1st *Specification* 2d *Charge*,	"Guilty."
Of the 2d *Specification* 2d *Charge*,	"Not Guilty."
Of the 3d *Specification* 2d *Charge*,	"Guilty."
Of the 4th *Specification*, 2d *Charge*	"Guilty."

except the words "(100) one hundred pairs of trowsers, (100) one hundred blouses, (75) seventy-five blankets, (150) one hundred and fifty pairs of shoes, and (100) one hundred shirts, substituting therefor the words (8) eight uniform coats, (45) forty-five flannel sack coats, (unlined,) (68) sixty-eight pairs of rowsers, (Infantry,) (93) ninety-three flannel shirts. (75) seventy-five pairs

of drawers, (5) five great coats, (Cavalry), (46) forty-six pairs of bootees, (sewed,) (47) forty-seven pairs bootees, (pegged;)" and the words, "(1500) fifteen hundred dollars," substituting therefor "($815,64,) eight hundred and fifteen dollars and sixty-four cents."

Of the 2d *Charge* "Guilty."

Of the 3d *Charge* and *Specification* "Not Guilty."

SENTENCE.

The Court does therfore sentence him, the said *Benjamin F, Butts*, Private Co. A. P. P., G. S., U. S. A., "to forfeit all pay and allowances that are or may become due him; to be indelibly marked with a letter "D" two inches long on the left hip, to be dishonorably discharged the service of the United States, and to be confined in such penitentiary for the period of three years as may be designated under the provisions of General Orders No. 90, Head-Quarters of the Army, Adjutant Generals Office, Washington, D. C., Oct. 31st, 1868."

In the case of Private *Benjamin F. Butts*, Co. A, P. P., G. S., U. S. A., the proceedings, findings and sentence are approved and confirmed; the sentence to be carried into effect by the Commanding Officer of the depot of Newport Barracks, Ky., who, after complying with the preliminary requirements, will forward the prisoner, under guard and accompanied by a copy of the order promulgating these proceedings, to the warden of the Penitentiary of the State of Kentucky, at Frankfort, for confinement.

28th—Recruit *Morris D, Mason*, Co. C, S. G. S., U. S. A.

Charge—Desertion.

Specification—In this; that the said Recruit *Morris D. Mason*, Co. C, Select General Service, J. S. A., Newport Barracks, Ky., having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky,, on or about the 10th day of June, 1868; and did remain absent until apprehended at Chicago, Ill., on or about the 1st day of December, 1868. A reward of thirty dollars has been paid for his apprehension.

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

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Morris D. Mason*, Recruit Co. C, Select General Service, U. S. A., "to forfeit all pay and allowances that are, or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for twelve months, and to forfeit fourteen dollars of his monthly, per month, for the same period."

In the case of Recruit *Morris D. Mason*, Co. C, Select General Service, U. S. A., the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer.

29th—Private *Joseph Spath*, Co. G, 2d Cavalry.

Charge—Desertion.

Specification—In this; that the said *Joseph Spath*, Private Co. G, 2d Cavalry, having been duly enlisted in the service of the United States, did desert the same at or near Fort Saunders, Wyoming Territory, on or about

the —day of May, 1868, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 2d day of December, 1868. A reward of thirty dollars has been claimed for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Joseph Spath*, Private Co. G, 2d Cavalry, "to forfeit all pay and allowances that are, or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for twelve months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

In the case of Private *Joseph Spath*, Co. G, 2d Cavalry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer at the post to which the prisoner properly belongs.

30th.—Corporal *Harry Boyd*, Co. H, 4th Artillery.

Charge—Desertion.

Specification—In this; that the said Corporal *Harry Boyd*, Co. H, 4th Artillery, having been duly enlisted in the service of the United States, did desert the same at Fort McHenry, Md., on or about the 9th day of May, 1868, and did remain absent until he surrendered himself at Newport Barracks, Ky., on the 8th day of December, 1868.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, the said *Harry Boyd*, Corporal Co. H, 4th Artillery, "to be reduced to the ranks; to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of six months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

In the case of Corporal *Harry Boyd*, Co. H, 4th Artillery, the proceedings and findings are approved. The sentence is confirmed, but, on recommendation to clemency of four of the members of the Court, and in consideration of previous good behavior and gallant conduct on the part of the prisoner during the late war, the Major General commanding is pleased to remit so much of the sentence as relates to confinement under charge of the guard, and wearing a twelve pound ball and chain. The remainder of the sentence will be carried into effect.

31st.—Private *Joseph R. Boling*, Co. B, 2d Cavalry.

Charge—Desertion.

Specification—In this; that the said Private *Joseph R. Boling*, Co. B, 2d Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort McPherson, Nebraska, on or about the—day of February, 1867, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 1st day of December, 1868. A reward of thirty dollars is claimed for his apprehension

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
except the word "apprehended," substituting therefor "surrendered himself."

To the *Charge* "Guilty."

FINDINGS.

Of the *Specification* "Guilty"
except the word "apprehended," substituting therefor "surrendered himself."

Of the *Charge* "Guilty."

SENTENCE..

The Court does therfore sentence him, the said *Joseph R. Boling*, Private Co. B, 2d Cavalry, "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for six months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

In the case of Private *Joseph R. Boling*, Co. B, 2d Cavalry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect by the proper officer, at the post to which the prisoner properly belongs.

32d.—Private *Thomas Moore*, Co. A, P. P., G. S., U. S. A.

Charge 1st.—Conduct prejudicial to good order and military discipline

Specification—In this; that he, Private *Thomas Moore*, Co. A, P. P., G. S., U. S. A., having been duly detailed and marched on guard, did, while on duty as a sentinel on post No. 3, aid and assist a prisoner, (Recruit Richard Price, a deserter from the 13th Infantry,) to make his escape through the rear of the guard house at this depot. This at Newport Barracks, Ky., between the hours of 11 o'clock, P. M., on the 17th day of October, 1868, and one o'clock A. M., on the 18th day of October, 1868.

Charge 2d.—Theft, to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *Thomas Moore*, Co. A. P. P., G. S., U. S. A., in conjunction with Private Benjamin F. Butts, Co. A, P. P., G. S., U. S. A.. did feloniously take or steal government clothing from the Quartermaster's store-rooms at this depot, for which Captain John McIntosh, 20th Infantry, is responsible, to the value of ($500,00,) five hundred dollars more or less, and carry the same away in a carriage or other divers ways, and did unlawfully sell, dispose of, or make away with said clothing, and appropriate the proceeds thereof to his or their own use and benefit, to the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 29th day of September, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 2d—In this; that he, Private *Thomas Moore*, Co. A, P. P., G. S., U. S. A., in conjunction with Private Benjamin F. Butts, Co. A, P. P., G. S., U. S. A., did feloniously take, steal, or assist in stealing government clothing from the Quartermaster's store-rooms at this depot, for which Captain John McIntosh, 20th Infantry A. A. Q. M., is responsible, to the value of ($500,00) five hundred dollars, more or less, and did unlawfully sell, dispose of, or make away with said clothing, and appropriate the proceeds thereof to his or their own use and benefit, to

the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 2d day of October, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 3d—In this; that he, Private *Thomas Moore*, Co. A, P. P., G. S., U. S. A., in conjunction with Privates Benjamin F. Butts and Robert Peterson, Co. A, P. P., G. S., U. S. A., did feloniously take or steal government clothing from the Quartermaster's store-rooms at this depot, for which Captain John McIntosh, 20th Infantry, A. A. Q. M., is responsible, to the value of ($500,00) five hundred dollars, more or less, and carry the same away in a carriage or other divers ways, and did unlawfully sell, dispose of, or make away with said clothing, and appropriate the proceeds thereof to his, or their own use and benefit, to the prejudice of good order and military discipline. This at Newport Barracks, Ky., on or about the 10th day of October, 1868, between the hours of 9 and 11 o'clock, P. M.

Specification 4th—In this; that he, Private *Thomas Moore*, Co. A, P. P., G. S., U. S. A., did feloniously take, steal, or assist in stealing, and appropriate to his own use and benefit, sundry articles of government clothing, from the Quartermaster's store-rooms, at this depot, for which Captain John McIntosh, 20th Infantry, A. A. Q. M., is responsible, viz: (100) one hundred pairs trowsers, (100) one hundred blouses, (75) seventy-five blankets, (150) one hundred and fifty pairs shoes, and (100) one hundred shirts, more or less, valued at about ($1,500,00) fifteen hundred dollars. This at Newport Barracks, Ky., at divers times between the 1st day of August, 1868, and the 11th day of October, 1868.

Specification 5th—In this; that he, Private *Thomas Moore*, Co. A, P. P., General Service U. S. A., having been duly detailed and marched on guard, did change his post with Private John Pfeiffer, Co. A, P. P., without permission from proper authority, to the prejudice of good order and military————. This at Newport Barracks, Ky., on or about the 17th day of October, 1868.

Here the Judge Advocate entered a *nolle prosequi* to charge 1st, and the specification thereunder; and to the 2d and 5th specifications, 2d charge, as he finds it impossible t o support these specifications—and as the 5th specification 2d charge, is improperly charged under "Theft, to the prejudice of good order and military discipline."

The prisoner then plead as follows:

To the 1st *Specification* 2d *Charge*,	"Not Guilty."
To the 3d *Specification* 2d *Charge*,	"Not Guilty."
To the 4th *Specification* 2d *Charge*,	"Not Guilty."
To the 2d *Charge*,	"Not Guilty."

FINDINGS.

Of the 1st *Specification* 2d *Charge*,	"Guilty."
Of the 3d *Specification* 2d *Charge*,	"Guilty,"
Of the 4th *Specification* 2d *Charge*,	"Guilty,"

excepting the words "(100) one hundred pairs trowsers, (100) one hundred blouses, (75) seventy-five blankets, (150) one hundred and fifty pairs of shoes, and (100) one hundred shirts," substituting therefor the words "(8) eight uniform coats, (Infantry,) (45) forty-five flannel sack coats, (unlined,) (68) sixty eight pairs of trowsers, (Infantry,) (93) ninety-three flannel shirts, (75) seventy-five pairs of drawers, (5) five great coats, (Cavalry,) (46) forty-six

pairs bootees, (sewed), (47) forty-seven pairs of bootees, (pegged,)" and the words "($1,500) fifteen hundred dollars," substituting therefor the words" ($815,64) eight hundred and fifteen dollars and sixty-four cents."

Of the 2d *Charge*, "Guilty."

SENTENCE.

The Court does therfore sentence him, the said *Thomas Moore*, Private Co. A, P. P., General Service U. S. A., Newport Barracks, Ky., "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence; to be dishonorably discharged the service, and to be confined in such penitentiary as may be designated under the provisions of General Order No. 90, dated Head Quarters of the Army, Adjutant General's Office, Washington, D. C., October 31st, 1868, for the period of three years."

In the case of Private *Thomas Moore*, Co. A, P. P., General Service U. S. A., the proceedings and findings under the 1st, 3d and 4th specifications, 2d charge, and 2d charge, are approved. The sentence is confirmed and will be carried into effect by the commanding officer of the depot at Newport Barracks, Ky., who will forward the prisoner under guard, and accompanied by a copy of the order promulgating this sentence, to the warden of the penitentiary of the State of Kentucky, at Frankfort, for confinement.

The action of the Judge Advocate in entering a *nolle prosequi* to the 1st charge and its specification, and to the 2d specification 2d charge, on the ground that the allegations contained therein were impossible to prove, this before permitting the prisoner to plead, is a novel assumption of authority. After charges have been properly referred to a Court for trial, none save the convening authority or the Secretary of War can order a *nolle prosequi* to be entered, and this only with the consent of the Court, which the record does not show was previously obtained.

The Judge Advocate also drops the 5th specification to the 2d charge on account of its being improperly charged under "Theft, to the prejudice of good order and military discipline." By referring to Holt's Digest, page 206, "Judge Advocate," par. 3, and to Benet, page 102, it will be seen that it is the duty of the Judge Advocate to ascertain that the matter referred to him for prosecution, is technically correct, and the same authorities show how any amendments necessary may be made.

II.—The General Court Martial of which Lieutenant Colonel T. L. Alexander, U. S. A., (retired) is President, and Brevet Major W. R. Lowe, Captain 19th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL THOMAS,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred L. Hough
Bvt Col U S A
A A G.

NOTE—*This is the last of the series of General Orders for* 1868.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Cumberland.

1869.

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NAMES.

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SUBJECTS.

NO. OF ORDER.

1—Private HARMON H. SPRINGSTEEN, Co. C, 25th Infantry.
2—Private STEPHEN MADDEN, Co. C, 25th Infantry.
3—Private MYRON H. STRONG, Co. C, 25th Infantry.
4—Private WILLIAM FOSTER, Co. C, 25th Infantry.
5—Q. M. Sergt. EDWARD P. BRIGGS, Co. C, 25th Infantry.
6—Private JOHN CONNOR, Co. B, 26th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Jan. 5, 1869.

GENERAL ORDERS, No. 1.

I—Before a General Court Martial which convened at Memphis, Tenn., December 1st, 1868, pursuant to Special Orders No. 208, par. II, dated Head Quarters, Department of the Cumberland Louisville, Ky., November 23d, 1868, and which was re-convened per Special Order No. 221, same series, of which Brevet Major General GORDON GRANGER, Colonel 25th Infantry, is President, and 1st Lieut. CASS DURHAM, 25th Infantry, Judge Advocate, were arraigned and tried :

1st.—Private *Harmon H. Springsteen*, Co. C, 25th Infantry.

CHARGE.—Desertion.

Specification.—In this ; that he, the said Private *Harmon H. Springsteen*, Co. C, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 14th day of March, 1868, and remain absent until apprehended at or near St. Louis, Mo., on or about the 17th day of October, 1868. Thirty dollars having been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Harmon H. Springsteen*, Co. C, 25th 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 indelibly marked on the left hip with the letter "D" two inches long ; to be dishonorably discharged the service of the United States ; to have his head shaved, and to be drummed out of the service."

2d—Private *Stephen Madden*, Co. C, 25th Infantry.

CHARGE—Desertion.

Specification—In this ; that he, Private *Stephen Madden*, Co. C, 25th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same on or about the 29th day of July, 1868, and did remain absent until apprehended at or near Memphis, Tenn., on or about the 20th day of September, 1868. Thirtydollars having been paid for his apprehension. All this at Memphis, Tenn., on or about the time specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Stephen Madden*, Co. C, 25th Infantry, "to forfeit to the United States all pay and allowances now, or to become due, except the just dues of the laundress; to be indelibly marked on the left hip with the letter "D" two (2) inches long; to be dishonorably discharged the service of the United States; to have his head shaved, and to be drummed out of the service."

3d—Private *Myron H. Strong*, Co. C, 25th Infantry.

CHARGE—Desertion.

Specification—In this; that he, the said Private *Myron H. Strong*, Co. C, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 28th day of April, 1868, and did remain absent until he was apprehended at Memphis, Tenn., on or about July 7th, 1868. All this at or near Memphis, Tenn., on or about the time specified. Thirty (30) dollars having been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Myron H. Strong*, Co. C, 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 indelibly marked on the left hip with the letter "D" two inches long; to be dishonorably discharged the service of the United States; to have his head shaved, and to be drummed out of the service."

4th—Private *William Foster*, Co. C, 25th Infantry.

CHARGE—Violation of the 46th Article of War.

Specification—In this; that he, Private *William Foster*, Co. C, 25th Infantry, having been duly detailed as a member of the guard, and having been posted as a sentinel over Private Myron H. Strong, Co. C, 25th Infantry, a prisoner of the post, for police purposes, was found sleeping while on the duty above specified. This at or near Memphis, Tenn., between the hours of one o'clock P. M. and three o'clock P. M. on or about the 30th day of October, 1868.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, 'Guilty.'

SENTENCE.

And the Court does therfore sentence him; Private *William Foster*, Co. C, 25th Infantry, "to forfeit to the United States twelve (12) dollars of his monthly pay for four months; to be confined at hard labor in charge of the guard for thirty (30) days, the last fourteen days of his confinement to be on bread and water diet."

5th—Q. M. Sergt., *Edward P. Briggs*, Co. C, 25th Infantry.

CHARGE—Desertion.

Specification—In this; that he, the said Q. M. Sergeant *Edward P. Briggs*, Co. C, 25th Infantry, a duly enlisted soldier in the service of the United

States, did desert the same on or about the 14th day of March, 1868, and did remain absent until he surrendered himself at Memphis, Tenn., on or about the 24th day of July, 1868. All this at Memphis, Tenn., on or about the time specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Q. M. Sergeant *Edward P. Briggs*, Co. C, 25th Infantry, "to forfeit to the United States twelve dollars of his monthly pay for twelve months; to be reduced to the ranks, and confined at hard labor under charge of the guard for three months."

6th—Private *John Connor*, Co. B, 25th Infantry.

CHARGE 1st—Desertion.

Specification—In this; that he, Private *John Connor*, Co. B, 25th Infantry, did desert the same on the evening of the 5th day of June, 1868, and did remain absent therefrom until apprehended at Saint Louis Arsenal, Saint Louis, Mo., July 20th, 1868. This at Swaine Barracks, Humboldt, Tenn., on the dates above specified.

CHRAGE 2d—Violation of the 22d Article of War.

Specification—In this; that he, Private *John Connor*, a deserter from Co. B, 25th Infantry, did enlist himself under the name of John Collins in the Ordnance detachment, under command of Brevet Brigadier General F. D. Callender, Ordnance Department, U. S. A. This at Saint Louis Arsenal, on or about the 14th day of July, 1868.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Connor*, of Co. B, 25th Infantry, "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 indelibly marked on the left hip with the letter "D" (2) two inches long; to be dishonorably discharged; to have his head shaved, and to be drummed out of the service of the United States, and then to be confined in such prison as the Commanding General may designate, for the period of one year."

II.--In the cases of Privates *Harmon H. Springsteen*, *Stephen Madden*, *Myron H. Strong* and *William Foster*, of Co. C, 25th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III.—In the case of Quartermaster Sergeant *Edward P. Briggs*, Co. C, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. On the recommendation of the members of the Court to clemency, the Major General commanding is pleased to mitigate the sentence to reduction to the ranks, and to a forfeiture of twelve (12) dollars per month of the monthly pay of the prisoner for four months, which will be carried into effect.

IV.—In the case of Private *John Connor*, Co. B, 25th Infantry, the proceed-

ings and findings are approved. The sentence is confirmed, except that portion relating to confinement in such prison as the Commanding General may designate for the period of one year, which is remitted. The remainder of the sentence will be carried into effect.

By command of Major General Thomas,

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Jesse L. Vaughn
Bvt Col U.S.A.
A.A.A.G

7—Private CONRAD TRAGESER, Co. F, 25th Infantry.
8—Private THOMAS PURCELL, Co. C, 25th Infantry.
9—Private JAMES CONLIN, Co. C, 25th Infantry.
10—Private JOHN MCMAHAN, Co. C, 25th Infantry.
11—Private PATRICK CLARK, Co. D, 25th Infantry.
12—Qr. Mr. Sergt. JAMES H. HUNTER, Co. B. 25th Infantry.
13—Private JOHN EVANS, Co. B, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 6th, 1869.

GENERAL ORDERS, No. 2.

1—Before a General Court Martial which convened at Memphis, Tenn., December 1st, 1868, pursuant to Special Orders No. 208, par. II, dated Head Quarters, Department of the Cumberland Louisville, Ky., November 23d, 1868, and which was re-convened per Special Order No. 221, same series, of which Brevet Major General GORDON GRANGER, Colonel 25th Infantry, is President, and 1st Lieut. CASS DURHAM, 25th Infantry, Judge Advocate, were arraigned and tried :

7th—Private *Conrad Trageser*, Co. F, 25th Infantry.

Charge—Gross neglect of duty, in violation of the 99th Article of War.

Specification—In this; that he, Private *Conrad Trageser*, Co. F, 25th Infantry, while in charge of a prisoner. viz ; Recruit Henri Buttle, General Service, U. S. A., a deserter en-route from Memphis, Tenn., to Newport Barracks, Ky., did allow said prisoner to go out of his sight and control contrary to his orders, by which means the said prisoner Henri Buttle made his escape. This at or near Cincinnati, Ohio, on the 14th day of August, 1868, upon the steamer "General Lytle."

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS :

Of the *Specification* "Guilty."
except the words "steamer General Lytle."
Of the *Charge* "Guilty."
except the word "Gross."

SENTENCE :

And the Court does therefore sentence him, Private *Conrad Trageser*, Co. F, 25th Infantry, "to forfeit to the United States ten dollars of his monthly pay for one month."

8th—Private *Thomas Purcell*, Co. C, 25th Infantry.

Charge 1st—Sleeping on post, in violation of the 46th Article of War.

Specification—In this; that he, the said Private *Thomas Purcell*, Co. C, 25th Infantry, having been duly posted as a sentinel on post No. one, (1) over prisoners, at the guard-house, was found sleeping on his post. This at or near Memphis, Tenn., between the hours of 3 and 5 o'clock, A. M., on or about the 26th day of September, 1868.

Charge 2d—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this; that he, the said Private *Thomas Purcell*, Co. C, 25th Infantry, having been duly posted as a sentinel on post No. one, (1) over prisoners at the guard house, did go to sleep, by reason of which Private Joseph Murphy, Co. F. 25th Infantry, a prisoner in said guard house, did escape from confinement. This at or near Memphis, Tenn., between the hours of 3 and 5 o'clock, A. M., on or about the 26th day of September, 1868.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the *Specification* 2d *Charge* "Guilty."

except the words "go to sleep" substituting therefor "neglect his duty."

Of the 2d *Charge* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Purcell*, Co. C, 25th Infantry, "to forfeit to the United States ten dollars of his monthly pay for three (3) months."

9th—Private *James Conlin*, Co. C, 25th Infantry.

Charge—Leaving his post, in violation of the 46th Article of War.

Specification—In this; that he, the said Private *James Conlin*, Co. C, 25th Inf., having been duly posted as a sentinel on post No. 2, over subsistence stores, did abandon his arms, and did leave his post without being relieved by the proper authority, and did remain absent until he returned to the guard house. This at or near Memphis, Tenn., between the hours of three and six o'clock, A. M., on or about the 26th day of September, 1868.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *James Conlin*, Co. C, 25th Infantry, "to forfeit to the United States ten (10) dollars of his monthly pay for the period of (4) four months."

10th—Private *John McMahan*, Co. C, 25th Infantry.

Charge 1st—Absence without leave.

Specification—In this; that he, Private *John McMahan*, Co. C, 25th Infantry, being detailed as kitchen police in his company, did absent himself therefrom without permission from proper authority, and did remain absent from seven o'clock, A. M., until 9 o'clock, A. M. All this at Memphis, Tenn., on or about the 28th day of September, 1868.

Charge 2d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *John McMahan*, Co. C, 25th Infantry, during about twelve months' service in his company, has been about five months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. All this at Memphis, Tenn., between the months of December, 1867 and December, 1868.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Guilty."

Of the *Specification* 2d *Charge*, "Guilty."

except the words "utterly worthless as a soldier."

Of the 2d *Charge* "Guilty."

except the words "utter worthlessness" substituting therefor "Conduct."

SENTENCE:

And the Court does therefore sentence him Private *John McMahan*, Co. C 25th Infantry, "to be confined in charge of the guard for the period of three (3) months, at hard labor, and to forfeit to the United States twelve (12 dollars of his monthly pay for the same period."

11th--Private *Patrick Clark*, Co. D, 25th Infantry.

Charge 1st--Violation of the 21st Article of War.

Specification--In this; that he, Private *Patrick Clark*, Co. D, 25th Infantry, did absent himself from his command without proper authority from 7 A. M., until 4 P. M., on or about the 29th day of September, 1868. All this at or near Memphis, Tenn.

Charge 2d--Violation of the 44th Article of War.

Specification--In this: that he, Private *Patrick Clark*, Co. D, 25th Infantry, having been properly detailed as a member of the guard, and duly notified by 1st Sergeant *Colin McNicol*, Co. D, 25th Infantry, did absent himself, from his company quarters, from 7 A. M., until 4 P. M., thereby failing to appear at the parade of the guard. All this at or near Memphis, Tenn., on or about the 29th day of September, 1868.

Charge 3d—Conduct to the prejudice of good order and military discipline.

Specification--In this; that he, Private, *Patrick Clark*, Co. D, 25th Infantry, when ordered to be confined by 1st Sergeant Colin McNicol, Co. D, 25th Infantry, did strike the said 1st Sergeant Colin McNicol, Co. D, 25th Inf., while in the execution of his duty, on the head with a brickbat, which he had carried concealed, thereby inflicting a serious wound and rendering him unfit for duty. All this at or near Memphis, Tenn., on or about the 29th day of September, 1868.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Clark*, Co. D, 25th Inf., "to forfeit to the United States twelve (12) dollars of his monthly pay for the period of four (4) months, and to be confined in charge of the guard at hard labor for four months, the last fourteen days of each month to be on bread and water diet."

12th—Q. M. Sergeant *James H. Hunter*, Co B, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, *Jas. H. Hunter*, Q. M. Sergt. Co. B, 25th Inf., a duly enlisted soldier in the service of the United States, did desert the same at Humboldt, Tenn., on or about the 7th day of July, 1867, and did remain absent until apprehended at Columbus, Ky., on or about the 23d day of November, 1868. Thirty dollars having been paid for his apprehension. All this at the places and on or about the dates above specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Qr. Mr. Sergeant *James H. Hunter*, Co. B, 25th Infantry, "to be reduced to the rank of a private soldier; to for-

feit to the United States fourteen (14) dollars of his monthly pay for twelve (12) months, and to be confined at hard labor under charge of the guard for six (6) months, and to make good the time lost by desertion."

13th—Private *John Evans*, Co. B, 25th Infantry.

Charge--Desertion.

Specification—In this; that he, Private *John Evans*, Co. B. 25th Infantry, late Co. B, 2d Battalion, 16th Inf., a duly enlisted soldier in the service of the United States, did desert the same at Chattanooga, Tenn., on or about the 8th day of June, 1866, and did remain absent until apprehended at Humboldt, Tenn., on or about the 20th day of November, 1868. Thirty dollars reward having been paid for his apprehension. All this at the above named places, and on or about the dates above specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John Evans*, Co. B, 25th Infantry, "to forfeit to the United States all pay and allowances now due or to become due him, except the just dues of the laundress; to be indelibly marked with the letter "D" two inches in length, upon the left hip; to have his head shaved and be dishonorably discharged the service of the United States, and then to be drummed out of the garrison:"

II --In the case of Private *Conrod Trageser*, Co. F, 25th Infantry, the proceedings, findings, and sentence are approved and confirmed and will be carried into effect. The sentence is light for the offense committed, and although the members of the Court recommend its entire remission, it is believed unadvisable to permit the prisoner to escape all punishment for his carelessness and dereliction to duty. He will be released from confinement and returned to duty

III.--In the cases of Privates *Thomas Purcell*, *James Conlin*, *John McMahan*, Co. C, *Patrick Clark*, Co. C, and *John Evans*, Co.B, 25th Inf., the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

IV --The proceedings and findings in the case of Quartermaster Sergeant *James H. Hunter*, Co. B, 25th Infantry are approved. The sentence is confirmed, but on the recommendation of the members of the Court to clemency, the Major General Commanding is pleased to mitigate the same to reduction to the rank of a private soldier, to confinement in charge of the guard for three months, and to a forfeiture of fourteen (14) dollars per month for the same period.

V.--The General Court Martial of which Brevet Major General GORDON GRANGER, Colonel 25th Infantry, is President, and 1st Lieutenant CASS DURHAM, 25th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Sprague
Bvt Col U S A
A A A. G

1--Private WILLIAM WRIGHT, Co. H, 2d Infantry.
2--Private OLIVER NEWELL, Co. H, 2d Infantry.
3--Private PATRICK DARCY, Co. F, 2d Infantry,
4--Private HAMILTON B. ALEXANDER, Co. A, 2d Infantry.
5--Private JOHN C. TROVER, Co. D, 45th Infantry.
6--Private HENRY HERLIHY, Co. A, 2d Infantry.

———X———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 24th, 1869.

GENERAL ORDERS, No. 4.

I. Before a General Court Martial, which convened at Louisville, Ky., January 7th, 1869, pursuant to Special Orders, No. 5, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 6th, 1869, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, is President, and Brevet Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried :

1st--Private *William Wright*, Co. H, 2d Infantry.

Charge—Violation of the 45th Article of War.

Specification--In this; that he, Private *William Wright*, Co. H, 2d Infantry, being duly posted as a sentinel in charge of two (2) prisoners, did get so drunk as to be totally unfit to perform any duty whatsoever. All this at or near Taylor Barracks, Louisville, Ky., on or about the 13th day of November, 1868.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification* "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *William Wright*, Private Co. H, 2d Infantry, "to be confined at hard labor in charge of the guard for (3) three months, wearing a ball weighing twelve (12) pounds, attached to his left leg by a chain three feet long."

2d—Private *Oliver Newell*, Co. H, 2d Infantry.

CHARGE--Desertion.

Specification—In this; that Private *Oliver Newell*, Co. H, 2d Infantry, having been duly enlisted in the service of the United States, did desert the same at Taylor Barracks, Louisville, Ky., on or about the 17th day of October, 1868, and did remain absent until apprehended at Elizabeth, Harrison Co., Indiana, on or about the 8th day of November, 1868. A reward of thirty (30) dollars has been paid for his apprehension, This at Taylor Barracks, Louisville, Ky., on or about the dates above mentioned.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification* "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Oliver Newell*, Co. H, 2d Infantry, "to forfeit to the United States all pay and allowances that are now due or may become due; to be indelibly marked on the left hip with the letter "D" two and one half (2½) inches in length; to have his head shaved, and to be drummed out of the service to the tune of the rogue's march--receiving a dishonorable discharge."

3d--Private *Patrick Darcy*, Co. F, 2d Infantry.

Charge 1st--Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Private *Pntrick Darcy*, Co. F, 2d Infantry, having been detailed for guard on the evening of the 11th of November, 1868, did absent himself without leave from proper authority, and failed to appear at the parade of his company's detail on the morning of the 12th of November, 1868. This at Taylor Barracks, Ky., on or about the dates above specified.

Charge 2d--Violation of the 21st Article of War.

Specification--In this; that he, Private *Patrick Darcy*, Co. F, 2d Infantry, did absent himself from his quarters and garrison on the morning of the 12th of November, 1868, without permission from proper authority. This at Taylor Barracks, Ky., on or about the dates above specified.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said *Patrick Darcy*, Private Co. F, 2d Infantry, " to forfeit to the United States five (5) dollars of his monthly pay for one month."

4th--Private *Hamilton B. Alexander*, Co. A, 2d Infantry.

Charge—Sleeping on post, in violation of the 46th Article of War.

Specification—In this; that he, Private *Hamilton B. Alexander*, Co. A, 2d Infantry, a member of the guard, and duly posted as a sentinel over Lt. Carey, a prisoner confined to his quarters did go to sleep on said post, and did allow his musket to be taken from him by the officer of the day, while he the said *Alexander*, was asleep. All this at Taylor Barracks, Louisville, Ky., between the hours of 5 and 7 o'clock on the morning of the 14th of November, 1868.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification*, 'Guilty.'

SENTENCE.

And the Court does therefore sentence him, the said *Hamilton B. Alexander*, Private Co. A, 2d Infantry, "to forfeit twelve (12) dollars of his monthly pay for three months, and to be confined at hard labor under charge of the guard for the same period, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain three (3) feet long."

5th—Private *John C. Trover*, Co. D, 45th Infantry.

CHARGE—Desertion, in violation of the 20th Article of War.

Specification—In this; that he, Private *John C. Trover*, Co. D, 45th Infantry, having been duly enlisted in the service of the United States, did desert

the same on or about the 14th day of May, 1868, at Columbia, Tenn., and did remain absent therefrom until apprehended at Jeffersonville Ind., September 23d, 1868. Thirty (30) dollars having been paid for his apprehension. All this at the place and date above specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
except as to the word "apprehended"

To the *Charge* "Guilty."

FINDINGS:

Of the *Specification* "Guilty."
except the word "apprehended" and substituting therefor "surrendered."

Of the *Charge* "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said Private *John C. Trover*, Co. D, 45th Infantry, "to forfeit to the United States all pay and allowances that are or may become due up to the promulgation of this sentence; to be confined at hard labor in charge of the guard for four months, wearing a ball weighing twelve pounds attached to his left leg by a chain three feet long, and to forfeit twelve (12) dollars of his monthly pay for six months."

6th--Private *Henry Herlihy*, Co. A, 2d Infantry.

Charge 1st--Neglect of duty to the prejudice of good order and military discipline.

Specification--In this; that he, Private *Henry Herlihy*, Co. A, 2d Infantry, while in charge of two prisoners of the 2d Infantry, at work, did allow them to escape, and did fail to give the proper alarm by firing his musket with a view to having them arrested. All this at Taylor Barracks, Louisville, Ky., on the 21st day of December, 1868.

Charge 2d--Violation of the 50th Article of War.

Specification--In this; that he, Private *Henry Herlihy*, Co. A, 2d Infantry, having been regularly posted as a sentinel in charge of two prisoners at Taylor Barracks, Louisville, Ky., did, without the leave of his superior officer, quit the same at about 2 o'clock, P. M., on the 21st of December, 1868, and did remain absent until the 22d of December, 1868, when he surrendered himself. All this at Taylor Barracks, Louisville, Ky., on or about the dates above mentioned.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications* "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *Henry Herlihy*, Co. A 2d Infantry, U. S. A., "to be confined at hard labor under charge of the guard for the period of three (3) months, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain three (3) feet long; the first and last seven (7) days of each month to be solitary confinement on bread and water diet, and to forfeit twelve (12) dollars per month of his monthly pay for the period of twelve months."

II. In the cases of Privates *William Wright*, Co. H, *Oliver Newell*, Co. H, *Patrick Darcy*, Co. F, *Hamilton B. Alexander*, Co. A, 2d Infantry, Private

John C. Trover, Co. D, 45th Infantry, and Private *Henry Herlihy*, Co. A, 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred L. Magill

Bvt. Col. U.S.A.

A.A.A.G.

7—Private WILLIAM RUTTER, Co. G, 2d Infantry.
8—Private THOMAS DUFFY, Co. A, 2d Infantry.
9—Private JAMES WATERS, Co. F, 2d Infantry.
10—Private NICHOLOS LOESCH, Co. D, 2d Infantry,
11—Private MARTIN SLINKER, Co. D, 2d Infantry.
12—Private ROBERT FIELD, Co. D, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 25, 1869.

GENERAL ORDERS, No. 5.

I. Before a General Court Martial, which convened at Louisville, Ky., January 7th, 1869, pursuant to Special Orders, No. 5, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 6th, 1869, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, in President, and Brevet Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried :

7th—Private *William Rutter*, Co. G, 2d Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification 1st—In this; that he, Private *William Rutter*, Co. G, 2d Infantry, having been regularly detailed as clerk in the office of the A. C. S., at the post of Lebanon, at Lebanon, Ky., did become so drunk as to be utterly unable to perform any duty. This on or about October 30th, 1868.

Specification 2d—In this; that he, Private *William Rutter*, Co. G, 2d Infantry, having been regularly mounted as a member of the guard at the camp of the detachment, 2d Infantry, at Lebanon, Ky., did become so drunk as to be incapable of performing his duty. This at the camp of the detachment, 2d Infantry, at Lebanon, Ky., on or about the 1st of December, 1868.

Charge 2d—Violation of the 50th Article of War.

Specification—In this; that he, Private *William Rutter*, Co. G, 2d Infantry, being a member of the guard at the camp of the detachment, 2d Infantry, did, without any proper authority, take off his cartridge box and belt, and did go to the town of Lebanon, Ky., thus absenting himself from his guard and duty for the period of one or two hours. This at the camp of the detachment, 2d Infantry, at Lebanon, Ky., on the 1st day of December, 1868.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private *William Rutter*, Co. G, 2d Infantry, U. S. A., "to be confined at hard labor in charge of the guard for the period of two (2) months, with a ball weighing twelve (12) pounds attached to his left leg by a chain eighteen (18) inches long, and to forfeit ten (10) dollars per month of his monthly pay for the period of four (4) months."

8th—Private *Thomas Duffy*, Co. A, 2d Infantry.

Charge 1st—Drunkenness on duty, in violation of the 45th Article of War.

Specification—In this; that he, Private *Thomas Duffy*, Co. A, 2d Infantry, while on the march from "Howard's Mill," situated in Nelson Co., Ky., to the barracks at Lebanon, Ky., being at the time a member of the detach-

ment regularly detailed to escort the U. S. Deputy Marshall, and to render him assistance and protection in the discharge of his official duties, did become so much under the influence of intoxicating liquor as to render himself unfit for any duty--there being at the time four citizen prisoners in charge of the detachment. All this on the road and march from "Howard's Mill," in Nelson Co., Ky.. to the barracks, at Lebanon, Ky., on the 19th of December, 1868.

Charge 2d--Conduct to the prejudice of good order and military discipline.

Specification--In this; that he, Private *Thomas Duffy*, Company A, 2d Infantry, while on the march from "Howard's Mill," (in Nelson Co., Ky.) to the barracks, at Lebanon, Ky., being at the time a member of the detachment regularly detailed to escort the U. S. Deputy Marshal, did become drunk, and did act in an unruly, disgraceful and unsoldierly manner, creating confusion in the ranks, in being unable to guide or properly manage his horse, and in consequence abusing his horse. All this on the road from Howard's Mill, in Nelson County, Ky., and on the march to the barracks at Lebanon, Ky., on the 19th of December, 1868.

To which charges and specifications the prisoner pleaded "Guilty,"

FINDINGS :

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *Thomas Duffy*, Co. A, 2d Infantry, U. S. A., "to forfeit to the United States ten (10) dollars per month of his monthly pay, and to be placed in solitary confinement on bread and water diet for fourteen (14) days."

9th--Private *James Waters*, Co. F, 2d Infantry.

Charge 1st--Drunkenness on duty, in violation of the 45th Article of War.

Specification--In this; that he, Private *James Waters*, Co. F, 2d Infantry, while on the march from Howard's Mill, in Nelson Co., Ky., to the barracks at Lebanon, Ky., being at the time a member of the detachment regularly detailed to escort the Deputy U. S. Marshal, and to render him assistance and protection in the discharge of his official duties, did become so much under the influence of intoxicating liquor as to render himself totally unfit for any duty; there being four citizen prisoners in charge of the detachment at the time. All this on the road and march from Howard's Mill, in Nelson Co., Ky., to the barracks at Lebanon, Ky., on the 19th of December, 1868.

Charge 2d--Contempt and disrespect towards his commanding officer, in violation of the 6th Article of War.

Specification--In this; that he, Private *James Waters*, Co. F, 2d Infantry, while at the detachment mess-table at dinner time, and in the presence of a majority of the members of the detachment (and in the quarters) did curse and otherwise abuse his commanding officer, 1st Lieutenant J. R. King, 2d Infantry, by saying that he, the commanding officer, was "a pretty son of-a-bitch to give us such a dinner as this." or words to that effect, and did use other abusive, contemptous and disrespectful language towards his commanding officer, the said 1st Lieutenant J. R. King, 2d Infantry. This at the barracks at Lebanon, Ky., on the 25th of December, 1868.

Charge 3d—Seditious conduct, in violation of the 7th Article of War.

Specification--In this; that he, Private *James Waters*, Co. F, 2d Infantry, while at dinner in the mess-room of the detachment, and in presence of a majority of the members of the detachment, did use the following contemptious, disrespectful and insulting langnage towards his commanding officer, 1st Lieut. J. R. King, 2d Infantry, by saying that he, the commanding officer, was "a pretty son-of-a-bitch to give us such a dinner as this." or words to that effect, and did use other abusive and insulting language towards his commanding officer, (with the purpose of exciting and causing the men to mutiny.) This at the barracks, at Lebanon, Ky., on the 25th of December, 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* "Guilty."

To the 2d and 3d *Charges* and *Specifications* "Not Guilty."

FINDINGS:

Of the 1st and 2d *Charges* and *Specifications*, "Guilty."

Of the *Specification* 3d *Charge*, "Guilty."

except the words "with the purpose of exciting and causing the men to mutiny."

Of the 3d *Charge* "Not Guilty."

but guilty of "Conduct to the prejudice of good order and military discipline."

SENTENCE:

And the Court does therefore sentence him, the said *James Waters*, Private Co. F, 2d Infantry, U. S. A., "to be confined at hard labor in charge of the guard for two months, with a ball weighing twelve (12) pounds attached to his left leg by a chain three (3) feet long, fourteen days per month of the two months solitary confinement on bread and water diet, and to forfeit ten dollars per month of his monthly pay for six (6) months."

10th—Private *Nicholas Loesch*, Co. D, 2d Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *Nicholas Loesch*, Co. D, 2d Infantry, did become so drunk as to be unable to help clean out the company quarters. All this at Lexington, Ky., on or about the 12th day of December, 1868.

Specification 2d—In this; that he, Private *Nicholas Loesch*, Co. D, 2d Infantry, did strike and abuse Corporal Thomas W. Vinson, Co. D, 2d Infantry, and did say to him "you have no business at this end of the room, you son-of-a-bitch," or words to that effect, while the corporal was in the execution of his duty. All this at Lexington, Ky,, on or about the 12th day of December, 1868.

Specification 3d—In this; that he, Private *Nicholas Loesch*, Co. D, 2d Infantry, did strike and abuse Corporal Nathan Wilson, Co. D, 2d Infantry, and say to him, "I can whip any son-of-a bitch of a non-commissioned officer in this company," or words to that effect; the corporal being at the time in the execution of his duty. This at Lexington, Ky., on or about the 12th day of December, 1868.

Specification 4th—In this; that he, Private *Nicholas Loesch*, Co. D, 2d Infantry, when ordered by Corporals Vinson and Wilson, Co. D, 2d Infantry, to the guard house, did refuse to obey said orders, and said, "I'm damned if I go for either of you." or words to that effect. All this at Lexington, Ky., on or about the 12th day of December, 1868.

Specification 5th—In this; that he, Private *Nicholas Loesch*, Co. D, 2d Infantry, when ordered by 1st Sergeant William Dufour, Co. D, 2d Infantry, to the guard house, did disobey said orders and resist to go, until force had been used by 1st Sergeant Wm. Dufour, Co. D, 2d Infantry, to take him there, at the same time saying to the Sergeant, "you are a God-damned Prussian son-of-a-bitch, and I can lick two like you," or words to that effect.

To which charge and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *Nicholas Loesch*, Co. D,, 2d Infantry, U. S. A., "to solitary confinement on bread and water diet for the period of fourteen (14) days, and to forfeit to the United States ten (10) dollars per month of his monthly pay for two (2) months.

11th.—Private *Martin Slinker*, Co. A, 2d Infantry.

Charge—Violation of the 50th Article of War.

Specification—In this; that he, Private *Martin Slinker*, Co. D, 2d Infantry being a member of the guard, regularly mounted, at Lexington, Ky., on the 26th of December, 1868, did, without urgent necessity, quit said guard, without permission from proper authority, at about the hour of 3:50, P. M., and did remain so absent until about 7 o'clock A. M., of the morning of the 27th of December, 1868. This at or near Lexington, Ky., on or about the dates specified.

To which charge and specification, the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *Martin Slinker*, Private Co. D, 2d Infantry, U. S. A., "to be confined at hard labor, in charge of the guard, for the period of thirty (30) days, and to forfeit to the United States fourteen (14) dollars of his monthly pay, per month, for three (3) months."

12th—Private *Robert Field*, Co. D, 2d Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, being a member of the guard, duly mounted, at Lexington, Ky., was so drunk as to be utterly unable to perform the duties of a sentinel properly. This at or near Lexington, Ky., on or about the 8th of November, 1863.

Charge 2d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *Robert Field*, Co. D, 2d Infantry, having enlisted on the 10th day of July, 1866, in the service of the United States, has been in confinement since enlistment thirteen different times (altogether three hundred and seventy-five days) for drunkenness and disorderly conduct; and his propensities for drinking are such, that he is an habitual drunkard, which unfits him for the duties of a soldier. This at or near Lexington, Ky., between July 10th, 1866, and November 8th, 1868.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said *Robert Field*, Private Co. D, 2d Infantry, U. S. A., "to be confined at hard labor, in charge of the guard, for the period of one (1) month, with a ball weighing twelve (12) pounds attached to his left leg by a chain three (3) feet long; to forfeit to the United States all pay and allowances that are or that may become due him, except the sum of five (5) dollars; at the expiration of the confinement to be branded on the left hip with the letter "W," one and one-half (1½) inches long, and to be dishonorably discharged the service of the United States."

II—In the cases of Privates *William Rutter*, Co. G, *Thomas Duffy*, Co. A, *James Waters*, Co. F, *Nicholas Loesch*, Co. D, and *Martin Slinker*, Co. D, 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III.—In the case of Private *Robert Field*, Co. D, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed, except that portion relating to *branding*, which, for humane considerations, is commuted to *marking indelibly with ink*, and will so be carried into effect by the proper officer at the post to which the prisoner belongs.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S.. A A., A. G.

OFFICIAL:

Alfred Hough
Bvt. Col. U. S. A.

13—Corporal JOHN WELSH, Co. E, 45th Infantry.
14—Private JOHN MONROE, Co. K, 2d Infantry.
16—Private JOHN BRUMM, Co. D, 45th Infantry.
17--Private THOMAS PICKETT, Co. D, 2d Infantry.
18--Private JAMES COYLE, Co. F, 2d Infantry.
19--Private PETER DEARY, Co. F, 2d Infantry.
20--Private PRESTON T. NICHOLAS, Co. B, 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., January 27, 1869.

GENERAL ORDERS,
No. 6.

I. Before a General Court Martial, which convened at Louisville, Ky., January 7th, 1869, pursuant to Special Orders, No. 5, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 6th, 1869, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, is President, and Brevet Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, were arraigned and tried :

13th—Corporal *John Welsh*, Co. E, 45th Infantry.

Charge--Violation of the 22d Article of War.

Specification--In this; that he Corporal *John Welsh*, Co. E, 45th Infantry, having been duly enlisted as a soldier in the army of the United States, and as such serving in the 2d Infantry, did leave his said regiment without a regular discharge therefrom, on or about July 22d 1867, and did thereafter on or about October 14th, 1867, enlist in the 45th Infantry at Indianapolis, Ind., and serve with said regiment until identified as a deserter from the 2d Infantry, on or about November 20th, 1868, whereupon he was placed in confinement.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS :

Of the *Charge* and *Specification* "Guilty."

SENTENCE :

And the Court does therefore sentence him, the said *John Welsh*, Corporal Co. E, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of three (3) months, and to forfeit to the United States, fourteen (14) dollars per month of his monthly pay for six (6) months, and to be reduced to the ranks."

14th—Private *John Monroe*, Co. K, 2d Infantry.

Charge 1st--Contempt and disrespect towards his commanding officer, in violation of the 6th Article of War.

Specification--In this: that he, Private *John Monroe*, Co. K, 2d Infantry, while at the detachment mess-table at dinner time, and in the presence of a majority of the members of the detachment, did curse and otherwise abuse his commanding officer, 1st Lieut. J. R. King, 2d Infantry, by saying that he, [meaning his commanding officer,] was "a pretty God damned son-of-a-bitch to have such a dinner as this on Christmas," or words to that effect, and did use other abusive and disrespectful language towards his commanding officer, the said 1st Lieutenant J. R. King, 2d Infantry. This at the barracks at Lebanon, Ky., on the 25th of December, 1868.

Charge 2d—Seditious conduct, in violation of the 7th Article of War.

Specification 1st--In this; that he, Private *John Monroe*, Co. K, 2d Infantry, while

at dinner in the mess room of the detachment at the barracks in Lebanon, Ky., and in presence of a majority of the members of the detachment, did use the following disrespectful and insulting language towards his commanding officer, 1st Lieut. J. R. King, 2d Infantry, that he, his commanding officer, was "a God damn son of-a-bitch to give such a dinner as this on Chrismas." or words to that effect, and did use other abusive and disrespectful language towards his commanding officer, the said 1st Lieutenant J. R. King, 2d Infantry, with the intention and for the purpose of exciting and causing the men to mutiny. This in the barracks, at Lebanon, Ky., on the 25th of December, 1868.

Specification 2d—In this; that he, Private *John Monroe*, Co. K, 2d Infantry, having been ordered in arrest by acting 1st Sergeant Richard Fox, Co. F, 2d Infantry, and while in the act of leaving the quarters for the guard house, did turn, and did use the following language to the men in the quarters saying; that they (meaning the men) were "a damned cowardly, and half starved set of sons-of-bitches," that "they were afraid to open their damned mouths, but would let one do all the talking &c." or words to that effect. This at the quarters of the detatchment at the barracks, at Lebanon, Ky., on Dec. 25th, 1868.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 1st *Specification* 2d *Charge*, "Guilty."

except the words "with the intention and for the purpose of exciting and causing the men to mutiny,"

Of the 2d *Specification* 2d *Charge*, "Guilty."

Of the 2d *Charge*, "Not Guilty."

but guilty of "conduct to the prejudice of good order and military discipline."

SENTENCE:

And the Court does therefore sentence him, the said *John Monroe*, Private Co. K, 2d Infantry, U. S. A., "to be confined at hard labor in charge of the guard for the period of two (2) months, wearing a ball weighing twelve (12) pounds, attached to his left leg by a chain three (3) feet long, seven days in each month to be solitary confinement on bread and water diet, and to forfeit ten (10) dollars of his monthly pay per month for three (3) months."

16th—Private *John Brumm*, Co. D, 45th Infantry.

Charge—Drunkenness on duty.

Specification—In this; that he, Private *John Brumm*, Co. D, 45th Infantry, having been mounted as a member of the guard, at Jeffersonville, Ind., on the morning of the 7th of January, 1869, and while in charge of prisoners, did become so drunk as to be unable to properly perform his duties. This on the date and at the place above specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *John Brumm*, Private Co. D, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of two (2) months, the first and last fourteen days to be solitary confinement on bread and water diet."

17th—Private *Thomas Pickell*, Co. D, 2d Infantry.

Charge—Theft, to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *Thomas Pickett*, Co. D, 2d Infantry, did take, or cause to be taken from one Private Henry Green, of Co. D, 2d Infantry, and without his consent, the following articles, viz: one (1) button brush, valued at sixty-five (65) cents, and one pen-knife valued at two (2) dollars, the property of said Private Green, and did appropriate said articles to his own use and benefit. This at Lexington, Ky., on or about and between the 15th of October, 1868, and the 8th of January, 1869.

Specification 2d—In this; that he, Private *Thomas Pickett*, Co. D, 2d Infantry, did purloin, or cause to be taken from one Private John Kelt, of Co. D, 2d Infantry, and without his consent, the following articles, viz: one clothing brush, value one (1) dollar, and one button brush, value sixty-five (65) cents, the property of said Private Kelt, and did appropriate said articles to his own use and benefit. This at Lexington, Ky., on or about and between the 10th day of November, 1868, and 8th of January, 1869.

Specification 3d—In this; that he, Private *Thomas Pickett*, Co. D, 2d Infantry, did steal or cause to be stolen, from one Private Henry Davis, Co. D, 2d Infantry, one screw-driver, the property of the United States, value forty-two (42) cents, and for which Captain William Falck, 2d Infantry, Brevet Lieut. Colonel U. S. A., is responsible, and did appropriate said article to his own use and benefit. This at Lexington, Ky., on or about the 6th of January, 1869.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, the said *Thomas Pickett*, Private Co. D, 2d Infantry.

18th—Private *James Coyle*, Co. F, 2d Infantry.

Charge 1st—Violation of the 21st Article of War.

Specification—In this; that he Private *James Coyle*, Co F, 2d Infantry, did absent himself from his quarters and garrison without leave from proper authority, from retreat and tattoo roll calls of his company on the 9th of January, 1869. This at Taylor Barracks, Louisville, Ky., on or about the dates specified above.

Charge 2d—Violation of the 45th Article of War.

Specification—In this; that he, Private *James Coyle*, Co. F, 2d Infantry, having been regularly detailed as room-orderly, of his company, for the 12th day of January, 1869, did become so drunk as to be unable to perform his duty properly as room-orderly. This at Taylor Barracks, Louisville, Ky., on or about the date above specified.

Charge 3d—General worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *James Coyle*, Co. F, 2d Infantry, having been regularly enlisted in the service of the United States, on the 1st, of November, 1867, has performed but one day's duty since enlistment, he having been in confinement four-hundred and twenty-six (426) days, for various offences; he has proven himself to be a confirmed drunkard, and he is not to be relied upon in any capacity, as a soldier, being generally worthless. This at Franklin, Ky., and Louisville, Ky., between the 1st day of November, 1867, and the 13th day of January, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications* "Guilty."

SENTENCE:

And the Court does therefore sentence him, the said *James Coyle*, Private Co. F 2d Infantry, "to be placed in solitary confinement, for ten (10) days, seven (7) days thereof to be restricted to bread and water diet; to forfeit to the United States, all pay and allowances, that are or may become due, except the sum of five (5) dollars, to be indelibly marked with the letter "W," two (2) inches long, upon the left hip, to be drummed out of the service, receiving a dishonorable discharge."

19th—Private *Peter Deary*, Co. F, 2d Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification 1st—In this; that he, Private *Peter Deary* Co F, 2d Infantry having been duly detailed as supernumerary of the guard, did become so drunk, as to be unable to perform the duties of a soldier This at Louisville, Ky., on or about the 10th day of January, 1869.

Specification 2d—In this; that he, Private *Peter Deary* Co. F, 2d Infantry, being a supernumerary of the guard, having been sent with the supper of the members of the guard, on duty at Head-Quarters, Department of the

Cumberland, Louisville, Ky., did get drunk, fall down, and destroy the supper of said members of the guard. This at Louisville, Ky., on or about the 10th day of January, 1869.

Charge 2d—General worthlessness, to the prejudice of good order and military discipline,

Specification—In this; that he, Private *Peter Deary*, Co. F, 2d Infantry, having been regularly enlisted in the service of the United States, has been in confinement since his enlistment, (October, 25th, 1866,) 426 days, absent without leave, 70 days, retained by civil authorities, nine days, has twice been tried for desertion, once for violation of the 50th Article of War. He is a confirmed drunkard, and cannot be relied on in any capacity, being worthless as a soldier. This at Louisville, Ky., and Franklin, Ky., between the 25th day of October, 1866, and the 15th day of January, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private *Peter Deary* Co. F, 2d Infantry, "to be placed in solitary confinement, for ten (10) days, seven (7) days thereof to be restricted to bread and water diet, to forfeit to the U. S. all pay and allowances, that are or may become due, except the sum of five (5) dollars, to be indelibly marked with the letter "W," two (2) inches long on the left hip, and to be dishonorably discharged the service of the United States."

20th—Private *Preston T. Nicholas*, Co. B, 2d Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Preston T. Nicholas*, Co. B, 2d Infantry, a duly enlisted soldier, of the United States service, did desert the same at Maysville, Ky., while a prisoner under guard, and awaiting sentence of General Court Martial, for desertion, *en route* from Louisville, Ky., to Guyandotte, West Virginia, on or about the 19th day of March, 1868, and remained absent, until he surrendered himself at Guyandotte, West Virginia, on or about the 8th day of January, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, *Preston T. Nicholas*, Private Co. B, 2d Infantry, "to forfeit to the United States, all pay and allowances, that are now due, or that may become due up to the promulgation of this sentence, to be confined at hard labor under charge of the guard, for the period of three (3) months, wearing a ball weighing twelve (12) pounds attached to his left leg, by a chain three (3) feet long; to forfeit to the United States, fifteen (15) dollars per month, of his monthly pay, for the same period; at the expiration thereof, to be indelibly marked on his left hip with a letter "D," one and one half (1½) inches long, and to be dishonorably discharged the service."

II.—In the cases of Privates *John Monroe*, Co. K, 2d Infantry, *John Brumm*, Co. D, 45th Infantry, *Peter Deary*, Co. F, and *Preston T. Nicholas*, Co. B, 2d Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect, at the posts to which the prisoners properly belong.

III.—The proceedings, findings and sentence, in the case of Corporal *John Welsh*, Co. E, 45th Infantry, are approved and confirmed. In carrying the sentence into effect, the officer charged with its execution will reverse the order of the wording of the same, so that Corporal *Welsh*, shall have been reduced to the ranks previous to confinement.

IV.—In the case of Private *Thomas Pickett*, Co. D, 2d Infantry, the proceedings, and findings are approved. He will be released from confinement and returned to duty.

V.—In the case of Private *James Coyle*, Co. F, 2d Infantry, the proceedings and findings are approved. The sentence is confirmed, and will be carried into effect, except that portion relating to "drumming out," which is remitted.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
Bvt Col USA
AAAG

15th—Brevet Colonel, JOSEPH B. COLLINS. Major 2d Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Febuary 6th, 1869.

GENERAL ORDERS,
No. 7.

I. Before a General Court Martial, which convened at Louisville, Ky., January 7th, 1869, pursuant to Special Orders, No. 5, par. II, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 6th, 1869, and of which Brevet Major General S. W. CRAWFORD, Lieutenant Colonel 2d Infantry, is President, and Brevet Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, was arraigned and tried :

15th—Brevet Colonel *Joseph B. Collins*, Major 2d Infantry.

Charge 1st—Conduct unbecoming an officer and a gentlemen.

Specification—In this; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, having been ordered by proper authority, to proceed from Guyandotte, West Va., to Lexington, Ky., and assume command of the latter post, after having complied with said order, did make a claim against the United States Government, for the actual cost of transportation of his (Colonel *Collins*') two (2) servants from Guyandotte, West Va., to Lexington, Ky., amounting to sixteen dollars and fifty cents, ($16.50) and did present the same for payment, and did receive therefor sixteen dollars and fifty cents, ($16. 50) he, Colonel *Collins*, not having in his employ the servants therein mentioned, and not having actually paid out the amount charged for their transportation, notwithstanding his certificate on honor that the account was correct and just. This at Lexington, Ky., on or about the 27th day of August, 1868.

Charge 2d—Signing a false certificate, knowing the same to be false, for the purpose of obtaining the payment of a false claim against the Government of the United States, in violation of an Act approved March 2d, 1863.

Specification—In this; that he, Brevet Colonel *Joseph B. Collins*, Major 2d Infantry, having made a claim against the United States, for the actual cost of transportation of two servants from Guyandotte, West Va., to Lexington, Ky,, amounting to the sum of sixteen dollars and fifty cents, ($16.50) did certify on honor, that the said claim was correct and just, and did sign said certificates, knowing the same to be false, whereby he obtained the payment of a claim against the United States, which he knew to be false and fraudulent. This at Lexington, Ky., on or about the 27th day of August, 1868.

To which charges and specifications the accused pleaded "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore "honorably acquit him, the said Brevet Colonel *Joseph B. Collins*, Major 2d Infantry."

II.—The proceedings and findings in the case of Bvt. Col. *Joseph B. Collins*

Major 2d Infantry, are approved. The Court, in its discretion, was warranted, upon the consideration of the evidence adduced, in giving the defendant the benefit of a reasonable doubt. The members, however, cannot justify their act, in signing the paper attached to the proceedings and marked "F," upon the same grounds, as it was equally as reasonable to suppose the charges were well founded in this case, as that the defendent was innocent, the weight of the evidence found against him, being, as it stands on record, equally balanced.

III.—The General Court Martial of which Brevet Major General S. W. CRAWFORD, Lieut. Colonel 2d Infantry, is President, and Brevet Major JACOB KLINE, Captain 25th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
Bvt. Col. U.S.A.
A.A.A.G.

1.—Private JAMES E. HOLTON, Co. E. 25th Infantry.
2.—Private ADAM HEIT, Co. B, 25th Infantry.
3.—Private RICHARD GEELIN, Co. G 25th Infantry.
4.—Private THOMAS BRADLEY, Co. K, 25th Infantry.
5.—Private WILLIAM DENNY, Co. K, 25th Infantry.
6.—Private ROBERT THOMPSON Co D 25th Infantry.
7.—Private JOSEPH KINNY, Co. G 25th Infantry.
11.—Private THOMAS FORMAN, Co. H. 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., Febuary 11th, 1869.

GENERAL ORDERS, No. 8

I. Before a General Court Martial, which convened at Paducah, Ky., January 28th, 1869, pursuant to Special Orders, No 13, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 23d, 1869, and of which Brevet Major General GORDON GRANGER, Colonel 25th Infantry, is President, and 1st Lieutenant GEORGE J. MADDEN, 25th Infantry, Judge Advoate, were arraigned and tried:

1st—Private *James E. Holton*, Co. E, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *James E Holton*, Co E, 25th Infantry, a duly enlisted soldier of the United States did desert the service of the same at Von Schrader Barracks, Paducah, Ky., on or about the 21st day of August, 1868, and did remain absent until apprehended at Memphis, Tenn., on or about the 6th day of January, 1869. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him Private *James E. Holton*, Co. E, 25th Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him; to be indelibly marked on the left hip with the letter "D," two inches in length; to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

II.—In the case of Private *James E. Holton*, Co. E. 25th Infantry, the proceedings, finding and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

2d—Private *Adam Heit*, Co. B, 25th Infantry.

Charge—Desertion.

Specification—In this that he, Private *Adam Heit*, Co B, 25th Infantry, a regularly enlisted soldier in the service of the United States, did desert the same at Humboldt, Tenn., on or about the 21st day of May, 1867, and did remain absent until he was apprehended at Columbus, Ohio, on the 12th day of September, 1868. Thirty dollars reward paid for (his) apprehension. All this on or about the time and at the places above specified.

To which charge and specification, the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him Private *Adam Heit*, of Co. B, 25th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him; to be indelibly marked on the left hip with the letter "D." two inches in length, to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

III.—In the case of Private *Adam Heit*, Co. B, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

3d—Private *Richard Geelin*, Co. G, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Richard Geelin*, having been duly enlisted in the service of the United States, and assigned to Co G, 2d Battallion, 16th U. S. Infantry, (now Co. G. 25th Infantry.) did desert the same at Sibley Barracks, Nashville, Tenn., on or about the 2d day of November, 1865, and did remain absent until on or about the 12th day of December, 1868, when he surrendered himself to the Commanding Officer, Post of Memphis, Tenn.. All this at Nashville, Tenn., and Memphis, Tenn., on or about the dates above specified.

To which charge and specification the prisoner pleaded Guilty."

FINDINGS:

Of the *Charge* and *Specification*. Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Richard Geelin*, Co. G, 25th Infantry, "to forfeit to the United States, all pay and allowances that are or may become due him; to be indelibly marked on the left hip with the letter "D" two inches in length; to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

IV.—In the case of Private *Richard Geelin*, Co. G, 25th Infantry, the proceedings and findings are approved. In consideration of the fact that the prisoner voluntarily surrendered himself, the sentence is confirmed in-so-far as it relates to forfeiture of all pay and allowances now due or becoming due up to the promulgation of this order. The remainder of the sentence is remitted. Private *Richard Geelin* will be released from confinement and returned to duty.

4th—Private *Thomas Bradley*, Co. K, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Thomas Bradley*, Co. K, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Memphis, Tenn., on or about the 8th day of August, 1867, and did remain absent until the 1st day of January, 1869, when he surrendered himself at Louisville, Ky.

To which charge and specification the prisoner pleaded "Guilty"

FINDINGS:

Of the *Charge* and *Specification*, Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Bradley*, Co. K, 25th Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him, to be indelibly marked on the left hip with the letter "D" two inches in length; to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

V.—In the case of Private *Thomas Bradley* Co. K, 25th Infantry, the proceedings and findings are approved. In consideration of the fact that the

prisoner voluntarily surrendered himself the sentence is confirmed in-so-far as it relates to forfeiture of all pay and allowances now due or becoming due up to the promulgation of this order: the remainder of the sentence is remitted. Private *Thomas Bradley*, Co. K, 25th Infantry, will be released from confinement and returned to duty.

5th.—Private *William Denny*, Co. K, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *William Denny*, Co. K, 25th Infantry, a duly enlisted soldier in the service of the United States did desert the same at Memphis, Tenn., on or about the 15th day of April, 1867, and did remain absent until the 5th day of January, 1869, at which time he was apprehended at Memphis, Tenn., thirty dollars having been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *William Denny*, Co. K, 25th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him; to be indelibly marked on the left hip with the letter "D," two inches in length, to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service of the United States."

VI.—In the case of Private *William Denny*, Co. K, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

6th.—Private *Robert Thompson*, Co. D, 25th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Robert Thompson*, Co. D, 25th Infantry, having been duly enlisted as a soldier in the military service of the United States, did desert the same, at or near Memphis, Tenn., on or about April 12th, 1868, and did remain absent until apprehended at or near Cairo, Ill., on or about December 27th, 1868. Thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty,"

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Robert Thompson*, Co. D, 25th Infantry, "to forfeit to the United States all pay and allowances that are now or may become due him; to be indelibly marked on the left hip with the letter "D," two inches in length; to have his head shaved, and to be drummed around and out of the garrison, and to be dishonorably discharged the service or the United States."

VII.—In the case of Private *Robert Thompson*, Co. D, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

7th.—Private *Joseph Kinny*, Co. G, 25th Infantry.

Charge—General worthlessness, to the prejudice of good order and military discipline, in violation of the 99th Article of War.

Specification—In this; that he, Private *Joseph Kinny*, Co. G, 25th Infantry, having been duly enlisted in the service of the United States on the 14th day of April 1868, has been since that time repeatedly, to wit, on or about June 6th and 14th, July 16th and 22d, September 16th, October 25th, November 10th, 13th and 27th, and December 7th, 8th and 27th, totally unfit for all military duty, by reason of drunkenness, and has been repeatedly, to wit, on or about June 6th, June 14th, July 16th, July 22d, October 25th, November 10th, November 27th, December 7th, December

8th and December 27th, (all the above mentioned days being in the year 1868.) in confinement in the Post guard-house, for offences committed when in that condition. He is habitually drunk when he has an opportunity to become so, and is therefore wholly unreliable as a soldier in the performance of any of the duties incident to the service, and the penalties usually inflicted for offences of that description have proven wholly inadequate to effect a reformation in his case, or restrain him from the commission of these offences, thereby disgracing the uniform and position of a soldier, and producing a want of discipline and respect among the enlisted men of the command to the detriment of the service. All this at Humboldt, Tenn., and Trenton, Tenn., on or about the dates hereinbefore specified.

To which charge and specification the prisoner pleaded as follows:

To the *Specification* "Guilty."
To the *Charge*. "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification*. "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Joseph Kinny*, Co. G, 25th Infantry, "to forfeit to the United States all pay and allowances now due or to become due him except the just dues of the laundress; to be indelibly marked on the left hip with the letter "W," one and one-half inches in length, to have his head shaved, and to be drummed around and out of the garrison, and dishonorably discharged the United States service."

VIII.—In the case of Private *Joseph Kinny*, Co. G, 25th Infantry, the proceedings, findings and sentence are approved and confirmed. The sentence will be carried into effect at the post to which the prisoner properly belongs.

11th—Private *Thomas Forman*, Co. H, 25th Infantry.

Charge 1st—Desertion.

Specification—That he, *Thomas Forman* Private Co. H, 25th Infantry, being a duly enlisted soldier of the United States army, did desert the service on or about the fourteenth day of October, 1866, at Memphis, Tenn., and did remain absent until apprehended at Nashville, Tenn., on or about the third day of December, 1868, thirty dollars reward having been paid for his apprehension.

Charge 2d—Violation of the 22d Article of War.

Specification—That he, *Thomas Forman*, Private Co. H, 25th Infantry, did enlist himself in the 45th Infantry, at Jeffersonville, Indiana, on or about November 1st, 1868, without a regular discharge from the company and regiment to which he properly belonged.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charges* and *Specifications* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Forman*, of Co. H, 25th Infantry, "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 confined at hard labor in charge of the guard for the period of six months, and at the expiration of the term of confinement to be indelibly marked with the letter "D" on the left hip, two inches in length, and to be dishonorably discharged the service of the United States."

IX.—In the case of Private *Thomas Forman*, Co. H, 25th Infantry, the proceedings and findings are approved. The sentence is confirmed, but on the recommendation to clemency of the members of the Court—in consideration of the long and hitherto faithful services of the prisoner, covering a period of

ten years—the Major General commanding is pleased to mitigate the sentence to confinement at hard labor in charge of the guard, at the post to which the prisoner belongs, for the period of three months, with a forfeiture of ten (10) dollars per month for that period, at the end of which he will be restored to duty with his company. To be carried into effect by the proper officer.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,

Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough

Bvt Col U S A

A. A. A. G.

8—Private FREDERICK WOLF, Co. F, 25th Infantry.
12—Private MARCUS CUNNINGHAM, Co. F, 25th Infantry.
13—Sergeant MICHAEL LEONARD, Co. F, 25th Infantry.
14—Private RAPHAEL KENNY, Co. H. 25th Infantry.
15—Private THEODORE BARTON, Co. F, 25th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., February 12th, 1869.

GENERAL ORDERS,
No. 9.

I. Before a General Court Martial, which convened at Paducah, Ky., January 28th, 1869, pursuant to Special Orders, No .13, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., January 23d, 1869, and of which Brevet Major General GORDON GRANGER, Colonel 25th Infantry, is President, and 1st Lieutenant GEORGE J. MADDEN, 25th Infantry, Judge Advoate, were arraigned and tried :

8th—Private *Frederick Wolf*, Co. F, 25th Infantry.

Charge 1st—Conduct to the prejudice of good order and military discipline

Specification—That Private *Frederick Wolf*, Co. F, 25th Infantry, did, on or about the 8th December, 1868, and just after a serious fight had been quelled in his Company quarters, make use of mutinous language by saying to Private Patrick Smith, Co. E, 25th Infantry : "If Co. E, will join Co. F, in a mutiny, I will be the man to fire the first shot," or words to that effect. All this at Von Schrader Barracks, Paducah, Ky.,

Charge 2d—Absence without leave.

Specification—That Private *Frederick Wolf*, Co. F, 25th Infantry, did absent himself from his Company without permission from proper authority from on or about immediately after retreat roll call of the 8th December 1868, and did remain so absent until brought back under guard on or about the forenoon of the 9th December, 1868. This at Von Schrader Barracks, Paducah, Ky.,

To which charges and specifications the prisoner pleaded as follows :

To the 1st *Charge* and *Specification* "Not Guilty."

To the 2d *Charge* and *Specification* Guilty."

FINDINGS :

Of the 1st *Charge* and *Specification*, "Not Guilty."

Of the 2d *Charge* and *Specification* "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Frederick Wolf*, of Co F, 25th Infantry, "to forfeit to the United States ten (10) dollars of his monthly pay for one month."

12th—Private *Marcus Cunningham*, Co. F, 25th Infantry.

Charge—Desertion.

Specification—That Private *Marcus Cunningham*, Co. F, 25th Infantry, having been duly enlisted into the military service of the United States, did desert said service at Von Schrader Barracks, Paducah, Ky., on or about the 31st of January, 1869, and did remain absent until apprehended in citizens' clothes at or near Metropolis, Illinois, on or about the 2d of February, 1869, when he was returned to his post by citizen George P. Butler. Thirty dollars being paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Marcus Cunningham*, of Co. F, 25th Infantry, "to forfeit all pay and allowances now due and to be dishonorably discharged the service of the United States, to have one half of his head shaved and to be indelibly marked on the left hip with the letter "D" two inches in length, and to be drummed out of camp."

13th—Sergeant *Michael Leonard*, Co. F, 25th Infantry.

Charge—Manslaughter, to the prejudice of good order and military disci pline.

Specification—That Sergeant *Michael Leonard*, Co. F, 25th Infantry, did, (while attempting to suppress a drunken fight in his company quarters) strike Private Jacob H. Danny, Co. F, 25th Infantry, on the head with a base ball club, which blow or blows caused the death of the said Danny within two hours thereafter. This at Von Schrader Barracks, Paducah, Ky., on or about the 8th December, 1868.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty."
to the facts as stated.

To the *Charge* "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty."
but "attach no crimality thereto."

Of the *Charge* "Not Guilty."

And the Court does therefore "acquit him, Sergeanet *Michael Leonard*, of Co. F, 25th Infantry."

14th—Private *Raphael Kenny*, Co. H, 25th Infantry.

Charge—Desertion.

Specification—That he, Private *Raphael Kenny*, Co. H, 25th Infantry, being a duly enlisted soldier, did desert the service on or about January 5th, 1869, and did remain absent until apprehended at Lousville, Ky., on or about January 18th, 1869. Thirty dollars reward having been paid for his apprehension. This at Nashville, Tenn., and Louisville, Ky., on or about the dates specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Raphael Kenny*, of Co. H, 25th Infantry, "to forfeit to the United States, all pay and allowances that are or may become due him up to the promulgation of this sentence and to be

confined at hard labor under charge of the guard for the period of six months, forfeiting to the United States ten dollars of his monthly pay per month, for the same period."

15th Private *Theodore Barton*, Co. F, 25th Infantry.

Charge—Conduct predjudical to good order and military discipline.

Specification 1st—That Private *Theodore Barton*, Co. F, 25th Infantry, was drunk and disorderly in his company quarters. This at Von Schrader Barracks, Paducah, Ky., on or about the 8th December, 1868.

Specification 2d—That Private *Theodore Barton*, Co. F, 25th Infantry, d while being taken to the guard house, use threatening language against Sergeant Michael Leonard Co. F, 25th Infantry, saying "I will shoot Sergeant Leonard as soon as I get out of the guard house," or words to that effect. This at Von Schrader Barracks, Paducah, Ky., on or about 8th December, 1868

Specification 3d—That Private *Theodore Barton*, Co. F, 25th Infantry, did be come drunk and did join in a general fight in his company quarters with Sergeant Thomas Finnerty, Private John Oberst, and other enlisted men of his Company, which fight resulted in the death of Private Jacob H. Danny, Co. F, 25th Infantry. All this at Von Schrader Barracks, Ky., on or about the 8th December, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty

FINDINGS:

Of the 1st *Specification*,	"Not Guilty."
Of the 2d *Specification*,	"Guilty."
Of the 3d *Specification*,	"Not Guilty."
Of the *Charge*	"Guilty."

SENTENCE.

And the Court does therefore sentence him. Private *Theodore Barton*, Co. F, 25th Infantry, "to forfeit to the United States, all pay and allowances that are now or may become due him, except the just dues of the Laundress, and to be dishonorably discharged the service of the United States."

II.—In the cases of Privates *Frederick Wolf*, Co. F, *Marcus Cunningham*, Co. F, *Raphael Kenny*, Co. H, and *Theodore Barton*, Co. F, 25th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect by the proper officers at the posts to which the prisoners properly belong.

III.—In the case of Sergeant *Michael Leonard*, Co. F, 25th Infantry, the proceedings and findings are approved. He will be released from confinement and returned to duty.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G

OFFICIAL:

Alfred Hough
Bvt Capt U S A
A. A. A. G.

1—Private CHARLES A. WILLIAMS, Co. E, 45th Infantry.
2—Sergeant JACOB NERMAN, Co. E, 45th Infantry.
3—Wagoner THOMAS KELLY, Co. G, 45th Infantry.
4—Private GILBERT BERTHOLF, Co. A, 45th Infantry.
5—Artificer SAMUEL PARSHLEY, Co. A, 45th Infantry.
6—Private HUGH MCCLINTY, Co. H, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 6th, 1869.

GENERAL ORDERS, No. 11.

I. Before a General Court Martial, which convened at Nashville, Tenn., February 17th, 1869, pursuant to Special Orders No. 25, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 11th, 1869, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry, is President, and 1st Lieutenant HUGH D. BOWKER, 45th Infantry, Judge Advocate, were arraigned and tried:

1st—Private *Charles A. Williams*, Co. E, 45th Infantry.

Charge—Violation of the 46th Article of War.

Specification—In this; that he, Private *Charles A. Williams*, of Co. E, 45th Infantry, having been duly posted as a sentinel, and as such sentinel having been duly charged with the safe-keeping of government property, did leave his post before he was regularly relieved, and did go entirely beyond sight or call of his said duties, and did so remain absent about twenty (20) minutes. All this at Ash Barracks, Tenn., on or about the 27th day of January, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles A. Williams*, Co, E, 45th Infantry, "to be confined at hard labor in charge of the guard for the period of one (1) month wearing a ball weighing twelve (12) pounds attached to his left leg by a chain twenty (20) inches long, and to forfeit twelve (12) dollars per month of his monthly pay for two (2) months."

2d—*Sergeant Jacob Nerman*, Co. E, 45th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that he, Sergeant *Jacob Nerman*, Co. E, 45th Infantry being duly mounted as Sergeant of the guard, and as such charged with the command of the same, was found drunk on his guard. All this at Ash Barracks, Nashville, Tennessee, on or about November 29th, 1868.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification*, Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Jacob Nerman*, Co. E, 45th Infantry, "to be confined under charge of the guard for the period of three (3) months, the first and last seven (7) days thereof to be close confinement on bread and water diet."

3d—Wagoner *Thomas Kelly*, Co. G, 45th Infantry.

Charge—Conduct to the predjudice of good order and military discipline.

Specification—In this; that he, said Wagoner *Thomas Kelly*, Co. G, 45th Infantry, being on duty as wagoner in the Quartermaster Department, when sent to haul hay from the river levee, city of Nashville, to Ash Barracks, did fail for several hours to perform said duty, and during said time did go with the wagon and team in his charge about three miles in an opposite direction from the levee, and use the said wagon and team to transport two or three women, names unknown. All this at Nashville, Tenn., between 1 and 5 o'clock P. M., January 7th, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Kelly*, Co. G, 45th Infantry, "to be confined at hard labor in charge of the guard for ten (10) days, and to forfeit five (5) dollars per month of his monthly pay for one (1) month."

4th—Private *Gilbert Bertholf*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Specification—In this; that Private *Gilbert Bertholf*, Co. A, 45th Infantry, U. S. A., being on detached service as cook, did absent himself without permission from proper authority, from about 6 P. M., January 19th, 1869, until about 10 A. M., January 22d, 1869, a period of two days and sixteen (16) hours. This at Post Hospital, Chattanooga, Tenn., on or about the time specified.

Charge 2d—Violation of the 45th Article of War.

Specification—In this; that Private *Gilbert Bertholf*, Co. A, 45th Inf., U. S. A., being on detached service as cook, did become so much under the influence of liquor as to be unable to perform his duty as a soldier. This at Post Hospital, Chattanooga, Tenn., on or about the 19th day of January, 1869.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* "Guilty."

To the 2d *Charge* and *Specification* "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Gilbert Bertholf*, Co. A, 45th Infantry, to be confined at hard labor under charge of the guard for the period of thirty (30) days, with a ball of twelve (12) pounds weight attached to his leg by a chain twenty (20) inches long, and to forfeit twelve (12) dollars per month of his monthly pay for three months.

5th—Artificer *Samuel Parshley*, Co. A, 45th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that Artificer *Samuel Parshley*, Co. A, 45th Infantry, did in violation of orders furnish and give intoxicating liquor to prisoners, viz: Brown and Prichard, while said prisoners were in confinement at the Post of Chattanooga. This at or near the Post of Chattanooga, Tenn., on or about the 25th of December, 1868.

Specification 2d—In this; that Artificer *Samuel Parshley*, Co. A, 45th Infantry, did, on being arrested, resist the guard, and say to Sergeant George W. Cartwright, commanding the guard, "God damn you, I will not go, you have no authority to arrest me, you are no gentleman," or words to that effect. This at or near the Post of Chattanooga, Chattanooga, Tenn., on or about the 25th day of December, 1868.

Specification 3d—In this; that Artificer *Samuel Parshley*, Co. A, 45th Infantry, did, after being arrested, say in a loud and threatening manner to Sergeant George W. Cartwright, commanding the guard, "You are a God damned son-of-a-bitch, and a damned rascal," at the same time did attempt to strike, and did strike at, Sergeant George W. Cartwright, commanding the guard. This at or near the Post of Chattanooga, Chattanooga, Tenn., on or about the 25th day of December, 1868.

To which charge and specifications the prisoner pleaded "Not Guilty

FINDINGS:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty,"
except the words "God damned son-of-a-bitch, and a," and the words "at the same time did attempt to strike, and did strike at, Sergeant George W. Cartwright, commanding the guard."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Artificer *Samuel Parshley*, Co. A, 45th Infantry, U. S. A., "to be confined in charge of the guard for the period of seven (7) days, on bread and water diet, and to forfeit fifteen (15) dollars per month of his monthly pay for the period of one (1) month."

6th—Private *Hugh McClinty*, Co. H, 45th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that he, Private *Hugh McClinty*, Co. H, 45th Infantry, having been duly detailed and mounted as a member of the guard, did become so much under the influence of intoxicating liquor as to be unable to perform his duty in a proper manner All this at Pulaski, Tenn., on or about January 21st, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Hugh McClinty*, Co. H, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of forty (40) days, and to wear a ball of twelve pound's weight attached to his leg by a chain twenty (20) inches long for the same period."

II. In the cases of Private *Charles A. Williams*, Co. E, Wagoner *Thomas Kelly*, Co. G, Private *Gilbert Bertholf*, Co. A, Artificer *Samuel Parshley*, Co. A, and Private *Hugh McClinty*, Co. H, 45th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III. The proceedings and findings in the case of Sergeant *Jacob Nerman*, Co. E. 45th Infantry, are approved. The sentence is confirmed, but can only be carried into effect by the commanding officer of the regiment first reducing Sergeant *Nerman* to the grade of Private, the court having failed to provide therefor in its sentence. Otherwise the sentence would be in conflict with the requirements of paragraph 78, Revised Army Regulations, which provides, that, except in aggravated cases, where escape may be apprehended, non-commissioned officers are not to be sent to the guard room and mixed with privates during confinement.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
Bvt Col U S A
A A A G.

7—Private CHARLES A. ANDREWS, Co. H, 45th Infantry
8—Private ISAAC H. HANON, Co. H, 45th Infantry.
9—Private HUGH TIERNEY, Co. H, 45th Infantry.
10—Private JESSE M. WILSON, Co. H, 45th Infantry.
11—Private NICHOLAS REUTER, Co. H, 45th Infantry.
12—Private GEORGE O'NEILL, Co. H, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 8th, 1869.

GENERAL ORDERS, No. 12.

I. Before a General Court Martial, which convened at Nashville, Tenn., February 17th, 1869, pursuant to Special Orders No. 25, par. 1, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 11th, 1869, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry, is President, and 1st Lieutenant HUGH D. BOWKER, 45th Infantry, Judge Advocate, were arraigned and tried:

7th—Private *Charles A. Andrews*, Co. H, 45th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Charles A. Andrews*, Co. H, 45th Infantry, having been duly enlisted in the service of the United States, did desert the Company at Nashville, Tenn., on the 22d day of November, 1868, and did remain absent until apprehended at Cairo, Illinois, November 27th, 1868. Thirty dollars ($30) paid for his apprehension. All this at or near Nashville, Tenn., and Cairo, Illinois, on or about the dates above mentioned.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Charles A. Andrews*, Co. H, 45th Infantry, "to forfeit all pay and allowances now due or to become due, except the sum of five (5) dollars, and to be indelibly marked with the letter "D" one and one-half inches long on his left hip, and to be dishonorably discharged and drummed out of the service."

8th—Private *Isaac H. Hanon*, Co. H, 45th Infantry.

Charge 1st—Desertion.

Specification 1st—In this; that he, Private *Isaac H. Hanon*, Co. H, 45th Infantry, having been duly enlisted in the service of the United States, did desert the Company at Chattanooga, Tenn., on the 20th day of September, 1868, and did remain absent until he surrendered himself at Columbus, Ky., on the 15th day of November, 1868, he being at that time a member of Co. I, 25th Infantry. All this at or near Chattanooga, Tenn., and Columbus, Ky., on or about the dates above specified.

Specification 2d—In this ; that he, Private *Isaac H. Hanon*, Co. H, 45th Infantry, did, while awaiting trial by General Court Martial for desertion, at the Post of Nashville, Tenn, desert from the guard house on the 22d day of November, 1868, and did remain absent until apprehended at Cairo, Illinois, on or about the 27th day of November, 1868. Thirty (30) dollars paid for his apprehension. All this at Nashville, Tenn., and Cairo, Illinois, on or about the dates above specified.

Charge 2d—Violation of the 22d Article of War.

Specification—In this ; that *Isaac H. Hanon*, a private of Co. H, 45th Infantry, did enlist himself in "I" Company, 25th Infantry, before he had been discharged from "H" Company, 45th Infantry. This at Columbus, Ky., on or about, and between the 20th day of September and the 15th day of November, 1868.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Isaac H Hanon*, Co. H, 45th Infantry, "to forfeit all pay and allowances now due or to become due, except the sum of five (5) dollars, and to be indelibly marked with the letter "D" (1½) one and one-half inches long on his left hip, and to be dishonorably discharged, and drummed out of the service."

9th—Private *Hugh Tierney*, Co. H, 45th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that he, Private *Hugh Tierney*, Co. H, 45th Infantry, having been duly detailed and mounted as a member of the guard, did become so much under the influence of intoxicating liquors as to be unable to perform his duty in a proper manner. All this at Pulaski, Tenn., on or about 2 o'clock A. M., January 21st, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE :

And the Court does therefore sentence him, Private *Hugh Tierney*, Co. H, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of forty (40) days, and to wear a ball of twelve pounds weight attached to his leg by a chain twenty (20) inches long for the same period."

10th—Private *Jesse M. Wilson*, Co. H, 45th Infantry.

Charge 1st—Desertion.

Specification—In this ; that he, Private *Jesse M. Wilson*, Co. H, 45th Infantry, having been duly enlisted in the service of the United States, did desert his Company at Chattanooga, Tenn., on the 20th day of September, 1868, and did remain absent until apprehended at Columbus, Ky., on the 15th day of November, 1868, he being at that time a member of Co. "I," 25th Infantry. Thirty (30) dollars paid for his apprehension. All this at or near Chattanooga, Tenn., and Columbus, Ky., on or about the dates above specified.

Charge 2d—Violation of the 22d Article of War.

Specification—In this; that Private *Jesse M. Wilson*, Co. H, 45th Infantry, did enlist himself in "I" Company, 25th Infantry, before being discharged from Co. "H," 45th Infantry. This at Columbus, Ky., on or about and between the 20th day of September and the 15th day of November, 1868.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jesse M. Wilson*, Co. H, 45th Infantry, "to forfeit all pay and allowances now due or to become due, except the sum of five (5) dollars, and to be indelibly marked with the letter "D" (1½) one and one-half inches long on the left hip, and to be dishonorably discharged and drummed out of the service."

11th—Private *Nicholas Reuter*, Co. H, 45th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Private *Nicholas Reuter*, Co. H, 45th Infantry did buy, or cause to be bought, one quart of whisky, and did pass the same in to the prisoners, then confined in the post guard house. All this at Pulaski, Tenn., on or about Jan. 21st, 1869.

To which charge and specification the prisoner pleaded " Guilty

FINDINGS:

Of the *Charge* and *Specification* "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Nicholas Reuter*, Co. H, 45th Infantry, "to be confined at hard labor in charge of the guard for one month, excepting the first and last seven (7) days of such period, during which he shall be in close confinement on bread and water diet, and to forfeit ten (10) dollars of his monthly pay for one (1) month."

12th—Private *George O'Neill*, Co. H, 45th Infantry.

Charge 1st—Absence without leave.

Specification—In this; that he, Private *George O'Neill*, Co. H, 45th Infantry, did absent himself from his Company and garrison without permission from proper authority, from about 3 o'clock P. M., on the 21st day of December, 1868, to about 10 o'clock P. M., on the 23d day of December, 1868. All this at Ash Barracks, Nashville, Tenn., on or about the dates above specified.

Charge 2d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *George O'Neill*, Co. H, 45th Infantry, during about ten months' service with the company, was about six months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard and utterly worthless as a soldier. All this at Ash Barracks, Nashville, Tenn., and Chattanooga, Tenn., about the time between February 20th, 1868, and December 1868.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* " Guilty."

To the 2d *Charge* and *Specification* "Not Guilty."

FINDINGS:

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 2d *Charge* and *Specification* "Not Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *George O'Neill*, Co. H, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of one (1) month, and to wear a ball weighing twelve (12) pounds attached to his leg by a chain twenty (20) inches long for the same period, and to forfeit ten (10) dollars of his monthly pay for the period of one (1) month."

II--In the cases of Privates *Charles A. Andrews*, *Isaac H. Hanon*, *Hugh Tierney*, *Jesse M. Wilson* and *Nicholas Reuter*, all of Co. H, 45th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III--In the case of Private *George O'Neill*, Co. H, 45th Infantry, the proceedings and findings under the first charge and specification are approved. The sentence is confirmed, and will be carried into effect The 2d charge and its specification are substantiated by the evidence adduced--the testimony of one witness which stands unrebutted, and in no way warrants a finding of "Not Guilty."

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

A. Mead Hough
Bvt Col U S A
A A A G

13--Private COLUMBUS W. VEATCH, Co. B, 45th Infantry.
15--Private WILLIAM ROGERS, Co. F, 45th Infantry.
16--Private JOHN G. SIMMONS, Co. E, 45th Infantry.
17--Private LEVI PRICHARD, Co. A, 45th Infantry.
18--Private JOHN BROWN, Co. A, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 15th, 1869.

GENERAL ORDERS, No. 13.

1. Before a General Court Martial, which convened at Nashville, Tenn., February 17th, 1869, pursuant to Special Orders, No. 25, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 11th, 1869, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry, is President, and 1st Lieutenant HUGH D. BOWKER, 45th Infantry, Judge Advocate, were arraigned and tried :

13th--Private *Columbus W. Veatch*, Co. B, 45th Infantry.

Charge--Desertion.

Specification--In this: that he, Private *Columbus W. Veatch*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 22d day of November 1868, and did remain absent until apprehended on or about the 25th day of November, 1868, at Nashville, Tenn. This at or near Gallatin, Tenn., and Nashville, Tenn., on or about the dates above specified.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty,"
except the word "desert," and substituting therefor the words "absent himself without leave from."

Of the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Columbus W. Veatch*, Co. B, 45th Infantry, "to forfeit twelve (12) dollars of his monthly pay for the period of three (3) months, and to be confined at hard labor in charge of the guard for thirty (30) days, wearing a ball weighing twelve (12) pounds attached to his leg by a chain twenty (20) inches long."

15th—Private *William Rogers*, Co. F, 45th Infantry.

Charge 1st—Violation of the 54th Article of War.

Specification—In this; that he, Private *William Rogers*, Co. F, 45th Infantry, did steal from the ware-house of John H. Fuller, a citizen of Columbia, Tenn., several articles, viz: —boxes of blacking, and one (1) bolt gingham; and did carry the above named articles into the barrack quarters of Co.

F, 45th Infantry. All this on or about the 9th day of January, 1869, at Columbia, Tennessee.

Charge 2d—Theft, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *William Rogers*, Co. F, 45th Infantry, did enter the ware-house of John H. Fuller, and break open boxes of merchandise and furniture, owned respectively by Brevet Major C. H. Frederick, U. S. A., and John H. Fuller, a citizen of Columbia, Tenn., and take therefrom several boxes of blacking and canned fruit, and a piece of gingham. All this on or about the 9th day of January, 1869, at Columbia, Tenn.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS:

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him, Private *William Rogers*, Co. F, 45th Infantry.

16th—Private *John G. Simmons*, Co. E, 45th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *John G. Simmons*, a duly enlisted soldier in the Army of the United States, did desert said service on or about September 27th, 1868, at Chattanooga, Tenn., and was absent until apprehended as a member of the militia forces of the State of Tennessee, at Nashville, Tenn., on or about the 1st day of March, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *John G. Simmons*, Co. E, 45th Infantry, "to forfeit all pay and allowances that are now due or that may become due, except the sum of five (5) dollars, and to be indelibly marked with the letter "D" one and one-half (1½) inches long on his left hip; to be dishonorably discharged, and to have his head shaved and to be drummed out of the garrison."

17th—Private *Levi Prichard*, Co. A, 45th Infantry.

Charge—Desertion.

Specification—In this; that Private *Levi Prichard*, Co. A, 45th Infantry, a duly enlisted soldier in the United States' Army, did desert the same at Nashville, Tenn., on or about the 15th day of June, 1868, and did remain absent until apprehended as a deserter at Jeffersonville, Ind., on or about the 28th day of November, 1868. All this at or near Ash Barracks, Nashville, Tenn., on or about the date above mentioned.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS:

Of the *Charge* and *Specification*, "Guilty."

SENTENCE:

And the Court does therefore sentence him, Private *Levi Prichard*, Co. A, 45th Infantry, to be indelibly marked with the letter "D," one and one-half (1½) inches long on the left hip, and to forfeit all pay and allowances that are due or may become due, excepting the sum of five (5) dollars, and to be dishonorably discharged, and drummed out of the garrison."

18th—Private *John Brown*, Co. A, 45th Infantry.

Charge—Utter worthlessness, to the prejudice of good order and military discipline.

Specification 1st—In this; that Private *John Brown*, Co. A, 45th Infantry, since enlistment, June 5th, 1867, to the present time, a period of twenty (20) months, has performed duty but about five (5) months and twenty-five (25) days, being during the balance of that time, fourteen (14) months and five (5) days, either absent by desertion, retained by civil authority, in confinement awaiting trial, or serving sentences of Courts Martial. This at or near Cumberland Barracks, Nashville, Tenn., Ash Barracks, Nashville, Tenn., and Post of Chattanooga, Tenn., from June 5th, 1867, to February 10th, 1869.

Specification 2d—In this; that Private *John Brown*, Co. A, 45th Infantry, on or about the 15th day of March, 1868, in the presence of enlisted men of Co. A, 45th Infantry, did say in a loud and boisterous manner, "I am going down to Nashville to get drunk, for the purpose of being arrested and retained by civil authority." "I will not do another day's duty for any God damned officer in the service, I am done soldiering in 45th regiment, I will not do any duty except under guard. The army is a disgrace to me, and I am bound to get out of it," or words to that effect. This at or near Ash Barracks, Nashville, Tenn., on or about the date above mentioned

Specification 3d—In this; that Private *John Brown*, Co. A, 45th Infantry, has been tried, convicted, and sentenced by Courts Martial since his enlistment June 5th, 1867, for various offences as follows: Tried by Regimental Court Martial convened by S. O. No. 97, dated Head-Quarters 45th Infantry, August 31st, 1867, for conduct to the prejudice of good order and military discipline, and sentenced to forfeit five dollars of his monthly pay for one month. Tried by a General Court Martial convened by Special Orders No. 181, dated Head-Quarters Dept. of the Cumberland, Louisville, Ky., November 23d, 1867, for violation of the 21st Article of War, and sentenced to forfeit to the U. S. ten dollars per month of his monthly pay for the period of three months. Tried by a Field Officers' Court Martial convened per S. O. No. 9, dated Head-Q'rs Post of Nashville, Tenn., Feb. 18th, 1868, for absence without leave, and conduct to the prejudice of good order and military discipline, and sentenced to confinement at hard labor in charge of the guard for fifteen (15) days. Tried by Garrison Court Martial convened by S. O. No. 42, Post of Nashville, Nashville, Tenn., April 2d, 1868, for absence without leave, and sentenced to forfeit ten (10) dollars of his monthly pay for one month. Tried by a Field Officers' Court Martial convened by S. O. No. 9, dated Head-Quarters District of Nashville, Nashville, Tenn., June 25th, 1868, for conduct to prejudice of good order and military discipline, and sentenced to forfeit fifteen (15) dollars of his monthly pay for one month. Tried by a Field Officers' Court Martial convened by S. O. No. 9, dated Head-Quarters Post of Nashville, Nashville, Tenn., July 12th, 1868, for violation of the 21st and 44th Articles of War, and sentenced to confinement at hard labor in charge of the guard for the period of thirty (30) days, such confinement to be solitary when not at work; and to forfeit fifteen dollars of his monthly pay for one month. Tried by General Court Martial convened by Special Orders No. 204, dated Head-Quarters Dept, of the Cumberland, Louisville, Ky., November 17th, 1868, for desertion, and sentenced to confinement at hard labor under charge of the guard for four months, and to forfeit

fifteen (15) dollars of his monthly pay for the same period. This at or near Cumberland Barracks and Ash Barracks, Nashville, Tenn., and the Post of Chattanooga, Tenn.

To which charge and specifications the prisoner pleaded as follows:

To the 1st and 2nd *Specifications*,	"Not Guilty."
To the 3d *Specification*,	"Guilty."
To the *Charge*,	"Not Guilty."

FINDINGS:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the 3d *Specification*,	"Guilty."
Of the *Charge*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Brown*, Co. A, 45th Infantry, "to forfeit all pay and allowances that are now due or that may become due, except the sum of five dollars; to be indelibly marked with the letter "W," one and one-half (1½) inches long, on his left hip, to have his head shaved, and and to be dishonorably discharged and drummed out of the garrison."

II.—In the cases of Privates *Columbus W. Veatch*, Co. B, *John G. Simmons*, Co. E, *Levi Prichard*, Co. A, and *John Brown*, Co. A, all of the 45th Infantry, the proceedings, findings, and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III.—In the case of Private *William Rogers*, Co. F, 45th Infantry, the proceedings and findings are approved. He will be released from confinement and returned to duty.

By command of Major General Geo. H. Thomas:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Alfred Hough
Bvt Col U S A
A. A. A. G.

14—Private LOUIS EISKAMP, Co. B, 45th Infantry.
19—Private GREENBURY MCCOMBS, Co. A, 45th Infantry.
20—Private WILLIAM THOMPSON, Co. H, 45th Infantry.
21—Hospital Steward MICHAEL WHELAN, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., March 24th, 1869.

GENERAL ORDERS,
No. 14.

1. Before a General Court Martial, which convened at Nashville, Tenn., February 17th, 1869, pursuant to Special Orders No. 25, par. I, dated Head-Quarters Department of the Cumberland, Louisville, Ky., February 11th, 1869, and of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry, is President, and 1st Lieutenant HUGH D. BOWKER, 45th Infantry, Judge Advocate, were arraigned and tried:

14th—Private *Louis Eiskamp*, Co. B, 45th Infantry.

Charge—Violation of the 46th Article of War.

Specification—In this; that he, Private *Louis Eiskamp*, Co. B, 45th Infantry, a duly enlisted soldier in the service of the United States, after having been duly detailed and mounted as a member of the guard on the 30th day of December, 1868, and after having been posted as a sentinel over the Company store-room, did go to sleep, and was found asleep by the Sergeant of the guard. This at Gallatin, Tenn., at or about half past three o'clock on the morning of the 31st day of December, 1868.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Louis Eiskamp*, Co. B, 45th Infantry, "to be confined at hard labor under charge of the guard for the period of two (2) months, with a ball weighing twelve (12) pounds attached to his left leg by a chain twenty (20) inches long, and to forfeit ten (10) dollars per month of his montaly pay for the same period."

19th—Private *Greenbury McCombs*, Co. A, 45th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that Private *Greenbury McCombs*, Co. A, 45th Infantry, on the night of February 14th, 1869, was drunk and disorderly in his company quarters. This at the Post of Chattanooga, Chattanooga, Tenn., on the night of February 14th, 1869.

Specification 2d—In this; that Private *Greenbury McCombs*, Co. A, 45th Infantry, did, on the night of February 14th, 1869, say in a loud and threatening manner to Private Jackson, Co. A, 45th Infantry, "You are a God-damned son-of-a-bitch! I will break your head," or words to that effect. This at the Post of Chattanooga, Chattanooga, Tenn., on the night of February 14th, 1869.

Specification 3d—In this; that Private *Greenbury McCombs*, Co. A, 45th Infantry, did say to Sergeant Sumner, Co. A, 45th Infantry, who ordered him to

go to his bunk and keep quiet, "You go to hell! I will do as I please," or words to that effect. This at the Post of Chattanooga, Chattanooga, Tenn., on the night of February 14th, 1869.

Specification 4th—In this; that Private *Greenbury McCombs*, Co. A, 45th Infantry, did, after being ordered the second time by Sergeant Sumner to go to his bunk, say in an insulting manner, "I will not go for you or any one like you," or words to that effect. This at the Post of Chattanooga, Chattanooga, Tenn., on the night of February 14th, 1869.

Specification 5th—In this: that Private *Greenbury McCombs*, Co. A, 45th Infantry, did, without cause or provocation, strike and abuse, and use insulting language to Private Jackson, Co. A, 45th Infantry. This at the Post of Chattanooga, Chattanooga Tenn., on or about the night of February 14th, 1869.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st *Specification*, "Guilty,"

except the words "drunk and."

Of the 2d *Specification*. "Guilty,"

except the words "God-damned," and "I will break your head."

Of the 3d *Specification*, "Not Guilty."
Of the 4th and 5th *Specifications*, "Guilty,"
Of the *Charge*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Greenbury McCombs*, Co. A, 45th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for the period of six (6) months."

20th—Private *William Thompson*, Co H, 45th Infantry.

Charge—Conduct to the prejudice of good order and military discipline

Specification 1st—In this; that he, Private *William Thompson*, acting musician Co. H, 45th Infantry, was so drunk as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn., on or about the 18th day of November, 1868

Specification 2d—In this: that he, Private *William Thompson*, acting musician Co. H, 45th Infantry, was so drunk as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn., on or about the 5th day of December, 1868

Specification 3d—In this; that he, Private *William Thompson*, acting musician Co. H, 45th Infantry, was so drunk as to be unable to perform his duty properly. This at Ash Barracks, Nashville, Tenn., on or about the 12th day of December, 1868.

Specification 4th—In this; that he, Private *William Thompson*, acting musician Co. H, 45th Infantry, was so drunk as to be unable to perform his duty properly, and when ordered to the guard-house did refuse to go, resisting by kicking and striking, and had to be taken bodily and carried there. This at Ash Barracks, Nashville, Tenn., on or about the 17th day of December, 1868

ADDITIONAL CHARGES.

Charge 1st—Conduct prejudicial to good order and military discipline.

Specification 1st—In this; that he, Private *William Thompson*, acting musician, Co. H, 45th Infantry, did become so much under the influence of intoxicating liquors as to be unable to perform his duty in a proper manner at Retreat Roll-call. This at Pulaski, Tenn., on or about February 8th, 1869.

Specification 2d—In this; that he, Private *William Thompson*, acting musician, Co. H, 45th Infantry, after being ordered to the guard-house, and while being taken there, did struggle and resist and repeatedly attempt to strike 1st Sergeant Edward Peabody, Co. H, 45th Infantry, while he, 1st Sergeant Peabody, was in the execution of his duty. This at Pulaski, Tenn., on or about February 8th, 1869.

Specification 3d—In this; that he, Private *William Thompson*, acting musician, Co. H, 45th Infantry, did repeatedly call 1st Sergeant Edward Peabody, Co. H, 45th Infantry (in the presence of the whole company) a "God-damned son-of-a-bitch," and did say he would kill him (meaning Sergeant Peabody) as soon as he got a chance, or words to that effect. All this at Pulaski, Tenn., on or about February 8th, 1869.

Charge 2d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *William Thompson*, acting musician, Co. H, 45th Infantry, during about eleven (11) months' service with the company, was about four (4) months in confinement, mainly for drunkenness, and has proved himself an habitual drunkard, and utterly worthless as a soldier. All this at Ash Barracks, Nashville, Chattanooga and Pulaski, Tenn., about the time, between March 1st, 1868, and February 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st *Specification* 1st *Charge*,	"Guilty."
Of the 2d *Specification* 1st *Charge*,	"Not Guilty."
Of the 3d *Specification* 1st *Charge*,	"Guilty."
Of the 4th *Specification* 1st *Charge*,	"Guilty,"

except the words "by kicking and striking."

Of the 1st *Charge*,	"Guilty."
Of the 1st *Specification* 1st *additional Charge*,	"Guilty."
Of the 2d *Specification* 1st *additional Charge*,	"Guilty."
Of the 3d *Specification* 1st *additional Charge*,	"Guilty,"

except the word "repeatedly."

Of the 1st *additional Charge*	"Guilty."
Of the *Specification* 2d *additional Charge*,	"Not Guilty."
Of the 2d *additional Charge*,	"Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Thompson*, Co. H, 45th Infantry, "to forfeit all pay and allowances that are now due, or that may become due, except the sum of ten (10) dollars, and to be dishonorably discharged the service of the United States."

21st—Hospital Steward *Michael Whelan*, 45th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that he, *Michael Whelan*, Hospital Steward 45th Infantry, having in charge five (5) prisoners, enlisted men of Co. F, 45th Infantry, and under orders to proceed with them to Columbia, Tenn., and deliver them to the Commanding officer at that place, was so much under the influence of intoxicating liquor as to be unable to perform his duty properly. This at Nashville, Tenn., on or about the 18th day of Jan. 1869.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Hospital Steward *Michael Whelan*, 45th Infantry, having in charge five (5) prisoners, enlisted men of Co. F, 45th Infantry, and under orders to proceed with them to Columbia, Tenn., and deliver them to the Commanding officer at that place, did allow said prisoners to become drunk and disorderly, and unfit to proceed on their journey. This at Nashville, Tenn., on or about the 18th day of January, 1869.

Charge 3d—Disobedience of orders.

Specification—In this; that he, *Michael Whelan*, Hospital Steward 45th Infantry, being under orders from Headquarters Department of the Cumberland to proceed to Columbia, Tenn., and having willfully missed the train he had been directed to take, and having been found at the Nashville & Decatur R. R. Depot after the last train for the day had departed, and being under the influence of liquor, was ordered by his superior Officer, 1st Lieut. H. D. Bowker, 45th Infantry, Acting Adjutant of the Post of Nashville, to return to Ash Barracks in arrest, which order he disobeyed, saying that he "did not consider himself under arrest, and would not go to Ash Barracks," or words to that effect. This at Nashville, Tenn., on or about the 18th day of January, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*,	"Not Guilty."
Of the 2d *Charge* and *Specification*,	"Not Guilty."
Of the 3d *Charge* and *Specification*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Hospital Steward *Michael Whelan*, 45th Infantry, "to be reduced to the ranks, and to forfeit twelve (12) dollars per month of his monthly pay for the period of three (3) months."

II. In the cases of Privates *Louis Eiskamp*, Co. B, *Greenbury McCombs*, Co. A, and Hospital Steward *Michael Whelan*, 45th Infantry, the proceedings, findings and sentences are approved and confirmed. The sentences will be carried into effect at the posts to which the prisoners properly belong.

III. In the case of Private *William Thompson*, of Co. H, 45th Infantry, the proceedings and findings—with the exception of the findings to the 2d additional charge and its specification, which are not in accordance with the evidence—are approved. The sentence is confirmed, and will be carried into effect.

IV. The General Court Martial of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 45th Infantry, is President, and 1st Lieutenant HUGH D. BOWKER, 45th Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL GEO. H. THOMAS:

WM. D. WHIPPLE,
Bvt. Maj. Gen. U. S. A., A. A. G.

OFFICIAL:

Wm D Whipple
Bvt Maj Genl U S A
A A G

CASES TRIED.

1—Private THOMAS BELCHER, Co. A, 45th Infantry.
2—Private FERDINAND KALB, Co. A, 45th Infantry.
3—Private JOHN LANDRAM, Co. A, 45th Infantry.
4—Private JOHN LAVERCOMBE, Co. A, 45th Infantry.
5—Private BARNY MORMAN, Co. A, 45th Infantry.
6—Private WM. NUNAN, Co. A, 45th Infantry.
7—Private JOHN RICKENBACK, Co. A, 45th Infantry.
8—Private GEO. RICHARDS, Co. A, 45th Infantry.
9—Private JOHN WINFIELD, Co. A, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., May 10th, 1869.

GENERAL ORDERS,
No. 19.

I. Before a Field Officers' Court, which convened at Chattanooga, Tenn., April 27th, 1869, pursuant to Special Orders No. 78, Par. I., dated Head-Quarters Department of the Cumberland, Louisville, Ky., April 23d, 1869, were arraigned and tried:

1—Private *Thomas Belcher*, Co. A, 45th Infantry.

Charge 1st—Conduct to the prejudice of good order and military discipline.

Charge 2d—Violation of the 44th Article of War.

PLEA:

To the 1st *Charge* and *Specification* "Not Guilty."
To the 2d *Charge* and *Specification* "Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*, "Guilty."
Of the 2d *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Belcher*, Co. A, 45th Infantry, to forfeit fifteen dollars of his monthly pay for one month.

2d—Private *Ferdinand Kalb*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the *Charges* and *Specifications* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Ferdinand Kalb*, Co. A, 45th Infantry, to forfeit ten dollars of his monthly pay for one month.

3d--Private *John Landram*, Co. A, 45th Infantry.

Charge 1st--Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the *Charges* and *Specifications* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Landram*, Co. A, 45th Infantry, to forfeit ten dollars of his monthly pay for one month.

4th—Private *John Lavercombe*, Co. A, 45th Infantry.

Charge 1st—Conduct to the prejudice of good order and military discipline.

Charge 2d—Violation of the 44th Article of War.

PLEA.

To the *Charges* and *Specifications* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Lavercombe*, Co. A, 45th Infantry, to forfeit fifteen dollars of his monthly pay for one month.

5th—Private *Barny Morman*, Co. A, 45th Infantry.

Charge—Violation of the 44th Article of War.

PLEA.

To the *Charge* and *Specification* "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Barny Morman*, Co A, 45th Infantry, "to forfeit eight dollars of his monthly pay for one month."

6th—Private *Wm. Nunan*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the 1st *Charge* and *Specification*, "Guilty."

To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Wm. Nunan*, Co. A, 45th Infantry, "to forfeit ten dollars of his monthly pay for one month."

7th—Private *John Rickenback*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the *Charges* and *Specifications*, "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Rickenback*, Co. A, 45th Infantry, "to forfeit ten dollars of his monthly pay for one month."

8th—Private *George Richards*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the *Charges* and *Specifications*, "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Richards*, Co. A, 45th Infantry, "to forfeit ten dollars of his monthly pay for one month."

9th—Private *John Winfield*, Co. A, 45th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Violation of the 42d Article of War.

PLEA.

To the 1st *Charge* and *Specification*, "Guilty."

To the 2d *Charge* and *Specification*, "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Winfield*, Co. A, 45th Infantry, "to forfeit ten dollars of his monthly pay for one month."

II. In the cases of Privates *Thomas Belcher, Ferdinand Kalb, John Landram, John Lavercombe, Barny Morman, Wm. Nunan, John Rickenback, George Richards, and John Winfield*, all of Co. A, 45th Infantry, the proceedings, findings and sentences are approved and confirmed.

The sentences will be carried into effect by the proper officers.

By command of Major General Geo. H. Thomas:

ALFRED L. HOUGH,
Bvt. Col. U. S. A., A. A. G.

OFFICIAL:

S. P. Martin
Bvt. Lieut. Col. U. S. A.
Asst. Adj't. Genl.

1..Private JOHN BRITT, Light Battery, C, 3d Artillery.
2..Private HENRY O'NEILL, Co. F, 34th Infantry.
3..Private JOHN P. WALL, General Service U. S. A.
4..Private CORNELIUS CALLAHAN, Co. C, 10th Infantry.
5..Musician FRANK BROWNE, Co. B, Music Boys, General Service U. S. A.
6 .Private CHARLES MYERS, Co. A, P. P., General Service U. S. A.
7..Private THOMAS HEINEMAN, Co. C, 10th Infantry.
8..Private JOHN MITCHELL, Co. E, 24th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 7th, 1869.

GENERAL ORDERS, No 24.

I.—Before a General Court Martial which convened at Newport Barracks, Ky., May 24th, 1869, pursuant to Special Orders No. 91, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., May 19th, 1869, and of which Bvt. Lieut. Col. GLOVER PERIN, Surgeon U. S. Army, is President, and Capt. E. C. BOWEN, U. S. Army, Judge Advocate, were arraigned and tried:

1st—Private *John Britt*, Light Battery C, 3d Artillery.

Charge—Desertion.

Specification—In this; that he, Private *John Britt*, of Light Battery C, 3d U. S. Artillery, did desert the service of the United States at Fort McPherson, Nebraska, on or about the 9th day of April, 1868, and did remain absent therefrom until he was apprehended at Chicago, Ill., on or about the 4th day of December, 1868, thirty dollars being paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Britt*, Light Battery C, 3d Artillery, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on his left hip, one inch and one-half in length; to be confined at hard larbor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

2d—Private *Henry O'Neill*, Co. F, 34th Infantry.

Charge—Desertion.

Specification—In this; that the said *Henry O'Neill*, of Co. F, 34th Infantry, having been duly enlisted in the service of the United States, did desert the same at Nashville, Tenn., on or about the 4th day of November, 1866, and did remain absent until apprehended at Rockford, Ill., on or about the 16th day of December, 1868. Thirty dollars reward has been paid for his apprehension.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence hin, Private *Henry O'Neill*, Co. F, 34th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D" on his left hip, one inch and one-half long; to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay for the same period, and then to be dishonorably discharged from the service."

3d—Private *John P. Wall*, General Service U. S. A.

Charge—Desertion.

Specification—In this; that Private *John P. Wall*, of the General Service U. S. A., after being duly enlisted into the service of the United States, did desert the same from Bedloe's Island, New York Harbor, on or about the 2d day of August, 1868, and did remain absent until apprehended at Chicago, Ill., on or about the 27th day of March, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John P. Wall*, General Service U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on his left hip, one inch and one-half long; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

4th—Private *Cornelius Callahan*, Co. C, 10th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Cornelius Callahan*, Co. C, 10th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at Jefferson Barracks, Mo., on or about the 10th day of April, 1866, and did remain so absent until on or about the 9th day of February, 1869, when he was apprehended at Chicago, Illinois.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Cornelius Callahan*, Co. C, 10th Infantry, "to forfeit all pay and allowances that are or may become d e him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on the left hip, one and one-half inches in length; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

5th—Musician *Frank Browne*, Co. B, Music Boys, General Service, U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Musician *Frank Browne*, Co. B, Music Boys, General Service, U. S. A., did, while undergoing sentence by General Court Martial, make his escape from the guard-house in which he was confined, at Newport Barracks, Ky., between the hours of 5 and 7 o'clock P. M. on the 25th day of November, 1868, and did remain absent until he was apprehended at Cincinnati, Ohio, on the 29th day of December, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Frank Browne*, Music Boys, General Service, U.S.A., "that, in addition to the sentence promulgated by General Orders No. 74, dated Head Quarters Department of the Cumberland, Louisville, Ky., Sept. 28th, 1868, he be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of two months, and to forfeit to the U. S. fifteen dollars per month of his monthly pay for the same period."

6th—Private *Charles Myers*, Co. A, P. P. G. S., U. S. A.

Charge—Desertion.

Specification—In this; that he, Private *Charles Myers*, Co. A, Permanent Party, General Service, U. S. Army, having been duly enlisted for five years in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 12th day of February, 1864, and did remain absent until apprehended at Newport, Ky., on or about the 24th day of November, 1868. A reward of thirty dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"

except the words "apprehended at Newport, Ky."

To the *Charge*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Myers*, Co. A, P. P. G. S., U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on his left hip, one inch and one-half long; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

7th—Private *Thomas Heineman*, Co. C, 10th Infantry.

Charge—Desertion.

Specification—In this; that he, *Thomas Heineman*, a Private of Co. C, 10th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at Jefferson Barracks, Mo., on or about the 2d day of April, 1866, and did remain absent until on or about the Eighteenth day of February, 1869, when he was apprehended at St. Louis, Mo.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Heineman*, Co. C, 10th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on his left hip, one inch and one-half long; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

8th—Private *John Mitchell*, Co. E, 24th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, Private *John Mitchell*, Co. E, 24th Infantry, a duly enlisted soldier in the service of the United States, did, while undergoing sentence of General Court Martial for desertion, and while on duty under guard, on or about the 23d day of January, 1868, absent himself from Newport Barracks, Ky., (the military post at which he was serving such sentence,) in company with the sentinel in charge, and did remain absent until apprehended at Louisville, Ky., on or about the 22d day of January, 1869. Thirty dollars reward being paid for his apprehension.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Mitchell*, Co. E, 24th Infantry, "that in addition to the sentence promulgated by General Order No. 78, dated Head Quarters Department of the Cumberland, Louisville, Ky., November 9th, 1867, he be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of two months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

II. In the foregoing cases of Privates *John Britt*, Light Battery C, 3d Artillery, *Henry O'Neill*, Co. F, 34th Infantry, *John P. Wall*, General Service, U. S. A., *Cornelius Callahan*, Co. C, 10th Infantry, Musician *Frank Browne*, Co. B, Music Boys, General Service, U. S. A., and Privates *Charles Myers*, Co. A, P. P. General Service, U. S. A., *Thomas Heineman*, Co. C, 10th Infantry, and *John Mitchell*, Co. E, 24th Infantry, the proceedings and findings are approved.

The sentences will be carried into effect, under the orders of the Commanding Officer, at Newport Barracks, Ky.

By command of Brevet Major General Cooke.

J. P. MARTIN,
Bvt. Lieut. Col. U. S. A., A. A. G.

OFFICIAL:

J. P. Martin
Bvt. Lieut. Col. U.S.A.
A. A. G.

9..Private JAMES O'DONNELL, Co. F, 45th Infantry.
10..Private HENRY O'NEILL, Co. H, 45th Infantry.
11..Private JOHN SCRUGGS, Co. E, 45th Infantry.
12..Private WILLIAM SMITH, Co. E, 45th Infantry.
13..Private DAVID A. BURGIN, Co. B, 45th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 10th, 1869.

GENERAL ORDERS,
No 26.

I.—Before a General Court Martial which convened at Newport Barracks, Ky., May 24th, 1869, pursuant to Special Orders No. 91, paragraph III, dated Head-Quarters Department of the Cumberland, Louisville, Ky., May 9th, 1869, and of which Bvt. Brig. Gen. H. W. WESSELLS, Lieut. Col. U. S. A., is President, and Capt. E. C. BOWEN, U. S. Army, Judge Advocate, were arraigned and tried:

9th—Private *James O'Donnell*, Co. F, 45th Infantry.

Charge 1*st.*—Violation of the 45th Article of War.

Specification—In this; that he, Private *James O'Donnell*, of Co. F, 45th Infantry, was so drunk as to be unable to stand in the position of a soldier in the ranks, at guard mounting, he having been detailed for guard the evening previous.

Charge 2*d*—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *Jomes O'Donnell*, Co. F, 45th Infantry, while being confined for being drunk on duty, did assault and bite the ear partially off of Corporal Thomas Donnelly, of F company, 45th Infantry; this while said corporal was in the execution of his office, as corporal of the guard. All this at Taylor Barracks, Louisville, Ky., on or about May 6th, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James O'Donnell*, Co. F, 45th Infantry, "to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of four months, the first seven days of each month to be solitary confinement, and to forfeit fourteen dollars per month of his monthly pay for the same period."

II. In the case of Private *James O'Donnell*, Co. F, 45th Infantry, the proceedings are approved; the sentence will be carried into effect under the orders of the commanding officer at Taylor Barracks, Ky.

10th—Private *George O'Neill*, Co. H, 45th Infantry.

Charge.—Habitual Drunkenness, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *George O'Neill*, Co. H, 45th Infantry, having been duly enlisted in the service of the United States on the 11th day of Februrry, 1868, has been since that time repeatedly, to wit: on or about March 24th, April 28th, May 31st July 26th, August 2d, September 7th, November 18th, December 20th and 24th, (in the year 1868.) January 31st, February 5th, 7th and 8th, April 25th, and May 15th, 17th and 18th, (in the year 1869,) totally unfit for all military duty, by reason of drunkenness. All this at or near Nashvil e, Tenn., Dalton, Ga., Chattanooga and Pulaski, Tenn., Columbus, Ky., and Union City, Tenn., on or about the dates hereinbefore specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George O'Neill*, Co. H, 45th Infantry, "to be dishonorably discharged from the service."

III. In the case of Private *George O'Neill*, Co. H, 45th Infantry, the proceedings are approved; the sentence will be carried into effect.

11th—Private *John Scruggs*, Co. E, 45th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *John Scruggs*, E Co., 45th Infantry, did desert the service at Nashville, Tenn., on or about January 30th, 1869, and did remain absent until apprehended at Paducah, Ky., on or about Apr l 7th, 1869, he being then in service in the 25th Infantry, in which regiment he had re-enlisted on or about February 18th, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Scruggs*, Co. E, 45th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period, and then to be indelibly marked with the letter "D," one inch and one-half in length, on his left hip, and be dishonorably discharged from the service."

IV. In the case of Private *John Scruggs*, Co. E, 45th Infantry, the proceedings are approved; the sentence will be carried into effect, under the orders of the Commanding Officer, at Newport Barracks, Ky.

12th—Private *William Smith*, Co. E, 45th Infantry.

Charge—Desertion.

Specification—In this; that Private *William Smith*, Co. E, 45th Idfantry, did desert the service at Nashville, Tenn., on or about January 30th, 1869, and did remain absent until apprehended at Paducah, Ky., on or about April 7th, 1869, he being then in service in the 25th Infantry, in which regiment he had re-enlisted on or about February 18th, 1869,

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Smith*, Co. E, 45th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period, and then to be indelibly marked with the letter "D," one inch and one-half long, on his left hip; and be dishonorably discharged from the service."

V. In the case of Private *William Smith*, Co. E, 45th Infantry, the proceedings are approved; the sentence will be carried into effect, under the orders of the Commanding Officer at Newport Barracks, Ky.

13th—Private *David A. Burgin*, Co. B, 45th Infantry.

Charge 1st.—Violation of the 42d Article of War.

Specification—In this; that he, Private *David A. Burgin*, Co. B, 45th U.S. Infantry, did, without leave from proper authority, lie out of his company quarters on or about the night of 23d day of February, 1869, at or near Gallatin, Tenn.

Charge 2d.—Disobedience of Orders.

Specification—In this; that he, Private *David A. Burgin*, Co. B, 45th U. S. Infantry, did, when personally ordered by his commanding officer, Brevet Lieut. Col. C. G. Freudenberg, Captain, 45th Infantry, to return to his company quarters, fail to obey said order. This at or near Gallatin, Tenn., on or about the 24th day of February, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David A. Burgin*, Co. B, 45th Infantry, "to be confined in charge of the guard for the period of thirty days, carrying a log of wood weighing twenty pounds, every alternate hour from Reveille to Retreat each day, and to forfeit fourteen dollars of his monthly pay for one month."

VI. In the case of Private *David A. Burgin*, Co. B, 45th Infantry, the proceedings are approved; the sentence is mitigated in-so-much that the log shall be carried every third hour, and will thus be carried into effect.

By command of Brevet Major General Cooke.

J. P. MARTIN,
Bvt. Lieut. Col. U. S. A., A. A. G.

OFFICIAL:

J. P. Martin
Bvt. Lieut. Col. U.S.A.
A. A. G.

1..Musician WILLIAM MITCHELL, Co. B, Music Boys, G. S., U. S. A.
2..Recruit WASHINGTON HARRIS, Co. C, Select General Service, U. S. A.
3..Recruit ANTHONY P. VALENTINE, General Service, U. S. A.
4..Private ALBERT L. INGERSOLL, Co. G, 17th Infantry.
5..Private GUSTAVUS BORDEN, Co. D, 29th Infantry.
6..Private WILLIAM FLOYD, Co. F, 45th Infantry.
7..Private JAMES SILVER, Co. F, 45th Infantry.
8..Corporal WILLIAM HAMBURG, Co. A, P. P., General Service, U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 17th, 1869.

GENERAL ORDERS,
No 27.

1.—Before a General Court Martial which convened at Newport Barracks, Ky., on the 24th day of May, 1869, pursuant to Special Orders No. 91, par. III, dated Head-Quarters Dept. of the Cumberland, Louisville, Ky., May 19th, 1869, and of which Bvt. Brig. Gen. H. W. WESSELLS, Lieut. Col. U. S. A., is President, and Capt. E. C. BOWEN, U. S. Army, Judge Advocate, were arraigned and tried:

1st.—Musician *William Mitchell*, Co. B, Music Boys, G. S. U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st.—In this; that he, Musician *William Mitchell*, Co. B, Music Boys, General Service, U. S. A., did, while undergoing sentence by General Court Martial, make his escape from the working party, under charge of Private David O'Connor, Co. A, P. P., and remain absent until apprehended in Newport, Ky. This at or near Newport Barracks, Ky., on or about the 14th day of October, 1868.

Specification 2d.—In this; that he, Musician *William Mitchell*, Co. B, Music Boys, General Service, U. S. A., did, while undergoing sentence by General Court Martial, make his escape from the guard house in which he was confined, at Newport Barracks, Ky., between the hours of 5 and 7 o'clock P. M., on the 25th day of November, 1868, and did remain absent until apprehended at Toledo, Ohio, on or about the 21st day of March, 1869. A reward of thirty dollars is claimed for his apprehension.

To which charge and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *William Mitchell*, Co. B, Music Boys, General Service, U. S. A., "that in addition to sentence promulgated in General Orders No. 74, dated Head-Quarters Department of the Cumberland, Louisville, Ky., September 28th, 1868, to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of two months, and to forfeit fifteen dollars per month of his monthly pay for the same period."

In the case of Musician *William Mitchell*, Co. B, Music Boys, General Service, U. S. A., the proceedings are approved; the sentence will be carried into effect.

2d.—Recruit *Washington Harris*, Co. C, Select General Service, U. S. A.

Charge—Desertion.

Specification.—In this; that he, Recruit *Washington Harris*, Co. C, Select General Service, U. S. Army, having been duly enlisted in the service of the United States, did desert the same at Newport Barracks, Ky., on or about the 17th day of July, 1868, and did remain absent until he surrendered himself at Newport Barracks, Ky., on or about the 22d day of December, 1868.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *Washington Harris*, Co. C, Select General Service, U. S. A., "to forfeit all pay and allowances that are or may become due up to the promulgation of this sentence, and to be confined at hard labor in charge of the guard for the period of six months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

In the case of Recruit *Washington Harris*, Co. C, Select General Service, U. S. A., the proceedings are approved. On the recommendation of four members of the court, the confinement at hard labor for six months is remitted; the remaining sentence will be carried into effect.

3d.—Recruit *Anthony P. Valentine*, General Service, U. S. Army.

Charge—Desertion.

Specification.—In this; that he, Recruit *Anthony P. Valentine*, G. S., U. S. Army, did desert the service on or about the 9th day of May, 1869, at Newport Barracks, Ky., and did remain absent until apprehended at Cincinnati, Ohio, on the 11th day of May, 1869. Thirty dollars reward paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty,"
except the words "did desert," substituting therefor "did absent himself from."

To the *Charge*, "Not Guilty."
but guilty of "absence without leave."

FINDINGS.

Of the *Specification*, "Guilty."
substituting the words 'did absent himself from,' for the words 'did desert.'

Of the *Charge*, "Not Guilty,"
but guilty of 'absence without leave.'

SENTENCE.

And the Court does therefore sentence him, Recruit *Anthony P. Valentine*, General Service, U. S. A., "to reimburse the amount paid for his apprehension, and to be confined in charge of the guard for the period of fifteen days, carrying a log of wood weighing twenty pounds every alternate hour between reveille and retreat."

In the case of Recruit *Anthony P. Valentine*, General Service, U. S. A., the proceedings are approved; the sentence will be carried into effect, except the carrying a log of wood, which is remitted.

4th.—Private *Albert L. Ingersoll*, Co. G, 17th Infantry.

Charge—Desertion.

Specification.—In this; that the said Private *Albert L. Ingersoll*, G Co., 17th Infantry, being duly enlisted into the military service of the United States, did desert the service of the same, on or about July 8th, 1866, at Hart's Island, New York Harbor, and did remain absent until arrested as a deserter at Newport, Kentucky, February 27th, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert L. Ingersoll*, Co. G, 17th Infantry, "to forfeit all pay and allowances that are or may become due him, up to the promulgation of this sentence; to be confined at hard labor in charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period." The Court is thus lenient in consideration of the youth of the accused.

In the case of Private *Albert L. Ingersoll*, Co. G, 17th Infantry, the proceedings are approved; the sentence will be carried into effect under the orders of the commanding officer at Newport Barracks, Ky.

5th—Private *Gustavus Borden*, Co. D, 29th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *Gustavus Borden*, Co. D, 29th U. S. Infantry, having been duly enlisted as a soldier in the service of the United States, did desert his company and regiment, on or about the 14th day of March, 1867, at Yorktown, Va., and remained absent until the 29th day of April, 1869, when he did surrender himself at Newport Barracks, Ky.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Gustavus Borden*, Co. D, 29th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence, and to be confined at hard labor in charge of the guard, for the period of six months, and to forfeit fourteen dollars per month of his monthly pay for the same period."

In the case of Private *Gustavus Borden*, Co. D, 29th Infantry, the proceedings are approved; the sentence will be carried into effect, under the orders of the Commanding Officer at Newport Barracks, Ky.

6th—Private *William Floyd*, Co. F, 45th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *William Floyd*, of Co. F, 45th Infantry, a duly enlisted soldier in the service of the United States, did desert the same while in confinement awaiting trial at Ash Barracks, Nashville, Tenn., August 13th, 1868, and did remain absent until apprehended in Nashville, Tenn., on or about March 15th, 1869. $30 reward having been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Floyd*, Co. F,

45th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D," on his left hip, one inch and one-half long; to be confined at hard labor in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit fourteen dollars per month of his monthly pay for the same period, and then to be dishonorably discharged from the service."

In the case of Private *William Floyd*, Co. F, 45th Infantry, the proceedings are approved. Owing to some extenuating circumstances, the period of confinement is reduced to six months; the sentence thus reduced, will be carried into effect at Taylor Barracks, under the orders of the Commanding Officer.

7th—Private *James Silver*, Co. F, 45th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that Private *James Silver*, of Co. F, 45th Infantry, was so drunk while in the ranks on monthly inspection, that he was unable to properly perform the duties of a soldier. This at Taylor Barracks, Louisville, Ky., on or about April 30th, 1869.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification—In this; that Private *James Silver*, of Co. F, 45th Infantry, having been duly warned and notified the night before, that he was detailed for guard the next day, was so drunk as to be unable to be mounted as a member of the guard. This at Taylor Barracks, Louisville, Ky., on or about April 30th. 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Not Guilty."

And the Court does therefore acquit him.

In the case of Private *James Silver*, Co. F, 45th Infantry, the proceedings are approved. He will be released from confinement and restored to duty.

8th—Corporal *William Hamburg*, Co. A, Permanent Party, General Service U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that Corporal *William Hamburg*, Co. A, Permanent Party, General Service U. S. A., having been duly detailed to proceed to Mansfield, Ohio, for the purpose of taking in charge, and conducting to Newport Barracks, Ky., without delay, a deserter from Co. B, 17th U. S. Infantry, did intoxicate himself, after having taken said deserter in charge, and upon his arrival with him at Cincinnati, Ohio, on the afternoon of the 12th day of June, 1869, did neglect to return without delay to Newport Barracks, Ky.; did permit him to escape, and did not report until between the hours of 6 and 8 o'clock on the morning of the 13th day of June, 1869, at which time he reported to the 1st Sergeant of his company, at Newport Barracks, Ky. All this at or near the places, and on or about the dates specified.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *William Hamburg*, Co. A, P. P., General Service U. S. Army, "to be reduced to the ranks; to forfeit fourteen dollars per month of his monthly pay for six months; to be confined in charge of the guard for thirty days, walking post, each day, in front of the guard-house, in charge of a sentinel, every alternate hour from reveille until retreat, carrying a thirty-pound knapsack."

In the case of Corporal *William Hamburg*, Co. A, Permanent Party, General Service U. S. A., the proceedings are approved; the sentence is mitigated to except Sundays, in the walking alternate hours with a weight; the rest of the sentence will be carried into effect.

II.—The General Court Martial of which Brevet Brigadier General H. W. WESSELLS, Lieutenant Colonel U. S. A., is President, and Captain E. C. BOWEN, U. S. A., Judge Advocate, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,
Bvt. Lieut. Col. U. S. A., A. A. G.

OFFICIAL:

J. P. Martin
Bvt. Lieut. Col. U.S.A.
A. A. G.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., June 19th, 1869.

GENERAL ORDERS,
No 28.

Before a Garrison Court Martial, the proceedings of which were published in General Orders No. 13, Head-Quarters Post of Nashville, Current Series, Private *Frederick C. Walker*, Detachment 14th Infantry, was tried on the charge of "Disobedience of Orders." This trial being illegal, is annulled; and the sentence will not be carried into effect. Disobedience of orders being a "capital" offence, its trial by a garrison Court Martial is not authorized by the 99th Article of War. It is "Capital" because an offence specified in an Article of War, which authorizes capital punishment.

Offences of greater magnitude than in this case, can well be tried by the inferior Courts Martial, as "conduct to the prejudice of good order and military discipline." In fact, in this particular case, the offence of which the prisoner was found guilty, viz. "leaving garrison after being refused permission," is not disobedience of orders.

BY COMMAND OF BREVET MAJOR GENERAL COOKE.

J. P. MARTIN,
Bvt. Lieut. Col. U. S. A., A. A. G.

OFFICIAL:

J. P. Martin

Bvt Lieut. Col. U.S.A.
A. A. G.

1—Private HERMAN WAGONER, Co. F, 14th Infantry, (late Co. F, 45th Infantry.)
2—Private JOHN BOYCE, Co. E, 14th Infantry, (late Co. D, 45th Infantry.)
3—Private MICHAEL FREUND, Co. H, 14th Infantry.
4—Private MATHEW P. FLOYD, Co. I, 14th Infantry, (late mounted detachment 14th Infantry,)
5—Corporal WILLIAM FINK Co. I, 14th Infantry, (late mounted detachment 14th Infantry.)
6—Private PETER HUGHES, Co. E, 14th Infantry, (late Co. D, 45th Infantry.
7—Private SAMUEL J. O'CONNOR, Co. E, 14th Infantry, (late Co. D, 45th Infantry.)

———X———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., August 26th, 1869.

GENERAL ORDERS,
No. 35.

Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., August 17th 1869, pursuant to Special Orders No. 129, paragraph 1, and of which Brevet Colonel GEO. A. WOODWARD, Lieut. Colonel 14th Infantry, is President, and Captain F. B. HAMILTON, 14th Infantry, Judge Advocate, were arraigned and tried:

1st—Private *Herman Wagoner*, Co. F, 14th Infantry, (late Co. F, 45th Infantry.)

Charge—Absence without leave.

Specification—In this; that he, Private *Herman Wagoner*, Co. F, 45th Infantry, (now Co. F, 14th Infantry,) did absent himself from his company, without authority, on or about the 27th day of June, 1869, and did remain absent until the 13th day of July, 1869. All this at or near Taylor Barracks, Louisville, Ky.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE

And the Court does therefore sentence him, Private *Herman Wagoner*, Company F, 14th Infantry, (late Co. F, 45th Infantry,) "to forfeit ten (10) dollars per month of his monthly pay for three (3) months, and to be confined in charge of the guard for sixty (60) days."

In the case of Private *Herman Wagoner*, Co. F, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

2d—Private *John Boyce*, Co. E, 14th Infantry, (late Co. D, 45th Infantry.)

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *John Boyce*, Co. D, 45th Infantry, did, on or about the 5th day of July, 1869, become so drunk as to be totally unfit to properly perform the duties of a soldier. This at Jeffersonville, Indiana.

Specification 2d—In this; that he, Private *John Boyce*, Co. D, 45th Infantry, when ordered to be confined by Lieut. W. H. Bower, 45th Infantry, did strike Corporal Ledrew R. Larum, Co. D, 45th Infantry, while in the execution of his duty, conducting said Private *John Boyce*, to the guard house. This at Jeffersonville, Indiana, on or about the 5th day of July, 1869.

To which charge and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Boyce*, Co. E, 14th Infantry, (late Co. D, 45th Infantry,) "to forfeit ten (10) dollars per month of his monthly pay for three (3) months, and to be confined in charge of the guard for thirty (30) days."

In the case of Private *John Boyce*, Co. E, 14th Infantry, the proceedings and findings are approved. The sentence will be carried into effect.

3d—Private *Michael Freund*, Co. H, 14th Infantry.

Charge 1st.—Violation of the 50th Article of War.

Specification—In this; that he, Private *Michael Freund*, Co. H, 14th Infantry, did, after being regularly detailed and mounted as a member of the guard, quit his guard without authority, and remain absent about four (4) hours.

Charge 2d.—Drunkenness on duty.

Specification—In this; that he, Private *Michael Freund*, Co. H, 14th Infantry, did, after being regularly detailed and mounted as a member of the guard, become so drunk as to be unable to perform the duty of a soldier. All this at or near the post of Louisville, Ky., on or about the 23d day of July, 1869.

To which charges and specifications the prisoner pleaded as follows:

To the 1st charge and specification, "Not Guilty."

To the 2d charge and specification, "Guilty."

FINDINGS.

Of the *Specification 1st Charge*, substituting the word "two" for "four," "Guilty,"

Of the *1st Charge*, "Guilty."

Of the *2d Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Freund* Co. H, 14th Infantry, "to be confined at hard labor in charge of the guard for thirty (30) days, excepting the last fourteen (14) days of his confinement, which shall be solitary, and on bread and water diet; and to forfeit ten (10) dollars per month of his monthly pay for four (4) months."

In the case of Private *Michael Freund*, Co. H, 14th Infantry, the proceedings and findings are approved.

It appears on the record, that the prisoner was subjected to imprisonment in a dark cell for fourteen days, and with a chain and 24-pound ball attached to his leg. In consequence, the sentence of confinement, and bread and water diet, is hereby remitted; the forfeiture of pay will be carried into effect. The prisoner will be returned to duty.

Any severity of confinement, not made necessary by a reasonable apprehension of escape, is illegal. Any repetition of such treatment of men in this Military Department is strictly forbidden; and if such again comes to the knowledge of the Commanding General, he will cause it to be investigated by a General Court Martial.

4th—Private *Mathew P. Floyd*, Co. I, 14th Infantry, (late mounted detachment 14th Infantry.)

Charge 1st—Desertion.

Specification—In this; that Private *Mathew P. Floyd*, Mounted Detachment 14th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 14th day of July, 1869, and did remain absent until arrested, in citizen clothing, by a citizen at or near Cane Valley, Adair County, Ky., on or about the 22d day of July, 1869. Thirty (30) dollars paid for his apprehension.

Charge 2d—Violation of the 46th Article of War.

Specification—In this; that Private *Mathew P. Floyd*, detachment 14th Infantry, having been duly posted as a sentinel at the stables at the Barracks of the mounted detachment 14th Infantry, at Lebanon, Ky., did desert the same, between 11 and 12 P. M., on or about the 14th day of July, 1869.

Charge 3d—Theft, to the prejudice of good order and military discipline.

Specification—In this; that Private *Mathew P. Floyd* detachment of 14th Infantry, did steal a horse, the property of the United States, and for which Lieutenant D. H. McComas, 4th Infantry, A. A. Q. M., is responsible. All this at Lebanon, Ky., on or about the 14th day of July, 1869.

Charge 4th—Violation of the 38th Article of War.

Specification—In this; that Private *Mathew P. Floyd* did sell one (1) horse, one (1) blanket, one (1) bridle one (1) carbine and accoutrements, the property of the United States, to citizen Saul Hatcher, and did appropriate the money to his own use and benefit. This at or near Columbia, Kentucky, on or about the 16th day of July, 1869.

To which charges and specifications the prisoner pleaded as follows:

To the 1st *Charge* and *Specification*	"Guilty."
To the 2d *Charge* and *Specification*	"Not Guilty."
To the 3d and 4th *Charges* and *Specifications*	"Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*	"Guilty."
Of the *Specification* 2d *Charge*	"Guilty."

substituting the figure and letters "2 P. M." for "12 P. M."

Of the 2d *Charge*	"Guilty."
Of the 3d and 4th *Charges* and *Specifications*	"Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Mathew P. Floyd*, Co. I, 14th Infantry, (late mounted detachment 14th Infantry,) "to forfeit all pay now due or to become due, to be indelibly marked on his left hip, with the letter "D" one inch and one-half in length; to be dishonorably discharged the service, and to be confined at hard labor in such penitentiary, as the Commanding General shall direct, for the period of one year."

In the case of Private *Mathew P. Floyd*, Co. I 14th Infantry, the proceedings, findings and sentence are approved; that portion of the sentence of confinement in such penitentiary, as the Commanding General shall direct, will be carried into effect by the commanding Officer of the post at Lebanon, who will forward Private *Floyd*, under guard, accompanied by a copy of the order publishing the proceedings and sentence in his case, to the penitentiary of the State of Kentucky, at Frankfort, for confinement.

5th—Corporal *William Fink*, Co. I, 14th Infantry, (late mounted detachment 14th Infantry.)

Charge 1st—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this; that he, the said Corporal *William Fink*, Co. I, 14th Infantry, (late mounted detachment 14th Infantry,) having been sent in charge of a detachment of men to arrest a deserter, did delay three days at the village of Waterloo, Pulaski County, Kentucky, making no effort whatever to perform the duty upon which he had been ordered.

Charge 2d—Drunkenness on duty.

Specification—In this; that he, Corporal *William Fink*, Co. I, 14th Infantry (late mounted detachment 14th Infantry,) having been regularly detailed and placed in charge of a detachment of men to pursue and capture deserter Mathew P. Floyd, 14th Infantry, wherever he might be found, did become so much under the influence of liquor as to be unable to properly perform his duty. All this at or near Somerset, Kentucky, between the 15th and 21st days of July, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

The Court does therefore sentence him, Corporal *William Fink*, Co. I, 14th Infantry, (late mounted detachment 14th Infantry) "to be reduced to the ranks; to forfeit all pay and allowances now due or to become due up to the time of the promulgation of this sentence; to be confined at hard labor in charge of the guard for four months, and to forfeit twelve dollars, per month, of his monthly pay for the same period."

In the case of Corporal *William Fink*, Co. I, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

6th—Private *Peter Hughes*, Co. E, 14th Infantry, (late Co. D, 45th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that he, Private *Peter Hughes*, Co. D, 45th Infantry, having been properly detailed and regularly mounted as a member of the guard, did while in charge of two prisoners, viz: Private John Chinnery, and John Boyce, Co. D, 45th Infantry, become so drunk as to be totally unfit to perform the duties of a soldier. This at or near Jeffersonville, Indiana, on or about the 7th day of July, 1869.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Private *Peter Hughes*, Co. D, 45th Infantry, having been properly detailed, and regularly mounted as a member of the guard, and placed in charge of two prisoners, viz: Privates John Chinnery, and John Boyce, Co. D, 45th Infantry, to weed the Post Garden, did allow said prisoners to obtain liquor to the prejudice of good order and military discipline. This at or near Jeffersonville, Indiana, on or about the 7th day of July, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*, "Guilty."

Of the 2d *Charge* and *Specification*, "Not Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Peter Hughes*, Co. D, 45th Infantry, now Co. E, 14th Infantry, "to be confined in charge of the guard for the period of four (4) months the first and last fourteen (14) days of such confinement to be solitary, and on bread and water diet."

In the case of Private *Peter Hughes*, Co. E, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

7th—Private *Samuel J. O'Connor*, Co. E, 14th Infantry, (late Co. D, 45th Infantry.)

Charge—Desertion.

Specification—In this; that Private *Samuel J. O'Connor*, Co. E, 14th Infantry, (late Co. D, 45th Infantry,) a duly enlisted soldier of the United States, did desert the service of the same, on or about the 28th day of June, 1869, and did remain absent until apprehended at Louisville, Ky., August 7th, 1869. Thirty (30) dollars has been paid for his apprehension.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Samuel J. O'Connor*, Co. E, 14th Infantry, (late Co. D, 45th Infantry,) "to forfeit all pay now due or to become due; to be indelibly marked on the left hip with the letter "**D**" one and one-half (1½) inches long; and to be dishonorably discharged the service, and drummed out of camp."

In the case of Private *Samuel J. O'Connor*, the proceedings and findings are approved; and the sentence, although deemed by the Commanding General both impolitic and too lenient, will be carried into effect.

By Command of Brevet Major General Cooke:

J. P. MARTIN,

Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

Samuel Tuttle Jr.

2nd. Lieut. 1st Cav.

A. A. A. G.

1—Private GEORGE W. CARTWRIGHT, Co. B, 14th Infantry.
2—Private WILLIAM HENRY, Co. B, 14th Infantry.
3—Private JAMES BURKE, Co. B, 14th Infantry.
4—Private JOHN SMITH, Co. D, 14th Infantry.
5—Sergeant GEORGE W. STRATTON, Co. G, 14th Infantry.
6—Private JOHN WRIGHT, Co. B, 14th Infantry.
7—Private THOMAS LANGDON, Co. B, 14th Infantry.
8—Private FRANK LEWIS, Co. C, 14th Infantry.
9—Private ALBERT PEARSALL, Co. C, 14th Infantry.
10—Private THOMAS MCKELVEY, Co. C, 14th Infantry.
11—Private OLIVER W. HAYS, Co. K, 14th Infantry.
12—Private JAMES FARMER, Co. D, 14th Infantry.
13—Private THOMAS H. BRIGMAN, Co. F, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., September 6th, 1869

GENERAL ORDERS,
No. 36.

I. Before a General Court Martial which convened at Ash Barracks, Nashville, Tenn., August 18th 1869, pursuant to Special Orders No. 129, paragraph 2, current series from these Head-Quarters, and of which Brevet Brigadier General CHARLES S. LOVELL, Colonel 14th Infantry, is President and 2d Lieutenant WILLIAM W. MCCAMMON, 14th Infantry, Judge Advocate, were arraigned and tried:

1st—Private *George W. Cartwright*, Co. B, 14th Infantry.

Charge—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this; that Private *George W. Cartwright*, Co. B, 14th Infantry, having been duly posted as a sentinel on post No. 2, did leave said post and sit down on the porch of the Company Barracks, thereby neglecting his duty, and was so found sitting by the commanding officer, when visiting the sentinels. This at the post of Chattanooga, Tenn., between the hours of two and four o'clock A. M. on the morning of the 10th day of August, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Not Guilty."

And the Court does therefore "acquit" the accused Private *George W. Cartwright*, Co. B, 14th Infantry.

In the case of Private *George W. Cartwright*, Co. B, 14th Infantry the proceedings and findings are approved; Private *Cartwright* will be released from confinement.

2d—Private *William Henry*, Co. B, 14th Infantry.

Charge—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this; that Private *William Henry*, Co. B, 14th Infantry, having been duly posted as a sentinel on post No. 2, did leave said post and sit down on the porch of the Company Barracks, thereby neglecting his duty; and was so found sitting by the Commanding

officer, when visiting the sentinels. This at the post of Chattanooga, Chattanooga, Tennessee, between the hours of one and three o'clock on the morning of the 8th day, of August, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except the words "leave said post, and."

And of the excepted words, "Not Guilty."

Of the *Charge*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Henry*, Co. B, 14th Infantry, "to forfeit to the United States, five (5) dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for ten (10) days."

In the case of Private *William Henry*, Co. B, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

3d—Private *James Burke*, Mounted detachment 14th Infantry.

Charge—Desertion.

Specification—In this; that Private *James Burke*, Mounted detachment 14th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 11th day of June, 1869, and did remain absent until apprehended at or near Trenton, Georgia on or about the 25th day of June, 1869. Thirty dollars have been paid for his apprehension. This at the post of Chattanooga, Tenn.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Burke*, Co. B, 14th Infantry, "to reimburse the Goverment for the expenses incurred in his apprehension, and to be confined at hard labor, under charge of the guard for the period of six (6) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

In the case of Private *James Burke*, Co. B, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution at the station of his company.

4th—Private *John Smith*, Co. D, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that Private *John Smith*, of the mounted detachment of Company D, 14th Infantry, while on duty as stable police, did become drunk.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *John Smith*, of the mounted detachment of Company D, 14th Infantry, did bring into the stables of said detachment a flask of whiskey, and on being asked by 2d Lieut. Patrick Hasson, 14th Infantry, where he got it, did reply "he got it for his money" or words to that effect. This at the stables of Co. D, 14th Infantry, Ash Barracks, Nashville, Tenn., on or about August 19th, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Not Guilty."

Of the 2d *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Smith*, Co. D, 14th Infantry, "to forfeit to the United States, ten (10) dollars of his monthly pay for one (1) month."

In the case of Private *John Smith*, Co. D, 44th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

5th—Sergeant *George W. Stratton*, Co. G, 14th Infantry.

Charge 1st.—Violation of the 50th Article of War.

Specification—In this; that he, Sergeant *George W. Stratton*, Co. G, 14th Infantry, having been duly mounted as Sergeant of the post guard at Ash Barracks, Tenn., did quit his guard between the hours of four and six o'clock on the afternoon of the same day, without permission from his superior officer. This at Ash Barracks, Tenn., on the 14th day of August, 1869.

Charge 2d—Violation of the 45th Article of War.

Specification—In this; that he, Sergeant *George W. Stratton*, Co. G, 14th Infantry, having been duly mounted as Sergeant of the post guard at Ash Barracks, Tenn., was found drunk on his guard. This at Ash Barracks, Tenn., on or about the 14th day of August, 1869.

To which charges and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* 1st *Charge* "Guilty," but attach no criminality thereto

Of the 1st *Charge* "Not Guilty."

Of the 2d *Charge* and *Specification* "Not Guilty."

And the Court does therefore "acquit" him, Sergeant *George W. Stratton*, Co. G, 14th Infantry.

In the case of Sergeant *George W. Stratton*, Co. G, 14th Infantry, the proceedings and findings are approved. The Sergeant will be returned to duty.

6th—Private *John Wright*, Co. B, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *John Wright*, detachment 14th Infantry, (mounted) did say to Corporal Geo. Newshafer, acting 1st Sergeant Detachment 14th Infantry, (mounted) without any provocation, "you are a dutch son-of-a-bitch!" whereupon the Corporal ordered him to the guard house, when he, Private *John Wright*, detachment 14th Infantry, (mounted) attempted to run away, and did say to Corporal George Newshafer, "I will be damned if I go," striking the Corporal at the same time. This at or near post of Chattanooga, Tenn., on or about the 24th day of May, 1869

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except the words "attempted to run away and."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Wright*, Co. B, 14th Infantry, "to forfeit to the United States, five (5) dollars of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard for a period of three (3) Calender months."

In the case of Private *John Wright*, Co. B, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution.

7th—Private *Thomas Langdon*, Co. B, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *Thomas Langdon*, Co. A, 45th Infantry, (now Co. B, 14th Infantry,) did without provocation, assault and strike Private *John Bowes*, Co. A, 45th Infantry, with the butt of a musket, while said Bowes was lying asleep in his bunk, and did inflict serious gashes and wounds on the face and head of said Bowes, saying at the same time: "You G—d d—d son-of-a-bitch, I will kill you!" or words to that effect, and did continue to strike said Bowes until the musket was taken from him by private Jackson, Co. A, 45th Infantry. This at the post of Chattanooga, Chattanooga, Tenn., on or about the 18th day of May, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty."
excepting the words "saying at the same time 'You G—d d—d son-of-a-bitch, I will kill you,' or words to that effect."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Langdon*, Co. B, 14th Infantry, "to be confined at hard labor under charge of the guard for the period of one (1) month, and to forfeit ten (10) dollars per month of his monthly pay for three (3) months."

In the case of Private *Thomas Langdon*, Co B, 14th Infantry, the Court allowed, in the defence, improper leading questions. The findings and sentence are approved; the sentence will be carried into execution.

8th—Private *Frank Lewis*, Co. C, 14th Infantry.

Charge—Violation of the 46th Article of War

Specification—In this; that Private *Frank Lewis*, Co. C, 14th Infantry, a duly enlisted soldier in the service of the United States, after having been duly detailed and mounted as a member of the guard, on the 8th day of August, 1869, and after having been posted as a sentinel on No. 2 post, was found asleep on his post by the Officer of the Day, between the hours of 1 and 2 A. M. on the 9th day of August, 1869. All this at Ash Barracks, Nashville, Tenn.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Lewis*, Co. C, 14th Infantry, "to forfeit to the United States, ten (10) dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for three Calender months."

In the case of Private *Frank Lewis*, Co. C, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

9th—Private *Albert Pearsall*, Co. C, 14th Infantry

Charge—Desertion.

Specification—In this; that he, *Albert Pearsall*, a private of Co. C, 14th Infantry, having been duly enlisted in the service of the United States, did desert the said service on the 7th day of April, 1869, at Nashville, Tenn., and remain absent until apprehended at Louisville, Kentucky, on the 9th day of April, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty."
except the words "apprehended at Louisville, Kentucky, on" and substituting "on or about the 2d day of May," for the words "on the 9th day, of April."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert Pearsall*, Co. C, 14th Infantry, "to be confined at hard labor under charge of the guard for twelve (12) months, from the date of his restoration to the service, May 2d, 1869, and to forfeit ten (10) dollars per month of his monthly pay for twelve months."

In the case of Private *Albert Pearsall*, Co. C, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution at the station of his company.

10th—Private *Thomas McKelvey*, Co. C, 14th Infantry.

Charge—Violation of the 46th Article of War.

Specification—In this; that he, Private *Thomas McKelvey*, Co. C, 14th Infantry, a duly enlisted soldier in the service of the United States, after having been duly detailed and mounted as a member of the guard on the 8th day of August, 1869, and after having been posted as a sentinel on No. 3 post, over Quartermaster's stores, did go to sleep, and was found asleep by the acting Sergeant of the guard. All this at Ash Barracks, Nashville, Tenn., on or about one o'clock on the morning of the 9th day of August, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas McKelvey*, Co. C, 14th Infantry, "to be confined at hard labor under charge of the guard for the period of three (3) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

In the case of Private *Thomas McKelvey*, Co. C, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution.

11th—Private *Oliver W. Hays*, Co. K, 14th Infantry.

Charge—Desertion.

Specification—In this; that Private *Oliver W. Hays*, late of Co. E, 45th Infantry, now of Co. K, 14th Infantry, having been duly enlisted into the service of the United States, did desert the same. All this at or near Nashville, Tenn., on or about the 8th day of March, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Oliver W. Hays*, Co. K, 14th Infantry, "to be indelibly marked with the letter "**D**" on the left hip one and one-half (1½) inches long and drummed out of the garrison, and dishonorably discharged the service of the United States, with the loss of all pay and allowances."

In the case of Private *Oliver W. Hays*, Co. K, 14th Infantry, the proceedings and findings are approved. The sentence will be carried into execution under the orders of the Commander of Ash Barracks.

12th—Private *James Farmer*, Co. D, 14th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *James Farmer*, Co. D, 14th Infantry, a duly enlisted soldier of the United States, did desert said service at Ash Barracks, Nashville, Tenn., on or about the 13th day of August, 1869, and did remain so absent until apprehended at the city of Nashville, Tenn., on or about the 25th day of August, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Farmer*, Co. D, 14th Infantry, "to be confined at hard labor in charge of the guard for one (1) year, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

In the case of Private *James Farmer*, Co. D, 14th Infantry, the proceedings and findings are approved.

At the recommendation of the prisoner to clemency, by all the members of the Court, on account of "his apparent youth and inexperience," six

months of the year of confinement at hard labor awarded him, is hereby remitted; the rest of the sentence will be carried into effect, at the station of his company.

13th—Private *Thomas H. Brigman*, Co. F, 14th Infantry.

Charge—Desertion.

Specification—In this; that Private *Thomas H. Brigman*, formerly F, Co. 45th Infantry, now 14th Infantry, a duly enlisted soldier of the United States, did desert the service of the same at Columbia, Tenn., on or about the 20th day of March, 1869. Thirty dollars ($30) has been paid for his apprehension. All this at Columbia, Tennessee, on or about the date above specified.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas H. Brigman*, Co. F, 14th Infantry, "to be indelibly marked with the letter "**D**" one and one-half (1½) inches long on the left hip; to have his head shaved, and to be drummed out of the garrison and dishonorably discharged the service of the United States, with loss of all pay and allowances."

In the case of Private *Thomas H. Brigman*, Co. F, 14th Infantry, the proceedings and findings are approved; in consideration of the youth of the prisoner, the marking with the letter "**D**" is remitted; the rest of the sentence will be carried into execution under the orders of the commanding Officer of Ash Barracks, Nashville, Tenn.,

II. The General Court Martial of which Brevet Brigadier General CHARLES S. LOVELL, U. S. A. Colonel 14th Infantry, is President and 2d Lieutenant WILLIAM W. McCAMMON, 14th Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,

Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

Edward Purdy Jr.

2nd Lieut. 14th Inf

A. A. A. G.

1—Corporal JAMES YODER, Co. I, 14th Infantry.
2—Private JOSEPH BYRNE, Co. I, 14th Infantry.
3—Private JOSEPH BELL, Co. F, 14th Infantry.
4—Private WILLIAM GENTLES, Co. F, 14th Infantry.
5—Private JOSEPH LANNING, Co. H, 14th Infantry.
6—Private MICHAEL HENRY, Co. F, 14th Infantry.
7—Private MICHAEL GALVIN, Co. F, 14th Infantry.
8—Private JAMES WARD, Co. E, 14th Infantry.
9—Private THOMAS BYRNE, Co. F, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., September 20th, 1869.

GENERAL ORDERS,
No. 37.

I. Before a General Court Martial which was re-convened at Taylor Barracks, Louisville, Kentucky, August 31st 1869, pursuant to Special Orders No. 134, paragraph I, dated Head-Quarters Department of the Cumberland, Louisville, Kentucky, August 26th, 1869, and of which Brevet Colonel GEORGE A WOODWARD, Lieutenant Colonel 14th Infantry, is President, and Captain F. B. HAMILTON, 14th Infantry, Judge Advocate, were arraigned and tried:

1st—Corporal *James Yoder*, Co. I, 14th Infantry.

Charge 1st—Neglect of duty, to the prejudice of good order and military discipline.

Specification 1st—In this; that Corporal *James Yoder*, of Co. I, 14th Infantry, being in charge of a mounted detachment of Co. I, 14th Infantry, which had been regularly detailed and ordered to escort a civil officer, and to carefully guard all prisoners who might be arrested, did neglect and fail to keep his detail together, and through his negligence did allow one of the prisoners, of whom he was in charge, to escape. This on the road between Lebanon, Ky., and Campbellsville, Ky., on the 20th day of August, 1869.

Specification 2d—In this; that Corporal *James Yoder*, of Co. I, 14th Infantry, being in charge of a mounted detachment of company I, 14th Infantry, which had been sent to the town of Greensburg, Ky., as escort for a civil officer, did, at a time when a quarrel was going on among the men of his detachment, and pistol-shots were being fired, use no sufficient effort to quell the disturbance, but did, in a cowardly [manner] run away from his detachment to the house of a citizen, and secrete himself under a bed. This on the road between Lebanon, Ky., and Campbellsville, Ky., on the 20th day of August, 1869.

Charge 2d—Violation of the 21st Article of War.

Specification—In this; that Corporal *James Yoder*, Company I, 14th Infantry, being in charge of a special guard which had been regularly detailed and ordered to escort a civil officer in the discharge of his duties, did quit and abandon his detail and the prisoners of whom he had charge, and did ride along hurriedly in advance of them a distance of ten (10) miles, to the town of Lebanon, Ky., and did then wait until the detail came up, in order to report with it, to the Commanding Officer, Post of Lebanon, Ky. This on the road between Lebanon, Ky., and Campbellsville, Ky., on the 20th day of August, 1869.

Charge 3d—Disobedience of Orders.

Specification—In this; that Corporal *James Yoder*, Co. I, 14th Infantry, being in charge of a mounted detachment of Co. I, 14th Infantry, and having been ordered by his commanding officer, to see that the horses were not ridden faster than a walk, except in a case of emergency, did disobey said order, and did, without sufficient cause, ride his own horse at a faster pace than authorized, and did suffer his men to do the same. This while marching from Lebanon, Ky., to Greensburg, Ky., and from Greensburg, Ky., to Lebanon, Ky., between the 17th and 20th of August, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Corporal *James Yoder*, Co. I, 14th Infantry, 'to be reduced to the rank of a private soldier; to forfeit all pay and allowances now due or to become due up to the date of promulgation of this sentence; to be confined two (2) months in charge of the guard, fourteen (14) days of each month of which confinement to be solitary and on bread and water diet; at the expiration of which time to have his head shaved, and to be drummed out of service."

In the case of Corporal *James Yoder*, Co I, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution under the orders of the Commander of the post of Lebanon, Ky.

2d—Private *Joseph Byrne*, Co. I, 14th Infantry.

Charge—Assault and battery, to the prejudice of good order and military discipline.

Specification—In this; that Private *Joseph Byrne*, Co. I, 14th Infantry, did, with intent to kill, attack Private Alexander C. Moore, Co. I, 14th Infantry, with a deadly weapon, to wit; an Army Revolver, and did fire at the said Moore, from behind his back, a shot from said revolver, which shot took effect in and shattered the right arm of said Moore, thereby causing a dangerous if not mortal wound.

Specification 2d—In this; that Private *Joseph Byrne*, Co. I, 14th Infantry, did attack Corporal James Yoder, Co. I, 14th Infantry, with a deadly weapon, to wit; an Army Revolver; and did fire at the said Corporal Yoder, from behind his back, three shots from said revolver. All this at the toll-gate six (6) miles from Campbellsville, Ky., on the 20th of August, 1869.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Joseph Byrne*, Co. I, 14th Infantry, "to forfeit all pay now due or to become due; to be dishonorably discharged the service, and to be confined in such penitentiary as the Reviewing Officer may direct, for the period of two (2) years."

In the case of Private *Joseph Byrne*, Co. I, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution under the orders of the Commanding Officer at Lebanon, Ky., who will send the prisoner, securely guarded, to Frankfort, Ky., with a copy of this order, for confinement in the penitentiary of the State of Kentucky.

3d—Private *Joseph Bell*, Co. F, 14th Infantry.

Charge—Absence without leave.

Specification—In this; that Private *Joseph Bell*, Co. F, 14th Infantry, was absent without authority from his company and post, from retreat on the first of September, 1869, until eight o'clock, or thereabouts, on the evening of the fourth of September 1869. This at Taylor Barracks, Louisville, Ky., between the dates above specified.

To which charge and specification the prisoner pleaded "Guilty"

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Joseph Bell*, Co. F, 14th Infantry, "to forfeit ten (10) dollars of his monthly pay for one (1) month."

In the case of Private *Joseph Bell*, Co. F, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

4th—Private *William Gentles*, Co F, 14th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that Private *William Gentles*, Co. F, 14th Infantry, having been duly mounted as a member of the guard, at Taylor Barracks, Louisville, Ky., on the 7th of September, 1869, did become so drunk as to be unable to perform the duties of a soldier. This at Taylor Barracks, Louisville, Ky., on or about the 7th of September, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *William Gentles*, Co. F, 14th Infantry, "to be confined in charge of the guard, for four (4) months, the first and last fourteen (14) days to be in solitary confinement, on bread and water diet."

In the case of Private *William Gentles*, Co. F, 14th Infantry, the proceedings and findings are approved. The commanding General is pleased to remit half the sentence; the rest will be carried into execution.

5th—Private *Joseph Lanning*, Co. H, 14th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

Specification—In this; that Private *Joseph Lanning*, Co. H, 14th Infantry, having been regularly mounted as a member of the guard, for duty at Head-Quarters, Department of the Cumberland, at Louisville, Ky., and duly posted as a sentinel at said Head-Quarters, did quit his arms while on post. This at Head-Quarters Department of the Cumberland, Louisville, Ky., at or about 11 o'clock, P. M., of the 7th of September, 1869.

To which charge and specification the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Joseph Lanning*, Co. H, 14th Infantry, "to forfeit ten (10) dollars, per month, of his monthly pay for two (2) months."

In the case of Private *Joseph Lanning*, Co. H, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into effect.

6th—Private *Michael Henry*, Co. F, 14th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that Private *Michael Henry*, Co. F, 14th Infantry, after being regularly detailed and mounted as a member of the post guard of the post of Louisville, Ky., and while a member of said guard, was found drunk, and unable to perform the duties of a soldier properly. All this at Taylor Barracks, Louisville, Ky., between the hours of 9 and 11 o'clock P. M., on the 9th of September, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Michael Henry*, Co. F, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of sixty (60) days, the first and last fourteen (14) days of which confinement to be solitary, and on bread and water diet."

In the case of Private *Michael Henry*, Co. F, 14th Infantry, the proceedings and findings are approved. The Commanding General is pleased to remit the last fourteen (14) days' confinement on bread and water; the rest of the sentence will be carried into execution.

7th—Private *Michael Galvin*, Co. F, 14th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that he, Private *Michael Galvin*, Co. F, 14th Infantry, did, after being regularly detailed and mounted as a member of the post guard, Post of Louisville, Ky., become so drunk as to be unable to perform the duties of a soldier properly. All this at Taylor Barracks, Louisville, Ky., between the hours of 9 and 11 P. M., on the 9th of September, 1869.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Michael Galvin*, Co. F, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of sixty (60) days, the first and last fourteen (14) days of which confinement to be solitary, and on bread and water diet."

In the case of Private *Michael Galvin*, Co. F, 14th Infantry, the proceedings and findings are approved. The Commanding General is pleased to remit the last fourteen (14) days of solitary confinement on bread and water; the rest of the sentence will be carried into execution.

8th—Private *James Ward*, Co. E, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that Private *James Ward*, Co. E, 14th Infantry, having been properly detailed and mounted as a member of the guard, and selected as orderly for the commanding Officer, did become drunk and endeavored to create a disturbance in the barracks of his company. This at or near Jeffersonville, Ind., on the 12th day of Sept., 1869.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *James Ward*, Co. E, 14th Infantry, did enter the squad-room, under the charge of Sergeant James Conway, Co. E, 14th Infantry, and endeavored to create a disturbance by daring Private John Wilson, Co. E, 14th Infantry, to fight, and used profane, filthy, and insulting language towards said Private John Wilson, and upon being ordered by Sergeant James Conway, Co. E, 14th Infantry, to leave the squad-room, did reply to him in abusive and insulting language. This at or near Jeffersonville, Ind., on the 12th day of September, 1869.

To which charges and specifications the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Ward*, Co. E, 14th Infantry, "to forfeit ten (10) dollars per month of his monthly pay for two (2) months; to be confined in charge of the guard for two (2) months, the last fourteen (14) days of each month to be solitary confinement, on bread and water diet."

In the case of Private *James Ward*, Co. E, 14th Infantry, the proceedings and findings are approved. The sentence will be carried into effect.

9th—Private *Thomas Byrne*, Co. F, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that Private *Thomas Byrne*, Co. F, 14th Infantry, did steal from the house of citizen Frank Brooks, one (1) over-coat, and did sell the same to citizen John Bohn, and did appropriate the proceeds to his own use. This near Taylor Barracks, Louisville, Ky., on or about September 10th, 1869.

Specification 2d—In this; that Private *Thomas Byrne*, Co. F, 14th Infantry, did steal from the bunk of Private Joseph A. Carter, Co. F, 14th Infantry, two (2) pairs of drawers, and did sell the same to citizen John Bohn, and did appropriate the proceeds to his own use. This at or near Taylor Barracks, Louisville, Ky., on or about Sept. 10th, 1869.

To which charge and specifications the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

The Court does therefore sentence him, Private *Thomas Byrne*, Co. F, 14th Infantry, "to be confined in charge of the guard for one (1) month; to forfeit all pay now due or to become due; to be indelibly marked on his left hip with the letter "T" one and one-half (1½) inches long; and to be dishonorably discharged the service."

In the case of Private *Thomas Byrne*, Co. F, 14th Infantry, the proceedings and findings are approved; the sentence will be carried into execution under the orders of the Commanding Officer of Taylor Barracks.

II. The General Court Martial of which Brevet Colonel GEO. A. WOODWARD, Lieut. Col. 14th Infantry, is President, and Captain F. B. HAMILTON, 14th Infantry Judge Advocate, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,

Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

Amos Lamy
2d Lieut 14th Infantry
A. A. A. General

1—Private CASPAR HAGALE, Co. F, 2d Infantry.
2—Private JAMES MCMAHON, Co. A, P. P. G. S. U. S. A.
3—Musician WILLIAM H. STROUD, Co. D, 18th Infantry.
4—Recruit JESSE ANGLE, General Service U. S. A.
5—Private JAMES BAMFORD, Co. C, P. P. G. S. U. S. A.
6—Recruit THOMAS O'CONNOR, General Service U. S. A.
7—Private JAMES W. GRANT, Battery L, 1st Artillery.
8—Private JOHN WILSON, Co. G, 18th Infantry.
9—Private SAMUEL BRUCE, Co. I, 2d Infantry.
10—Private MICHAEL O'BRIEN, Co. C, 11th Infantry.
11—Musician JAMES P. DANIELS, Co. B, Music Boys, Genl. Serv. U. S. A.
12—Recruit FRANCIS M. CRANDLE, General Service U. S. A.
13—Recruit FRANCIS KESSNAR, General Mounted Service U. S. A.
14—Private JOSEPH SHAW, Co. E, 14th Infantry.
15—Private JAMES O'HARA, Co. A, P. P. G. S. U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., October 25th, 1869.

GENERAL ORDERS,
No. 39.

I. Before a General Court Martial, which convened at Newport Barracks, Ky., pursuant to Special Orders No. 156, paragraph I, current series from these Head-Quarters, and of which Bvt. Lieut. Col. GLOVER PERIN, Surgeon U. S. A., is President, were arraigned and tried:

1st—Private *Caspar Hagale*, Co. F, 2d Infantry.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Caspar Hagale*, Co. F, 2d Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked on the left hip with the letter "D" two inches long; to be confined at the station of his company, at hard labor, under charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of twelve months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period, and then to be dishonorably discharged the service."

In the case of Private *Caspar Hagale*, Co. F, 2d Infantry, the proceedings and sentence are approved, except so much as requires its execution at the station of the prisoner's company. The sentence will be carried into execution at Newport Barracks, Ky., under the orders of its Commanding Officer.

2d—Private *James McMahon*, Co. A, P. P. G. S. U. S. A.

Charge—Drunkenness on duty.

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James McMahon*, Co. A, P. P. G. S. U. S. A. "to be confined under charge of the guard for the period of sixty days, carrying a log of wood weighing twenty pounds, every alternate hour between reveille and retreat, each day." The Court is thus lenient on account of the inexperience of this soldier.

In the case of Private *James McMahon*, Co. A, P. P. G. S. U. S. A., the proceedings and sentence are approved; but so much of the sentence as requires the prisoner to carry the log of wood on Sundays, is remitted; the rest of the sentence will be carried into execution under the orders of the Commanding Officer of Newport Barracks, Ky.

3d—Musician *William H. Stroud*, Co. D, 18th Infantry.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *William H. Stroud*, Co. D, 18th Infantry, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at the station of his company, at hard labor, under charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two (2) feet long, for the period of six (6) months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period."

In the case of Musician *William H, Stroud*, Co. D, 18th Infantry, the proceedings and sentence are approved; except so much as requires the execution of the sentence at the station of the prisoner's company. The sentence will be carried into execution at Newport Barracks, Ky,. under the orders of its Commanding Officer.

4th—Recruit *Jesse Angle*, U. S. Army.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, unassigned Recruit *Jesse Angle*, U. S. Army, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor under charge of the guard, wearing a twelve pound ball attached to his left leg by a chain two feet long, for the period of six months; and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period."

In the case of Recruit *Jesse Angle*, U. S. Army, the proceedings are approved; the sentence will be carried into execution at Newport Barracks, Kentucky.

5th—Private *James Bamford*, Co. C, P. P. G. S. U. S. A.

Charge—Desertion.

FINDINGS.

Of the *Specification* "Guilty,"

except the words "apprehended by E. H. Yeoman," and substituting therefor "surrendered himself at Recruiting Rendezvous."

Of the *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Bamford*, attached to Co. C, Permanent Party General Service U. S. A. "to forfeit to the United States all pay and allowances that are or may become due him, up to the promulgation of this sentence; to be confined, at hard labor, under charge of the guard, wearing a twelve-pound ball, attached to his left leg by a chain two feet long, for six months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period."

In the case of Private *James Bamford* Co. C, Permanent Party General Service U. S. A., the proceedings are approved; the sentence will be carried into execution at Newport Barracks, Kentucky.

As to the time lost by desertion, reference is made to paragraph 158, of the Army Regulations, modified by General Orders No. 16, of the War Department, of February 8th, 1865.

6th—Recruit *Thomas O'Connor*, General Service U. S. A.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *Thomas O'Connor*, General Service, U. S. A., "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor, under charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for six months, and to forfeit to the United States fourteen dollars of his monthly pay, per month, for the same period."

The Court is thus lenient in view of his previous good character, and services during the late war.

In the case of Recruit *Thomas O'Connor*, General Service U. S. A., the proceedings are approved; the sentence will be carried into execution at Newport Barracks, Kentucky.

7th—Private *James W. Grant*, Battery L, 1st Artillery.

Charge 1st—Desertion.

Charge 2d—Theft, to the prejudice of good order and military discipline.

Specification 1st—That Private *James W. Grant*, Battery L, 1st Artillery, did steal a pocket revolver from the quarters of the owner, 2d Lieut. J. C. Morrison, 1st Artillery. This at or near Fort Porter, New York, on or about October 29th, 1868.

Specification 2d—That Private *James W. Grant*, of Battery L, 1st Artillery, did without any authority from the owner, represent to one James O'Connor, a citizen of Buffalo, New York, that Private Orneas Mackay, of Battery L, 1st Artillery, had directed him to obtain his, (Mackay's) valise from said James O'Connor, and having thus gotten possession of the valise, appropriated the same, with its contents, clothing, discharge, and other papers, to his own use or profit. This near Fort Porter, New York, on or about October 31st, 1868.

FINDINGS.

Of the 1st *Charge* and *Specification* "Guilty."
Of the 1st *Specification* 2d *Charge* "Not Guilty."
Of the 2d *Specification* 2d *Charge* "Guilty"
Of the 2d *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James W. Grant*, Battery L, 1st Artillery, "to forfeit to the United States all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter 'D" two inches long, on the left hip; to be confined at hard labor under charge of the guard, at the station of his company, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for twelve (12) months, and to forfeit to the United States all pay and allowances during the same period; and then to be dishonorably discharged the service."

In the case of Private *James W. Grant*, Battery L, 1st Artillery, the proceedings are approved; the sentence will be carried into execution, under order of the Commanding Officer, at Newport Barracks, Kentucky.

8th—Private *John Wilson*, Co. G, 18th Infantry.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Wilson*, Co. G, 18th Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D" two inches long, on his left hip; to be confined at hard labor, under charge of the guard, at the proper station of his company, for twelve (12) months, and to forfeit fourteen (14) dollars of his monthly pay, per month, for the same period, and then to be dishonorably di charged the service."

In the case of Private *John Wilson*, Co. G, 18th Infantry, the proceedings and findings are approved; the sentence will be carried into execution under the orders of the Commanding Officer, at Newport Barracks, Kentucky.

9th—Private *Samuel Bruce*, Co. I, 2d Infantry.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel Bruce*, Co. I, 2d Infantry, "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with a letter "D" two inches long, on his left hip; to be confined at hard labor, under charge of the guard, at the proper station of his company for twelve months, and to forfeit fourteen dollars of his monthly pay, per month, for the same period, and then to be dishonorably discharged from the service."

In the case of Private *Samuel Bruce*, Co. I, 2d Infantry, the proceedings are approved; the sentence will be carried into execution under the orders of the Commanding Officer at Newport Barracks, Kentucky.

10th—Private *Michael O'Brien*, Co. C, 11th Infantry.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael O'Brien*, Co. C, 11th Infantry, (formerly Co. C, 2d Battalion, 15th Infantry,) "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D" two inches long, on his left hip; to be confined at hard labor, in charge of the guard, at the proper station of his company, wearing a twelve (12) pound ball, attached to his left leg by a chain two feet long, for fifteen months, and to forfeit all pay and allowances for the same period; to be dishonorably discharged, have his head shaved, and drummed out of the service."

In the case of Private *Michael O'Brien*, Co. C, 11th Infantry, the proceedings are approved; the sentence will be executed under the orders of the Commanding Officer at Newport Barracks, Kentucky.

11th—Musician *James P. Daniels*, Co. B, Music Boys, Gen. Service, U. S. A.

Charge—Conduct prejudicial to good order and military discipline.

Specification 1st—In this; that Musician *James P. Daniels*, Co. B, Music Boys, General Service U. S. A., was so drunk as to be unable to attend practice with his company at 2 o'clock P. M., on the 4th day of October, 1869.

Specification 2d—In this; that Musician *James P. Daniels*, Co. B, Music Boys, General Service U. S. A., was drunk and disorderly in his company quarters on the 4th day of October, 1869, and when ordered into confinement, resisted, and struck Lance Corporal Owen R. Moorehead in the face; said Lance Corporal Owen R. Moorehead being in the execution of his office. All this at Newport Barracks, Kentucky.

FINDINGS.

Of the *Charge* and *Specifications*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *James P. Daniels*, Co. B, Music Boys, General Service U. S. A., "to be confined, in charge of the guard, carrying a log of wood weighing twenty pounds, every alternate hour between retreat and reveille, each day, for the period of thirty days, and to forfeit fourteen dollars of his monthly pay, per month, for two months."

In the case of Musician *James P. Daniels*, Co. B, Music Boys, General Service U. S. A., the proceedings are approved; that part of the sentence relating to carrying a log of wood, being of doubtful meaning in part, is remitted; the remainder of the sentence will be carried into execution at the prisoner's station.

12th—Recruit *Francis M. Crandle*, General Service U. S. A.

Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *Francis M. Crandle*, General Service, U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be confined at hard labor, in charge of the guard, wearing a twelve-pound ball attached to his left leg by a chain two feet long, for the period of six months; and to forfeit fourteen dollars of his monthly pay, per month, for the same period."

In the case of Recruit *Francis M. Crandle*, General Service, U. S. A., the proceedings are approved; the sentence will be

carried into execution, by the Commanding Officer, at Newport Barracks, Kentucky.

13th—Recruit *Francis Kessnar*, General Mounted Service, U. S. A.
Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *Francis Kessnar*, General Mounted Service, U. S. A., "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D" two inches long, on the left hip, and to have his head shaved, be dishonorably discharged, and drummed out of the service."

In the case of Recruit *Francis Kessnar*, General Mounted Service, U. S. A , the proceedings are approved; the sentence will be carried into execution, by the Commanding Officer, at Newport Barracks, Kentucky.

14th—Private *Joseph Shaw*, Co. E, 14th Infantry.
Charge—Desertion.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Shaw*, Co. E, 14th Infantry, (formerly Co. D, 45th Infantry,) "to forfeit all pay and allowances that are or may become due him up to the promulgation of this sentence; to be indelibly marked with the letter "D" (2) two inches long, on his left hip; to have his head shaved, and be dishonorably discharged, and drummed out of the service."

In the case of Private *Joseph Shaw*, Co. E, 14th Infantry, the proceedings are approved; the sentence will be carried into execution, by the Commanding Officer, at Newport Barracks, Kentucky.

15th—Private *James O'Hara*, Co. A, Permanent Party, G. S., U. S. A.
Charge—Desertion.

FINDINGS.

Of the *Specification* "Guilty,"
except the word "desert," substituting therefor "absent himself from," and, except the words "apprehended at Cincinnati, Ohio."

Of the *Charge* "Not Guilty,"
but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *James O'Hara*, Co. A, Permanent Party, General Service, U. S. A., "to be confined in charge of the guard, carrying a log of wood weighing twenty (20) pounds, every alternate hour between reveille and retreat, each day, for the period of thirty days; and to forfeit fourteen dollars of his monthly pay, per month, for two months."

In the case of Private *James O'Hara*, Co. A, Permanent Party, General Service, U. S. A., the proceedings are approved. So much of the sentence as requires the carrying a weight on

Sundays, is remitted; the rest of the sentence will be carried into execution, by the Commanding Officer, at Newport Barracks, Kentucky.

II. The General Court Martial, of which Bvt. Lieut. Col. GLOVER PERIN, Surgeon U. S. A., is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,
Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

1—Private SILAS C. JOHNSON, Co. H, 14th Infantry.
2—Private WILLIAM LYNCH, Co. H, 14th Infantry.
3—Private FRANK KELLY, Co. G, 14th Infantry.
4—Private JOHN H. WILLETT, Co. I, 14th Infantry.
5—Wagoner CASSIUS M. C. WEST, Co. I, 14th Infantry.
6—Private JOHN JONES, Co. E, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 6th, 1869.

GENERAL ORDERS, No. 42.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., pursuant to Special Orders No. 176, paragraph III, current series, from these Head-Quarters, and of which Brevet Colonel G. A. WOODWARD, Lieutenant Colonel 14th Infantry is President, were arraigned and tried:

1st—Private *Silas C. Johnson*, Co. H, 14th Infantry.
Charge—Desertion.

PLEA.

To the *Charge* and *Specification*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Silas C. Johnson*, Co. H, 14th Infantry, (late Co. B, 45th Infantry,) "to forfeit all pay and allowances that are now due or may become due him, and to be indelibly marked with the letter "D" two inches long, on the left hip; to be confined at hard labor, in charge of the guard, for one month: and then to be dishonorably discharged from the service of the United States."

In the case of Private *Silas C. Johnson*, Co. H, 14th Infantry, the proceedings are approved; the sentence will be carried into execution by the Commanding Officer of the station of his company.

2d—Private *William Lynch*, Co. H, 14th Infantry.
Charge—Desertion.

PLEA.

To the *Charge* and *Specification*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Lynch*, Co. H, 14th Infantry, (late Sergeant Co. B, 45th Infantry,) "to forfeit all pay now due; to be confined at hard labor, in charge of the guard, for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period; and to make good the time lost to the service by his desertion."

In the case of Private *William Lynch*, Co. H, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

3d—Private *Frank Kelly*, Co. G, 14th Infantry.

Charge—Desertion.

PLEA.

To the *Charge* and *Specification*, "Guilty."

FINDINGS.

Of the *Charge* and *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Kelly*, Co. G, 14th Infantry, (late of Co. H, 45th Infantry.) "to forfeit all pay and allowances that are now due or may become due him; to be indelibly marked with the letter "D" two inches long, on the left hip; to be confined at hard labor in charge of the guard for one month, and then to be dishonorably discharged from the service of the United States."

In the case of Private *Frank Kelly*, Co. G, 14th Infantry, the proceedings are approved; the sentence will be carried into execution by the Commanding Officer at the station of his company.

4th—Private *John H. Willett*, Co. I, 14th Infantry.

Charge 1st—Absence without leave.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA.

To the 1st *Charge* and *Specification*, "Guilty."

To the *Specification* 2d *Charge*, "Guilty,"

except the words "and did disturb the peace of the said town of Lebanon, Ky., by discharging three shots from a revolver he had in his possession."

To the 2d *Charge*, "Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*, "Guilty."

Of the *Specification* 2d *Charge*, "Guilty,"

except the words "and did disturb the peace of the said town of Lebanon, Ky., by discharging three shots from a revolver he had in his possession."

Of the 2d *Charge*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John H. Willett*, of Co. I, 14th Infantry, "to forfeit eight dollars of his monthly pay per month, for the period of two months."

In the case of Private *John H. Willett*, Co. I, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

5th—Wagoner *Cassius M. C. West*, Co. I, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline

PLEA.

To the 1st *Charge* and *Specification*, "Not Guilty."

To the 1st *Specification* 2d *Charge*, "Not Guilty."

To the 2d *Specification* 2d *Charge*, "Guilty."

To the 3d *Specification* 2d *Charge*, "Not Guilty."

To the 2d *Charge*, "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*,	"Not Guilty."
Of the 1st *Specification* 2d *Charge*,	"Not Guilty."
Of the 2d *Specification* 2d *Charge*,	"Guilty."
Of the 3d *Specification* 2d *Charge*,	"Not Guilty."
Of the 2d *Charge*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Wagoner *Cassius M. C. West*, of Co. I, 14th Infantry, "to be confined at hard labor in charge of the guard for the period of thirty days."

In the case of Wagoner *Cassius M. C. West*, Co. I, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

6th—Private *John Jones*, Co. E, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

PLEA.

To the *Charge* and *Specifications*,	"Guilty."

FINDINGS.

Of the *Charge* and *Specifications*,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Jones*, of Co. E, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of four months, wearing a placard on his breast with the word ***"Thief"*** inscribed thereon; and to forfeit ten dollars per month of his monthly pay for the period of two months."

In the case of Private *John Jones*, Co. E, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

II. The Commanding General remarks, that, aside from indelible marking—which is a harsh method of punishment—the sentences for desertion by this Court are unjustifiably lenient; they are about one-tenth of the severity of those now common in other Military Departments.

III. The General Court Martial, of which Brevet Colonel GEORGE A. WOODWARD, Lieutenant Colonel 14th Infantry is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,
Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

Edward Davis
Bvt. 1st. Lieut. USA,
A. A. A. G.

1—Private HUGH MCCLINTY, Co. G, 14th Infantry.
2—Private FRANK FEUERSTEIN, Co. G, 14th Infantry.
3—Private PETER BIRMINGHAM, Co. B, 14th Infantry.
4—Private GREENBERRY MCCOMBS, Co. B, 14th Infantry.
5—Private JOHN HINCHY, Co. B, 14th Infantry.
6—Sergeant JOHN W. MEYERS, Co. D, 14th Infantry.
7—Private ALBERT C. LITTLE, Co. A, 14th Infantry.
8—Musician JAMES O'NEIL, Co. C, 14th Infantry.
9—Musician JOSEPH A. REYNOLDS, Co. D, 14th Infantry.
10—Private WILLIAM JOHNSON, Co. D, 14th Infantry.
11—Private CHARLES HUNT, Co. C, 14th Infantry.
12—Private MICHAEL MARTIN, Co. K, 14th Infantry.
13—Private MARTIN E. THOMAS, Co. D, 14th Infantry.
14—Private WILLIAM WATSON, Co. K, 14th Infantry.
15—Private THOMAS MURRAY, Co. K, 14th Infantry.
16—Private JAMES L. BLACKSTONE, Co. C, 14th Infantry.
17—Private WILLIAM BURKE, Co. C, 14th Infantry.
18—Private HENRY CARLOS, Co. B, 14th Infantry.
19—Private MICHAEL THOMPSON, Co. D, 14th Infantry.
20—Private WILLIAM H. CHAMPION, Co. B, 14th Infantry.
21—Private JOHN SMITH, Co. D, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Ky., December 22d, 1869.

GENERAL ORDERS,
No. 43.

I. Before a General Court Martial which convened at Ash Barracks, Nashville, Tenn., November 20th, 1869, per Special Orders No. 176, paragraph II, current series, from these Head-Quarters, and of which Brevet Brigadier General CHARLES S. LOVELL, Colonel 14th Infantry, is President, were arraigned and tried:

1st—Private *Hugh McClinty*, Co. G, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Private *Hugh McClinty*, Co G, 14th Infantry, a duly enlisted soldier in the service of the United States, having been duly detailed as a member of the Post guard, was found in his quarters after "first call" for guard mounting, so much under the influence of intoxicating liquor as to be unable to perform his duty in a soldierly or proper manner. All this at Ash Barracks, Nashville, Tenn., on or about 9 o'clock A. M., November 23d, 1869.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh McClinty*, Co. G, 14th 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 same period."

In the case of Private *Hugh McClinty*, Co. G, 14th Infantry, the proceedings are approved; the sentence will be carried nto effect.

2d—Private *Frank Feuerstein*, Co. G, 14th Infantry.

Charge—Drunkenness on duty.

Specification—In this; that Private *Frank Feuerstein*, Co. G, 14th Infantry, having been regularly detailed, and placed on duty as a member of the Post guard, did become so much intoxicated as to be unable to properly perform his duties. This at Ash Barracks, Tenn., on the 22d day of November, 1869.

To which *Charge* and *Specification* the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Feuerstein*, Co. G, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of four (4) months."

In the case of Private *Frank Feuerstein*, Co. G, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

3d—Private *Peter Birmingham*, Co. B, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that Private *Peter Birmingham*, Co. B, 14th Infantry, having been properly detailed and duly mounted as a member of the Post guard, did become drunk. This at the post of Chattanooga, Tenn., on or about the 8th day of November, 1869.

Charge 2d—Violation of the 50th Article of War.

Specification—In this; that Private *Peter Birmingham*, Co. B, 14th Infantry, having been properly detailed, and duly mounted as a member of the post guard, did quit his guard without leave of his superior officer. This at the post of Chattanooga, Tenn., on or about the 8th day of November, 1869.

To which *Charges* and *Specifications* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Birmingham*, Co. B, 14th Infantry, "to be confined at hard labor, under charge of the guard, for two months, and to forfeit five dollars of his monthly pay for the same period."

In the case of Private *Peter Birmingham*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

4th—Private *Greenberry McCombs*, Co. B, 14th Infantry.

Charge—Violation of the 45th Article of War.

Specification—In this; that Private *Greenberry McCombs*, Co. B, 14th Infantry, having been properly detailed and duly mounted as a member of the Post guard, did become drunk. This at the post of Chattanooga, Tenn., on or about the 8th day of November, 1869.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Greenberry McCombs*, Co. B, 14th Infantry, "to be confined at hard labor, in charge of the guard, for two months."

In the case of Private *Greenberry McCombs*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

5th—Private *John Hinchy*, (late Corporal,) Co. B, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Specification—In this; that Corporal *John Hinchy*, Co. B, 14th Infantry, having been regularly detailed and mounted as a member of the guard, on the 3d day of September, 1869, did become so drunk as to be totally unable to perform his duties as Corporal of the guard. This at the post of Chattanooga, Tenn.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Corporal *John Hinchy*, Co. B, 14th Infantry, being Corporal of the guard, did without authority, during the temporary absence of the Sergeant of the guard, release and conduct to his quarters a prisoner, to wit: Private Greenberry McCombs, Co. B, 14th Infantry, said prisoner having been confined by order of the Commanding Officer. This at the post of Chattanooga, Tenn., on or about the 3d day of September, 1869.

To which *Charges* and *Specifications* the accused pleaded "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*	"Guilty."
Of the 2d *Charge* and *Specification*	"Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hinchy*, Co. B, 14th Infantry, (late Corporal Co. B, 14th Infantry,) "to be confined at hard labor, in charge of the guard, for one calender month."

In the case of Private *John Hinchy*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

6th—Sergeant *John W. Meyers*, Co. D, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline

Specification 1st—In this; that he, Sergeant *John W. Meyers*, Co. D, 14th Infantry, being at the time acting 1st Sergeant of mounted detachment of said company, on detached service, did permit certain citizens, at improper hours of the night, to come into the quarters occupied by said detachment, bringing with them a certain quantity of intoxicating liquor, and sending for more when that which they had brought was consumed, in all two quarts or thereabouts, all of which liquor the said Sergeant John W. Meyers, permitted said citizens to distribute amongst his men, partaking of it himself as his desire dictated. This at Tullahoma, Tennessee, between the hours of 11 P. M. of the 4th, and 2 A. M., of the 5th October, 1869.

Specification 2d—In this; that he, Sergeant *John W. Meyers*, Co. D, 14th Infantry, being at the time acting 1st Sergeant of mounted detachment of said company, did, while under the influence of liquor, go at improper hours of the night, to the quarters of his commanding Officer, 2d Lieut. Patrick Hasson, 14th Infantry, and awaking him, Lieutenant Hasson, informed him of some party having made threatening gestures at him, Sergeant Meyers, with a carbine; and further saying that he, the said Sergeant John W. Meyers, wanted him, the said Lieutenant Patrick Hasson, to come and investigate it, and on being told by the latter that he would investigate it in the morning, replied in a loud and insubordinate tone, that he 'wanted it investigated *now*,' and repeated this in the same insubordinate tone and manner, several times, while leaving the quarters of said Lieutenant Hasson, having been told by him to "go back to his quarters, and not to talk in such a manner as that." This at Tullahoma, Tennessee, between the hours of 10 P. M., of the 4th, and 2 A. M., of the 5th October, 1869.

Specification 3d—In this; that he, Sergeant *John W. Meyers*, Co. D, 14th Infantry, being at the time acting 1st Sergeant of mounted detachment of said company, on detached service, did without cause or provocation, make a brutal and felonious assault on private Kepple, of said company and detachment, striking him repeatedly about the

head and neck with a heavy piece of wood, or a revolver, or with both alternately, inflicting thereby on said private Kepple serious and dangerous injury. This at Tullahoma, Tennessee, between the hours of 10 P. M., of the 4th, and 2 A. M., of the 5th October 1869.

Specification 4th—In this; that he, Sergeant *John W. Meyers*, Co. D, 14th Infantry, being at the time acting 1st Sergeant of mounted detachment of said company, on detached service, did fail to attend or to make his men attend stable call of said detachment. This at Tullahoma, Tennessee, between the hours of 6, and 6½ A. M., of October 5th, 1869.

To which *Charge* and *Specifications* the accused pleaded as follows:

To the 1st and 2d *Specifications*	"Not Guilty."
To the 3d *Specification*	"Guilty."
To the 4th *Specification*	"Not Guilty."
To the *Charge*	"Not Guilty."

FINDINGS.

Of the 1st *Specification*	"Guilty."
Of the 2d *Specification*	"Guilty,"

but attach no criminality to the words "go at improper hours of the night to the quarters of his commanding officer. 2d Lieutenant Patrick Hasson, 14th Infantry, and awaking him. Lieutenant Hasson, informed him of some party having made threatening gestures at him. Sergeant Meyers, with a carbine, and further saying that he, the said Sergeant John W. Meyers, wanted him, the said Lieutenant Patrick Hasson, to come and investigate it."

Of the 3d *Specification*	"Guilty."
Of the 4th *Specification*	"Not Guilty."
Of the *Charge*	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *John W. Meyers*, Co. D, 14th Infantry, "to be reduced to the ranks, and to forfeit to the United States ten (10) dollars per month of his monthly pay for three (3) months."

In the case of Sergeant *John W. Meyers*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

7th—Private *Albert C. Little*, Co. A, 14th Infantry.

Charge 1st—Violation of the 42d Article of War.

Specification—In this; that he, Private *Albert C. Little*, Co. A, 14th Infantry, did lie out of his quarters without leave from his superior officer. This at Humboldt, Tennessee, on the night of October 27th, 1869.

Charge 2d—Conduct prejudicial to good order and military discipline.

Specification 1st—In this; that he, Private *Albert C. Little*, Co. A, 14th Infantry, did, without just cause or provocation, knock down Private John C. Patterson, Co. A, 14th Infantry, by throwing a missile at him, and did in a most brutal and outrageous manner beat him with a club about the head, and did jump into his face with the heels of his shoes, thereby seriously injuring the said Private Patterson, and greatly endangering his life; and did say to the said Private Patterson, after knocking him down, "if you stir or attempt to get up, I will kill you," or words to that effect; said Private Patterson being at the time so much under the influence of intoxicating liquor as to be entirely incapable of resisting the said Private Little, or taking his own part. This at or near the Osborne House, in Humboldt, Tennessee, on the night of October 27th, 1869.

Specification 2d—In this; that he, Private *Albert C. Little*, Co. A, 14th Infantry, did, without cause or provocation, knock down Private John Cox Shaw, Co. A, 14th Infantry, with his fist, and did beat him with a club in a most brutal and outrageous manner, thereby seriously injuring the said private Shaw, and endangering his life; and did say to the said private Shaw, after knocking him down, "if you stir or attempt to get up, I will kill you," or words to that effect, said private Shaw, being at the time so much under the influence of liquor as to be entirely incapable of resisting the said private Little, or taking his own part. All this at or near the Osborne House, in Humboldt, Tennessee, on the night of October 27th, 1869.

Specification 3d—In this; that he, Private *Albert C. Little*, Company A, 14th Infantry, did leave the quarters of his company after "taps," without permission, and go to or near the Osborne House, in Humboldt, Tennessee, and there behave himself in an unsoldierly, riotous and most outrageous and disgraceful manner, and greatly disturbing the proprietor of the Osborne House, his family and his guests and the citizens of Humboldt, Tennessee, in the vicinity of the Osborne House. All this at or near the Osborne House, in Humboldt, Tennessee, between the hours of 9 P. M., October 27th, 1869, and 1 A. M., October 28th, 1869.

To which *Charges* and *Specifications* the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* "Not Guilty."

To the 1st and 2d *Specifications* 2d *Charge* "Not Guilty."

To the 3d *Specification* 2d *Charge* "Guilty,"

except the words "and there behave himself in an unsoldierly, riotous, and most outrageous and disgraceful manner, and greatly disturbing the proprietor of the Osborne House his family and his guests, and the citizens of Humboldt, Tennessee, in the vicinity of the Osborne House."

To the 2d *Charge* "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Not Guilty."

Of the 1st *Specification* 2d *Charge* "Guilty,"

except the words, "by throwing a missile at him"—"with a club"—"did jump into his"—"with the heels of his shoes"—"greatly"—and of the excepted words, not guilty.

Of the 2d *Specification* 2d *Charge* "Guilty,"

except the words "with a club, in a most brutal and outrageous manner, thereby seriously injuring the said private Shaw, and endangering his life, and did say to the said private Shaw, after knocking him down, 'if you stir or attempt to get up, I will kill you,' or words to that effect, said private Shaw being at the time so much under the influence of intoxicating liquor as to be entirely incapable of resisting the said private Little, or of taking his own part," and of the excepted words, not guilty.

Of the 3d *Specification* 2d *Charge* "Guilty."

except the words "riotous and most outrageous," and "and greatly," and of the excepted words, not guilty.

Of the 2d *Charge* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert C. Little*, Co. A, 14th Infantry, "to be confined at hard labor, under charge of the guard, for a period of three months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

In the case of Private *Albert C. Little*, Co. A, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

8th—Musician *James O'Neil*, Co. C, 14th Infantry.

Charge 1st—Absence without leave.

Specification—In this; that he, Musician *James O'Neil*, Co. C, 14th Infantry, did absent himself, without leave from proper authority, from retreat, on the 2d of November, 1869, and did remain absent until after reveille on the 4th of November, 1869. This at Ash Barracks, Nashville, Tennessee.

Charge 2d—Utter worthlessness, to the prejudice of good order and military discipline.

Specification—In this; that he, Musician *James O'Neil*, Co. C, 14th Infantry, having been enlisted in the service of the United States May 24th, 1869, being to the present date (November 10th, 1869,) one hundred and seventy (170) days, has, during that period, been absent without leave and in civil and military confinement sixty (60) days or thereabouts, and during the time he has not been in confinement has performed but very little, if any, duty. Has been three times in the hands of the civil authorities. This at Ash Barracks, Nashville, Tennessee, between the 24th of May, 1869, and the 10th of November, 1869.

To which *Charges* and *Specifications* the prisoner pleaded as follows:

To the 1st *Charge* and *Specification* "Guilty."

To the 2d *Charge* and *Specification* "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *James O'Neil*, Co. C, 14th Infantry, "to be dishonorably discharged the service of the United States, and to forfeit all pay and allowances that are now or may become due him, except just dues to the Laundress, and fifteen (15) dollars."

In the case of Musician *James O'Neil*, Co. C, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

9th—Musician *Joseph A. Reynolds*, Co. D, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Musician *Joseph A. Reynolds*, Co. D, 14th Infantry, was disgracefully drunk and did go to the quarters of his father, Principal Musician Frederick Reynolds, 14th Infantry, and behave in a drunken and disorderly manner; and did appear on the parade without his coat or hat, and use abusive and profane language in presence of Officers and enlisted men of the garrison. This at Ash Barracks, Nashville, Tenn., on the 25th day of November, 1869.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Joseph A. Reynolds*, Co. D, 14th Infantry, "to be confined, in charge of the guard, for fourteen days, and to stand on the head of a barrel for one hour out of every three, daily, from Reveille to Retreat; and when not so standing, to be kept in solitary confinement."

In the case of Musician *Joseph A, Reynolds*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

10th—Private *William Johnson*, Co. D, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Private *William Johnson*, Co. D, 14th Infantry, (on detached service in Regimental Band,) did absent himself without proper authority, from guard mounting and parade, on the 20th day of November, 1869. This at Ash Barracks, Tenn., on or about the date above specified.

To which *Charge* and *Specification* the prisoner pleaded "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Johnson*, Co. D, 14th Infantry, (on detached service in Regimental Band,) "to forfeit ten (10) dollars of his monthly pay for one month."

In the case of Private *William Johnson*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

11th—Private *Charles Hunt*, Co. C, 14th Infantry.

Charge—Drunkenness on duty.

PLEA

To the *Charge* and *Specification* "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Not Guilty."

And the Court does therefore "acquit the accused, Private *Charles Hunt*, Co. C, 14th Infantry."

In the case of Private *Charles Hunt*, Co. C, 14th Infantry, the findings are disapproved; the prisoner will be released from confinement.

12th—Private *Michael Martin*, Co. K, 14th Infantry.

Charge 1st—Leaving his post, in violation of the 46th Article of War.

Specification—In this; that Private *Michael Martin*, Co. K, 14th Infantry, a regularly detailed member of the Post guard, having been duly posted as a sentinel, did leave his post before he was properly relieved. This at Ash Barracks, Nashville, Tenn., on or about Nov. 22d, 1869.

Charge 2d—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this; that Private *Michael Martin*, Co. K, 14th Infantry, a regularly detailed member of the Post guard, while on duty as sentinel, did engage in an altercation with a citizen employee of the Quartermaster's Department, named St. M. Smith. This at Ash Barracks, Nashville, Tenn., on or about November 22d, 1869.

Charge 3d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that Private *Michael Martin*, Co. K, 14th Infantry, did, without just cause or provocation, commit an assault, and strike repeatedly with his fist a citizen employee of the Quartermaster's Department, named St. M. Smith This at Ash Barracks, Nashville, Tenn., on or about November 22d, 1869.

To which *Charges* and *Specifications* the prisoner pleaded "Not Guilty."

FINDINGS.

Of the 1st and 2d *Charges* and *Specifications* "Guilty."

Of the 3d *Charge* and *Specification* "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Martin*, Co K, 14th Infantry, "to be confined, at hard labor, under charge of the guard, for a period of three months, and to forfeit five dollars per month of his monthly pay for the same period."

In the case of Private *Michael Martin*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

13—Private *Martin E. Thomas*, Co. D, 14th Infantry.

Charge—Theft, to the prejudice of good order and military discipline.

Specification—In this; that he, Private *Martin E. Thomas*, Co. D. 14th Infantry, did steal from private John McGregor, Co D, 14th Infantry, one (1) gold watch, of the value of seventy-five (75 dollars, or thereabouts, and sell or trade off the same in the city of Nashville, Tenn., and appropriate the proceeds for his own use and benefit.

Additional Charge—Desertion.

Specification—In this; that Private *Martin E. Thomas*, Co. D, 14th Infantry, a duly enlisted soldier in the service of the United States, did, while under guard, on or about the 14th day of November, 1869, desert said service, and did remain absent until apprehended and returned to his post, on or about the 18th day of November, 1869. All this at or near Ash Barracks, Nashville, Tennessee.

To which *Charges* and *Specifications* the prisoner pleaded as follows:

To the *Charge* and *Specification* "Not Guilty."

To the *Additional Charge* and *Specification* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Martin E. Thomas*, Co. D, 14th Infantry, "to be confined at hard labor, in charge of the guard, for one year; to forfeit ten dollars per month of his monthly pay for the same period; to wear a ball weighing twelve pounds attached to his leg by a chain two feet long; at the expiration of that time to have his head shaved, and be dishonorably discharged the service."

In the case of Private *Martin E. Thomas*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into execution at the station of his company.

14th—Private *William Watson*, Co. K, 14th Infantry.

Charge 1st—Violation of the 44th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA.

To the *Charges* and *Specifications* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Watson*, Co. K, 14th Infantry, "to forfeit to the United States ten (10) dollars per month of his monthly pay for two months."

In the case of Private *William Watson*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

15th—Private *Thomas Murray*, Co. K, 14th Infantry.

Charge 1st—Violation of the 44th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA.

To the 1st *Charge* and *Specification* "Not Guilty."
To the 2d *Charge* and *Specification* "Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Not Guilty."
Of the 2d *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Murray*, Co. K, 14th Infantry, "to be confined at hard labor, in charge of the guard, for one month, and to forfeit ten (10) dollars of his monthly pay for the same period."

In the case of Private *Thomas Murray*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

16th—Private *James L. Blackstone*, Co. C, 14th Infantry.

Charge—Violation of the 46th Article of War.

PLEA.

To the *Charge* and *Specification* "Not Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Not Guilty."

And the Court does therefore "acquit him, Private *James L. Blackstone*, Co. C, 14th Infantry."

In the case of Private *James L. Blackstone*, Co. C, 14th Infantry, the proceedings are approved; the prisoner will be returned to duty.

17th—Private *William Burke*, Co. C, 14th Infantry.
Charge—Absence without leave, to the prejudice of good order and military discipline.

PLEA.

To the *Charge* and *Specification* "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Burke*, Co. C, 14th Infantry, "to forfeit ten (10) dollars of his monthly pay, per month, for three (3) months."

In the case of Private *William Burke*, Co. C, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

18th—Private *Henry Carlos*, Co. B, 14th Infantry.
Charge 1st—Violation of the 45th Article of War.
Charge 2d—Disobedience of Orders.
Charge 3d—Theft, to the prejudice of good order and military discipline.

PLEA.

To the 1st *Charge* and *Specification* "Guilty."
To the 2d and 3d *Charges* and *Specifications* "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Guilty."
Of the 2d and 3d *Charges* and *Specifications* "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Carlos*, Co. B, 14th Infantry, "to be confined at hard labor, in charge of the guard, for three months."

In the case of Private *Henry Carlos*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

19th—Private *Michael Thompson*, Co. D, 14th Infantry.
Charge 1st—Violation of the 38th Article of War.

Specification—In this; that he, Private *Michael Thompson*, Co. D, 14th Infantry, did sell, or lose by neglect, the following articles of clothing issued to him by the United States for his use in the service, viz: one (1) uniform coat, [private's,] one (1) pair trowsers, Infantry, one (1) flannel shirt, one (1) pair drawers, one (1) pair bootees, Infantry, one (1) great coat, Infantry, and one (1) blanket. [woolen.] All this at Ash Barracks, Nashville, Tenn., on or about the 28th day of Nov., 1869.

Charge 2d—Violation of the 21st Article of War.

Specification 1st—In this; that he, Private *Michael Thompson*, Co. D, 14th Infantry, did, without permission from proper authority, absent himself from his company and quarters, from about tattoo on the 28th day of November, 1869, until about 7 A. M. on the 30th day of Nov., 1869.

Specification 2d—In this; that he, Private *Michael Thompson*, Co. D, 14th Infantry, did, without permission from proper authority, absent himself from his company and quarters from about tattoo on the 9th day of December, 1869, until about 10 A. M., on the 11th day of December, 1869. All this at or near Ash Barracks, Nashville, Tenn., on or about the dates above specified.

To which *Charges* and *Specifications* the prisoner pleaded "Not Guilty."

FINDINGS.

Of the *Specification* 1st *Charge* "Guilty,"
except the words 'one flannel shirt,' and of the excepted words "Not Guilty."
Of the 1st *Charge* "Guilty."
Of the 2d *Charge* and *Specifications* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Thompson*, Co. D, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of one month, and to forfeit seven (7) dollars per month of his monthly pay for six (6) months."

In the case of Private *Michael Thompson*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

20th—Private *William H. Champion*, Co. B, 14th Infantry.
Charge—Violation of the 45th Article of War.

PLEA.

To the *Charge* and *Specification* "Guilty."

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Champion*, Co. B, 14th Infantry, "to be confined at hard labor, in charge of the guard for the period of two (2) months."

In the case of Private *William H. Champion*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

21st—Private *John Smith*, Co. D, 14th Infantry.

Charge—Desertion.

Specification—In this; that he, Private *John Smith*, Co. D, 14th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 11th day of November, 1869, and did remain absent until he was apprehended and returned to his post on or about the 14th day of November, 1869. Thirty (30) dollars paid for his apprehension. All this at or near Ash Barracks, Nashville, Tennessee, on or about the dates above specified.

To which *Charge* and *Specification* the prisoner pleaded "Not Guilty.

FINDINGS.

Of the *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Smith*, Co. D, 14th Infantry, "to be confined at hard labor, in charge of the guard, for the period of six months, wearing a twenty-four pound ball attached to his leg by a chain two feet in length; to forfeit ten (10) dollars per month of his monthly pay for the same period, and to re-imburse the United States for all expenses incurred in his apprehension; and at the expiration of his term of confinement to be dishonorably discharged the service."

In the case of Private *John Smith*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into execution at the station of the prisoner's company.

II. The General Court Martial of which Brevet Brigadier General C. S. LOVELL, Colonel 14th Infantry, is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,
Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

J. Martin
Bvt Lieut Col U S A
A A G

NOTE.—This is the last of the series of General Orders for 1869.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Cumberland.

1870.

1-6—Private JAMES O'DONNELL, Company F, 14th Infantry.
2—Private HERMAN WAGONER, Company F, 14th Infantry.
3—Private STEPHEN PASSINO, Company F, 14th Infantry.
4—Private JOHN W. LAWTON, Company E, 14th Infantry.
5—Private WILLIAM J. MURPHY, Company F, 14th Infantry.
7—Private JOHN CARROLL, Company I, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 7th, 1870.

GENERAL ORDERS, No. 4.

I. Before a General Court Martial, which convened at Taylor Barracks, Louisville, Kentucky, February 2d, 1870, pursuant to Special Orders No. 11, paragraph I, current series, from these Head-Quarters, and of which Brevet Colonel G. A. WOODWARD, Lieut. Colonel 14th Infantry, is President, were arraigned and tried:

1st—Private *James O'Donnell*, Company F, 14th Infantry.
Charge—Violation of the 45th Article of War.
PLEA.. ...."Guilty."
FINDINGS..... ....."Guilty."

SENTENCE.

And the Court does therefore sentence him, private *James O'Donnell*, Co. F, 14th Infantry, "to be confined at hard labor in charge of the guard for the period of four months."

2d—Private *Herman Wagoner*, Company F, 14th Infantry.
Charge—Desertion.
PLEA..... ....."Not Guilty."
FINDINGS..... ...."Guilty."

SENTENCE.

And the Court does therefore sentence him, private *Herman Wagoner*, Co. F, 14th Infantry, "to forfeit all pay now due or to become due; to have his head shaved; to be dishonorably discharged from the service of the United States, and to be drummed out of the garrison."

3d—Private *Stephen Passino*, Company F, 14th Infantry.
Charge—Violation of the 46th Article of War.
PLEA..... ....."Not Guilty."
FINDINGS..... ... ..."Not Guilty."
And the Court does therefore "acquit him."

4th—Private *John W. Lawton*, Company E, 14th Infantry.
Charge 1st—Absence without leave.
Charge 2d—Conduct to the prejudice of good order and military discipline.
PLEA..... ...."Guilty."
FINDINGS..... ...."Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John W. Lawton*, Co. E, 14th Infantry, "to forfeit to the United States ten (10) dollars per month of his monthly pay for the period of three months, and to be confined at hard labor in charge of the guard, for the same period."

5th—Private *William J. Murphy*, Company F, 14th Infantry.

Charge—Violation of the 46th Article of War.

PLEA..... "Not Guilty."

FINDINGS..... "Not Guilty."

And the Court does therefore "acquit him."

6th—Private *James O'Donnell*, Company F, 14th Infantry.

Charge—Violation of the 9th Article of War.

Specification—In this; that he, Private *James O'Donnell*, Co. F, 14th Infantry, did, while a prisoner confined in the guard house at Taylor Barracks, Louisville, Kentucky, refuse to obey when ordered by Brevet Major C. H. Frederick, then in the execution of his office, as Officer of the Day, to go into a solitary cell, and stop cursing and making a loud and uproarious noise, and when compelled by force to go into the cell, by the Sergeant of the guard, did, in a loud, insulting and boisterous manner, call said Officer of the Day a "son-of-a-bitch," and other insulting names, and did threaten the said Officer of the Day with personal violence. All this on or about January 31st, 1870.

PLEA..... "Guilty."

FINDINGS..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James O'Donnell*, Co. F, 14th Infantry, "to be confined at hard labor in charge of the guard for six (6) months, and to forfeit twelve (12) dollars per month, of his monthly pay, for the same period."

7th—Private *John Carroll* Company I, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, the said private *John Carroll*, Co. I, 14th Infantry, did, with intent to kill, stab with a knife private Thomas Devine, Co. I, 14th Infantry, thereby inflicting a dangerous wound. This at Cortar's Saloon, in the town of Lebanon, Kentucky, on the twenty-fifth day of December, 1869.

PLEA..... "Not Guilty."

FINDINGS..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, private *John Carroll*, Co. I, 14th Infantry, "to be confined at hard labor in charge of the guard for eight (8) months, such confinement to be solitary, except when at work; and to forfeit twelve (12) dollars per month of his monthly pay for the same period."

II. In the foregoing cases of Privates *James O'Donnell*, Co. F, *Herman Wagoner*, Co. F, *John W. Lawton*, Co. E, and *James O'Donnell*, Co. F, 14th Infantry, the proceedings are approved; the sentences will be carried into execution.

In the cases of Privates *Stephen Passino*, Co. F, and *William J. Murphy*, Co. F, 14th Infantry, the proceedings are approved; Privates *Passino* and *Murphy* will be restored to duty.

In the case of Private *John Carroll*, Co. I, 14th Infantry, the proceedings are approved; in consideration of the recommen-

dation to "mercy" by all the members of the Court, on account of previous good character, the stoppage and confinement for two of the eight months is hereby remitted; the residue of the sentence will be carried into execution, at the station of the prisoner's company, under the orders of the Commanding Officer.

III. The General Court Martial of which Brevet Colonel G. A. Woodward, Lieutenant Colonel 14th Infantry, is President, is hereby dissolved.

By Command of Brevet Major General Cooke:

J. P. MARTIN,

Bvt. Lt. Col. U. S. A., A. A. G.

OFFICIAL:

Edmund Davis

Bvt. 1st Lieut. U. S. A.,

Actg. Asst. Adjt. General.

1—Private PETER SMITH, Co. A, Permanent Party, Genl. Serv. U. S. A.
2—Private JOHN A. SCHMITZ, Co. A, Permanent Party, Genl. Serv. U. S. A.
3—Musician GEORGE F. COMSTOCK, Co. B, Music Boys, Genl. Serv. U. S. A.
4—Private JAMES STANLEY, Co. A, Permanent Party, Genl. Serv. U. S. A.
5—Musician MATHEW MCNAMARA, Co. B, Music Boys, Genl. Serv. U. S. A.
6—Private FREDERICK PRETSCH, Co. A, Permanent Party, G. S. U. S. A.
7—Recruit SEBASTIAN SCHAFFNAR, General Service, U. S. A.
8—Recruit GEORGE WILLIAMS (Colored) General Service U. S. A.
9—Recruit EDWARD SMITH, General Service U. S. A.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., February 14th, 1870.

GENERAL ORDERS, No. 5.

I. Before a General Court Martial, which convened at Newport Barracks, Kentucky, January 25th, 1870, pursuant to Special Orders No. 7, paragraph I, current series from these Head-Quarters, and of which Brevet Major WILLIAM NELSON, Captain U. S. A., is President, were arraigned and tried:

1st—Private *Peter Smith*, Co. A, Permanent Party, Genl. Serv. U. S. A.

Charge—Desertion.

PLEA..... ...."Not Guilty."
FINDINGS ...."Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Smith*, Co. A, Permanent Party, General Service, U. S. A., "to be indelibly tattooed on the left hip with the letter "D" one and one-half inches in length; to forfeit to the United States fourteen (14) dollars per month of his monthly pay for two years, and to be confined at hard labor for same period, with a ball weighing six (6) pounds attached to his left leg by a chain two feet long, and then to be dishonorably discharged and drummed out of the service of the United States."

In the case of Private *Peter Smith*, Co. A, Permanent Party, General Service, U. S. A., the proceedings are approved; the sentence will be carried into execution under the orders of the Commanding Officer of Newport Barracks.

2d—Private *John A. Schmitz*, Co. A, Permanent Party, General Service, United States Army.

Charge—Desertion.

PLEA..... ...."Guilty."
FINDINGS ...."Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John A. Schmitz*, Co. A, Permanent Party, General Service, U. S. A., "to be indelibly tattooed on the left hip, with the letter "D" one and one-half inches in length; to

forfeit to the United States fourteen dollars per month of his monthly pay for two years, and to be confined at hard labor for same period, with a ball weighing six (6) pounds attached to his left leg by a chain two feet long, and then to be dishonorably discharged and drummed out of the service of the United States."

In the case of Private *John A. Schmitz*, Co. A, Permanent Party, General Service, U. S. A., the proceedings are approved; the sentence will be carried into execution under the orders of the Commanding Officer of Newport Barracks.

3d—Musician *George F. Comstock*, Co. B, Music Boys, General Service, United States Army.

Charge—Desertion.

PLEA ..... "Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *George F. Comstock*, Co. B, Music Boys, General Service, U. S. A., "to be indelibly tattooed with the letter "D" one and one-half inches in length on the left hip; to forfeit to the United States fourteen dollars per month of his monthly pay for two years, and to be confined at hard labor under charge of the guard for the same period, wearing a six (6) pound ball attached to his left leg by a chain two and a half feet long, and then to be dishonorably discharged the service of the United States."

In the case of Musician *George F. Comstock*, Co. B, Music Boys, General Service, U. S. A., the proceedings are approved; the sentence will be carried into execution under the orders of the Commanding Officer of Newport Barracks.

4th—Private *James Stanley*, Co. A, Permanent Party, General Service, United States Army.

Charge—Desertion.

PLEA. ..... "Not Guilty."

FINDINGS ..... Not guilty of "desertion" but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *James Stanley*, Co. A, Permanent Party, General Service, U. S. A., "to forfeit to the United States ten dollars per month of his monthly pay for four months."

In the case of Private *James Stanley*, Co. A, Permanent Party, General Service, U. S. A., the proceedings are approved; the sentence will be carried into effect; Private *Stanley* will be returned to duty.

5th—Musician *Mathew McNamara*, Co. B, Music Boys, General Service, United States Army.

Charge—Desertion.

PLEA. ..... "Guilty."

FINDINGS. ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Musician *Mathew McNamara*, "to be indelibly tattooed on the left hip with the letter "D" one and one-half inches in length; to be confined at hard labor under charge of the guard, wearing a six pound ball attached to his left leg by a chain two and a half feet in length, for two years, and to forfeit to the United States all pay and allowances that are now due or that may become due, except the just

dues of the Laundress; then to be dishonorably discharged and drummed out of the service of the United States."

In the case of Musician *Mathew McNamara*, Co. B, Music Boys, General Service, U. S. A., the proceedings are approved; the sentence will be carried into execution under the orders of the Commanding Officer of Newport Barracks.

6th—Private *Frederick Pretsch*, Co. A, Permanent Party, General Service, United States Army.

Charge—Desertion.

PLEA......"Not Guilty."

FINDINGS .....Not guilty of "desertion" but guilty of "Absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick Pretsch*, Co. A, Permanent Party, General Service, U. S. A., "to forfeit to the United States ten (10) dollars per month of his monthly pay for four months."

In the case of Private *Frederick Pretsch*, Co. A, Permanent Party, General Service, U. S. A., the proceedings are approved; the sentence will be carried into effect; Private *Pretsch* will be returned to duty.

7th—Recruit *Sebastian Schaffnar*, General Service, U. S. A.

Charge—Desertion.

PLEA....."Not Guilty."

FINDINGS....."Not Guilty."

And the Court does therefore "acquit him, the said *Sebastian Schaffnar*, Recruit General Service, U. S. A."

In the case of Recruit *Sebastian Schaffnar*, General Service U. S. A., the proceedings are approved; Private *Schaffnar* will be returned to duty.

8th—Recruit *George Williams*, (colored,) General Service U. S. A.

Charge 1st—Theft, to the prejudice of good order and military discipline.

Specification—In this; that he, Recruit *George Williams*, (colored,) General Service U. S. Army, did enter the private quarters of 1st Lieutenant W. H. H. Crowell, U. S. Army, and did, feloniously and with intent to steal, take therefrom, between the hours of 8 o'clock P. M., and 12 o'clock, midnight, one trunk, one (1) citizen over-coat and one citizen business-coat, and one National Revolver, the property of the said Lieutenant Crowell; and the said Recruit George Williams, (colored,) General Service, U. S. Army, did remove the articles above enumerated from the private quarters of Lieutenant Crowell to the post garden, and did then and there force the lock of the said trunk, and feloniously and with intent to steal, did take therefrom one hundred dollars, in U. S. currency money, belonging to the said Lieut. Crowell. Recruit George Williams did also enter the quarters of Brevet Major William Nelson, Captain U. S. A., and did, feloniously and with intent to steal, take therefrom the following articles, the property of the said Brevet Major William Nelson, Captain U. S. A., to wit: one pair of boots, one shirt, and one pocket-handkerchief; and he, the said Recruit George Williams, (colored,) General Service U. S. A., did also enter the quarters of 1st Lieutenant John Pulford, U. S. A., and did, feloniously and with intent to steal, take therefrom the following articles, the property of the said Lieutenant John Pulford, U. S. A., to wit: one citizen vest, and one pair of citizen pants. All this at Newport Barracks, Kentucky, on or about the 21st day of January, 1870.

Charge 2d—Desertion.

PLEA....."Guilty."

FINDINGS....."Guilty."

SENTENCE.

The Court does therefore sentence him, the said Recruit *George Williams*, (colored,) General Service, U. S. Army, "to be indelibly marked on the left hip, with the letter "D," two and one-half inches in length; to be dishonorably discharged the service of the United States; and then to be confined at hard labor for five years, in such Military Prison, or State Penitentiary as the proper Reviewing authority may direct."

In the case of Recruit *George Williams*, (colored,) General Service, U. S. A., the proceedings are approved; the sentence will be carried into execution; the Commanding Officer of Newport Barracks will send the prisoner to Frankfort, Kentucky, with a copy of this order, for confinement in the penitentiary of the State of Kentucky.

9th—Recruit *Edward Smith*, General Service, U. S. Army.

Charge—Desertion.

PLEA ..... "Not Guilty."

FINDINGS..... "Guilty."

SENTENCE.

The Court does therefore sentence him, the said Recruit *Edward Smith*, General Service, U. S. A., "to be indelibly marked on the left hip, with the letter "D," one and one-half inches in length; to be confined at hard labor for two years, wearing a twelve-pound ball attached to his left leg by a chain three feet in length, and to forfeit ten (10) dollars per month of his monthly pay for the same period; and at the expiration of that time to be dishonorably discharged the service of the United States."

In the case of Recruit *Edward Smith*, General Service, U. S. A., the proceedings are approved; on the recommendation of five members of the Court, to clemency, the sentence is remitted, except a forfeiture of ten dollars of his pay for one month. Recruit *Smith* will be returned to duty.

II. The General Court Martial of which Brevet Major WILLIAM NELSON, Captain U. S. A., is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

J. P. MARTIN,
Assistant Adjutant General.

OFFICIAL.

Edward Davis
Actg. Asst. Adjt. General.

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Ky., March 14th, 1870.

GENERAL ORDERS,

No. 8.

1—Private LOUIS BALLARD, Company H, 14th Infantry.

I. Before a General Court Martial which convened at Taylor Barracks, Kentucky, February 26th, 1870, pursuant to Special Orders No. 16, current series, from these Head-Quarters, and of which Brevet Colonel G. A. WOODWARD, Lieutenant Colonel 14th Infantry is President, was arraigned and tried:

1st—Private *Louis Ballard*, Company H, 14th Infantry.

Charge—Desertion.

PLEA.....“Not Guilty.”

FINDINGS.....“Guilty.”

SENTENCE.

And the Court does therefore sentence him, private *Louis Ballard*, Co. H, 14th Infantry, “to forfeit all pay now due or to become due; to be marked indelibly with the letter “D” one and one-half inches in length—on the left hip; to be confined at hard labor in charge of the guard for the period of three months; and to be dishonorably discharged the service.”

In the case of private *Louis Ballard*, Co. H, 14th Infantry, the proceedings are approved; the sentence will be carried into execution at Taylor Barracks, Louisville, Ky.

II. The General Court Martial of which Brevet Colonel G. A. WOODWARD, Lieutenant Colonel 14th Infantry, is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

EDWARD DAVIS,
Actg. Assistant Adjutant General.

OFFICIAL.

Edward Davis

Bvt. 1st Lt. U.S. A.,
A. A. A. G.

1—1st Sergeant ROBERT MCFILLEN, Company F, 16th Infantry.
2—Private JAMES CRAWFORD, Company B, 16th Infantry.

———X———

HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,

Louisville, Kentucky, March 19th 1870.

GENERAL ORDERS, No. 10.

I. Before a General Court Martial which convened at Jackson, Mississippi, August 25th, 1869, pursuant to Special Orders No 178, paragraph VII, dated August 20th, 1869, Special Orders No. 202, paragraph II, dated Sept. 20th, 1869, and Special Orders No. 214, paragraphs I & II, dated October 4th, 1869, from Head-Quarters 4th Military District, (Department of Mississippi,) Jackson, Mississippi, and continued by adjournment until January 29th, 1870, and of which Captain J. S. FLETCHER, 16th Infantry, Brevet Lieutenant Colonel U. S. A., is President, were arraigned and tried:

1st—1st Sergeant *Robert McFillen*, Company F, 16th Infantry.

Charge 1st—Conduct prejudicial to good order and military discipline.

Specification—In this; that he, 1st Sergeant *Robert McFillen*, Co. F, 16th Infantry, did incite riotous and disorderly conduct by assaulting J. C. Compton, citizen of Madison Parish, Louisiana, without just cause or provocation. This in the State of Louisiana, on or about the morning of the 18th of October 1869.

Charge 2d—Assault, with intent to kill, to the prejudice of good order and military discipline.

Specification 1st—In this; that he, 1st Sergeant *Robert McFillen*, Company F, 16th Infantry, did strike J. C. Compton, a citizen of Madison Parish, Louisiana, with a deadly weapon, usually called a Navy Revolver. This in the State of Louisiana, on or about the 18th of October, 1869.

Specification 2d—In this; that he, 1st Sergeant *Robert McFillen*, Company F, 16th Infantry, did on or about the 18th day of October, 1869, in the State of Louisiana, near Vicksburg, Mississippi, with a deadly weapon, to wit: a Navy Revolver, with powder and ball, assault and shoot J. C. Compton, a citizen of Madison Parish, Louisiana, with intent to kill him, the said J. C. Compton, inflicting upon the said J. C. Compton, a wound of a serious character. All this in the State of Louisiana, on the date above specified.

To which *Charges* and *Specifications* the accused pleaded "Not Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Not Guilty."

And the Court does therefore "acquit him."

In the case of 1st Sergeant *Robert McFillen*, Co. F, 16th Infantry, the proceedings are approved: 1st Sergeant *Robert McFillen* will be restored to duty.

24—Private *James Crawford*, Company B, 16th Infantry.

The proceedings of the Court in this case being received carelessly incomplete—without record of findings, or signature of the Judge Advocate, and the accused having already been in confinement about two months and a half—he will be released from confinement and restored to duty.

It is also remarked that the record of this Court does not conform to paragraph 893, General Regulations for the Army. Hereafter neither blank pages, nor blank lines, nor greater margins than prescribed, must be found on the records of any Courts Martial of the Department.

II. The General Court Martial of which Brevet Lieutenant Colonel J. S. Fletcher, Captain 16th Infantry, is President, is hereby dissolved.

By Command of Brevet Major General Cooke:

EDWARD DAVIS,
Actg. Assistant Adjutant General.

OFFICIAL:

Wm Attwood
Actg. Asst. Adjt. General.

1—Private JEREMIAH SULLIVAN, Company B, 16th Infantry.
2—Private MARTIN FALLON, Company B, 16th Infantry.
3—Wagoner MARTIN MAHER, Company I, 16th Infantry.
4—Private EDWARD RUTLEDGE, Company K, 16th Infantry.
5—Hospital Steward CHARLES P. HEILL, U. S. A.
6—Private JAMES EDWARDS, Company K, 16th Infantry.
7—Private CHARLES H. EATON, Company I, 16th Infantry.
Private WILLIAM BURNETT, Company K, 16th Infantry.
8—Private JAMES BRADY, Company A, 16th Infantry.
9—Private HENRY W. MILLER, Company A, 16th Infantry.
10—Private LEWIS STACKHOUSE, Company I, 16th Infantry.
11—Private DANIEL FINIGAN, Company D, 16th Infantry.
12—Private JAMES CLARK, Company K, 16th Infantry.
13—Corporal W. R. FREIL, Company B, 16th Infantry.
14—Private DELPRAT FIRMIN, Company C, 16th Infantry.
15—Private CHARLES CODAY, Company H, 16th Infantry.
16—Private MICHAEL EAGAN, Company D, 16th Infantry.
17—Private MORTIMER WHITE, Company C, 16th Infantry.
18—Musician HENRY FRANKS, Company G, 16th Infantry.
Musician MICHAEL O'CONNOR, Company G, 16th Infantry.
Musician DANIEL HILLHOUSE, Company H, 16th Infantry.
19—Musician MICHAEL O'CONNOR, Company G, 16th Infantry.
20—Private ALBERT B. ARTOUR, Company G, 16th Infantry.
21—Private GEORGE SCHULTZKI, Company G, 16th Infantry.
22—Private DANIEL P. DELANEY, Company C, 16th Infantry.
23—Private WILLIAM WRIGHT, Company H, 16th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, March 28th, 1870.

GENERAL ORDERS, No. 11.

I. Before a General Court Martial which convened at Jackson, Mississippi, February 7th, 1870, pursuant to Special Orders No. 17, paragraph II, dated Head-Quarters 4th Military District, Jackson, Mississippi, February 5th, 1870, and of which Brevet Major General R. S. GRANGER, Lieutenant Colonel 16th Infantry, is President, were arraigned and tried:

1st—Private *Jeremiah Sullivan*, Company B, 16th Infantry.
Charge 1st—Violation of the 46th Article of War.
Charge 2d—Violation of the 45th Article of War.
PLEA..... "Guilty."
FINDINGS..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, private *Jeremiah Sullivan*, of Company B, 16th U. S. Infantry, "to be confined at hard labor, in charge of the guard at his proper station, for the period of three months; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

In the case of Private *Jeremiah Sullivan*, Co. B, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

2d—Private *Martin Fallon*, Company B, 16th Infantry.

Charge—Conduct to the prejudice of good order and and military discipline. Four (4) *Specifications*.

To which the accused pleaded:

To the second *Specification* "Guilty."

To the *Charge* and 1st, 3d and 4th *Specifications* "Not Guilty."

FINDINGS—Guilty, with slight verbal omissions in two *Specifications*.

SENTENCE.

And the Court do therefore sentence him, private *Martin Fallon*, of Company B, 16th U. S. Infantry, "to be confined at hard labor, under charge of the guard at his proper station, 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."

In the case of Private *Martin Fallon*, Co. B. 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

3d—Wagoner *Martin Maher*, Company I, 16th Infantry.

Charge 1st—Violation of the 9th Article of War.

Charge 2d—Violation of the 42d Article of War.

Charge 3d—Conduct to the prejudice of good order and military discipline.

PLEA..... "Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Wagoner *Martin Maher*, of Company I, 16th U. S. Infantry, "to be confined at hard labor, in charge of the guard at his proper station, for four months; and to forfeit twelve (12) 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, and his long confinement.

In the case of Wagoner *Martin Maher*, Co. I, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

4th—Private *Edward Rutledge*, Company K. 16th Infantry.

Charge 1st—Absence without leave.

Charge 2d—Conduct prejudicial to good order and military discipline.

Charge 3d—Worthlessness, to the prejudice of good order and military discipline.

Specification 1st—In this; that he, private *Edward Rutledge*, Company K, 16th Infantry, has, in consequence of being drunk, been confined in the post guard-house at Corinth, and Grenada, Mississippi, during the past nine months on the following dates, viz: April 21st and 27th; May 5th, 12th, and 28th; July 12th and 15th; August 10th; October 1st and 13th; and November 19th and 23d, 1869: and January 4th, 10th, and 24th, 1870, to the present date, on all of which occasions he has been entirely unfit to perform the duties of a soldier. All this at Corinth, and Grenada, Mississippi, on or about the dates above specified.

PLEA.

To the 1st *Charge* and *Specification* "Guilty."

To the 1st *Specification* 2d *Charge* "Guilty."

To the 2d *Specification* 2d *Charge* "Not Guilty."

To the 2d *Charge* "Guilty."

To the 3d *Charge* and *Specifications* "Not Guilty."

FINDINGS.

Of the 1st and 2d *Charges* and *Specifications* "Guilty."
Of the 3d *Charge* and *Specifications* "Not Guilty,"
but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE.

And the Court do therefore sentence him, private *Edward Rutledge*, Company K, 16th U. S. Infantry, "to forfeit to the United States twelve (12) dollars of his monthly pay, per month, for two (2) months; and to be confined at hard labor, under charge of the guard, where his company may be serving, for the same period."

In the case of Private *Edward Rutledge*, Co. K, 16th Infantry, the proceedings of the Court and its findings are approved, except under the 3d *Charge*. Its 1st *Specification* is an improper one; the finding on it is disapproved: and consequently the finding on the charge is disapproved;—the finding on the second specification is approved.

The sentence will be carried into execution.

5th—Hospital Steward *Charles P. Heill*, U. S. A.

Charge 1st—Violation of the Act of Congress of March 2d, 1863.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA..... "Not Guilty."
FINDINGS..... "Not Guilty."

And the Court do therefore "acquit him."

In the case of Hospital Steward *Charles P. Heill*, U. S. A., the proceedings are approved; Hospital Steward *Heill* will be released from arrest.

6th—Private *James Edwards*, Company "K," 16th Infantry.

Charge 1st—Conduct to the prejudice of good order and military discipline.

Specification 2d—In this; that he, Private *James Edwards*, Co. K, 16th Infantry, did, at Corinth, Mississippi, on the 25th day of November, 1869, feloniously make an assault on Private John Sloane, Co. K, 16th U. S. Infantry, and did then and there, against the will of said Private John Sloane, Co. K, 16th U. S. Infantry, feloniously and forcibly take from him and carry away a pocket-book of said John Sloane, containing the sum of nine (9) dollars and sixty-five cents ($9.65), or thereabouts, U. S. currency, the money and property of said John Sloane.

Charge 2d—Absence without leave.

PLEA..... "Not Guilty."

FINDINGS.

Of the 1st *Specification* 1st *Charge* "Guilty."
Of the 2d *Specification* 1st *Charge* "Guilty,"
except the word "feloniously," in the fourth line; and all of said specification after the words "U. S. Infantry" in the sixth line; and of the parts so excepted "Not Guilty."
Of the 1st *Charge* "Guilty."
Of the 2d *Charge* and *Specification* "Not Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *James Edwards*, Co. K, 16th U. S. Infantry, "to forfeit to the United States ten (10) 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 where his company may be stationed, until the 1st day of April, 1870."

In the case of Private *James Edwards*, Co. K, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

7th—Privates *Charles H. Eaton*, Company I, 16th Infantry, and *William Burnett*, Company K, 16th Infantry.

Charge—Robbery, to the prejudice of good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence them, the said *Charles H. Eaton*, Private of Company I, 16th U. S. Infantry, and the said *William Burnett*, Private of Company K, 16th U. S. Infantry, and each of them, "to be dishonorably discharged 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 to be confined at hard labor, for the term of two years at such place as the Commanding General may direct."

In the cases of Privates *Charles H. Eaton*, Co. I, 16th Infantry, and *William Burnett*, Co. K, 16th Infantry, the proceedings of the Court are disapproved; the record does not show how many members were present, and took part in the trial, on the first day. This is pronounced a fatal defect in the "Digest of Opinions &c.," published by authority of the War Department for government of Court proceedings. (See page 319, paragraph 9.)

It is not practicable to re-convene the Court; and the consequence of this neglect is, that two convicted felons escape the punishment of their crimes.

Privates *Eaton* and *Burnett* will be released from confinement.

8th—Private *James Brady*, Company A, 16th Infantry.

Charge—Desertion.

PLEA ..... "Not Guilty,"

but guilty of absence without leave.

FINDINGS.

Of the *Specification* "Guilty,"

except the word "desert," in the fourth line, substituting in lieu thereof the words "absent himself from."

Of the *Charge* "Not Guilty,"

but guilty of absence without leave.

SENTENCE.

And the Court do therefore sentence him, Private *James Brady*, Company A, 16th U. S. Infantry, "to be confined at hard labor, in charge of the guard of his proper station, for the period of one month; and to forfeit to the United States ten (10) dollars per month of his monthly pay, for three months."

In the case of Private *James Brady*, Co. A, 16th Infantry, the proceedings are approved; the sentence will be carried into effect.

9th—Private *Henry W. Miller*, Company A, 16th Infantry.

Charge—Desertion.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Henry W. Miller*, Company A, 16th U. S. Infantry, "to forfeit to the United States all allowances now due or that may become due him; and all pay now due, or that may become due him, except one months pay; and to be discharged the service of the United States. The Court are thus lenient on account of the apparent imbecility of the prisoner, and his unfitness to perform the duties of a soldier.

In the case of Private *Henry W. Miller*, Company A, 16th Infantry, the proceedings are approved; the sentence will be carried into effect.

10th—Private *Lewis Stackhouse*, Company I, 16th Infantry.

Charge 1st—Disobedience of Orders.

Charge 2d—Drunkenness on duty.

Additional Charge—Disobedience of Orders.

PLEA.

To the 1st *Charge* and *Specification* "Guilty."
To the 2d *Charge* and *Specification* "Not Guilty."
To *Additional Charge* and *Specification* "Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Lewis Stackhouse*, of Company I, 16th U. S. Infantry, "to forfeit to the United States ten (10) dollars of his monthly pay, per month, for three months; and to be confined at hard labor, in charge of the guard, at the station of his company, until the 1st day of April, 1870."

In the case of Private *Lewis Stackhouse* Co. I, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

11th—Private *Daniel Finigan*, Company D, 16th Infantry.

Charge 1st—Violation 6th Article of War.

Specification—In this; that he, Private *Daniel Finigan*, Co. D, 16th Infantry, did behave with disrespect towards his Commanding Officer, 1st Lieutenant Henry C. Ward, 16th Infantry, by using disrespectful and insulting language towards him. All this at or near the Post of Grenada, Mississippi, on or about the 3d day of February, 1870.

Charge 2d—Violation 9th Article of War.

Charge 3d—Drunk and disorderly conduct, to the prejudice of good order and military discipline.

PLEA. ..... "Not Guilty."

FINDINGS.

Of the *Specification* 1st *Charge* "Guilty,"
except the words "and insulting" in the fifth line of said *Specification*, and of the words so excepted "Not Guilty."
Of the 1st *Charge* "Guilty."
Of the 1st *Specification* 2d *Charge* "Guilty,"
by substituting the words "offer violence against" for the words "attempt to strike" in the second and third lines of said specification; and by further substituting the words "on or about" for the word "on" in the sixth line.
Of the 2d *Specification* and 2d *Charge* "Guilty."
Of the 3d *Charge* and *Specifications* "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Daniel Finigan*, Company D, 16th U. S. Infantry, "to forfeit to the United States ten (10) dollars

of his monthly pay, per month, for six months; and to be confined at hard labor, under charge of the guard where his company may be serving, for the same period."

In the case of Private *Daniel Finigan*, Co. D, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

12th—Private *James Clark*, Company K, 16th Infantry.

Charge 1st—Drunkenness on duty.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA ..... "Guilty."

FINDINGS. ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, "to forfeit to the United States ten (10) dollars of his monthly pay for one month, and to be confined, in charge of the guard of his proper station for one week."

The Court is thus lenient on account of the previous good character of the prisoner, as a soldier; and in consideration of his reduction to the ranks for the offences of which he has been convicted.

In the case of Private *James Clark*, Co. K, 16th Infantry, the proceedings are approved; the sentence will be carried into effect.

The leniency of the Court, for the reasons given, being practically, the exercise of the pardoning power, and which has been so often condemned, is disapproved.

13th—Corporal *William R. Freil*, Company B, 16th Infantry.

Charge 1st—Violation of the 50th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Corporal *W. R. Friel*, Company B, 16th U. S. Infantry, "to be reduced to the rank of a private soldier; and to forfeit to the U. S. twelve (12) dollars per month of his monthly pay for three months."

In the case of Corporal *W. R. Friel*, Co. B, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

14th—Private *Delprat Firmin*, Company C, 16th Infantry.

Charge 1st—Conduct to the prejudice of good order and military service.

Charge 2d—Violation of the 9th Article of War.

PLEA ..... "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*	"Guilty."
Of the 2d *Charge* and *Specification*	"Not Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Delprat Firmin*, Company C, 16th U. S. Infantry, "to forfeit to the United States two dollars of his monthly pay for one month."

In the case of Private *Delprat Firmin*, Co. C, 16th Infantry, the proceedings are approved; the sentence will be carried into effect.

15th—Private *Charles Coday*, Company H, 16th Infantry.

Charge 1st—Violation of the 50th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Charles Coday*, Co. H, 16th U. S. Infantry, "to be confined at hard labor, in charge of the guard of his proper station, for the period of one month, and to forfeit twelve (12) dollars per month of his monthly pay for three months."

In the case of Private *Charles Coday*, Co. H, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

16th—Private *Michael Eagan*, Company D, 16th Infantry.

Charge—Disobedience of orders, to the prejudice of good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS.

Of the *Specification* "Guilty."

Of the *Charge* "Not Guilty,"

but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE.

And the Court do therefore sentence him, private *Michael Eagan*, Co. D, 16th U. S. Infantry, "to be confined in charge of the guard, at the station of his company, at hard labor, for two months; and to forfeit to the United States twelve (12) dollars per month of his monthly pay, for three months."

In the case of Private *Michael Eagan*, Co. D, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

17th—Private *Mortimer White*, Company C, 16th Infantry.

Charge—Desertion.

PLEA ..... "Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Mortimer White*, Co. C, 16th U. S. Infantry, "to forfeit to the United States twelve (12) dollars of his monthly pay, per month, for six (6) months; and to be confined at hard labor, in charge of the guard, where his company may be serving, until the 1st day of August, 1870." The Court are thus lenient on account of the youth and inexperience of the prisoner, and the short time he had been in the service before the commission of the offence.

In the case of Private *Mortimer White*, Co. C, 16th U. S. Infantry, the proceedings are approved; the sentence will be carried into effect.

18th—Musicians *Henry Franks*, Co. G, 16th Infantry, *Michael O'Connor*, Co. G, 16th Infantry, and *Daniel Hillhouse*, Co. H, 16th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

To which *Charge* and *Specifications* the accused pleaded as follows, viz: *Henry Franks*, Musician Co. G, 16th Infantry, pleaded:

To the 1st *Specification* "Guilty."

To the 2d *Specification* "Not Guilty."

To the *Charge* "Guilty."

Michael O'Connor, Musician of Co. G. and *Daniel Hillhouse*, Musician of Co. H, 16th Infantry, each pleaded,

To the *Charge* and *Specifications* "Not Guilty."

FINDINGS.

Henry Franks, Musician of Co. G, 16th Infantry, and *Michael O'Connor*, Musician of Co. G, 16th Infantry,

Of the *Charge* and *Specifications* "Guilty."

Daniel Hillhouse, Musician Company H, 16th Infantry,

Of the *Charge* and *Specifications* "Not Guilty."

And the Court do therefore "acquit him, the said *Daniel Hillhouse*, Musician of Co. H, 16th Infantry."

SENTENCE.

And the Court do therefore sentence them, the said *Henry Franks*, and *Michael O'Connor*, Musicians of Company G, and each of them "to forfeit, each, the sum of ten (10) dollars per month of their monthly pay for four months."

In the cases of Musicians *Henry Franks* and *Michael O'Connor*, of Co. G, and Musician *Daniel Hillhouse*, of Co. H, 16th Infantry, the proceedings are approved; the sentences will be carried into effect. Musicians *Franks*, *O'Connor* and *Hillhouse* will be returned to duty.

19th—Musician *Michael O'Connor*, Company G, 16th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS.

Of the 1st *Specification* "Guilty."

Of the 2d *Specification* "Not Guilty."

Of the *Charge* "Guilty."

SENTENCE.

And the Court do therefore sentence him the said *Michael O'Connor*, Musician of Company G, 16th U. S. Infantry, "to forfeit to the United States five (5) dollars per month of his monthly pay for two months."

In the case of Musician *Michael O'Connor*, Company G, 16th Infantry, the proceedings are approved; the sentence will be carried into effect.

20th—Private *Albert B. Artour*, Company G, 16th Infantry.

Charge—Desertion.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Albert B. Artour*, of Company G, 16th U. S. Infantry, "to be confined at hard labor, in charge of the guard, at the place where his company may be serving, for the period of twelve months; to forfeit all pay and allowances now due, or to become due, except the just dues of the laundress, and necessary clothing during the period of his confinement; and, at the expiration of said confinement, to be dishonorably discharged the service of the United States."

In the case of Private *Albert B. Artour*, Co. G, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

21st—Private *George Schultzki*, Company G, 16th Infantry.

Charge—Desertion.

PLEA ..... "Not Guilty."

FINDINGS—Of the charge "Not Guilty," but guilty of absence without leave.

SENTENCE.

And the Court do therefore sentence him, Private *George Shultzki*, Co. G, 16th U. S. Infantry, "to forfeit to the U. S. ten (10) dollars of his monthly pay for three months."

In the case of Private *George Shultzki*, of Company G, 16th Infantry, the proceedings are approved; the sentence will be carried into effect. Private *Shultzki* will be returned to duty.

22d—Private *Daniel P. Delaney*, Company C, 16th Infantry.

Charge 1st—Desertion.

Charge 2d—Violation of the 22d Article of War.

PLEA.

To the 1st *Charge* and *Specification* "Not Guilty," but guilty of absence without leave.

To the second *Charge* and *Specification* "Guilty."

FINDINGS.

Of the *Charges* and *Specifications* "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Daniel P. Delaney*, of Company C, 16th U. S. Infantry, "to forfeit all pay and allowances due him at the time of his desertion; and to be confined at hard labor, in charge of the guard of his proper station, for the period of two months."

In the case of Private *Daniel P. Delaney*, Co. C, 16th Infantry, the proceedings are approved; the sentence—the leniency of which no circumstances could justify—will be carried into execution.

23d—Private *William Wright*, Company H, 16th Infantry.

Charge 1st—Absence without leave.

Charge 2d—Disobedience of orders.

(No Plea.)

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *William Wright*, of Company H, 16th U. S. Infantry, "to forfeit to the U. S. ten (10) dollars of his monthly pay, per month, for two months."

In the case of Private *William Wright*, Co. H, 16th U. S. Infantry, the proceedings do not show that the accused was allowed to plead: they are therefore disapproved.

Private *Wright* will be returned to duty.

II. The General Court Martial of which Brevet Major General R. S. GRANGER, Lieutenant Colonel 16th Infantry is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

EDWARD DAVIS,
Act. Asst. Adjt. General.

OFFICIAL:

Edward Davis
Actg. Asst. Adjt. General

1—Private RICHARD NAGLES, Company H, 14th Infantry.
2—Private WILLIAM LAWLESS, Company F, 14th Infantry.
3—Private WILLIAM H. RAGSDALE, Company H, 14th Infantry.
4—Private GEORGE ROWLEY, Company H, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, April 13th, 1870.

GENERAL ORDERS,
No. 12.

I. Before a General Court Martial which convened at Taylor Barracks, Louisville, Ky., on the 7th day of April, 1870, pursuant to Special Orders No. 39, paragraph I, current series, from these Head-Quarters, and of which Brevet Colonel G. A. WOODWARD, Lieut. Colonel 14th Infantry, is President, were arraigned and tried:

1st—Private *Richard Nagles*, Company H, 14th Infantry.
Charge—Utter Worthlessness.

PLEA.

To the *Specification*, "Guilty," except the words "proved himself utterly worthless as a soldier."
To the *Charge*, "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except the words "proved himself utterly worthless as a soldier."
Of the *Charge*, "Not Guilty."
And the Court does therefore "acquit him, Private *Richard Nagles*, Company H, 14th Infantry."

In the case of Private *Richard Nagles*, of Company H, 14th Infantry, the proceedings are approved. Private *Nagles* will be returned to duty.

2d—Private *William Lawless*, Company F, 14th Infantry.
Charge—Desertion.
PLEA ..... "Not Guilty."

FINDINGS.

Of the *Specification*, "Guilty," except the words "did desert," substituting therefor "did absent himself without authority from."
Of the *Charge*, "Not Guilty," but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *William Lawless*, Co. F, 14th Infantry, "to forfeit fifteen dollars of his monthly pay for one month, and to be confined in charge of the guard for two months."

In the case of Private *William Lawless*, Co. F, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

3d—Private *William H. Ragsdale*, Company H, 14th Infantry.

Charge—Desertion.

PLEA.

To the *Specification*, "Not Guilty,"
but guilty of "absence without leave for the time specified."

To the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

FINDINGS.

Of the *Specification*, "Guilty,"
except the words "did desert," substituting therefor "did absent himself without authority from."

Of the *Charge*, "Not Guilty,"
but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Ragsdale*, Co. H, 14th Infantry, "to forfeit ten dollars of his monthly pay for one month, and to be reprimanded by his company commander."

In the case of Private *William H. Ragsdale*, of Company H, 14th Infantry, the proceedings are approved, except the sentence of reprimand; the rest of the sentence will be carried into effect; and the prisoner be released from confinement.

4th—Private *George Rowley*, Company H, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

PLEA ..... "Not Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Rowley*, Co. H, 14th Infantry, "to forfeit ten dollars of his monthly pay for one month."

In the case of Private *George Rowley*, Co. H, 14th Infantry, although it was not properly brought before the Court, the proceedings are approved, and the sentence will be carried into effect.

II. In the cases of Privates *Ragsdale* and *Lawless*, the reward of thirty dollars paid, cannot, by a decision of the General of the Army, be charged on the pay rolls. A careful discretion must be used in deciding on claims for such rewards. As also, it is the duty of all officers, before signing charges—especially for General Courts Martial,—to be satisfied by investigation, that there is presumptive evidence of guilt.

III. The General Court Martial of which Brevet Colonel GEO. A. WOODWARD, Lieutenant Colonel 14th Infantry is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

EDWARD DAVIS,
Actg. Assistant Adjutant General.

OFFICIAL:

Wm Atwood

Actg. Assistant Adjutant General.

1—Private JOHN BOYLEN, Company B, 14th Infantry.
2—Private JOHN HINCHY, Company B, 14th Infantry.
3—Private JAMES BLANEY, Company B, 14th Infantry.
4—Private WILLIAM H. CHAMPION, Company B, 14th Infantry.
Private JOSHUA N. PENN, Company B, 14th Infantry.
5—Private JOSEPH FITZPATRICK, Company B, 14th Infantry.
Private MORGAN GILLIGAN, Company B, 14th Infantry.
6—Private PETER BIRMINGHAM, Company B, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky April 16th, 1870.

GENERAL ORDERS,
No. 13.

I. Before a General Court Martial which convened at Chattanooga, Tennessee, on the 7th day of April, 1870, pursuant to Special Orders No. 37, paragraph II, current series, from these Head-Quarters, and of which Captain G. S. CARPENTER, 14th Infantry, is President, were arraigned and tried:

1st—*John Boylen*, Company B, 14th Infantry.
Charge—Disobedience of Orders.
PLEA..... "Not Guilty."
FINDINGS..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Boylen*, Co. B, 14th Infantry, "to forfeit ten (10) dollars of his monthly pay for one month, and to be confined at hard labor under charge of the guard for thirty (30) days."

In the case of Private *John Boylen*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

2d—Private *John Hinchy*, Company B, 14th Infantry.
Charge 1st—Violation of the 45th Article of War.
Charge 2d—Violation of the 46th Article of War.
PLEA..... "Guilty."
FINDINGS..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hinchy*, Co. B, 14th Infantry, "to forfeit fifteen (15) dollars per month of his monthly pay for the period of four (4) months; and to be confined at hard labor under charge of the guard for the same period, wearing a twelve pound ball attached to his left leg by a chain six (6) feet long."

In the case of Private *John Hinchy*, Co. B, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

3d—Private *James Blaney*, Company B, 14th Infantry.
Charge—Conduct prejudicial to good order and military discipline.

PLEA ..... "Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Blaney*, Co. B, 14th Infantry, "to forfeit to the United States fifteen (15) dollars of his monthly pay for the period of one (1) month."

In the case of Private *James Blaney*, Co B 14th Infantry the proceedings are approved; the sentence—absurdly lenient—will be carried into effect.

4th—Privates *William H. Champion* and *Joshua N. Penn*, Company B, 14th Infantry.

Charge—Conduct prejudicial to good order and military discipline.

PLEA ..... "Not Guilty."
FINDINGS ..... "Not Guilty."

And the Court does therefore "acquit them, Privates *William H. Champion* and *Joshua N. Penn*, Co. B, 14th Infantry."

In the cases of Privates *William H Champion* and *Joshua N. Penn*, Co. B, 14th Infantry, the facts do not seem to have supported the charge; nor any attempt to have been made to support the more important facts by evidence. The prisoners will be released from confinement.

5th—Privates *Joseph Fitzpatrick* and *Morgan Gilligan*, Co. B, 14th Infantry.

Charge 1st—Conduct prejudicial to good order and military discipline.

Specification—In this; that Privates *Joseph Fitzpatrick* and *Morgan Gilligan*, Company B, 14th Infantry, did attack, kick, beat, and otherwise maltreat Corporal *Thomas Geraghty*, Co. B, 14th Infantry, without cause or provocation. This at or near the post of Chattanooga, Tenn., on or about the 28th day of March, 1870.

Charge 2d—Disobedience of orders.

PLEA ..... "Not Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence them, Privates *Joseph Fitzpatrick* and *Morgan Gilligan*, Company B, 14th Infantry, and each of them, "to forfeit to the United States ten (10) dollars per month of their monthly pay for the period of four (4) months; and to be confined at hard labor, under charge of the guard, for the same period: the first and last fourteen (14) days of said period to be solitary confinement on bread and water diet."

In the cases of Privates *Joseph Fitzpatrick* and *Morgan Gilligan*, Co. B, 14th Infantry, the proceedings are approved; the sentences will be carried into execution.

6th—Private *Peter Birmingham*, Company B, 14th Infantry.

Charge—Desertion.

PLEA ..... "Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Birmingham*, Co. B, 14th Infantry, "to be confined at hard labor under charge of the guard for the period of six (6) months; wearing a ball weighing twelve pounds attached to his left leg by a chain two feet long; at the expiration of which time to be dishonorably discharged the service with forfeiture of all pay and allowances that are now due him or may become due him at the date of such discharge, except the sum of ten (10) dollars in excess of the just dues of the laundress."

In the case of Private *Peter Birmingham*, Co. B, 14th Infantry, the proceedings are approved; the sentence is mitigated to read as follows:

"To be confined at hard labor under charge of the guard for the period of six months, wearing a ball weighing twelve pounds attached to his left leg by a chain two feet long; with a forfeiture of fourteen dollars a month of his pay for the same period." This will be carried into execution under the orders of the commanding officer at the station of his company.

II. The General Court Martial, of which Captain G. S. Carpenter, 14th Infantry, is President, is hereby dissolved.

By command of Brevet Major General Cooke:

EDWARD DAVIS,
Actg. Assistant Adjutant General.

OFFICIAL:

Actg. Assistant Adjutant General.

1—Private BERNARD WILLIAMS, Company K, 14th Infantry.
2—Private JOSEPH MCGLASHON, Battery M, 2d Artillery.
3—Private ROBERT DAVIS, Company D, 14th Infantry.
4—Private JOHN HORRIGAN, Company K, 14th Infantry.
5—Private JAMES STAPLES, Company G, 14th Infantry.
6—Private HENRY HAYDEN, Company C, 14th Infantry.
7—Private AUGUSTUS LIPTHAL, Company C, 14th Infantry.
8—Private WILLIAM BURKE, Company C, 14th Infantry.
9—Private JOSEPH WALTER, Company G, 14th Infantry.
10—Private JOHN MACKEL, Company K, 14th Infantry.
11—Musician CHARLES DUDLEY, Company K, 14th Infantry.
12—Private JOHN SMITH, Company E, 14th Infantry.
13—Private MICHAEL THOMPSON, Company D, 14th Infantry.
14—Private THOMAS JOHNSON, Company E, 14th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, April 25th, 1870.

GENERAL ORDERS,
No. 16.

I. Before a General Court Martial which convened at Nashville, Tennessee, April 8th, 1870, pursuant to Special Orders No. 38, from these Head-Quarters, and of which Major JAMES F. WEEDS, Surg. U. S. A., is President, were arraigned and tried:

1st—Private *Bernard Williams*, Company K, 14th Infantry.
Charge 1st—Theft, to the prejudice of good order and military discipline.
Charge 2d—Absence without leave.

PLEA.

To the 1st *Charge* and *Specification*	"Not Guilty."
To the 2d *Charge* and *Specification*	"Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification*	"Not Guilty."
Of the 2d *Charge* and *Specification*	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Bernard Williams*, Co. K, 14th Infantry, "to forfeit to the United States twelve (12) dollars of his monthly pay for one (1) month, and to be confined at hard labor in charge of the guard, for the period of thirty (30) days."

In the case of Private *Bernard Williams*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

2d—Private *Joseph McGlashon*, Battery M, 2d Artillery.
Charge—Desertion.

PLEA..... "Guilty."
FINDINGS..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Joseph McGlashon*, Battery M, 2d U. S. Artillery, "to be confined in charge of the guard for the pe-

ried of three (3) months, fourteen (14) days of each month to be in solitary confinement on bread and water diet; to forfeit ten (10) dollars per month for three (3) months, and to refund to the United States thirty (30) dollars, paid for his apprehension; when not in close confinement to wear a twelve (12) pound ball attached to his leg by a chain two (2) feet long."

In the case of Private *Joseph McGlashon*, Battery M, 2nd Artillery, the proceedings are approved; the sentence will be carried into execution, under the orders of the Commanding Officer at Ash Barracks, Nashville, Tenn.

3d—Private *Robert Davis*, Company D, 14th Infantry.

Charge—Desertion.

PLEA ..... "Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Robert Davis*, Co. D, 14th Infantry, "to be confined at hard labor, in charge of the guard, for three (3) months, wearing a twelve (12) pound ball attached to his leg by a chain two (2) feet long; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period; and to refund to the United States thirty (30) dollars paid for his apprehension."

In the case of Private *Robert Davis*, Co. D, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

4th—Private *John Horrigan*, Company K, 14th Infantry.

Charge—Desertion.

PLEA ..... "Guilty."

FINDINGS ..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *John Horrigan*, Co. K, 14th Infantry, "to be confined at hard labor under charge of the guard for six (6) months, wearing a ball weighing twelve (12) pounds attached to his leg by a chain two (2) feet long, and to forfeit ten (10) dollars per month of his monthly pay for the same period; and to refund to the United States thirty (30) dollars paid for his apprehension."

In the case of Private *John Horrigan*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

5th—Private *James Staples*, Company G, 14th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this; that he, Private *James Staples*, Co. G, 14th Infantry, a duly enlisted soldier in the Army of the United States, did, on or about the 1st of April, 1870, break into or forcibly enter the house of one RICHARD SHED, a colored citizen of Murfreesboro, Tennessee, and did take or steal, and carry away several articles of clothing, value not known, the property of the said SHED, and without his (SHED'S) consent, with the intention of applying the same to his own use.

Specification 2d—In this; that he, Private *James Staples*, Co. G, 14th Infantry, a duly enlisted soldier in the Army of the United States, did, after forcibly entering the house of one SHED, a colored citizen of Murfreesboro, Tenn., abuse, strike and beat with some concealed weapon, the said SHED, and bringing the troops stationed at Murfreesboro, in ill repute. This at Murfreesboro, Tennessee, on or about the night of the 1st of April, 1870.

PLEA ..... "Not Guilty."

FINDINGS.

Of the 1st *Specification*, Guilty—except the words "break into" and "forcibly," and of the excepted words, "Not Guilty."

Of the 2d *Specification*, Guilty—except the word "forcibly"—of the excepted word—Not Guilty, and substituting for the words "concealed weapon" the word "bayonet."

Of the *Charge* "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *James Staples*, Co. G, 14th 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, except the just dues of the laundress, and to be confined at hard labor in such penitentiary as the Major General Commanding the Department may direct, for the period of one year."

In the case of private *James Staples*, Co. G, 14th Infantry, the proceedings are approved; the sentence will be carried into execution: the penitentiary of the State of Tennessee, at Nashville, is designated,—to which the prisoner will be sent by his commanding officer, with a copy of this order.

6th—Private *Henry Hayden*, Company C, 14th Infantry.

Charge 1st—Violation of the 45th Article of War.

Charge 2d—Conduct to the prejudice of good order and military discipline.

Specification—In this; that he, Private *Henry Hayden*, Co. C, 14th Infantry, did take from the quarters of Company C, 14th Infantry, at Nashville, Tennessee, one (1) pair of trowsers, the property of Raphael Siciliani (citizen.) All this on or about the 5th day of March, 1870.

PLEA ..... "Not Guilty."

FINDINGS.

Of the 1st *Charge* and *Specification* "Not Guilty."

Of the 2d *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Hayden*, Co. C, 14th Infantry, "to be confined in charge of the guard for four (4) months; fourteen days of each month in solitary confinement on bread and water diet. When not in confinement to be kept at hard labor, with a twelve pound ball attached to his leg by a chain two (2) feet long, and to forfeit all pay now due or to become due until the expiration of his sentence."

In the case of Private *Henry Hayden*, Co. C, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

7th—Private *Augustus Lipthal*, Company C, 14th Infantry.

Charge—Violation of the 46th Article of War.

Specification—In this; that Private *Augustus Lipthal*, Co. C, 14th Infantry, having been duly posted as a sentinel, did quit his post before he was regularly relieved. This at the Post of Murfreesboro, Tenn., on or about the 20th day of March, 1870.

PLEA ..... "Not Guilty."

FINDINGS ..... "Not Guilty."

And the Court does therefore "acquit the accused, Private *Augustus Lipthal*, Co. C, 14th Infantry."

In the case of Private *Augustus Lipthal*, Co. C, 14th Infantry, the proceedings are approved; Private *Lipthal* will be restored to duty. The evidence in this case reveals a state of discipline and guard service so discreditable as to involve at least a large part of the regiment.

8th—Private *William Burke*, Company C, 14th Infantry.

Charge—Violation of the 46th Article of War.

Specification—In this; that Private *William Burke*, Co. C 14th Infantry, having been duly posted as a sentinel, did quit his post before he was regularly relieved. This at the post of Murfreesboro, Tennessee, on or about the 20th day of March, 1870.

PLEA..... "Not Guilty."

FINDINGS..... "Not Guilty."

And the Court do therefore "acquit the accused Private *William Burke*, Company C, 14th Infantry."

In the case of Private *William Burke*, Co. C, 14th Infantry, the findings can only be approved on the grounds that the gross neglect of the non-commissioned officers of the guard is an excuse for that of the sentinels. The prisoner will be restored to duty.

9th—Private *Joseph Walter*, Company G, 14th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Conduct prejudicial to good order and military discipline.

Charge 3d—Violation of the 58th Article of War.

PLEA..... "Guilty."

FINDINGS.

Of the 1st and 2d *Charges* and *Specifications*, "Guilty."

Of the *Specification 3d Charge*, "Guilty."

Of the *3d Charge*, "Not Guilty,"

but guilty of conduct prejudicial to good order and military discipline.

SENTENCE.

And the Court do therefore sentence him, Private *Joseph Walter*, Co. G, 14th Infantry, on detached service in Regimental Band, as follows:

"To be confined in charge of the guard for thirty (30) days; fourteen (14) days of said confinement to be solitary, and on bread and water diet; and when not in confinement, to carry a log weighing thirty (30) pounds, from Reveille to Retreat, except for one hour each for breakfast, dinner, and supper."

In the case of Private *Joseph Walter*, Co. G, 14th Infantry, the proceedings are approved; the sentence will be carried into execution; except the part requiring the carrying of a weight, which is remitted, solely on account of the regiment being under orders for service in the field.

10th—Private *John Mackel*, Company K, 14th Infantry.

Charge—Utter Worthlessness.

PLEA.

To the *Specification* "Guilty,"

except the words "shown himself to be worthless as a soldier on account of his confirmed habit of intoxication, he having;" and to the excepted words "Not Guilty."

To the *Charge* "Not Guilty."

FINDINGS.

Of the *Specification* to the *Charge* "Guilty,"

except the first three counts, it appearing from the *Specification* that these offences were committed more than two years prior to the date of arraignment—and substituting the word "sixteen (16)" for the word "twenty (20)".

Of the *Charge* "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *John Mackel*, Co. K, 14th Infantry, "to be dishonorably discharged the service." The Court is thus lenient in consideration of the former services of the accused."

In the case of Private *John Mackel*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into effect.

11th—Musician *Charles Dudley*, Company K, 14th Infantry.

Charge—Violation of the 5th Article of War.

PLEA..... "Not Guilty."

FINDINGS..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Musician *Charles Dudley*, Co. K, 14th Infantry, "to be confined at hard labor in charge of the guard for a period of thirty (30) days, and to forfeit ten (10) dollars per month of his monthly pay for a period of two (2) months."

In the case of Musician *Charles Dudley*, Co. K, 14th Infantry, the proceedings are approved; the sentence will be carried into execution.

12th—Private *John Smith*, Company E, 14th Infantry.

Charge 1st—Absence without leave.

Charge 2nd—Violation of the 14th Article of War.

PLEA..... "Guilty."

FINDINGS..... "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *John Smith*, Co. E, 14th Infantry, "to be confined in charge of the guard for thirty (30) days, fourteen (14) days to be in solitary confinement on bread and water diet; when not in confinement to carry a log weighing twenty-five (25) pounds, from Reveille to Retreat, except one hour each for breakfast, dinner and supper, and to forfeit ten (10) dollars per month for two (2) months."

In the case of Private *John Smith*, Co. E, 14th Infantry, the proceedings are approved; the sentence will be carried into execution, except so much as relates to carrying a log, which is remitted.

13th—Private *Michael Thompson*, Company D, 14th Infantry.

Charge 1st—Violation of the 21st Article of War.

Charge 2d—Utter Worthlessness, to the prejudice of good order and military discipline.

PLEA.

To the 1st *Charge* and *Specification*.	"Guilty."
To the *Specification* 2d *Charge*.	"Guilty."
To the 2d *Charge*.	"Not Guilty."
FINDINGS.....	"Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Michael Thompson*, Co. D, 14th Infantry, "to be indelibly marked on the left hip with the letter "W," one and one-half inches in length; to be confined in charge of the guard ten days after such marking, and then to be dishonorably discharged the service with loss of all pay and allowances that are or may become due, except the just dues of the laundress."

In the case of Private *Michael Thompson*, Co. D, 14th Infan-

try, the proceedings are approved; the sentence will be carried into execution, except the confinement for ten days, which is remitted.

14th—Private *Thomas Johnson*, Company E, 14th Infantry.

Charge 1*st*—Conduct to the prejudice of good order and military discipline.

Charge 2*d*—Violation of the 9th Article of War.

PLEA.

To the 1*st Specification* 1*st Charge*, "Not Guilty."
To the 2*d Specification* and 1*st Charge*, "Guilty."
To the 2*d Charge* and *Specification*, "Guilty."

FINDINGS.

Of the 1st *Specification* 1st *Charge* "Guilty," except the words "attack with his fists Private James Riley, Co. E, 14th Infantry, and did," and "I will kill you the first chance I get at you," and the words "attack Private James Riley, Company E, 14th Infantry, and"—and of the excepted words, "Not Guilty."
Of the 2d *Specification* and 1st *Charge* "Guilty."
Of the 2d *Charge* and *Specification* "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Thomas Johnson*, Co. E, 14th Infantry, "to forfeit to the United States ten (10) dollars of his monthly pay for three (3) months; to be confined in charge of the guard for thirty (30) days, fourteen (14) days of said confinement to be in solitary confinement on bread and water diet, the balance of the confinement to carry a log weighing twenty (20) pounds, from guard-mount to Retreat, each day—with one hour's intermission each day for dinner."

In the case of Private *Thomas Johnson*, Co. E, 14th Infantry, the proceedings are approved; the sentence will be carried into execution, except that part relating to carrying a log, which is remitted.

By Command of Brevet Major General Cooke:

EDWARD DAVIS,
Actg. Asst. Adjt. General.

OFFICIAL:

Edward Davis
Actg. Asst. Adjt. General.

1—Private PETER DALEY, Company F, 16th Infantry.
2—Private JAMES W. WILKINS, Company F, 16th Infantry.

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HEAD-QUARTERS DEPARTMENT OF THE CUMBERLAND,
Louisville, Kentucky, May 2d, 1870.

GENERAL ORDERS,
No. 18.

I. Before a General Court Martial which convened at Vicksburg, Mississippi, April 19th, 1870, pursuant to Special Orders No. 41, April 14th, 1870, from these Head-Quarters, and of which Brevet Major General W. P. CARLIN, Major 16th Infantry, is President, were arraigned and tried:

1st—Private *Peter Daley*, Company F, 16th Infantry.
Charge 1st—Violation of the 50th Article of War.
Charge 2d—Violation of the 45th Article of War.
PLEA ..... "Not Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Peter Daley*, Company F, 16th U. S. Infantry, "to be confined at hard labor in charge of a guard for the period of four (4) months, and forfeit to the United States ten (10) dollars of his monthly pay for the same period."

In the case of Private *Peter Daley*, Company F, 16th Infantry, the proceedings are approved; the sentence will be carried into execution.

2d—Private *James W. Wilkins*, Company F, 16th Infantry.
Charge 1st—Desertion.
Charge 2d—Theft, to the prejudice of good order and military discipline.
PLEA ..... "Not Guilty."
FINDINGS ..... "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James W. Wilkins*, Company F, 16th Infantry, "to forfeit all pay and allowances that are now due or may become due him; to be confined at hard labor in charge of the guard for six months, and then to be dishonorably discharged the service."

In the case of Private *James W. Wilkins*, Company F, 16th Infantry, the proceedings are approved; the sentence will be carried into execution, except the discharge from the service, which is remitted.

II. The General Court Martial, of which Brevet Major General W. P. CARLIN, Major 16th Infantry, is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL COOKE:

EDWARD DAVIS,
Actg. Asst. Adjt. General.

OFFICIAL:

.....
Actg. Asst. Adjt. General.

U.S. Army. Dept. of the Cumberland

Law

1866-70