

Army Corps,

12th June, 1863.

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of the 3d Minnesota
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Head-Quarters, 16th Army Corps,

Memphis, Tenn., 12th June, 1863.

GENERAL ORDERS, }

No. 76.

At a Military Commission which convened at Columbus, Kentucky, on the 2d day of March, 1863, pursuant to Special Orders No. 19, of February 26th, 1863, Head-Quarters 16th Army Corps, and of which Lieut.-Col. C. C. ANDREWS, of the 3d Minnesota Infantry Volunteers, is President, were arraigned and tried:

1st—GARRETT JONES, citizen.

CHARGE—*Disloyal Practices.*

Specification 1st—In this, that on the 7th of April, 1863, in the County of Marshall and State of Kentucky, Garrett Jones, who had previously taken the oath of allegiance to the United States, did say in the presence of one John Legue, "I am willing to do all I can for the Confederate States, notwithstanding I have taken the oath."

Specification 2d—In this, that on the 3d of April, 1863, Garrett Jones, who had previously taken the oath of allegiance to the United States, did pass the lines of the Federal army and visit the enemy's forces under General Forrest, with intent to trade with the enemy, and did then and there, sell to the enemy a "fine mare," and on the 4th of April, the said Garrett Jones did aid three mounted and armed men, to pass the lines of the Federal army, the said Garrett Jones believing that they intended to reach, join, and aid the enemy.

To which charge and specifications, the accused pleaded as follows:

To the 2d specification,	- - - - -	"Not guilty."
To the 1st specification,	- - - - -	"Not guilty."
To the charge,	- - - - -	"Not guilty."

FINDING.

The Court having maturely considered the evidence in the case, does find the accused, Garret Jones,

Of the 2d specification,	- - - - -	"Not guilty."
Of the 1st specification,	- - - - -	"Not guilty."
Of the charge,	- - - - -	"Not guilty."

And the Commission does therefore recommend that the said Garrett Jones be discharged.

Finding and sentence approved. Garrett Jones will be released from custody and arrest.

2d—DAVID PASCHAL.

CHARGE—*Murder.*

Specification—In this, that on the 24th day of April, A. D. 1863, in Henry County, State of Tennessee, David Paschal did feloniously, of his malice aforethought with force, and arms, make an assault on one Green Nance, then and there being, and with a bowie knife did inflict on the head, and neck of him, the said Green Nance, a mortal wound, of which wound the said Green Nance did then and there languish and die.

To which charge and specification, the accused pleaded as follows:

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

FINDING AND SENTENCE.

The Commission, having maturely considered the evidence in the case, does find the accused, David Paschal:

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

And the Commission does therefore sentence the said David Paschal to be hung by the neck till he is dead, at such time and place as the Commanding General may direct.

Under the laws of the State of Tennessee, and before a jury, this case could scarcely constitute the crime of "murder." The sentence will be commuted to imprisonment at hard labor at Columbus, Ky., until the civil courts are re-established; when he will be turned over for trial by such a court. The proper commanding officer is charged with the execution of this order.

2d—GEORGE W. McNUTT.

CHARGE—*Being a Spy.*

Specification 1st—In this, that on the 8th day of May, A. D. 1863, in the County of Benton, State of Tennessee, George Washington McNutt was found lurking about the lines and fortifications of the United States Army, gathering information of the condition, numbers, and whereabouts of the United States troops, with a view to communicate the same to the Confederate enemy of the United States.

Specification 2d—In this, that on the 8th day of May, 1863, in Benton County, State of Tennessee, George Washington McNutt did lurk about the lines and fortifications of the United States Army, and gather information of the number, situation, and condition of the army and fortifications of the United States, and communicate the same to the Confederate enemy of the United States.

To which charge and specifications, the accused pleaded as follows:

To the 2d specification, - - - - - "Not guilty."
To the 1st specification, - - - - - "Not guilty."
To the charge, - - - - - "Not guilty."

FINDING AND SENTENCE.

The Commission, having maturely considered all the evidence adduced in the case, does find the accused, George Washington McNutt,

Of the 2d specification,	-	-	-	-	-	"Not guilty."
Of the 1st specification,	-	-	-	-	-	"Not guilty."
Of the charge,	-	-	-	-	-	"Not guilty."

And does therefore recommend that the accused, G. W. McNutt, discharged.

Finding and sentence approved. George W. McNutt, will be released from custody and arrest.

By order of Maj.-Gen. S. A. HURLBUT,

HENRY BINMORE,

Assistant Adjutant General.

OFFICIAL.

A. A. G.