

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Report of the Adjutant-General, dated the 15th instant, inclosing copies of reports from the Commanding Generals of the Divisions of the Missouri and the Pacific, giving the desired information called for in Senate resolution of January 30, 1882, calling for the number of Indians held as prisoners, under orders from the War Department, &c.

MARCH 1, 1882.—Referred to the Committee on Indian Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington City, February 28, 1882.

SIR: In response to Senate resolution of January 30, 1882, which provides—

That the Secretary of War be directed to inform the Senate what number of Indians, if any, are held as prisoners, under orders from the War Department, and where, for what cause, and how long they have been so held, and what legal or other obstacle exists to a speedy and final determination of the question of their further continuance in confinement—

I have the honor to transmit herewith a report of the Adjutant-General, dated the 15th instant, inclosing copies of reports from the commanding generals of the Divisions of the Missouri and the Pacific, called for by this department, upon the subject in question.

As will be seen from these reports, the number of Indian prisoners within the limits of the Division of the Missouri is 578, located as follows:

Fort Randall, Dak.....	160
Fort Keogh, Mont.....	412
Fort Union, N. Mex.....	2
Fort Leavenworth, Kans.....	2
Fort Davis, Tex. (children).....	2

Of this total number, those at Fort Randall (160) are in camp under military supervision, and are a part of the band of Sitting Bull, headed by that chief. The division commander knows of no legal objection to the final determination of the question of their further retention by this department, but believes that it would be imprudent to release Sitting Bull and his principal men from military supervision for some little time to come. This department will turn the others over to the care of the Indian Bureau as soon as it receives information from the Department of the Interior that it is ready to furnish subsistence, &c., for their support.

Of the number (412) at Fort Keogh, a portion surrendered to the military authorities, and others of them were captured. These Indians are prisoners only in name. They live in their own camp and are not under guard, are self-sustaining and entirely contented, and, whilst there is no known legal objection to their removal, it is believed that they would deem it a great hardship to be compelled to give up their houses, the ground which they have brought into cultivation, and their own improvements.

Those at Fort Union (two in number) are held at the request of the Department of the Interior, having been arrested at the Mescalero Agency for insubordinate conduct.

Those at Fort Leavenworth (two in number) are also held at the request of the Department of the Interior.

The two children at Fort Davis have also been held upon request of the Department of the Interior, and will be sent to the Mescalero Agency at the earliest opportunity.

The total number of Indian prisoners within the limits of the Division of the Pacific is 76, located as follows:

Alcatraz Island	2
Vancouver Barracks	3
Fort Lowell	44
Camp Thomas	27

Of those at Alcatraz Island and Vancouver Barracks, one is serving a sentence of imprisonment for life, and the others are held under a charge of murder.

Of those at Fort Lowell and Camp Thomas, 66 are in confinement at the request of their agent, they having participated in the recent outbreak in Arizona. Orders to turn them over to the care of the Indian agent have already been issued in pursuance of a request to that effect from the Commissioner of Indian Affairs; five are Indian scouts held under sentence of court-martial, of whom three have been sentenced to be hanged on the 3d of March proximo.

For more detailed information reference is made to the accompanying reports.

With reference to the general subject of the custody of these Indians it is proper to remark that, with the exception of those undergoing sentence and those awaiting trial for offenses committed, they can hardly be regarded as held "under orders from the War Department," except in a technical sense, as they are held simply upon request of the Department of the Interior, whose jurisdiction in the matter is recognized by this department.

The care and maintenance of Indian prisoners have formed a subject of much embarrassment and of frequent correspondence between this department and the Department of the Interior. The inability of the Indian Bureau, from want of appropriation, to provide for their subsistence has necessarily devolved their support upon this department, thus taxing heavily the appropriation made for the support of the Army, and rendering reimbursement contingent upon future appropriations by Congress upon estimates of the Indian Bureau. The subject is one which is of necessity governed more by the exigencies of the cases as they arise than by any fixed rule or policy, and is an anomaly that can be prevented only by suitable legislation.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,
Secretary of War.

The PRESIDENT *pro tempore*
of the United States Senate.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, February 15, 1882.

SIR: I have the honor to return herewith Senate resolution of January 30, 1882, calling for the number of Indians now held as prisoners under the orders of the War Department, and certain other information concerning said Indians, which was referred to this office for report.

The required information not being in possession of this office, I telegraphed on the 2d instant to the commanding generals of the Divisions of the Missouri and the Pacific for a report on the subject, and I beg to transmit herewith copies of their replies giving in detail the facts asked for in the Senate resolution.

The following table presents a *résumé* of the reports, so far as the numbers in confinement, and place of detention is concerned, but for the cause of confinement and obstacles, if any, to their speedy release, I invite attention to the inclosed reports:

Department.	Post.	Indians.	
		No.	Tribe.
Dakota	Fort Randall	160	Sioux.
Missouri	Fort Union, N. Mex	2	Mescalero Apaches.
Do	Fort Leavenworth	2	Pah-Utes.
Texas	Fort Davis	2	Apaches.
California	Alcatraz Island	2	1 Apache, 1 Piute.
Columbia	Vancouver Barracks	3	2 Siletz, 1 Nez Percé.
Arizona	Fort Lowell	44	41 Apaches, 3 Apache scouts.
Do	Camp Thomas	27	26 Apaches, 1 scout.
Total		242	
Dakota	Fort Keogh	412	Cheyennes (prisoners only in name).

I beg to invite attention to the fact that the 412 Northern Cheyennes at Fort Keogh are prisoners only in name, and are reported by General Terry as entirely self-sustaining and contented.

The three Indian scouts in confinement at Fort Lowell are sentenced to be hanged on the 3d proximo, and a copy of the general court-martial order in the case is transmitted herewith.

I have the honor to be, sir, very respectfully, your obedient servant,
R. C. DRUM,
Adjutant-General.

The Hon. SECRETARY OF WAR.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, February 15, 1882.

Official copy of reports from commanding generals of the Divisions of the Missouri and the Pacific relative to confinement of Indian prisoners.

R. C. DRUM,
Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., February 10, 1882.

SIR: In the absence of the lieutenant-general commanding, and in accordance with your telegraphic instructions of the 2d instant, I have the honor to forward herewith copies of the reports of department commanders showing the number of Indians held as prisoners under military orders within the limits of this division.

Very respectfully, your obedient servant,

R. WILLIAMS,
Assistant Adjutant-General.

ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

INDIAN PRISONERS.

[Copy of telegram.]

HEADQUARTERS DEPARTMENT OF DAKOTA,
*Fort Snelling, Minn., February 6, 1882.*ADJUTANT-GENERAL,
Division of the Missouri, Chicago, Ill. :

In reply to your telegram of 2d, I have the honor to inform you that at Fort Randall, Dak., 160 Uncpapa Sioux are held as prisoners of war. Of these Indians there are of males sixteen years of age and more, 40; of females sixteen years of age and more, 52; of males and females under sixteen years of age, 68. I think that these Indians have never lived at any agency. They are a part of the band of Sitting Bull, and that chief is among them. They came from the Northwestern British possessions to Fort Buford, Dak., and there surrendered; thence they were sent to Fort Yates, and thence to Fort Randall. I know of no legal objection to the final determination of the question of their further confinement; but if they are no longer to be held as prisoners of war, I earnestly recommend that at least the principal men, including Sitting Bull, be sent to some agency in the vicinity of a military post.

I do not think that it will be prudent to release Sitting Bull and his principal men from military supervision for some little time to come. They are now in technical, rather than actual, confinement. They occupy a camp in the vicinity of Fort Randall, but, of course, are under guard. There are at Fort Keogh 412 Northern Cheyennes. Of these, 173 surrendered April 25, 1877. Forty-nine arrived at Keogh in the summer of 1878, from the Arapahoe Agency. One hundred and fifteen, coming from the Indian Territory, were captured March 25, 1879; and 75 arrived at Keogh January 17, 1880, from the Pine Ridge Agency. These Indians are prisoners only in name; they live in their own camp, and are not under guard. They cultivate the ground, they have cattle, they have built dwellings and cellars for the preservation of their crops. They are entirely self-sustaining, and are contented. I know of no legal objection to their removal, but I am confident they would think it a great hardship were they compelled to give up their houses, the ground which they have brought into cultivation, and their own improvements.

ALFRED H. TERRY,
Brigadier-General.

[Copy of telegram.]

OMAHA, NEBR., *February 4, 1882.*ADJUTANT-GENERAL,
Military Division of the Missouri, Chicago, Ill. :

No Indians are held as prisoners under military orders within this department.

GEORGE CROOK,
*Brigadier-General.*HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., February 8, 1882.

SIR: In reply to your telegram of the 2d instant, I have the honor to state that three Mescalero Indians, names unknown, have been in confinement at Fort Union, N. Mex., since February 10, 1881. They were arrested at the camp at the Mescalero Agency for insubordinate conduct, and to prevent their joining hostile bands then raiding, and on the recommendation of the Interior Department that they "be placed in close confinement at one of the posts in the vicinity," were transferred to Fort Union. On my recent visit to Fort Union I directed the release of one of these Indians. The other two should not in my opinion be set at liberty, and they should be transferred to some other point where they can be securely guarded.

At Fort Leavenworth, Kans., two Pah-Utes have been in confinement since September 15, 1881. They were taken prisoners by the Uncompahgre Utes, and were turned over by them to their agent (Berry), as bad Indians, who were incessantly engaged in robbing and murdering whites in Utah and Western Colorado. They were sent here on request of the Interior Department, similar to the one cited in case of the Mescaleros.

I have repeatedly called attention to the cases of these Indians, and recommend that they be held, fed, and provided for in all respects by the Interior Department, but so far without success.

Both these parties of Indians are undoubtedly persons whom it would be dangerous to set at liberty, so that their continued confinement would seem to be necessary to the peace of the section in which they live, but the guard houses of the Army are

not the proper persons for this class of persons, nor shall the appropriations of the Army be taxed for their support.

I am, sir, very respectfully, your obedient servant,

JOHN POPE,

Brevet Major-General, U. S. A., Commanding.

ADJUTANT-GENERAL, MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill.

[Copy of telegram]

SAN ANTONIO, TEX., *February, 6, 1882.*

ADJUTANT-GENERAL, *Chicago, Ill.:*

Referring to your telegram of 2d, only Indians are two children, believed to be Apaches, captured by Texas rangers near Del Diablo Mountains January 29th, and turned over to commanding officer, Fort Davison, February 6, 1881, under request from Secretary Interior March 25, 1881. Are now awaiting opportunity to be sent to Stanton, Mescalero Agency.

AUGUR, *Brigadier-General.*

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
Presidio, S. F., Cal., February 3, 1882.

ADJUTANT-GENERAL, *Washington, D. C.:*

In answer to your telegram about Indian prisoners I have to report as follows:

At Alcatraz Island there is in confinement, since December 20, Piute Dick, brought to me by chiefs of his tribe for murder of an Indian. Instructions in his case asked December 20. An Indian scout, No. 15, in confinement since January 5, 1882, sentenced to confinement for term of natural life, by general court-martial, promulgated in General Court-Martial Orders No. 16, Department of Arizona, 1881.

At Vancouver Barracks, two Siletz Indians in confinement since December 31, 1880; charged with murder of an Indian; and one Nez Percé Indian, in confinement since November 9, 1880, charged with murder of Indian.

Instructions in these cases asked from Adjutant-General January 30, 1882.

At Fort Lowell and Camp Thomas, Arizona, there are 67 Indian prisoners in confinement for participation in the recent outbreak in Arizona, awaiting action of the War Department as to their disposition, besides 5 Indian scouts tried by court-martial.

These are all the Indian prisoners under military orders in this division that have been reported up to date. I have, however, telegraphed department commanders to report by telegraph fully in reply to your dispatch of yesterday.

McDOWELL,
Major-General.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
Presidio, S. F., Cal., February 4, 1882.

ADJUTANT-GENERAL, *Washington, D. C.:*

There is nothing to add to the information sent yesterday in regard to Indian prisoners under military orders in the Departments of California and Columbia. There are 70 prisoners in Department of Arizona instead of 72, as stated. Three of these are disloyal scouts, arrested in September last, and tried at Fort Lowell, and now awaiting action on proceedings sent to War Department.

There are 41 White Mountain Apaches at Fort Lowell, confined October 1, 1881, for complicity in Cibicu outbreak and Cherry Creek murders. There are 26 White Mountain Apaches at Fort Thomas, arrested and confined between September 20 and November 1, for engaging in attack upon Fort Apache, and for complicity in the Seven Mile Hill murder. The papers and reports sent to you, and referred to in my dispatch of yesterday, set forth all facts in regard to these Indians.

McDOWELL,
Major-General.

[Telegram,]

SAN FRANCISCO, CAL., February 6, 1882.

ADJUTANT-GENERAL, Washington, D. C.:

Commanding general, Department of Arizona, reports the arrest of another Indian scout by the acting Indian agent at San Carlos. He has requested that he be sent to Camp Thomas.

MCDOWELL,
Major-General.

[General Court-Martial Orders No. 12.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 6, 1882.

I. Before a general court-martial which convened at Fort Grant, Arizona Territory, November 11, 1881, pursuant to Special Orders No. 125, dated October 31, and No. 127, dated November 7, 1881, Headquarters Department of Arizona, Whipple Barracks, Prescott, Arizona, and of which Major JAMES BIDDLE, 6th Cavalry, is president, were arraigned and tried—

1. *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts.

CHARGE I.—“Violation of the 21st Article of War.”

Specification—“In that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, did offer violence by raising his gun against his superior officer, Colonel E. A. Carr, 6th Cavalry; Captain E. C. Hentig, 6th Cavalry; 1st Lieut. William Stanton, 6th Cavalry; 1st Lieut. W. H. Carter, 6th Cavalry; and 2d Lieut. T. Cruse, 6th Cavalry, while in the execution of their offices, and did shoot at same, with intent to do bodily injury. This at or near Cibicu Creek, A. T., on or about August 30th, 1881.”

CHARGE II.—“Mutiny, in violation of the 22d Article of War.”

Specification—“In that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, did join in mutiny, and did resist and fire upon the forces of the United States under command of Colonel E. A. Carr, 6th Cavalry. This at or near Cibicu Creek, A. T., on or about August 30th, 1881.”

CHARGE III.—“Violation of the 23d Article of War.”

Specification—“In that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, was present at and had knowledge of a mutiny against his commanding officer, Colonel E. A. Carr, 6th Cavalry, and did fail to use his utmost endeavor to suppress the same, and did fail to give information thereof to the aforesaid commanding officer. This at Cibicu Creek, A. T., on or about August 30th, 1881.”

CHARGE IV.—“Desertion, in violation of the 47th Article of War.”

Specification 1st—“In that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, did desert the same at Cibicu Creek, A. T., on or about August 30th, 1881, and did remain absent until he surrendered himself at or near San Carlos Indian Agency, A. T., on or about October 3d, 1881.”

Specification 2d—“In this; that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, when on duty in the field against hostile Indians, at Cibicu Creek, A. T., on August 30th, 1881, did desert and join the hostile Indians. This at Cibicu Creek, A. T., on or about August 30th, 1881.”

CHARGE V.—“Murder, in violation of the 58th Article of War.”

Specification—“In that he, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did, in time of war, insurrection, rebellion, or hostilities with hostile Indians, willfully, premeditatedly, and with malice aforethought, join the hostile Indians, and with them shoot at and kill Captain E. C. Hentig, 6th Cavalry; Privates William Miller, Henry C. Bird, Edward D. Livingstone; John Sondregger, John Sullivan, and Thomas J. Foran, Company D, 6th U. S. Cavalry. This at Cibicu Creek, A. T., on or about August 30th, 1881.”

To which charges and specifications the accused, *Sergeant No. 2* (alias *Dead Shot*), Company A, Indian Scouts, pleaded “Not guilty.”

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, *Sergeant No. 2 (alias Dead Shot)*, Company A, Indian Scouts, as follows:

CHARGE I.

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

CHARGE II.

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

CHARGE III.

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

CHARGE IV.

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

CHARGE V.

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

SENTENCE.

And the court does therefore sentence him, *Sergeant No. 2 (alias Dead Shot)*, Company A, Indian Scouts, "To be hanged by the neck until he be dead, at such time and place as the proper authority shall direct, two-thirds of the members of the court concurring therein."

2. *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts.

CHARGE I.—"In that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did offer violence by raising his gun against his superior officers, Colonel E. A. Carr, 6th Cavalry; Captain Hentig, 6th Cavalry; 1st Lieut. Wm. Stanton, 6th Cavalry; 1st Lieut. W. H. Carter, 6th Cavalry; Assistant Surgeon Geo. McCreery, U. S. Army; and 2d Lieut. T. Cruse, 6th Cavalry, while in the execution of their offices, and did shoot at the same, with intent to do bodily injury. This at or near Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE II.—"Mutiny, in violation of the 22d Article of War."

Specification—"In that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, did join in a mutiny, and did resist and fire upon the forces of the United States under command of Colonel E. A. Carr, 6th Cavalry. This at or near Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE III.—"Violation of the 23d Article of War."

Specification—"In that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, was present at and had knowledge of a mutiny against his commanding officer, Colonel E. A. Carr, 6th Cavalry, and did fail to use his utmost endeavor to suppress the same, and did fail to give information thereof to the aforesaid commanding officer. This at Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE IV.—"Desertion, in violation of the 47th Article of War."

Specification 1st—"In this: that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did desert the same at Cibicu Creek, A. T., on or about August 30th, 1881, and did remain absent until captured at or near San Carlos Indian Agency, A. T., on or about October 1st, 1881."

Specification 2d—"In that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, duly enlisted soldier in the service of the United States, when on duty in the field against hostile Indians at Cibicu Creek, A. T., on August 30th, 1881, did desert and join the hostile Indians. This at Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE V.—"Murder, in violation of the 58th Article of War."

Specification—"In that he, *Sergeant No. 4 (alias Dandy Jim)*, Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did, in time of war, insurrection, rebellion, or hostilities with hostile Indians, willfully, premeditatedly,

and with malice aforethought, join the hostile Indians, and with them shoot at and kill Captain E. C. Hentig, 6th Cavalry; Privates William Miller, Henry C. Bird, Edward D. Livingstone, John Sondregger, and Thomas J. Foran, Company D, 6th Cavalry. This at Cibicu Creek, A. T., on or about August 30th, 1881."

To which charges and specifications the accused, *Sergeant No. 4* (alias *Dandy Jim*), Company A, Indian Scouts, pleaded "Not guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, *Sergeant No. 4* (alias *Dandy Jim*), Company A, Indian Scouts, as follows:

CHARGE I.

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

CHARGE II.

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

CHARGE III.

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

CHARGE IV.

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

CHARGE V.

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

SENTENCE.

And the court does therefore sentence him, *Sergeant No. 4* (alias *Dandy Jim*), Company A, Indian Scouts, "To be hanged by the neck until he be dead, at such time and place as the proper authority shall direct, two-thirds of the members of the court concurring therein.

3. *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts.

CHARGE I.—"Violation of the 21st Article of War."

Specification—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did offer violence by raising his gun against his superior officers, Colonel E. A. Carr, 6th Cavalry; Captain E. O. Hentig, 6th Cavalry; 1st Lieut. William Stanton, 6th Cavalry; 1st Lieut. W. H. Carter, 6th Cavalry; Assistant Surgeon Geo. McCreery, U. S. A.; and 2d Lieut. T. Cruse, 6th Cavalry, while in the execution of their offices, and did shoot at same and their commands, with intent to do bodily injury. This at or near Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE II.—"Mutiny, in violation of the 22d Article of War."

Specification—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, being a duly enlisted soldier in the service of the United States, did join in a mutiny, and did resist and fire upon the forces of the United States under command of Colonel E. A. Carr, 6th Cavalry. This at or near Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE III.—"Violation of the 23d Article of War."

Specification—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, was present at and had knowledge of a mutiny against his commanding officer, Colonel E. A. Carr, 6th Cavalry, and did fail to use his endeavor to suppress the same, and did fail to give information thereof to the aforesaid commanding officer. This at Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE IV.—"Desertion, in violation of the 47th Article of War."

Specification 1st—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did desert the same at Cibicu Creek, A. T., on or about August 30th, 1881, and did remain absent until he surrendered himself at or near San Carlos Indian Agency, A. T., on or about September 6th, 1881."

Specification 2d—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, when on duty in the field against hostile Indians at Cibicu Creek, A. T., on August 30th, 1881, did desert and join the hostile Indians. This at Cibicu Creek, A. T., on or about August 30th, 1881."

CHARGE V.—"Murder, in violation of the 58th Article of War."

Specification—"In that he, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, a duly enlisted soldier in the service of the United States, did, in time of war, insurrection, rebellion, or hostilities with hostile Indians, willfully, premeditatedly, and with malice aforethought, joined the hostile Indians, and with them shoot at and kill Captain E. C. Hentig, 6th Cavalry; Privates William Miller, Henry C. Bird, Edward D. Livingstone, John Sondregger, John Sullivan, and Thomas J. Foran, Company D, 6th Cavalry. This at Cibicu Creek, A. T., on or about August 30th, 1881."

To which charges and specifications the accused, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE IV.

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

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

Of the CHARGE, "Guilty."

CHARGE V.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, "To be hanged by the neck until he be dead, at such time and place as the proper authority shall direct, two-thirds of the members of the court concurring therein."

II. The proceedings, findings, and sentences of the general court-martial in the foregoing cases of *Sergeant No. 2* (alias *Dead Shot*), *Sergeant No. 4* (alias *Dandy Jim*), and *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, having been approved by the proper reviewing authority and the records forwarded, in accordance with the provisions of the 105th Article of War, for the action of the President, the following are his orders endorsed thereon:

EXECUTIVE MANSION, January 31, 1882.

The sentence in the foregoing case of *Sergeant Number Two* (alias *Dead Shot*), Company A, Indian Scouts, is hereby confirmed, and will be carried into execution by the proper military authority, under the direction of the Secretary of War, on the third day of March, 1882, between the hours of ten o'clock a. m. and two o'clock p. m. of that day.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, January 31, 1882.

The sentence in the foregoing case of *Sergeant Number Four* (alias *Dandy Jim*), Company A, Indian Scouts, is hereby confirmed, and will be carried into execution by the proper military authority, under the direction of the Secretary of War, on the third day of March, 1882, between the hours of ten o'clock a. m. and two o'clock p. m. of that day. This confirmation is made notwithstanding the irregularity in respect to the first charge on page 4 of the record, apparently a clerical error, the sentence being proper under other charges and specifications in the record of which the accused is found guilty.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 31, 1882.*

The sentence in the foregoing case of *Corporal Number Eight* (alias *Skippy*), Company A, Indian Scouts, is hereby confirmed, and will be carried into execution by the proper military authority, under the direction of the Secretary of War, on the third day of March, 1882, between the hours of ten o'clock a. m. and two o'clock p. m. of that day.

CHESTER A. ARTHUR.

III. By direction of the Secretary of War, Brevet-Major-General Orlando B. Willcox, commanding the Department of Arizona, will cause the foregoing sentences in the cases of *Sergeant No. 2* (alias *Dead Shot*), *Sergeant No. 4* (alias *Dandy Jim*), and *Corporal No. 8* (alias *Skippy*), Company A, Indian Scouts, to be duly executed, in accordance with the President's orders.

By command of General Sherman :

Official :

R. C. DRUM,
Adjutant-General.

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