

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,
ADJUTANT-GENERAL'S OFFICE,
SACRAMENTO, November 21, 1894.

GENERAL ORDERS, }
No. 14. }

I. The Court of Inquiry, of which Colonel Park Henshaw, Eighth Infantry Regiment, is President, appointed by Special Orders No. 12, A. G. O., c. s., to wit:

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,
ADJUTANT-GENERAL'S OFFICE,
SACRAMENTO, September 8, 1894.

SPECIAL ORDERS, }
No. 12. }

Brigadier-General John H. Dickinson, commanding the Second Brigade, National Guard of California, having requested the appointment of a Court of Inquiry as to the conduct of the troops under his command, including his own conduct, and it appearing to the Commander-in-Chief that, in justice to the entire Guard of the State, a thorough inquiry should be made as to the conduct of all the troops, including the Naval Battalion, participating in any manner during the late strike;

By virtue of the statute in such case made and provided, a Court of Inquiry is hereby appointed, to meet in San Francisco on the seventeenth day of September, 1894, at the armory of Company C, First Infantry, at 10 o'clock A. M., and there prosecute its labors, without regard to hours, but with due regard to expenditures and the efficiency of its work. Said Court will inquire into the operations of the National Guard of California, called into active service during the late strike, and particularly as to the conduct of officers and men called into active service from July 3d until the arrival of United States troops in Sacramento, July 11, 1894.

It will also inquire into the conduct of all troops participating in any manner, from the commencement of said strike to its close. This work must be performed without regard to rank, prejudices, or preconceived ideas. Its investigations will be faithfully returned to the Commander-in-Chief, with its opinions freely expressed and its suggestions clearly enunciated. Said Court will bear in mind that it is due to the reputation of the Guard that its work shall be thorough, and its labors should be performed with that fact in view. The investigation is important, and the conclusions of the Court will be received by the Commander-in-Chief as official, and acted upon accordingly.

DETAIL FOR THE COURT.

Col. Park Henshaw, Eighth Infantry, President.
Col. Frank W. Sumner, Staff Commander-in-Chief.
Lieut.-Col. Stuart S. Wright, Sixth Infantry.
Capt. Charles L. Tilden, retired, Recorder.

By order of the Commander-in-Chief.

C. C. ALLEN,
Adjutant-General.

Has reported the proceedings of the Court to these Headquarters, as follows:

ARMORY COMPANY C, FIRST REGIMENT INFANTRY,
SECOND BRIGADE, N. G. C., 815 ELLIS STREET,
SAN FRANCISCO, October 22, 1894. }

*Honorable H. H. MARKHAM, Governor of the State of California
and Commander-in-Chief of the National Guard:*

SIR: The Court of Inquiry appointed by Special Orders No. 12, General Headquarters, dated September 8, 1894 (a copy of which is hereto annexed), has the honor to report that said Court met in San Francisco at the armory of Company C, First Regiment Infantry, Second Brigade, N. G. C., 815 Ellis Street, on September 17, 1894, organized in due form and entered upon the discharge of its duties.

The order appointing this Court provides that a thorough inquiry should be made as to the operations of the troops at Sacramento during the late strike, and that a special inquiry and report should be made as to the conduct of the officers and men.

As directed in said order, the Court has performed its work "without regard to rank, prejudices, or preconceived ideas," and its investigations are faithfully returned to the Commander-in-Chief, "with its opinions freely expressed."

The Court has endeavored to make its investigations thorough, and its labors have been performed with a view of eliciting the true facts, and its conclusions are the result of careful deliberation.

The Court fully realizes the importance of this investigation and the grave duty resting upon it; being conscious that the conclusions reached and the recommendations made will be officially acted upon by you, as announced in said orders.

A large number of witnesses, including citizens as well as members of the National Guard, were examined and much documentary evidence was introduced. The testimony covers over one thousand pages of legal cap, and is forwarded herewith, together with all exhibits which were received and considered by the Court.

The Court was actually in session twenty days, sitting daily, with certain exceptions, from 10 A. M. to 12 M., 2 to 5:30 P. M., and from 8 to 11:30 P. M.

From the evidence the Court finds the following facts:

I.

On July 3, 1894, the Governor was in receipt of a demand from the United States Marshal, Barry Baldwin, for troops to be sent to Sacramento to assist the Marshal in the preservation of the public peace, protection of property, and the enforce-

ment of the laws of the State of California and of the United States.

The Governor thereupon, by telegraph, immediately ordered Major-General Dimond, commanding the Division, to send sufficient troops to Sacramento in compliance with the demand of the Marshal.

The utmost latitude was given General Dimond, and he was permitted to exercise his own judgment as to the number of the troops and the means of transportation.

In obedience to this order, Brigadier-General Dickinson, commanding the Second Brigade, N. G. C., was ordered to proceed to Sacramento by rail; he was authorized to take the First and Third Infantry Regiments, a section of the Light Battery with a Gatling gun, and a detachment of the Signal Corps; and he was ordered to provide rations for one day.

Colonel Nunan, commanding the Sixth Infantry, was ordered to report for duty with two companies of his regiment, stationed at Stockton, upon the arrival of the train conveying the San Francisco troops.

Generals Dimond and Dickinson, with a number of staff officers, accompanied the troops.

The orders from the Governor to Major-General Dimond were received in San Francisco on July 3d, at about 5:30 P. M., and immediately communicated to General Dickinson, and were by him communicated to Colonels Sullivan and Barry, commanding the First and Third Regiments Infantry.

By 10 o'clock that night the entire command was ready to proceed to Sacramento. The troops showed remarkable promptness and zeal in reporting for duty; owing to the lateness of the issuance of orders, it was impossible to reach the men at their places of business, as at that hour they were on their way to their homes. Special efforts were made and messengers sent in all directions. It speaks well for the men that they should have reported for duty at a distant point, in such large numbers, and the returns show a larger per cent of men present for duty than was ever known at any camp.

Considerable delay was occasioned in the departure of the trains from Oakland. Finally, about 1 o'clock A. M. on July 4th, the train, in two sections, started, and proceeded without special incident to Stockton, where Colonel Nunan, with two companies of the Sixth Infantry, joined the command.

Sacramento was reached about 8:30 A. M. The trains stopped at Twenty-first Street, and the troops marched to the armory at the corner of Sixth and L Streets, distant nearly two miles. An attempt was made to supply the troops with breakfast at

the armory; this consisted of only bread and coffee, and it was so limited in quantity that the troops did not have sufficient to satisfy hunger.

Here Colonel Guthrie with two companies of the Fourth Brigade stationed at Sacramento joined the command.

After a long and inexcusable delay, at about 11:40 A. M. the command took up its march for the depot, the objective point.

This command consisted of two companies and a Gatling gun detachment from the Second Infantry Regiment, commanded by Colonel Guthrie; two companies of the Sixth Infantry, commanded by Colonel Nunan; and a part of the Signal Corps of the Fourth Brigade, forming the leading brigade, under the command of Brigadier-General Sheehan; the First Infantry, seven companies, Colonel Sullivan; Third Infantry, seven companies, Colonel Barry; Gatling gun and detachment from the Second Artillery, and a part of the Signal Corps of the Second Brigade, commanded by General Dickinson. The entire force was under the command of Major-General Dimond, and numbered 947, men and officers.

II.

No attempt was made to comply with the order to provide one day's rations, with the exception of two or three companies of the First Regiment. The order for rations seems to have been clearly understood by General Dickinson and Colonels Sullivan and Barry; so far as the Court has been able to ascertain, the commissary officers of these several organizations received no orders or instructions, nor did the commanding officers themselves make any effort to obtain rations or to provide subsistence of any kind. It is in evidence that these officers had, as early as June 30th, considered the probability of their commands being ordered out for active service.

On that date, as stated in General Dimond's report, "realizing the gravity of the situation," a consultation was had, at which there were present Generals Dimond and Dickinson and Colonels Sullivan and Barry. It was then well known to them that the employes of the railroad company had gone out on a strike, and were preventing the movement of trains and the transportation of the United States mails. It was a matter of public notoriety and occupied the attention of the entire State. Travel on railroads, as well as the moving of freight, was almost wholly at a standstill. From June 30th to the receipt of the order on July 3d, nothing was done by any of these commanding officers to prepare their commands for active service. It would

have been an easy matter to obtain ample supplies for the entire command before moving. Hardtack and canned meats could have been taken in bulk and distributed to the troops on the train. We are aware that no funds were available for such cases, but we are convinced that a very little exertion on the part of the officers would have procured the supplies. This view of the case is emphasized by the fact that provisions of all kinds were afterwards readily obtained in Sacramento in much greater quantities and under more difficult circumstances. It is true the troops were not supplied with haversacks, in which rations are usually carried, but as the troops were not proceeding upon a march, but were being transported by rail, provisions in bulk could have been carried and distributed to the troops as necessity required.

III.

There seems to be no question that before leaving the armory at Sacramento Brigadier-General Dickinson received orders from Major-General Dimond to cooperate with and support Brigadier-General Sheehan.

The command moved in one column upon the depot. The brigade under General Sheehan was in the formation of close column of companies.

General Dickinson's command marched in the same formation until just before the depot was reached, when it formed, by direction of General Dickinson, in street column. This formation was maintained during the whole time that the troops stood in the sun at the depot and until they were finally dismissed.

The depot may be approached by three or four different streets, leading to it directly or indirectly.

There seems to have been no organized plan, and no consideration of the advisability of marching against the depot in parallel columns of attack, so that on arrival a strong line might have been immediately formed and a sufficient force of skirmishers thrown forward.

The strikers had for several days prevented by force the making up and running of trains at Sacramento. The United States Marshal declared himself unable to move the trains with the force at his command. The depot then became the objective point against which the troops were to be directed.

It appears that the strikers had publicly announced, and that General Sheehan was fully satisfied, that no resistance would be made to the occupancy of the depot by the troops, and he so informed General Dimond and General Dickinson.

During all the time (about three hours) that the troops remained at the armory on the morning of the 4th, no attempt or effort was made by any one to ascertain the actual situation of affairs at the depot; the number of strikers there, their disposition, their arms, as well as their temper, remained unknown to the commanding officer. It appears that Generals Dimond and Dickinson accepted the assurance of General Sheehan that there would be no resistance; and this column of nearly one thousand men moved upon the depot without taking the trouble or precaution to send forward a force in advance, or even to throw out a single skirmisher.

The forward movement in time brought them to the depot and face to face with a large crowd of good-natured people who declined to give way; the Sacramento companies, which were in front, halted without command, and then those in rear came to a halt; and at no time did they succeed in gaining ground or in taking possession of the depot.

On the arrival of the column at the depot the Major-General and his staff went inside of the building and established headquarters, from which point the troops were not under his personal observation.

IV.

We find that the crowd assembled at the depot upon that day was composed largely of curious onlookers (who had no connection with the strikers) and women and children; that the number of armed men who might have offered forcible resistance at the depot was greatly exaggerated. There was no considerable crowd in or about the depot up to about 12 o'clock. People were drawn to the spot from along the line of march, apparently, simply with the object of observing the military display. That the strikers were not desperate or threatening, nor openly armed, is made more apparent by the gathering of crowds of women and children, and is clearly shown by the various photographs taken on the spot.

It was well and publicly known that a very large majority of the railroad employes who quit work did so merely out of sympathy and were not rioters, and would not have taken part in any violence.

V.

No real effort, from a military standpoint, was ever made to enter the depot or take possession of the railroad premises. The force which came in direct contact with the crowd consisted of the front of only one company of sixteen files, and no deter-

mined effort was made by that company to clear the crowd away from its front. The proof is overwhelming that the four companies and Gatling gun detachment comprising General Sheehan's command were entirely surrounded by the crowd, and that the people were permitted to pass as they pleased between the companies, and to gather around the Gatling gun. There can be no mistake as to this fact, as it is shown by the photographs taken at the time.

For about an hour General Sheehan's command remained in this position. If the crowd had been so disposed they could have overwhelmed his troops, taken the Gatling gun and turned it upon the Second Brigade. The fact that this was not done is the best possible proof of the good nature of the crowd and the absence of any large number of dangerous or desperate strikers.

For nearly three hours the troops were kept standing in column, the rear brigade lending no assistance in any manner. The crowd was about the west end of the depot only; the remainder of the depot was open, and no reason appears why it should not have been occupied.

General Sheehan refused to obey orders directly communicated to him by General Dimond to effect an entrance into the depot by force and to fire upon the mob if they refused to give way. A spirit of hesitancy and doubt seems to have taken possession of General Dimond and General Sheehan. There was great straining of technical points of law; grave questions of legal and constitutional rights were raised and discussed at length. Notwithstanding orders to take the depot had been given to the brigade commanders by General Dimond before moving the column from the armory, when positive orders were given to General Sheehan by General Dimond to clear the depot he delayed their execution; and when these orders were again repeated to him by General Dimond, he demanded written orders from the United States Marshal. And General Dimond, in the midst of the excitement, and at the moment when strong and positive action should have been taken by him, turned over the command to the United States Marshal.

General Dickinson understood fully the object of the movement of the troops to Sacramento and of the march upon the depot. His instructions to coöperate with and support General Sheehan must have been understood by him to mean such action with the troops under his immediate command as would have best served to accomplish the objects of the movement. During all the time the troops remained at the depot and until they were dismissed, no movement or disposition of his command was made or undertaken.

Upon request of the railroad officials and by direction of the United States Marshal, two companies were detailed to guard and protect the railroad bridges across the American and Sacramento Rivers. The two leading companies, those in direct contact with the crowd, were by General Dimond's orders withdrawn for this duty. Colonel Nunan, commanding the two remaining companies in General Sheehan's brigade, withdrew his command without orders. After the withdrawal of the four companies constituting the leading brigade, Colonel Sullivan (upon whom the command of the Second Brigade had then devolved) received distinct and positive orders from General Dimond to clear the depot by force and to fire if necessary.

Colonel Sullivan questioned the advisability of this order, hesitated to obey it, and, instead of complying with that order, he left his command, without permission, went into the depot to see General Dimond, urged the commanding General not to compel him to comply with the order, and represented to General Dimond that the troops were demoralized and that they could not be relied upon to execute that order; and upon such representations made by Colonel Sullivan, and at his urgent solicitation and request, an armistice was entered into between the United States Marshal and the strikers, and thereupon all military operations were brought to an end.

At a little before 3 o'clock P. M. a consultation was held at the depot between Marshal Baldwin and Major-General Dimond, at which Colonel Sullivan was also present, where was discussed the advisability of taking any further active measures that day towards obtaining possession of the depot.

At that consultation it was represented to Marshal Baldwin, that, "owing to the disaffection and the condition of the troops, it would be most unwise to go on with any offensive operations that day."

Then at a subsequent consultation, held at 3:45 P. M., at which there were present Marshal Baldwin, General Dimond, and General Dickinson, General Dickinson reported: "As to the First Regiment, I do not believe at the present time they can be depended upon; and the same as to the Third Regiment." General Dimond then "confirmed this condition of the troops." (These remarks are quoted from the notes of Marshal Baldwin's stenographer, taken at the time.)

VI.

General Dimond returned to San Francisco on the morning of July 5th, leaving General Sheehan in command of all the forces at Sacramento. Thereafter General Dimond directed the

general operations of all the troops in the State from his headquarters in San Francisco.

The troops remained inactive until July 12th, after the arrival of the Federal troops. No effort appears to have been made during the seven days that they remained in camp, and no reason appears why the depot could not have been taken on any one of those seven days.

While in camp no attempt was made to provide rations, and nothing was done towards making the command independent, but the troops were sent to the various hotels and eating houses for their meals. No reason has been offered why mess outfits, which cost comparatively a small sum, were not obtained and the troops compelled to provide their own food, which was afterwards successfully done on very short notice when the troops reported to General Graham at the depot.

It is difficult to understand, and the Court confesses its inability to discover any reason for the inactivity of the troops between July 4th and July 11th. No service of any kind was performed while in camp, except the regulation drills and the guarding of the camp, which appear to have been well and systematically done. But there is absolutely nothing which tends to show that there was any danger of an attack upon the camp.

The discipline maintained was rigid and severe, none of the troops being allowed to leave the camp except for their meals, and the men cheerfully and at all times complied with all orders, and at no time evinced any inclination to complain, except at their lack of activity.

On July 11th, at 6 o'clock A. M., the National Guard forces marched to the river front, where they took possession of the freight sheds and a considerable portion of the railroad tracks, this being intended to cover the arrival of the troops of the Regular Army.

The National Guard performed this service with firmness and ability.

On July 12th the Second Brigade reported for duty to General Graham of the Regular Army, and thereafter under his direction, guarded railroad property, including the shops, the Sacramento and American River bridges, long lines of cars, track, and trestle.

The Second Brigade was relieved from this duty on July 25th, when they returned to San Francisco and were dismissed.

The Eighth Infantry Regiment, Colonel Park Henshaw, arrived in Sacramento July 24th, and thereafter continued to guard the same property until July 30th, when they were withdrawn and relieved from further service.

General Graham refers in his testimony in terms of highest praise to the zealous and efficient manner in which the State troops performed these arduous duties in and about Sacramento.

VII.

The State is in a measure responsible for the condition of the troops during the operations of the National Guard in the month of July, 1894. It was generally supposed by the public that the troops were equipped sufficiently to take the field at short notice, but all organizations of the National Guard suffered from want of proper equipment. Probably not over 60 per cent of the rifles issued to the troops were serviceable, and in some cases the rifle had only the value of a club with a bayonet attached.

While the troops were in Sacramento many of the guns were repaired, and the small parts necessary were obtained from the Adjutant-General's office.

The State is virtually responsible for the death of the citizen of Sacramento, killed by the accidental discharge of a rifle on July 4th. The gun was in the hands of a well-drilled man, handled with care, and according to the tactics. The discharge was caused by the worn-out condition of the piece. There were quite a number of cases of accidental discharges of rifles, not only in Sacramento, but in other portions of the State. In many cases the cartridge was exploded without any apparent reason.

The troops were destitute of many things that go to make the equipment of a soldier. The State had issued trousers, blouses, campaign hats, and leggings, but had provided no organizations with canteens, haversacks, blankets, or overcoats. There were absolutely no commissary stores, and during the campaign many commanding officers became responsible for commissary and ordnance supplies. In some cases the officer in command was obliged to purchase shoes and clothing. At one time in Sacramento the Major-General commanding gave his personal guarantee in order to feed a portion of the troops.

VIII.

The rank and file, with the exception of two companies mentioned elsewhere, were at all times under good discipline and behaved with becoming courage and loyalty. While it is true that a few men fell out of the ranks on account of the excessive

heat and fatigue, it nowhere appears that the reports of physical prostration of the men made on July 4th were based upon verified facts.

The Court has used every effort to ascertain the truth, and is fully satisfied that certain officers greatly magnified such reports and did not exercise proper care to ascertain the true facts. Great injustice has been done the men by the reports then made and the widespread publication that they were disloyal and unreliable; and it is a source of pleasure that the Court is able to report, as it does, that not only on the 4th of July, but during the whole time they remained in Sacramento, the men obeyed all orders with cheerfulness and alacrity, and that the discipline maintained was of the very best, and that (with the exception of some of the Sacramento troops and some of the Third Regiment hereinafter mentioned) the men could have been implicitly relied upon for any duty. The effect of the heat and hunger upon the troops was grossly exaggerated. It is true some few were prostrated by the heat, but the number was very limited, in many companies not a single man having succumbed. There were men in the ranks plenty and willing to retrieve the day, when at 3 o'clock, after patiently standing in the sun for three hours, they received their first orders, which were to move off and to abandon the attempt to take the depot.

Company A, Second Infantry, in common with many men of the Sacramento companies, was undoubtedly in sympathy with the strikers, and on July 4th that company openly stated to their commanding officer and to General Sheehan that they would not obey all orders that might be issued. This company, by direction of General Sheehan, remained in its armory during the day, and later was dismissed. Subsequently its arms were taken from the armory and stored for safety in the basement of the State Capitol. Some time after the arms of this company were restored, and it was ordered on duty at another point. There is no evidence that the members had changed their convictions.

Company G, Third Regiment Infantry, commanded by Captain D. J. Driscoll, deserted the ranks, refused to return when ordered by Major Smith, commanding the battalion, and stated that they would not perform duty. They were placed under arrest and afterwards court-martialed for refusing to obey orders, but the sentence of the Court was not in proportion to the offense.

When this company left its position in column, Major Smith commanding the battalion, instantly endeavored to check the desertion of these men, and by his energy and determination proved his ability to command. His acts on that occasion entitle him to the highest commendation.

We find that the rank and file of the National Guard on duty at Sacramento and elsewhere performed good and efficient service, and in all cases acted with alacrity and zeal and in a manner to reflect credit on any military organization. This is especially noticeable as the State had made no appropriation for the Commissary or Quartermaster's department, and beyond clothing and arms the troops had to provide themselves with everything necessary.

While it was known as early as June 30th that, in all probability, the troops would be ordered to Sacramento, no preparation was made for that event, and it was not until late in the afternoon of July 3d that orders were issued to the Colonels of regiments to have their men rendezvous at their armories. The orders were still later in reaching the Captains, and in many cases did not reach the men at all. Many reported to their respective armories solely on the strength of rumor as to what was likely to occur. It speaks volumes, therefore, in praise of the enlisted men that the ranks were so well filled. Quite a large number who did not receive their orders that night, thereafter voluntarily reported for duty. With the exception of a few instances the body of troops in the State were loyal and equal to any emergency.

After due consideration of the facts which have been brought out by the testimony, the Court is of the opinion that a certain amount of blame should be attached to the officers in command.

MAJOR-GENERAL DIMOND.

Major-General Dimond, in his reports, states that he "cheerfully accepts the responsibility of the management of the campaign resulting from the strike"; and in a certain sense it may be said that he is responsible for the various errors committed in July last. Absolute command carries with it the entire responsibility. But the Court is of the opinion, while thus broadly placing the responsibility upon his shoulders, that in the execution of the various movements he is not to be held entirely to blame. But, nevertheless, he is personally responsible for a number of mistakes.

The Major-General gave proper commands for the concentration of troops at Sacramento, and the concentration was made in a short space of time and with remarkable zeal on behalf of the officers and men. We do not consider the Major-General responsible for the want of rations, which should have been taken by the San Francisco troops. He gave the necessary orders, and his subordinates should have attended to the details of the execution thereof.

The Major-General was anxious to move the Second Brigade from San Francisco to Sacramento by boat, and made his arrangements to that effect; but on July 3d the Southern Pacific Company informed him that it had no steamer which it could place at his disposal; in consequence thereof the troops were obliged to move by train.

The concentration of his command was made so as to arrive in Sacramento on July 4th, when it was well known that all places of business would be closed, and that the Capital City would be filled with large numbers of citizens from the surrounding country. It was his duty to endeavor to dislodge the strikers from the railroad property without any struggle and without loss of life, if possible. It was ill-advised to make any attempt against the depot on such national holiday.

The Major-General states that he contemplated landing the troops near the depot. The trains were stopped, without the consent of General Dimond, at Twenty-first Street, where he was told that arrangements had been made to breakfast the troops at the armory in that city. The breakfast at the armory was such only in name, and consumed much time. Long delays and the extended march fatigued the men unnecessarily, and exposed them to the rays of the sun on one of the hottest days known in Sacramento. These delays also resulted in giving information as to the movements of the troops, and allowed large crowds to congregate.

The Court is of the opinion that General Dimond is not directly responsible for the stoppage of the trains, or for the delay of breakfast. But on the other hand, when the trains were halted at Twenty-first Street, he should have issued orders to proceed to the depot, and, if necessary, he should have taken charge of the trains himself.

On the arrival of the troops at Twenty-first Street, and while at breakfast at the armory, the Major-General commanding advised with Brigadier-General Sheehan, of the Fourth Brigade, who, as he resided in Sacramento, was supposed to be familiar with the situation, and competent to give the Major-General such information as might be necessary.

Brigadier-General Sheehan assured the Major-General that the strikers would offer no resistance, and would allow them to enter the depot without opposition. Notwithstanding these assurances, the Major-General should have taken the proper precautions, so that there could have been no question of success in case of resistance.

After a delay of about two and one half hours, the troops took up the march from the armory to the depot in a single column.

The depot is situated in open ground, and can be reached by three or four different streets. The Court is of the opinion that the command should have moved in two or more parallel columns, so that on arrival at the open ground near the depot the troops could have deployed and a force of skirmishers been thrown forward.

The Court finds that the Major-General is, equally with the brigade commanders, responsible for the faulty formation of the troops when advancing against the depot.

On taking up the march from the armory the column was in close column of companies. Large crowds were allowed to accompany the troops, covering the sidewalks on both sides of the street. The brigade commanders might have thrown out flankers to prevent the column from being interfered with or molested on the march.

On the arrival of the column in the open, near the depot, the Major-General established headquarters in the depot building, out of the immediate presence of his troops. The Court is of the opinion that his post should have been with the column, so that he could have personally issued his orders and verified their execution; and if his orders were neglected or disobeyed, the officer neglecting or disobeying should have been placed under arrest or deprived of command.

There seems to have been no organized plan of attack, but the Major-General appears to have relied upon the assertion of General Sheehan that the depot could be occupied without opposition.

It appears from the testimony that the column halted without the command "Halt," because General Sheehan and his staff halted in front of them when face to face with the mob.

It was a great misfortune and an error of judgment to place the Sacramento companies at the head of the column, as the members of these organizations resided in Sacramento, many of them belonged to trade organizations, and, in all probability, sympathized with the strikers. It was undoubtedly one of the grave errors of the day to place these troops in a position where they would recognize in the crowd their daily associates, neighbors, friends, and, perhaps, relatives.

It seems that the Sacramento companies were allowed to march at the head of the column simply at the request of Brigadier-General Sheehan, who, being the senior brigade officer, claimed that he was entitled to the right of line. Such a right may be recognized on a formal parade, but on active campaign a senior officer has no rights which his commanding officer is bound to respect if the good of the service so demands

It was unjust to risk the reputation of the State troops and possible loss of life and property simply for the sake of determining the loyalty of one or two companies. If there had been any question as to the loyalty of the Sacramento companies, they should not have been used.

The Court is of the opinion that if the San Francisco troops had been placed at the head of the column, an entry into the depot could have been effected without trouble or loss of life.

The evidence shows that General Dimond did, after some delay, issue the necessary orders to take the depot, and if it had not been for the delinquency of his subordinate officers, the depot would have been occupied. As herein more fully set forth, General Dimond issued orders to his brigade commanders, in positive terms, authorizing and directing them to use all force necessary to dislodge the strikers; and they were directed to use the bayonet or lead, if necessary.

It therefore results that the responsibility for the failure to take the depot does not rest entirely upon the shoulders of the Division Commander.

BRIGADIER-GENERAL SHEEHAN.

There seems to be an impression that Brigadier-General Sheehan was responsible for the stopping of the trains at Twenty-first Street, but in view of the testimony, we cannot find that he is blamable in the matter. It was evidently the wish of the Southern Pacific Company to stop trains going into Sacramento (by the way of Stockton) at Twenty-eighth Street; and, in the absence of any orders to the contrary, the sections containing the First and Third Regiments would, in all probability, have stopped at that point.

General Sheehan, in response to a telephonic message from the railroad officials, on the night of the 3d, suggested Twenty-first Street instead of Twenty-eighth Street, and the trains were stopped at that point. On this question the railroad company is perhaps blamable, although, in all probability, the railroad agents would have run the two sections of the train to such points as might have been ordered.

At the suggestion of Brigadier-General Allen, Brigadier-General Sheehan directed the Quartermaster of the Second Infantry to prepare breakfast for the San Francisco troops, which were expected early in the morning. It being 11 o'clock P. M., it was difficult to buy provisions, and, as no positive orders had been issued, there seems to have been no one who had any real charge of these arrangements. In any event, it seems to the Court that if a determined effort had been made, coffee, bread, and

canned meats could have been provided sufficient to furnish a meal; but the breakfast was not sufficient in quantity to afford even a portion of a meal to the troops.

Under all the circumstances the breakfast was ill-advised, as it consumed nearly three hours of valuable time, and it would have been a much simpler proposition to have taken rations in bulk, and to have distributed them to the troops while on the march or at the depot. Time on that day was of vital importance.

General Sheehan had under his command two companies of Sacramento troops, two companies of Stockton troops, a Gatling gun detachment, and a detail from the Signal Corps. This was virtually only a battalion; and there were present with these four companies Colonel Guthrie of the Second Infantry of Sacramento, and Colonel Nunan of the Sixth Infantry of Stockton, one Lieutenant-Colonel, and two Majors. General Sheehan virtually insisted on his right to command this small body of men, and appears to have given his orders directly to the troops, and not through his immediate subordinates.

The line of march from the armory to the depot was not well advised; more care should have been exercised in selecting the route. A part of Second Street over which the command moved was torn up for repairs, the street was filled with stones of convenient size for throwing, old lumber, boxes, and barrels lined the streets, and in places greatly impeded travel; a determined mob could have easily barricaded this street, and used the loose stones with serious effect.

Crowds of people, men, women, and children, gathered along the streets and sidewalks and accompanied the troops to the depot. No attempt was made to restrain this crowd or keep them back.

If it was deemed proper to move the command in one column, some street should have been selected that was free from impediments; the entire street, including sidewalks, should have been occupied by the troops. General Sheehan is responsible for the route selected, as it appears that Major-General Dimond relied upon information received from him.

When General Sheehan's command reached the place where the crowd was gathered in his front, his command was marching in close column of companies and with a front of sixteen files. There were no orders to deploy, no thought of a skirmish line, but the first company was allowed to bump up against the mob until they stopped without orders. Photographs taken at that time, which are in the possession of the Court (and which are herewith forwarded), show literally the position

of the crowd. There was a Gatling gun between the Sacramento and Stockton companies, but in its position it could not have been used. Citizens were standing between the companies around the gun, so that a determined mob could have made a rush through the flanks, destroyed the formation and captured the gun.

General Sheehan not only addressed the mob several times at length, but he also plead with the strikers and requested them to leave the depot and to allow him to take possession. In this he forgot his duty as an officer and violated the law as laid down in Regulations (paragraph 1017), which expressly prohibits the making of speeches to a mob.

General Sheehan claims that General Dickinson should have cooperated with him and taken the depot by marching in on the east end; but if he had expected such a movement he made no preparation to support it, and allowed his force to stand at one point surrounded by the crowd. When he received his orders to guard the bridges he ordered the Sacramento companies to perform the duty, and then personally requested the mob to move back a sufficient space to allow him to execute *four's right*; and when the crowd voluntarily made way for him he marched from the ground with his two Sacramento companies and left Colonel Nunan in command of the Stockton companies without any instructions or immediate commander. On this march to perform the duty of guarding the bridges he left the Sacramento companies when half way to the bridge, and did not immediately return to the depot.

The Court is of the opinion that a greater portion of the responsibility for the failure to take the depot at Sacramento on July 4th is due to the suggestions made and advice given by General Sheehan and to the faulty handling of his command, especially when in the immediate presence of the mob. The facts lead to the irresistible conclusion that the acts of General Sheehan in stopping to plead and argue with the mob instead of proceeding to take the depot by force, when ordered to do so, make him liable to severe censure.

BRIGADIER-GENERAL DICKINSON.

General Dickinson was aware on June 30th, that in all probability a portion of his brigade would be ordered on active duty, and he should have directed his Colonels to place their regiments in condition for active service. It is true that he sent out orders late on July 3d, immediately on receipt of same, but he should have verified the work of his subordinates and

seen that his orders were carried out. His Commissary could have purchased hardtack and canned meats in bulk, and the rations could have been distributed on the train.

We believe the attempt to take the depot on the 4th of July would have been a success had the San Francisco troops marched directly to that point instead of marching to Sixth and L Streets for breakfast. General Dickinson neglected the most important duty of a commander, that of supplying his command with subsistence. He was responsible for the absence of supplies in his command.

General Dickinson fully understood the object of the movement of the troops to Sacramento and of the march upon the depot. His instructions, received just before leaving for the depot, were to cooperate with and support General Sheehan; these instructions were intended to mean, and must have been understood by him to mean, such action with the troops under his command as would best accomplish the object in view.

After arriving at the depot he remained at his post in his brigade until he was overcome by the heat, his prostration at the time being serious.

On arrival near the depot he formed his brigade in street column order, placing his troops in four squares, and during the time he was in command no movement or disposition of his command was made or undertaken. If an attack was expected, or if one had been made by the mob, his formation was faulty, for he was no longer in the streets, but in an open space, and the line of fire was the front of but one company. He should have placed his command in formation to have made or resisted an attack. The fact that his was not the leading brigade is no excuse.

In the question of cooperation with General Sheehan the Court cannot find General Dickinson entirely to blame. Having command of the Second Brigade, he was permitted to exercise his judgment, and when he received the message from General Sheehan he was entitled to demand orders or instructions as to the nature of the movement. It was also permissible for him to ask for orders from the Major-General, as he knew that General Dimond was in command. General Dickinson was in command of a strong and efficient force, and it was within his province, if in his judgment it was advisable, to deploy one of his regiments and advance against the depot; and it would undoubtedly have been to the best interests of the service if he had ordered the First Regiment Infantry to take the depot when he received the request from General Sheehan.

It appears from General Dickinson's own statement that he

sent several of his staff officers to General Dimond to obtain permission to make a movement with a view of taking the depot from the east end. Thereafter General Dickinson was requested by General Sheehan to make such movement, and then General Dickinson stated that he must have the permission of General Dimond before doing so. Upon this fact being reported to General Dimond, General Dimond directed General Dickinson to confer and cooperate with General Sheehan.

In view of all the facts, General Dickinson is to be criticised for his neglect to make any movement towards taking the depot. It is true the order from General Dimond was not that he should comply with the request of General Sheehan, but the order as given (immediately following General Sheehan's request) must have been understood by General Dickinson.

The statements made by General Dickinson with regard to the demoralization of his command on July 4th were not well founded, and he is to be criticised for not being better informed in this respect.

COLONEL SULLIVAN.

Colonel Sullivan was present at the consultation held in San Francisco on June 30th, and was then advised of the necessity of preparing his command for service. He is responsible for the lack of preparation of his regiment. It would have been an easy matter for him to have directed his Commissary to procure hardtack and canned meats sufficient for one or two days' rations.

We find that Colonel Sullivan must be criticised for his actions while in command of the Second Brigade on July 4th before the depot at Sacramento. The fact that General Dickinson had been overcome by heat was immediately reported to Colonel Sullivan, at about 1:30 p. m., and he was ordered to take command of the Second Brigade. Immediately after the command devolved upon him he received an order from the Major-General, commanding him to advance against the depot, to use force and clear the depot with bayonet or with lead if necessary. These orders were positive and required implicit obedience; but instead of executing his orders he immediately left his command, went to the headquarters of the Major-General and urged that the order be rescinded, and stated that his troops were not in a condition to take up the offensive.

Whatever his ideas were, he should have obeyed his orders, but instead of doing so, he left his command, went to the Major-General, and then afterwards made a speech to the strikers. The Court finds that he was at fault in three things: omitting to carry out the order of his commanding officer; leaving

his command after receiving the order, and violating military law in making a speech to a mob, which is expressly prohibited. (Regulation 1017.)

When Colonel Sullivan waited on General Dimond in his headquarters, General Dimond then repeated the orders to him, and directed Colonel Sullivan to take the depot by force and to use lead if necessary. General Dimond also then informed Colonel Sullivan that written orders had been received from the United States Marshal authorizing the use of these extreme measures. Colonel Sullivan, instead of complying with these orders thus repeated, told General Dimond that the men were completely prostrated from the heat and were becoming demoralized, and "that their condition was not such as would render it safe to adopt offensive measures at that time." Colonel Sullivan was then directed by Major-General Dimond to report these facts to Marshal Baldwin; and Colonel Sullivan thereupon told Marshal Baldwin that he thought that it was bad policy at that time to adopt any offensive measure, and also advised against any offensive operations, and that the lives of his own troops would be sacrificed. Colonel Sullivan addressed the crowd and asked them if there would be any objection on their part to taking the members of his regiment into the depot out of the sun. The crowd not agreeing to this, he withdrew. This address was made from the top of a cab.

As hereinbefore set forth, the statement in regard to the demoralization of the troops was not well founded, and Colonel Sullivan is to be severely criticised, not only for his refusal to obey orders, but the representations so made by him to the Major-General and the Marshal undoubtedly resulted in the declaring of the armistice by the Marshal and in the cessation of active operations.

Major Jansen, of the First Regiment, also urged General Dimond not to bring on a conflict, and stated that the troops were demoralized and unreliable. This statement is not borne out by the testimony, and Major Jansen is also to be severely criticised in this respect.

COLONEL BARRY.

Colonel Barry was also present at the consultation held on June 30th, and is to blame for the want of preparation in his regiment; and the remarks which have been made in regard to the commissary stores of the Second Brigade and the First Regiment are equally applicable to the Third Regiment.

There was also great lack of discipline in portions of the Third Regiment, and some of the field and company officers did not seem to have their men under proper control.

COLONEL NUNAN.

Colonel Nunan remained at the depot with the two companies of the Sixth Infantry Regiment until after the Sacramento companies moved away, when he marched from the ground without orders. His immediate commander had left the depot with two companies of the Second Infantry, and did not give Colonel Nunan any orders or instructions. Colonel Nunan then gave orders for his companies to march into the shade. There was no demoralization in his command, but the Court finds that Colonel Nunan committed a grave error in moving his command without orders.

UNITED STATES MARSHAL BALDWIN.

In view of the fact that the command of the troops had been turned over to the United States Marshal, he had full authority, and if he had simply notified the crowd to disperse, and on their refusal given the Major-General written authority to use force and take possession of the depot, it would have been better. In any event, no armistice with a mob should have been considered for a moment. But the Marshal was advised that the troops were not in a condition for offensive operations, and therefore he consented to such armistice and a cessation of operations until 6 o'clock P. M. This gave the mob the prestige, and put the troops on duty, at that time in a false position.

RANK AND FILE.

Company A, of the Second Infantry Regiment of Sacramento, on July 4th were guilty of mutiny in declaring, immediately prior to the movement upon the depot, that they would not obey orders. And Company G, Third Regiment, was also guilty of the same offense in deserting the column at the depot.

We would be disposed to recommend that the individual members of Company A should be tried before a court-martial and severely dealt with, if it were not for the fact that they were thereafter permitted to perform duty elsewhere; and the members of Company G, Third Regiment Infantry, have personally been punished by sentence of a court-martial. But both these organizations disgraced the National Guard, and as organizations they should not be permitted to remain in the service.

We would therefore recommend that both of said companies should be mustered out of the service.

With the exceptions herein noted, the rank and file of the entire National Guard behaved with courage and loyalty, and

are entitled to the highest praise for the readiness with which they performed all duty, and the cheerfulness which characterized their acceptance of the many hardships incident to the campaign.

REORGANIZATION OF THE NATIONAL GUARD.

The operations of the National Guard during the late strike have shown the defects of the present organization, and have brought prominently before the whole State the necessity of reorganizing the National Guard.

The Court has given this matter much thought and careful consideration, and submits the following suggestions, which it believes will result in increasing the efficiency of the State troops. There may be differences of opinion as to the details, yet nevertheless a complete reorganization is recommended on lines which will result in decreasing the number of general and staff officers and increasing the effectiveness of the companies.

The number of the brigades should be reduced, and the troops grouped, according to the geographical necessities of the State, into three brigades; and we suggest that the First Brigade should include the troops in Los Angeles and vicinity; the Second Brigade those in San Francisco and vicinity, and the Third Brigade the troops in Sacramento, Stockton, Chico, Fresno, and vicinity.

The brigades to be formed of regiments and battalions, and a regiment to consist of not over eight companies, nor less than seven companies, such regiments to be organized into two battalions.

A battery of light artillery and a troop of cavalry to be stationed in San Francisco, and a Signal Corps to be formed on the basis of ten men to a regiment, five men to a separate battalion.

The brigades to be commanded by a Brigadier-General, and the office of Major-General to be abolished.

The Adjutant-General of the State to have the rank of a Brigadier-General, and to be Chief of the General Staff.

The present staff organizations to be remodeled, and the number of officers and their rank reduced, the same to form the General Staff of the State, being subordinate to the Adjutant-General, and detailed for duty in the several brigades.

These officers to be appointed by the Governor on the recommendation of the brigade commanders, and (with the exception of Surgeons and Judge-Advocates) to be chosen, whenever practicable, from the line; and they must pass a satisfactory examination in military law, correspondence, orders, and tactics, and hold their office during good behavior.

The staff of the Brigadier-Generals to be taken from the General Staff, and detailed by the Adjutant-General for such duty.

The Regimental Staff to consist of Adjutants and Surgeons, with the rank of Captain; Quartermasters, Commissaries, Ordnance Officers, and Inspectors of Rifle Practice, with the rank of First Lieutenants.

The Colonel to appoint these officers, and (with the exception of Surgeons) to be chosen, whenever practicable, from the regiment, and to pass an examination, and to hold office during the pleasure of the Colonel.

The Battalion Staff to consist of Adjutants and Surgeons, with the rank of First Lieutenant; a separate battalion to also have Quartermasters, Commissaries, Ordnance Officers, and Inspectors of Rifle Practice, with the rank of Second Lieutenant.

These officers, with the exception of Surgeons, to be chosen from the battalion, and to pass an examination, and to hold their office during the pleasure of the Major.

In all cases the duty of Ordnance Officer and Inspector of Rifle Practice shall be performed by one officer.

A Signal Officer may be attached to the General Staff, with the rank of Captain, to have a supervision over the entire Signal Corps.

The command of the Signal Corps in the different brigades to devolve upon the Lieutenants.

The three Brigadier-Generals to be appointed by the Governor of the State, but before receiving their commissions to pass an examination.

The Adjutant-General must have served in the National Guard for at least three years, or may be taken from the United States Army or the Grand Army of the Republic.

No appointments should be made as a reward for party service, but the National Guard should be entirely removed from politics, and all staff officers should be chosen from those who have theretofore served in the National Guard, and should be subjected to the same examination as the line officers.

In case of war, the regiments may be increased and organized on the basis of three battalions, with four companies to a battalion. And should the troops enter upon a long campaign, provision may be made for the appointment of additional staff officers, such as Engineers and Paymasters.

Every company, upon being mustered into the service, should be completely fitted out with blouses, trousers, hats, arms, haversacks, canteens, blankets, and overcoats; service uniforms only to be provided by the State.

When a company becomes inefficient or falls below a certain standard, it should be mustered out, and instead of increasing the number of companies, a reduction should be made therein. This Court presents for your consideration Schedules A and B, hereunto annexed, which indicate the reductions that may be readily made in the number and rank of officers, and in the number of companies, and we believe that action on the lines herein suggested will result greatly to the benefit of the National Guard.

LAWS AND REGULATIONS GOVERNING THE NATIONAL GUARD.

Much of the uncertainty, and a large portion of the delay at the depot, doubtless resulted from the fact that the Laws and Regulations did not clearly define the respective duties of the civil and military officers, and the Court is of the opinion that the Laws and Regulations should be carefully revised, in order to make clear and positive the relative duties and rights of the civil and military authorities, so that no question could again arise as to the authority or responsibility of each.

The civil officer should have no actual command over the military, and the law should be so amended as to clearly prescribe that the duties of civil officers are limited to the issuance of a notice or proclamation directing the mob to disperse, and if the mob does not then promptly disperse, the military should thereafter, under the sole command of its own officers, use sufficient force to accomplish the result desired; and as to the method of quelling the riot the military officer should be compelled to use his own judgment.

If a civil officer is not present, or if he neglects or delays or refuses to give the proper notice, then it should become the duty of the military officer to issue such proclamation to the mob.

In conclusion, we have to say that we have endeavored with impartiality to place the responsibility for various errors where it rightfully belongs, and that we are satisfied that the failures of the Sacramento campaign were not due to the rank and file, but that the inglorious ending of the movement upon the depot on July 4th is due to the acts and omissions of a number of the officers, as hereinbefore set forth.

There appears to have been great lack of foresight and premeditation; events seem to have been the result of chance, and there was an absence of that energetic action and efficient

coöperation which have ever characterized the true soldier and the successful General.

Respectfully submitted.

PARK HENSHAW,
Col. 8th Reg. Inf., N. G. C., President.
FRANK W. SUMNER,
Col. and Paymaster-General.
STUART S. WRIGHT,
Lieut.-Col. 6th Inf., N. G. C.
CHARLES L. TILDEN,
Captain (retired), N. G. C., Recorder.

SCHEDULE A.

Memoranda of the Reorganization of the National Guard. No. 1.

1st Brigade --	7th Inf. Reg. at Los Angeles, etc. -- 9th Inf. Bat. at San Diego, etc.	2 Battalions -- 1 Battalion --	7 Comp's. 4 Comp's.
2d Brigade --	1st Inf. Reg. at San Francisco ---- 2d Art. Reg. at San Francisco, etc. -- 3d Inf. Bat. at San Francisco, etc. 5th Inf. Reg. at Oakland, etc. 10th Inf. Bat. at Eureka, etc.	2 Battalions -- 2 Battalions -- 1 Battalion -- 2 Battalions -- 1 Battalion --	7 Comp's. 7 Comp's. 4 Comp's. 7 Comp's. 2 Comp's.
3d Brigade --	2d Inf. Reg. at Sacramento, etc. 6th Inf. Reg. at Stockton, etc. 8th Inf. Reg. at Chico, etc.	2 Battalions -- 2 Battalions -- 2 Battalions --	7 Comp's. 8 Comp's. 7 Comp's.
Total	7 Regiments and 3 Battalions	14 Battalions -- 3 Battalions -- 17 Battalions --	50 Comp's. 10 Comp's. 60 Comp's.
Battery A --	San Francisco	4 Guns	1 Comp'y.
1st Troop --	San Francisco		1 Comp'y.
Signal Corps.	Formed on the basis of 10 men to a regiment and 5 to a battalion, and detailed to the brigades		1 Comp'y.

SCHEDULE B.

Memoranda on the Reorganization of the National Guard of California.

	Brigadier-Generals	Colonels	Lieutenant-Colonels	Majors	Captains	First Lieutenants	Second Lieutenants
Personal staff of the Commander-in-Chief to consist only of aids				10			
Commanding officers of brigades	3						
General staff of N. G. C., and to consist of—							
Adjutant-General	1						
Assistant Adjutant-Generals				4			
Inspectors				3			
Surgeons				3			
Judge-Advocates					3		
Quartermasters					3		
Commissaries					3		
Ordnance Officers and Inspectors of Rifle Practice					3		
Signal Officer					1		
Aids					6		
Regimental officers to consist of		7	7	14	50	50	50
Adjutants					7		
Surgeons					7		
Quartermasters						7	
Commissaries						7	
Ordnance Officers and Inspectors of Rifle Practice						7	
Battalion Officers				3	10	10	10
Battalion Staff to consist of—							
Adjutant						3	
Surgeons						3	
Quartermasters							3
Commissaries							3
Ordnance Officers and Inspectors of Rifle Practice							3
Battery					1	1	2
Troop					1	1	1
Signal Corps						2	1
Totals (317)	4	7	7	37	95	91	73

Note.—This plan of reorganization, as proposed, reduces the number and rank of the officers on the staff of the Commander-in-Chief. It abolishes the office of Major-General and his staff, and reduces the number of Brigade Commanders, and greatly reduces the number and rank of all Brigade, Regimental, and Battalion Staff officers.

NOTE.—I fully agree with the Court in all its findings and conclusions, except as to one or two details in the plan of reorganization. I did not participate in discussion of matters relating to Colonel Nunan or the Stockton companies.

STUART S. WRIGHT,
Lieutenant-Colonel Sixth Infantry, N. G. C.

I am satisfied the National Guard should be reorganized. Am not prepared to say the elaborate plan submitted by Colonel Sumner is the best.

PARK HENSHAW,
Colonel Eighth Regiment Infantry, N. G. C.

II. The Court is complimented for the faithful manner in which every requirement of said order has been complied with.

III. The proceedings, opinions, and recommendations of said Court are approved, with the following modifications:

First—The censures of Brigadier-General Sheehan are excessive in comparison with those imposed upon the other officers involved.

Second—The censures of Colonel Sullivan are excessive as compared with those imposed upon the three general officers then in the field.

IV. In pursuance of the recommendations of the Court, Company A, Second Regiment of Infantry, and Company G, Third Regiment of Infantry, will be mustered out of the service, and orders to that effect will be issued from these Headquarters.

V. No recommendations are made with regard to the three General Officers and the one Colonel involved, and from the tenor of the report and the evidence presented, it is evident that no intentional wrong was committed, and, barring the mistakes mentioned in the report, each of these officers performed his duties with commendable ability and promptness.

VI. It appears that the officers and enlisted men of the Guard, aside from the criticisms mentioned in the report, are entitled to great credit for their loyalty and soldierly bearing during their entire service, and their operations, aside from the defects designated in said report, would do credit to any soldier.

VII. The National Guard of California has been severely criticised for the failure to capture the depot at Sacramento. A careful examination of the report will fix the responsibilities for that failure, and also place the Guard as a military organization impartially before an intelligent people, who will not expect men, whose daily vocations are those of the ordinary citizen, to equal the soldierly perfection exhibited in the United States Army, where officers and men are devoted to that calling alone. Nevertheless, when on duty, every enlisted man and every officer of the Guard should emulate the discipline and soldierly qualities insisted upon in the regular army, and the nearer they approach that standard of military perfection, the greater credit will be due them. In the last war the citizen soldiery and the professional soldier were soon blended as one army by the efforts of the former to equal or excel the latter. "Peaceful American citizens have more than once been transformed into reliable soldiers at a moment's notice."

VIII. The Court of Inquiry, of which Colonel Park Henshaw is President, is hereby dissolved.

IX. The following changes in the National Guard of California are announced:

First Infantry.

John F. Eggert, Captain Company F, to rank from October 18, 1894; vice Margo, term expired.

Henry E. Curzans to be First Lieutenant Company F, to rank from October 18, 1894; vice Eggert, promoted.

Second Artillery.

Edward D. Carroll to be First Lieutenant Battery G; vice self, term expired.

Sixth Infantry.

Alex. S. Gillam, to be First Lieutenant and Battalion Adjutant, to rank from November 13, 1894; vice Frasier, resigned.

SPECIAL ORDERS.

I. A General Court-martial is hereby appointed to meet at the armory of the First Troop Cavalry, unattached, N. G. C., San Francisco, on Monday, the 3d day of December, 1894, at 8 o'clock P. M. of that day, for the trial of Captain S. P. Blumenberg, retired, late in command of the First Troop Cavalry, unattached, N. G. C., and such other prisoners as may be brought before it.

Detail for the Court:

Major James F. Smith, Third Regiment of Infantry.

Captain Irving B. Cook, First Regiment of Infantry.

Captain George H. Wethern, Fifth Regiment of Infantry.

Captain Charles Boxton, Second Regiment of Artillery.

First Lieutenant John A. Miller, Second Regiment of Artillery.

First Lieutenant Frank P. Schaefer, First Regiment of Infantry.

Second Lieutenant John J. West, Third Regiment of Infantry.

First Lieutenant E. S. Heller, Fifth Regiment of Infantry, Judge-Advocate.

No greater number than the above can be detailed without manifest injury to the service.

The Court will sit without regard to hours. (Issued November 17, 1894.)

II. In pursuance of recommendation of Court of Inquiry, of which Colonel Park Henshaw, Eighth Regiment of Infantry, is President, appointed by Special Orders, A. G. O., No. 12, c. s., for disobedience of orders July 4, 1894, the following designated companies of the National Guard of California will, on the 10th day of December, 1894, be mustered out of the service and be disbanded.

III. The commanding officers of the above designated companies will at once prepare rolls of their companies, in duplicate, containing the names of the officers and enlisted men belonging to the said companies, verified under oath, and will order their companies to be present at the armories of these commands on the evening of said 10th day of December, at 8 o'clock.

IV. The commanding officers of these companies will make invoices in duplicate of all property in their possession belonging to the State, one of which will be delivered to the officer to be designated to receipt for and receive said property, and the

other to be forwarded to these Headquarters. After paying all demands due from the said companies, the balance of the moneys on hand will be turned over to the officer authorized to receive the property.

V. Major Wm. W. Douglas, Staff Fourth Brigade, is hereby detailed to muster out Company A, Second Regiment of Infantry, and will be present at the armory of said company in Sacramento at the time above mentioned, and will superintend the muster out of said command. He will report his action to these Headquarters.

VI. Lieutenant W. B. Maydwell, Quartermaster Second Regiment of Infantry, will receive from the commanding officer of said Company A all property and moneys in his hands belonging to the State, and will hold the same, subject to further orders from these Headquarters. He will furnish duplicate receipts therefor, one to be delivered to the officer responsible for the same, and forwarding one to these Headquarters.

VII. Major George R. Burdick, First Regiment of Infantry, is hereby detailed to muster out Company G, Third Regiment of Infantry, and will be present at the armory of said company in San Francisco at the time above mentioned, and will superintend the muster out of said command. He will report his action to these Headquarters.

VIII. Lieutenant Emil Kehrlein, Quartermaster Third Regiment of Infantry, will receive from the commanding officer of said Company G all property and moneys in his hands belonging to the State, and will hold the same subject to further orders from these Headquarters. He will furnish duplicate receipts therefor, one of which will be delivered to the officer responsible for the same, and forwarding one to these Headquarters.

IX. Lieutenant Maydwell and Lieutenant Kehrlein will be held responsible for the property taken in charge by them, and will use proper care that the same is not lost or diverted to the possession of any one until further orders.

X. Upon application of the commanding officer of the Signal Corps, Second Brigade, a Board of Survey is hereby ordered to convene at the armory of the said Signal Corps in San Fran-

cisco, on the evening of December 10, 1894, at 8 o'clock, or as soon thereafter as practicable, to examine and report as to the condition of the following property, alleged to be unserviceable, for which the commanding officer of the said Signal Corps is responsible. Their report will make such recommendations as to the disposition of said property as may be for the best interest of the service: 31 caps, 9 pairs trousers, 40 saddles, 40 bridles.

Detail for the Board:

Major Victor D. Duboce, Inspector Second Brigade.

Lieutenant Burns Macdonald, Battalion Adjutant, Second Artillery.

Lieutenant E. J. Blunkall, Company D, First Infantry.
(Issued November 14, 1894.)

XI. Leave of absence, with permission to leave the State, is granted the following-named officers. Upon their return they will report in writing to these Headquarters: Major-General Dimond, commanding Division, for thirty days; Colonel Albert G. Castle, A. A. G., Division, for sixty days; Major George H. Pippy, A. D. C., Division, for sixty days.

By order of the Commander-in-Chief.

C. C. ALLEN,
Adjutant-General.

Official:

Assistant Adjutant-General.