

GENERAL ORDERS, }
No. 3. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, February 25, 1861.

I...At the General Court-Martial which convened at Fort Duncan, Texas, pursuant to "Special Orders," No. 88, of October 17, 1860, from the Headquarters Department of Texas, and of which Brevet Major W. H. FRENCH, Captain 1st Artillery, is President, were arraigned and tried:

1st. Private *William C. Tully*, of Light Company K, 1st Artillery.

CHARGE I.

"Violation of the 46th Article of War."

Specification—"In this; That Private *William C. Tully*, alias *William Tully*, of Light Company K, 1st Artillery, having been duly posted as a sentinel, did lie down on his post and go to sleep. This at Fort Clark, Texas, on or about the morning of the 8th July, 1860."

CHARGE II.

"Mutinous conduct."

Specification—"In this; That the said *William C. Tully*, alias *William Tully*, of Light Company K, 1st Artillery, having been relieved from post aforesaid and brought to the guard-house, did take a loaded pistol-carbine belonging to one of the guard and discharge it at Corporal O. C. Maguire, of the same company, who was in command of the guard, with the intent to kill said Corporal; and did further threaten the said Maguire, 'You son of a bitch, I will shoot you yet before I leave Texas.' This at Fort Clark, Texas, on or about the morning of the 8th of July, 1860."

To all which charges and specifications, the prisoner declining to plead, the plea of "Not Guilty" was entered.

FINDING OF THE COURT.

After mature deliberation on the testimony adduced the Court finds the prisoner as follows:

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

Of the 1ST CHARGE, "Guilty."

Of the *Specification* to 2d Charge, "Guilty."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does sentence him, Private *William C. Tully*, alias *William Tully*, of Light Company K, 1st Artillery, "To forfeit all pay and allowances that are now or may become due him; to be dishonorably discharged the service of the United States, and to be kept in close confinement for the period of ten years in the Penitentiary of the District of Columbia."

2d. Private *Lawrence Clements*, of the Band, 3d Infantry.

CHARGE.

"Violation of the 9th Article of War."

Specification—"In this; That he, Private *Lawrence Clements*, of the Band, 3d Infantry, did strike with a knife, or other weapon, his superior officer, Second Principal Musician *Christian Reuter*, of the Band, 3d Infantry, being in the execution of his office, thereby inflicting on said *Reuter* a dangerous wound. This at or near Fort Marey, N. M., on or about the night of the 25th of May, 1860."

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

FINDING OF THE COURT.

After mature deliberation on the testimony adduced the Court finds the prisoner as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Lawrence Clements*, of the Band, 3d Infantry, "To forfeit all pay and allowances that are now or may become due him; to be dishonorably discharged the service of the United States, and to be kept in close confinement for the period of ten years in the Penitentiary of the District of Columbia."

II...The proceedings of the General Court-Martial in the foregoing cases have been transmitted to the Secretary of War, and are by him confirmed. The prisoners, *Tully* and *Clements*, will be sent to Washington under a proper guard and delivered to the Warden of the Penitentiary.

BY ORDER OF THE SECRETARY OF WAR:

S. COOPER,

Adjutant General.

OFFICIAL :

Assistant Adjutant General.

