

GENERAL ORDERS, }  
No. 150. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 26, 1863.

I..Before a General Court Martial which convened at Henderson, Kentucky, September 18, 1862, pursuant to Special Orders, No. 20 dated Headquarters Louisville, Kentucky, September 16, 1862, and of which Lieutenant Colonel JOHN W. FOSTER, 25th Indiana Volunteers, is President, was arraigned and tried—

Captain *S. R. Hornbrook*, 65th Indiana Volunteers.

CHARGE I.—“Contempt and disrespect towards his commanding officer.”

*Specification 1st*—“In this; that on the 17th day of September, 1862, the said Captain *S. R. Hornbrook*, 65th Regiment Indiana Volunteers, with other officers of said Regiment, did cause a publication to be made in the *Evansville Journal*, a paper of general circulation, which is in the words and figures following, to wit :

‘A CARD.

‘CAMP CUMBACK, 65TH REGIMENT INDIANA VOLUNTEERS,  
*Henderson, Kentucky, September 15, 1862.*

‘EDITORS JOURNAL: Since arriving at this post the undersigned have seen a note published in your paper during our tour in the interior over the signature of Lieutenant Colonel John W. Foster, vindicating the conduct of Lieutenant Colonel Johnson, and denying the justness and truth of some comments in your paper in reference to the treatment which our men have received at his hands. With all deference to the opinions and candor of Lieutenant Colonel Foster, (who was not with us at the time of our greatest privations,) the undersigned represent that your comments are substantially correct; that our men, after two days' very severe marching, during which time they marched nearly sixty miles, with very little to eat, were not furnished with

such food as the secesh place afforded; that our men, who had eaten nothing since morning, were sent out on picket and lay down on their arms for the night exhausted and supperless, while there was plenty of beef cattle in the pasture, potatoes in the field, and negroes, with several places for cooking such provisions as the place afforded. The above instance is not an exceptional case, but many of the hardships which have so often broken down our men were unnecessary, and might have been avoided by a humane and competent commander. Our men are not tired of the service, but, under proper treatment, are ever ready to discharge all the duties and undergo all the privations incident to a soldier's life.

'E. A. BAKER, Captain, Company E.

'W. T. STILLWELL, Captain, Company B.

'J. W. HAMMOND, Captain, Company G.

'S. R. HORNBOOK, Captain, Company H.

'A. D. HARTINGS, Captain, Company F.' "

*Specification 2d*—"In this; that the said Captain *Hornbrook* did, on or about the 2d day of September, 1862, in the presence of his men, proclaim the commanding officers to be either heartless wretches or imbeciles. This at or near White Sulphur Springs, Kentucky."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In this; that the said Captain *S. R. Hornbrook*, on or about the 17th September, 1862, signed and caused to be published the article in the Evansville Journal above set forth, to the prejudice of good order and military discipline."

*Specification 2d*—"In this; that the said Captain *Hornbrook* did, on or about the 2d day of September, 1862, proclaim the commanding officers to be either heartless wretches or imbeciles."

*Specification 3d*—"In this; that the conduct and bearing of the said Captain *Hornbrook*, since his connexion with the Regiment, has

been of such a nature as to cause dissensions, insubordination, and disrespect towards his superior officers."

To which charges and specifications the accused, Captain *S. R. Hornbrook*, 65th Indiana Volunteers, pleaded "Not Guilty."

#### FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Captain *S. R. Hornbrook*, 65th Indiana Volunteers, as follows :

#### CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

#### CHARGE II.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

#### SENTENCE.

And the Court does therefore sentence him, Captain *S. R. Hornbrook*, 65th Indiana Volunteers, "*To be dismissed from the service.*"

II.—The proceedings of the Court in the above case have been forwarded for the action of the President of the United States, who disapproves the sentence on account of irregularity in the proceedings.

BY ORDER OF THE SECRETARY OF WAR :

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