

GENERAL ORDERS, }  
No. 120. }

122  
WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 11, 1863.

I..By direction of the President of the United States, the sentence published against Sergeant *Charles Braffitt*, 5th Ohio Cavalry, in General Orders, No 76, dated August 20, 1862, from Headquarters, District of West Tennessee, is commuted from death by being shot, to imprisonment for three months from this day.

II..It having been shown by satisfactory evidence that Major *Nathan Earlywine*, 4th Indiana Volunteer Cavalry, was guilty of converting to his own private use two mules belonging to the United States, the President directs that he shall be, and he is hereby, dismissed the service.

III..The record of proceedings of a Military Commission, convened by Orders, No. 55 and No. 65, of 1862, from Headquarters, Camp Release, opposite the mouth of Chippewa River, before which *Toon-wan-wa-kin-ya-a chatka*, a Sioux Indian, was tried, and sentenced to be hanged, for participation in the commission of murders, robberies, and outrages, has been submitted to the President of the United States. The record is too imperfect to justify the execution of the sentence, and the President accordingly disapproves it.

IV..*David Faribault, jr.*, a mixed-blood Sioux Indian, under condemnation at Mankato, Minnesota, for alleged complicity with the late Indian outrages in that State, is pardoned by the President of the United States, on evidence that he acted with the Indians under duress, and that he was not engaged in the massacre of women and children.

V..The sentence, "*to be dismissed the military service of the United States*," published against Captain *John E. Wilbur*, 3d New Hampshire Volunteers, in General Orders, No. 7, Headquarters, Department of the South, dated February 6, 1863, and suspended by the Department Commander until the pleasure of the President can be made known, is approved by the President, and will be carried into execution.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Assistant Adjutant General.*