

GENERAL ORDERS, }

No. 75. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, March 31, 1863.

I.—Before a General Court-Martial, which convened at the Camp of the 3d Brigade, Abercrombie's Division, January 26, 1863, pursuant to Special Orders, No. 4, dated January 21, 1863, and Special Orders, No. 6, dated January 21, 1863, Headquarters Abercrombie's Division, and of which Lieutenant Colonel HORACE BOUGHTON, 143d New York Volunteers, is President, was arraigned and tried—

Captain *Anthony H. Bush*, 143d New York Volunteers.

CHARGE I.—“Violation of the 50th Article of War.”

Specification.—“In this; that he, the said Captain *A. H. Bush*, Company ‘K,’ 143d Regiment New York Volunteers, having been detailed to take command of a post on the Orange and Alexandria railroad, in the State of Virginia, and while the pickets over which he was placed were doing duty on said picket line, he, the said Captain *Anthony H. Bush*, Company ‘K,’ 143d Regiment New York Volunteers, did, without urgent necessity, absent himself from the said picket post and from his said command, without the knowledge or permission of his superior officer, for the period of three days, viz: January 3d, 4th, and 5th, 1863, excepting to return about 11 o'clock, preparatory to the arrival of the grand rounds. All this at or near a picket post on the Orange and Alexandria railroad, on or about the 4th day of January, 1863.”

CHARGE II.—“Disobedience of orders.”

Specification.—“In this; that the said Captain *A. H. Bush*, of Company ‘K,’ 143d New York Volunteers, having been detailed to take command of a picket post on the Orange and Alexandria railroad, in the State of Virginia, and while the pickets over which he was placed were doing duty on said picket line, he, the said Captain *A. H. Bush*, Company ‘K,’ 143d Regiment New York Volunteers, did, in violation of orders from his superior officer, straggle away from his post, and, without

urgent necessity, did take off his equipments and did not immediately thereafter resume the same. All this at or near a picket post, on or about the 4th of January, 1863."

CHARGE III.—"Drunkness on duty."

Specification.—"In this; that he, the said Captain *A. H. Bush*, of Company 'K,' 143d Regiment New York Volunteers, while on duty as officer of the day at the camp of the 143d Regiment New York Volunteers, became intoxicated to such a degree as totally to unfit him for duty, and while acting in said capacity as officer of the day; and, while attempting to make the grand rounds, did make use of abusive and insulting language to the sentinels on post unbecoming an officer. All this at the camp of the 143d Regiment New York Volunteers, on or about the 24th day of December, 1862."

CHARGE IV.—"Absence without leave."

Specification.—"In this; that the said *A. H. Bush*, Captain Company 'K,' 143d Regiment New York Volunteers, did, on or about the 28th day of December, 1862, without the permission of his commanding officer, and without other authority, in anticipation of a pass, leave his regiment and company for the city of Washington, and did not return to his company or command for some three days thereafter. All this at the camp of the 143d Regiment New York Volunteers, on or about the 28th day of December, 1862."

CHARGE V.—"Neglect of duty, (Article of War, 18.)"

Specification.—"In this; that he, the said *A. H. Bush*, Captain Company 'K,' 143d Regiment New York Volunteers, while in command of his company, omitted, in making out and preparing pay-rolls, correctly to state the time of enlistment, although requested and urged so to do, whereby Conrad Kesler, Amos Lee, and George Tacy, all of whom belong to Company 'K,' 143d Regiment New York Volunteers, and all of whom enlisted previous to the 22d day of August, 1862, were and still are deprived of their United States bounty and advance pay for one

month. All this at the camp of the 143d Regiment New York Volunteers, Upton Hill, Virginia, on or about the 27th day of October, 1862."

To all of which charges and specifications the accused, Captain A. H. Bush, 143d New York Volunteers, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Captain A. H. Bush, 143d New York Volunteers, as follows:

CHARGE I.

Of the *Specification*, "Guilty, except as to the words 'for the period of three days, viz: January 3d, 4th, and 5th, 1863, excepting to return about 11 o'clock,' and inserting instead thereof as follows: 'repeatedly during his tour of duty, viz: January 3d, 4th, and 5th, 1863, and remaining away therefrom an unnecessary length of time—returning.'"

Of the 1st CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except as to that part of the specification which follows the words 'straggling away from his post.'"

Of the 2d CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty, except as to the word 'totally' and as to that part of the specification following the words 'grand rounds,' and inserting instead thereof as follows: 'did conduct himself in a manner unbecoming an officer.'"

Of the 3d CHARGE, "Guilty."

CHARGE IV.

Of the *Specification*, "Guilty."

Of the 4th CHARGE, "Guilty."

CHARGE V.

Of the *Specification*, "Guilty, but attach no criminality to the act."

Of the 5th CHARGE, "Not Guilty."

SENTENCE.

And the Court does, therefore, sentence him, Captain *A. H. Bush*, 143d New York Volunteers, "*To be cashiered.*"

II.—In conformity with the 5th section of the Act approved July 17, 1862, the proceedings in the foregoing case have been forwarded for the action of the President of the United States, with the recommendation that Captain *Bush* be dismissed the service, notwithstanding certain irregularities in the proceedings of the Court. The recommendation is approved, and Captain *A. H. Bush*, 143d New York Volunteers, is, by direction of the President, dismissed the service

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,

Assistant Adjutant General.