

Head-Quarters, 16th Army Corps

Memphis, Tenn., 1863

GENERAL ORDERS, } No. 73. }

At a Military Commission which convened at Nashville, Tennessee, on the 7th day of March, 1863, pursuant to General Order No. 28, from the Head-Quarters 16th Army Corps, Tennessee, March 6th, 1863, and of which Col. W. C. C. Ohio Volunteer Cavalry, was President, were arranged the following:

15th—THEOPHILUS SPEIGEL

CHARGE—*Selling liquor in violation of Military*

Specification—In this, that on or about the 12th day of March, 1863, the said Theophilus Speigel did sell quantities of liquor, in violation of existing regulations. This at Memphis, County of Shelby, and State of Tennessee.

To which charge and specification, the accused person is held. To the specification, - - - - - To the charge, - - - - -

FINDING AND SENTENCE

The Commission, after mature deliberation, finds the said Theophilus Speigel, as follows:

Of the specification, - - - - -
Of the charge, - - - - -

And does therefore order that the said Theophilus Speigel be discharged from custody, and that all property taken from him be restored to him.

Finding and sentence approved. The accused person Speigel will be released from arrest, and the custody of the property taken from him will return to him.

16th—GEORGE RAYFIELD

CHARGE—*Murder.*

Specification—That the said George Rayfield, felon with malice aforethought, did kill and murder one person in the city of Memphis, Tennessee, on or about the 12th day of December, 1862.

To which charge and specification, the accused person is held. To the specification, - - - - - To the charge, - - - - -

FINDING AND SENTENCE

The Commission, after mature deliberation, finds the said George Rayfield, as follows:

Of the specification, - - - - -
Of the charge, - - - - -

The slaying being, in the opinion of the Commission, a capital offense.

Head-Quarters, 16th Army Corps,

Memphis, Tenn., 10th June, 1863.

GENERAL ORDERS, } No. 73. }

At a Military Commission which convened at Memphis, Tennessee, on the 7th day of March, 1863, pursuant to Special Orders No. 28, from the Head-Quarters 16th Army Corps, Memphis, Tennessee, March 6th, 1863, and of which Col. W. H. H. Taylor, 5th Ohio Volunteer Cavalry, was President, were arraigned and tried:

15th—THEOPHILUS SPEIGEL.

CHARGE—*Selling liquor in violation of Military Orders.*

Specification—In this, that on or about the 12th day of March, 1863, the said Theophilus Speigel did sell to divers persons quantities of liquor, in violation of existing Military orders. This at Memphis, County of Shelby, and State of Tennessee.

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, after mature deliberation, finds the accused, Theophilus Speigel, as follows:

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

And does therefore order that the said Theophilus Speigel be discharged from custody, and that all property taken from him be restored to him.

Finding and sentence approved. The accused Theophilus Speigel will be released from arrest, and the officer having the custody of the property taken from him will return the same.

16th—GEORGE RAYFIELD.

CHARGE—*Murder.*

Specification—That the said George Rayfield, feloniously and with malice aforethought, did kill and murder one James Foley, in the city of Memphis, Tennessee, on or about the 27th day of December, 1862.

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, after mature deliberation, finds the accused, George Rayfield, as follows:

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

The slaying being, in the opinion of the Commission, excusable

homicide in self defence. It is therefore ordered, that the defendant be discharged from custody, and his bail released.

Finding and sentence approved. The prisoner George Rayfield will be forthwith released from arrest, and his bail will be released.

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19th—C. T. VENNIGERHOLTZ.

CHARGE—Carrying communications beyond the lines of the United States forces to Rebel soldiers and others.

Specification 1st—In this, that on or about the 12th day of March, 1863, the said Vennigerholtz did, upon a fictitious pass, procured in the name of a third or fictitious personage, attempt to pass the lines of the United States forces, bearing a number of letters, sealed and unsealed, addressed to Rebel soldiers and officers, in violation of the laws of war.

*Specification 2d—In this, that on or about the 12th day of March, 1863, the said Vennigerholtz did, upon a pass made in the name of a person not himself, attempt to pass the lines of the United States forces, bearing a number of letters designed to convey information to Rebel soldiers and persons in opposition to the United States Government, within her territory. Such letters not having been passed or *vised* by any competent authority of the United States.*

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

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

FINDING AND SENTENCE.

We have given this case a very careful examination, and read all the letters and many of the papers found upon him, the said Vennigerholtz, in which we can see nothing contraband, and while we think the defendant acted imprudently in not obtaining permits of the Provost Marshal to carry the letters, we can not believe he intended to injure the Government of the United States, therefore find him as follows:

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

We recommend his discharge, and that the property taken from him at the time of his arrest, be restored to him.

Finding and sentence approved. The letters found in the possession of the prisoner will be destroyed by the officer having possession thereof. His money will be restored to him, and he will be held in bonds in the sum of five thousand dollars, with good and sufficient securities, for his future good behavior toward the United States of America, in default of which he will leave the city of Memphis, Tenn., and proceed beyond the limits of the Military Department of the Tennessee, within ten days.

20th.—MARY NICHOLSON.

CHARGE—*Carrying communications beyond the Federal lines to Rebel soldiers.*

Specification 1st—In this, that on or about the 12th day of March, 1863, the said Mary Nicholson did, upon a fictitious pass, procure in the name of a third or fictitious personage, attempt to pass the lines of the United States forces, bearing a number of letters, sealed and unsealed, addressed to Rebel soldiers and officers, in violation of the laws of war.

Specification 2d—In this, that on or about the 12th day of March, 1863, the said Mary Nicholson did, upon a pass, made upon the name of a person not herself, attempt to pass the lines of the United States forces, bearing a number of letters designed to convey information to Rebel soldiers, and persons in opposition to the United States Government within her territory, such letters not having been passed or *vised* by any competent authority of the United States.

To which the accused pleaded as follows:

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

FINDING AND SENTENCE.

After mature deliberation, the Commission finds the accused as follows:

Of 1st specification, - - - - -	"Guilty."
Of 2d specification, - - - - -	"Guilty."
Of the charge, - - - - -	"Guilty."

And does therefore sentence the said Mary Nicholson, to be sent to Alton, Illinois, to be confined for four months, and afterwards to be sent without the limits of the United States, she claiming to be a British subject.

Finding and sentence approved. Mary Nicholson will be, by the Provost Marshal, transported to Alton, Illinois, where she will be delivered into the custody of the Military Commandant, to serve out, in confinement in the Military Prison, the full term of four months, at the end of which term of confinement, she will be sent beyond the limits of the United States.

21st.—MRS. HURBARD *alias* STEELE.

CHARGE I—*Smuggling.*

Specification—In this, that on or about the 1st day of March, 1863, the said Hurbard, *alias* Steele, did smuggle a large quantity of goods through the Federal lines, in violation of Regulations of Treasury Department and Military Orders.

CHARGE II—*Attempting to smuggle.*

Specification 1st—In this, that on or about the time and place aforesaid, the said defendant did attempt to smuggle a large quantity of goods through the Federal lines, in violation of Regulations of Treasury Department and Military Orders. This at Memphis, County of Shelby, and State of Tennessee.

CHARGE III—*Forgery.*

Specification—In this, that on or about the 1st day of March, 1863, the said Hubbard, *alias* Steele, did forge, write and counterfeit the name of one A. J. Enlow, Capt. and Provost Marshal to Gen'l Jas. C. Veatch, commanding the District of Memphis, in three different seals on three different trunks. Thereby deceiving the Military authorities at Memphis, Tenn., and violating existing Military Orders.

CHARGE IV—*Attempting to deceive the Military Authorities.*

Specification—In this, that at the time and place aforesaid, the said Hubbard, *alias* Steele, did attempt to deceive the Military authorities, by obtaining passes under an assumed name, and forging the name of one Capt. A. J. Enlow, Provost Marshal to Brig.-Gen. J. C. Veatch, commanding the District of Memphis, Tenn., on three different seals on three different trunks, thereby attempting to deceive the Military authorities at Memphis, Tenn.

CHARGE V—*Procuring other parties to deceive the Military Authorities.*

Specification—In this, that on or about the 1st day of March, 1863, the said Hubbard, *alias* Steele, did procure other parties to obtain passes and seal trunks in the name of the Government of the United States: thus deceiving the Military authorities at Memphis, County of Shelby, and State of Tennessee.

To which charges and specifications the accused pleaded "Not guilty."

FINDING AND SENTENCE.

The Commission, after mature deliberation, finds the accused, Mrs. Hubbard, *alias* Steele, "guilty" as charged.

The Commission does therefore order that the goods found with her at the time of her arrest be confiscated; that she be fined in the sum of one thousand dollars (\$1000), and that she remain in custody until said fine is paid. It is further ordered that after the payment of said fine, she be required to give bond in the sum of five thousand dollars (\$5000) not to appear within the Federal lines during the present war, and that she be sent outside of said lines.

Finding and sentence approved. The goods named will be confiscated for the use and benefit of the United States, being turned over and accounted for as is directed by law and orders. The prisoner will further be fined the sum of one thousand (\$1000) dollars, remaining in custody until the same be paid over for the use and benefit of the United States. The bond required will be taken by the Provost Marshal of the District of Memphis, as is conditioned in the sentence.

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

HENRY BINMORE,

Assistant Adjutant General.

OFFICIAL.

A. A. G.