

THE COURT-MARTIAL OF COLONEL KAUTZ

By Andrew Wallace

In May of 1876 an army court arraigned Colonel August V. Kautz, commander of the Eighth U.S. Infantry Regiment, for publicly criticizing William McKee Dunn, judge advocate general of the U.S. Army. Kautz at the time of the offense was in charge of the Military Department of Arizona, one of the army's twelve geographical commands, with headquarters at Prescott, Arizona.¹ The subsequent trial attracted wide interest and probably was the most important judicial proceeding by the army between the Civil War and 1900.

August Valentine Kautz was German-born but raised from childhood in Ohio. Fifty years old in 1878, he had spent thirty-two years in uniform. A veteran of the Mexican War and a graduate of West Point, Kautz served with distinction as a Union cavalry commander during the Civil War and Congress afterward awarded him a brevet promotion to major general. In 1867 he became a lieutenant colonel in the reorganized peacetime army. Nearly all of Kautz' postwar career was spent in the Far West. He was promoted colonel of the Eighth Infantry in 1874 and for three years commanded the Arizona department in his brevet general rank.

When he succeeded his old friend General George Crook in 1875, Kautz was already commanding the Eighth Infantry from department headquarters at Fort Whipple on the outskirts of Prescott. This was the principal town of northern Arizona with perhaps 1,500 residents. There he clashed with the Indian Office of the Interior Department about ad-

ministration of Arizona reservations. The quarrels grew more strident when the territorial capital returned to Prescott in 1877. By then Kautz was in personal contact with Governor Anson P. K. Safford and other politicians. Some were friendly to him but Safford wanted Kautz removed to ease civilian takeover of Indian lands and to maintain the lucrative Indian trade on reservations, while others took the popular view that Kautz was soft on savages and was not killing enough Apaches.

Political squabbles soon became a source of tension between Kautz and the army's

commanding general, William Tecumseh Sherman. Although Sherman was sympathetic to Kautz, he regarded him as overly contentious and feared he would embarrass the War Department.

Both men—indeed, most Army officers who had dealings with reservation agents in the West—suspected there was a widespread conspiracy to line civilian pockets by fraud and theft at the expense of the Reservation Indi-



August V. Kautz

ans. They referred to it as the “Indian Ring,” but its existence was never proven. But whereas Kautz persisted in fighting the illusory “ring,” Sherman was more concerned to keep the army out of politics.²

A tangled web of events that culminated in the trial of Colonel Kautz commenced in 1877 when Captain Charles P. Eagan was assigned to Arizona as the “commissary of subsistence.” He soon tried to foment a revolt within Kautz’ headquarters. Eagan was not directly accountable to the department commander, as he represented a War Department bureau, the Subsistence Department, and his antipathy to Kautz is inexplicable. Most of the headquarters staff rejected him as a noisy troublemaker, and he seems to have sought notoriety, power, or perhaps revenge for some fancied wrong. Nevertheless he soon became the champion of a bankrupt captain against the “tyranny” of General Kautz.³

A company commander in the Sixth U.S. Cavalry, Captain Charles Harrod Campbell, was brought before a field court-martial in July 1877. Major Charles E. Compton, the Sixth Cavalry’s senior officer present for duty, preferred charges against him for embezzlement of his company fund. The court found him guilty of “conduct unbecoming an officer” but the court’s president ruled only that he be reprimanded. More serious charges, however, were brought in October 1877.⁴

He was charged again with pilfering a company fund and for misappropriation of government property, including nine Colt revolvers. Eagan volunteered to be his defense counsel. Soon after the trial began, Eagan subpoenaed Colonel Kautz as an expert witness for the defense. Kautz was the author of a book, *Customs of Service for Officers of the Army*, a kind of nineteenth century “Officers Guide,” and Eagan’s purpose was to incrimi-

nate the department commander for misuse of public property—the same crime with which Campbell was charged. Unsuccessful, Eagan dragged the trial out and Kautz left for the East on a leave of absence.

Kautz’ wife Fannie and their children had preceded him to Cincinnati where at the end of October they were reunited. Leaving the children in the care of relatives, Fannie and August entrained for Washington on November 6 and for two weeks the colonel met with officers and federal officials, first with Sherman, then with Brigadier General Robert Macfeely, head of the Subsistence Department. Kautz also had interviews with the Secretary of War, George McCrary, the Secretary of the Interior, Carl Schurz, and with President Rutherford B. Hayes.⁵

From November 9 through the evening of November 11 Kautz met with “the Arizona delegation”: former territorial governors Richard C. McCormick and John N. Goodwin, and the territorial delegate to Congress, Hiram Stevens. There are no records of these conversations. In his diary Kautz remarked only that McCormick (then in the Treasury Department) and Stevens met with him regarding “Indian troubles.” McCormick, a severe critic, may even have applauded the aggressive Sixth Cavalry operations of the previous spring and summer. In September the regiment had played the major role in running down 310 renegade Chiricahua Apaches. By November Indian affairs seemed to be managed mostly to the satisfaction of all parties.⁶

The Kautzes went shopping in New York City, and then left for Cincinnati where on November 25 Colonel Kautz received by mail the record of Captain Campbell’s trial, which had concluded on October 29. Kautz already knew the decision of the court as he had been in telegraphic contact with the trial judge advocate at Fort Whipple. The hapless Camp-

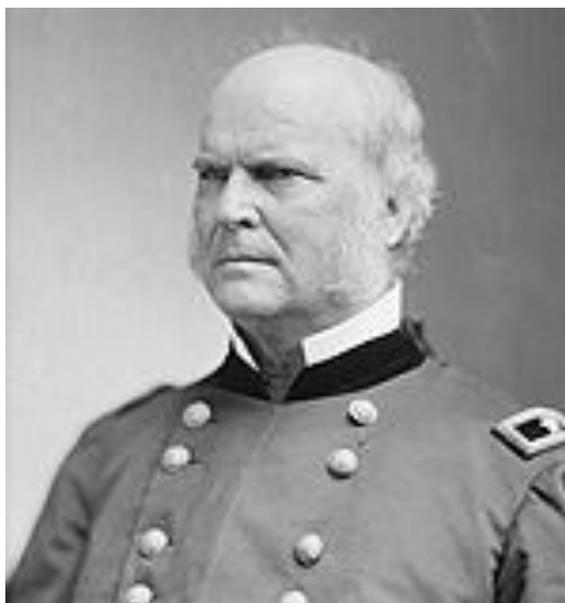
bell had dropped Eagan and secured another defender, but he had been found guilty and sentenced to be dismissed from the service. Two days later Kautz wrote a review of the trial, objecting to any clemency, and approved the sentence of the court. Then he mailed the papers to the War Department bureau of military justice in Washington.⁷

The ultimate fate of Charles Campbell was sadly ironic. A court-martial at Fort Grant, Arizona, in November 1880 convicted him of drunkenness and violating the Sixty-second Article of War. At the trial's conclusion he made a pledge "to totally abstain from the use of intoxicating liquors" and signed a letter promising unconditionally to resign if he broke the pledge—which he did two days later. Cashiered from the service, he settled in Washington but late in 1881 he persuaded senators friendly to his family to introduce a bill in the Senate to restore his commission. The military affairs committee, however, reported it unfavorably on May 31, 1882. Campbell later clerked for the State Department, married an admiral's daughter, and died in 1915.⁸

On their return trip to Arizona, Kautz and his family arrived in San Francisco on December 21 where he received in the mail the record of another court-martial. Kautz was surprised to learn that Eagan himself had been tried in November on charges brought by the inspector general of the Arizona department. The case mainly involved gambling. Eagan had

been convicted on just one count and the court had sentenced him to be reprimanded.⁹

Meanwhile, wheels were turning on behalf of Captain Campbell. On November 13 General Andrew A. Humphreys, chief of engineers, had written to General William McKee Dunn, judge advocate general of the army. Humphreys had known Campbell's father for many years and had employed the son as an aide-de-camp during the war. He asserted that young Campbell had been tried "under a series of charges such as men influenced by personal considerations get up against one for whom they have no friendliness." Humphreys in his letter admitted that the captain possessed "a certain recklessness" but said that he had "many fine traits" and "of late years he has become in all matters of business more careful than formerly."



William McKee Dunn

A few days later David R. McKee, Washington correspondent for the Associated Press, visited the army judge advocate general, William Dunn. David

McKee was married to Dunn's daughter and was an old friend of Eagan. He offered to show his father-in-law a letter from Eagan that described the "persecution" by Kautz of dissident officers in his headquarters and sought to intercede on behalf of Captain Campbell.¹⁰

Eagan himself needed no intermediary to reach the judge advocate-general. He had been on close terms with Dunn at least since 1869 when he received a commission as an

army paymaster on Dunn's recommendation, and in 1874 he had secured his position in the subsistence department largely with Dunn's help. Shortly after he arrived in Arizona, while still on good terms with Kautz, Eagan had been instrumental in having Major Thomas S. Dunn, post commander at Fort Yuma and General Dunn's brother, saved from being cashiered for drunkenness. Moreover, Dunn's father-in-law, Senator Lot M. Morrill of Maine, was a mutual friend of Eagan and of General Sherman.¹¹

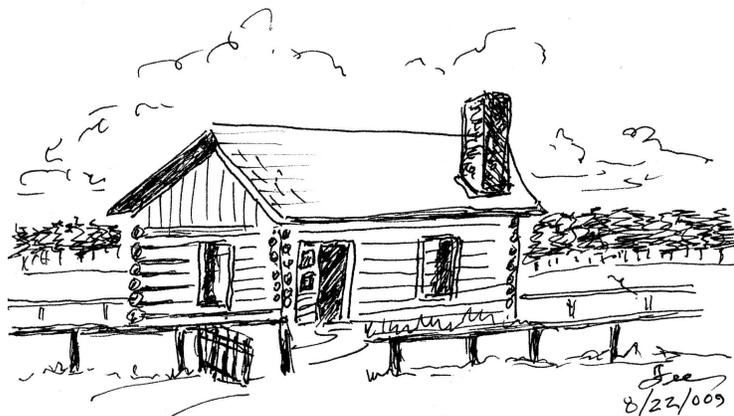
On December 7, 1877, General Dunn, acting in his capacity as head of the military justice bureau and the army's chief legal advisor, recommended that the proceedings in the Campbell case be quashed because of irregularities by Colonel Kautz, the convening authority. The trial record next passed to General Sherman and Secretary of War McCrary, whose recommendations would go to President Hayes for final review. How much Sherman knew previously about the case is uncertain but Humphreys may already have spoken with him. It is also interesting that Sherman's wife was a friend of Captain Eagan, and it is possible that Eagan had attempted to sway Sherman's opinion in the Campbell case through Ellen Sherman.¹²

Sherman only partly agreed with Dunn, and he suggested to Secretary of War McCrary that the court be reconvened to give Campbell opportunity to cross-examine Kautz and "for the purpose of correcting any informality in the endorsement of the Department Commander." Sherman, however, was sharply skeptical of Dunn's legal reasoning and denied that Kautz' privileges of command ceased when he had left Arizona.¹³

The day after Christmas of 1877, President Hayes, on the advice of McCrary, disapproved the entire proceedings in the Campbell case and accepted General Dunn's opinion, in effect exonerating Campbell despite all the damning evidence in the record of trial. Possibly the friends of Campbell had been at work in the White House, too. The Adjutant General, Edward D. Townsend, mailed the President's decision and extracts of Dunn's opinion to Kautz in Arizona.¹⁴

Sometime between the President's disapproval of the Campbell proceedings and January 5, 1878, Dunn's son-in-law, McKee, put a story on the Associated Press wire that was printed in the San Francisco *Alta California* newspaper. Kautz and his family were en route to Fort Whipple on the day that the A.P. story was reprinted in the *Arizona Enterprise*, a Prescott newspaper. It inferred that the court-martial order and Dunn's opinion had been published to the army and asserted that the President's action "is universally regarded, and was doubtless intended, as a very pointed rebuke" of Kautz.¹⁵

Kautz' reaction was volcanic. He telegraphed The Adjutant General to learn whether the court-martial order was to be formally promulgated. "If it has not," he asked Townsend,



“can it be suspended until the receipt of my answer to the . . . opinion?” Townsend wired back that the opinion would not be published for the time-being and told Kautz he was mailing to him the full text of Dunn's endorsement of the Campbell record.¹⁶

Kautz sat down in his office at Fort Whipple and penned a highly critical rebuttal of Dunn in the form of a letter addressed to The Adjutant General. He took it to the print shop where an eight-page pamphlet was produced that he mailed to Washington on January 30. Over the next few days he mailed copies to his friends, and to every regimental commander in the army, and also to every department and division headquarters in the United States.

The pamphlet's flavor and Kautz' rationale for writing it may be seen in the handwritten postscript he appended to the copy he sent to General Townsend:

“The Judge Advocate General has . . . been influenced by . . . things outside the record, and I . . . feel justified in stating some points outside the record also. Captain C. P. Eagan . . . has been working to embarrass and annoy me. For this reason he . . . became the champion of Captain Campbell . . . the court compelled the accused to procure another counsel. . . . Yet the quibbling counsel is sustained [and] the proceedings set aside.”

Kautz went on to review the relationship between Eagan and Dunn which he said explained “the appearance [of] the Associated Press dispatches in the Daily Alta California,” published despite Townsend's contrary advice. “I . . . request that . . . my reply and the Judge Advocate General's opinion to be given to the press.”

Sherman probably had not seen Kautz' criticism of Dunn when, on February 4, 1878, he received through the office of the army com-

missary general, MacFeely, a request from Kautz to have Eagan transferred away from the Arizona department. Sherman, at the end of his patience, instead recommended to the Secretary of War that Kautz be removed from Arizona and replaced with a less outspoken officer. Two days later an order was issued sending Colonel (Brevet Major General) Orlando Boliver Willcox and the Twelfth U.S. Infantry to Arizona, and sending Kautz to San Francisco where he and his regiment would serve directly under General Irvin McDowell who commanded both the California department and the Division of the Pacific.¹⁷

To the end of his life, Kautz believed he was removed from command because he had opposed the Indian Ring. On the other hand, many Arizonans, who thought Kautz was “soft on Indians,” assumed he was replaced to allow a war of extermination against the hated Apaches. It is plain, however, that Sherman sacked Kautz because of the quarrel within his official family at Fort Whipple. To be sure, Sherman would have heard what certain people in Washington said about Kautz: General Humphreys, Senator Morrill, and his own wife. Kautz had to go.

The “pamphlet strictures,” as General Townsend called the Kautz commentary on the Campbell case, was received in The Adjutant-General's office on February 13, 1878. Shortly afterward, regimental adjutants and the assistant adjutants-general of all the army's divisions and departments opened their mail to find the same pamphlet. Some were amused and others annoyed by the philippic. Next day Townsend passed the pamphlet to Sherman who coolly observed in his endorsement to the Secretary of War that the controversy was “purely official and the Public feels no interest in it.”¹⁸

Sherman indulged in wishful thinking. The *New York Times* soon carried on its front page

a letter from "An Indignant Officer" that concerned not only Campbell's case but an even more notorious court-martial in Colorado. There, President Hayes had overruled a decision to dismiss from the army a lieutenant in the Nineteenth Infantry, convicted of theft and of abetting a murder. "The Question is," wrote Indignant Officer, "does not the law require such reasons for these actions to be given? If the law does not, custom does, and the conspicuous absence of such reasons in [Campbell's] case indicated that none exist."¹⁹

General Dunn could not have failed by this time to know of his son-in-law's January news story in the western papers. He certainly knew that Kautz had requested time to answer the opinion before publication of the Campbell court-martial order. Yet the sharpness, audacity, and length of Kautz' reply, which Dunn also found in his mail, surprised him. He drafted a request to the Secretary of War for redress. "Gen. Kautz," Dunn noted, "was . . . officially informed that the views expressed by me . . . had been approved and adopted by the President." Despite that, he told Secretary McCrary, the Judge Advocate-General's opinion had been criticized in print by Kautz who "has charged the author of the opinion, a superior officer, with dereliction of duty." Concluded Dunn, "the interests of the service require that this grossly unmilitary conduct should not be permitted to pass without punishment or rebuke."²⁰

Sherman was not unsympathetic to Kautz, and he had some reservations about Dunn's jurisdiction. He allowed that Kautz' criticism of Dunn had much real merit but it had passed the bounds of propriety when it had been so widely circulated. "Had General Kautz," he wrote, "addressed . . . a single copy [of his criticism] to be . . . considered on its merits alone I would be disposed to sustain some of the points he makes." In passing he noted,

"the Judge Advocate General is not his [Kautz'] superior officer . . . But as he [Kautz] had his letter printed with manifold copies, one of which reached the Judge Advocate General anonymously, he has made himself responsible for a positive wrong." Sherman characterized Kautz' imputation of ulterior motives as "wholly wrong and unjustifiable. His [Dunn's] Report was made not to General Kautz, but to his[,] General Dunn's[,] superior, and General Kautz had no right to impugn his motives."²¹

Secretary of War McCrary followed Sherman when he declared the publication by Kautz "a positive wrong" but he was undecided what to do about it. Kautz could not be reprimanded without the action of a court-martial, which Sherman was reluctant to order. Sherman had already ordered Kautz' relief from command and probably felt he had done all he could for his wife's friend Eagan. On March 6, the day after Willcox assumed command in Arizona, the Secretary of War revoked the order to publish Dunn's opinion and directed that the papers in the case be returned to the Judge Advocate-General, "who will determine for himself what . . . further action he will take."²²

The Kautz household, meanwhile, was en route to San Francisco. They reached Angel Island in the Bay on March 21 and next morning the colonel went to headquarters to assume command of Camp Reynolds and to look at his mail. He found many letters, but the "most important document was a copy of a telegram from . . . Sherman to General McDowell informing him that I am to be court martialed at Omaha about the first of May on charges preferred by Judge Advocate Genl. Dunn."²³

The charges didn't reach Kautz until April 2, and he didn't find them very serious. Dunn alleged that Kautz had violated the Sixty-

second Article of War by his “Conduct to the prejudice of good order and military discipline.” A single specification alleged that the Secretary of War had sent Kautz an extract from the report of the Judge Advocate-General regarding the Campbell trial that would “not be published in orders” and Kautz had then published and circulated “a printed paper, consisting of the said extract and of a communication . . . by him . . . to the . . . Adjutant General, relating to said extract . . . which said publication was throughout wholly irregular and unmilitary.” As the legal proceedings developed, another specification later alleged that Kautz in his pamphlet had accused the Judge Advocate General of rejecting the sentence of the Campbell court “for no other reason than that he [Dunn] desired to relieve said Campbell from the penalty for his offenses.”²⁴

The *Army and Navy Journal*, published weekly in New York and circulated nationally, announced on March 30 the detail for the general court, and Kautz probably was more confident than ever that he would be vindicated. Not only did it include some of the most respected military names of the post-Civil War army but also some friends. The president of the court was to be Brigadier General Christopher C. Augur, a thirty-five year veteran who had distinguished himself as a division commander in the war and as commander of several army departments afterward. Kautz’ closest military friend, Brigadier General George Crook, was to be a member. Kautz’ friend of prewar days, Colonel Rufus Ingalls, was ordered to attend. And a comrade of the Mexican War Battle of Monterey, Colonel Charles L. Kilburn, was a member. Detailed as trial judge advocate was Major Horace B. Burnham of the Judge Advocate-General’s department.²⁵

It is unnecessary here to give a detailed account of the Kautz trial, although it is replete

with irony. The Colonel prepared his case thoroughly with the help of John C. Kelton, adjutant-general at McDowell’s headquarters. Their intention was to uphold Kautz’ criticism as a proper rebuttal to a staff officer’s erroneous opinion, and its publication justified by the prior newspaper story. He would plead guilty to the specifications except for the alleged unmilitary character of his pamphlet, hence not guilty of the charge. And he proposed to appeal to the civilian government of the army for substantiation of his right to free expression. On April 8, he asked General Sherman to summon President Hayes and Secretary of War McCrary as witnesses for his defense. He also requested the appearance of Dunn and of Sherman himself.²⁶

Sherman would not even broach the subject to his civilian chiefs. He excused himself and Dunn as well. The trial was already preempting the time of many of his highest officers. Especially irked was General Philip H. Sheridan, commander of the Military Division of the Missouri, who wrote to Sherman, “Old Kautz will worry that court for at least three or four months.” Sheridan tried to have Ingalls relieved from the court because that officer had been assigned as chief quartermaster to the Missouri division and Sheridan did not want him absent so long.

Sherman’s reply to Sheridan gives a hint of the commanding general’s attitude. “I prefer Ingalls should remain on the court, because he has fame and knowledge and can keep the court down to its work.” He continued:

“Kautz has already summoned the President, Secretary of War, . . . &c, and I suppose will next summon Congress & the Supreme Court. Of course we will not go. The court should confine its action to the simple question at issue – Had he the right to impute to the Judge Advocate General the motive of being influenced by the Campbells and had he a

right to publish & circulate his answer before it was received by the Adjut. General.”

Sherman was not so pessimistic about Kautz' ability to drag out the proceedings. “I think,” he told Sheridan, “Genl. Augur . . . will make short work of the court.” Before moving to another subject in his letter, Sherman revealed something of his relationship to Kautz: “I wish Kautz well, but he would not take my hints or advice, and the more I tried to caution him the more stubborn he seemed to prove.”²⁷

The Kautz court-martial convened at Omaha, Nebraska, headquarters of the Department of the Platte, on May 1, 1878. The court held its proceedings in Omaha's Grand Central Hotel. The defendant was permitted at the outset to read a lengthy plea “in bar of trial” which, if accepted, would have ended the matter with no further evidence. But, on insistence of General Augur, president of the court, the plea was denied and Major Burnham, the trial judge advocate, began the prosecution. This amounted to little more than testimony by two departmental adjutants that they considered the “pamphlet strictures” to have been at least irregular if not “unmilitary.” To Kautz' amazement, General Dunn appeared in person to testify. He described the final action in the Campbell case as simply the culmination of a difference of opinion between himself and Sherman, in which his own view had finally been upheld by the President of the United States.²⁸

When Kautz, acting as his own counsel, asked the court for permission to introduce into the record the entire transcript of the Campbell trial, General Augur agreed. This move alone gave him a tremendous advantage because the evidence against Campbell was so incriminating. Burnham and Dunn strongly objected but they themselves had mentioned and quoted large parts of the documents. Now

either Dunn's judgment appeared faulty or his favoritism blatant.

Meanwhile, back in Washington, a correspondent for the *Army and Navy Journal* interviewed General Sherman who was asked what he thought would be the result of the extraordinary proceedings underway in Omaha. The commanding general dryly answered that “the Court would probably find the Judge-Advocate-General guilty.”²⁹

On May 8 Kautz made his closing argument. “This,” observed the *Army and Navy Journal*, “was a carefully prepared, dignified document— short but to the point—and it occupied but a few minutes for its delivery.” The reporter thought Burnham's conduct had damaged the prosecution. When the court adjourned there was no question that Kautz had deeply impressed it.³⁰

The court met for the last time on May 9. Burnham took two hours to deliver his rejoinder, described as “a huge document containing a great many words and some personalities.” Augur then pronounced the court closed, both the defendant and the trial judge advocate withdrew, and the eleven members began deliberation. After three hours the court was adjourned sine die. No verdict was immediately announced and Kautz would wait nearly a month before learning the trial's outcome. But on May 9 he had little doubt that he would be acquitted and that evening he wrote in his diary, “There was much disgust felt at the manner of Burnham's delivery,” referring to the incoherent closing statement. “My cause has not suffered much at his hands. He had no idea of the case.”³¹

The order of the court, received by Kautz on June 4, did indeed find him “not guilty” of violating the Sixty-second Article of War. In conclusion, read the order, “the Court does therefore “*acquit*“ him, Colonel *August V. Kautz*, 8th Infantry.”³² Sherman, however,

added his own commentary that must have seemed a dilution of justice.

“The somewhat indefinite findings of the Court,” Sherman began, “give a proper occasion . . . to announce certain great principles of military government which concern . . . the Army.” A following paragraph speaks to all professional soldiers of democratic armies to this day. He continued:

“Obedience to . . . the lawful decisions of the constituted authorities, from the highest to the lowest, is not only a duty enforced by penalties, but should be the cause of pride to every officer and soldier in the Army. When such decisions are made . . . by the proper officials, a cheerful obedience is all that is left for the officer, and the higher his rank . . . the more important the example. This is not the obedience of the slave, but of the knight, true to his sovereign – in our case – the law.”

Sherman concluded that the act of publishing by Kautz “was more than ‘irregular;’ it was improper.” But he concurred with the court that had acquitted Kautz of unmilitary conduct, saying “while the course of the accused was in some respects improper, no criminality attaches thereto.”

“Dutch” Kautz became resigned to Sherman's judgment and the trial did not prevent his promotion to brigadier general in 1892. General Dunn, however, hid the embarrassing acquittal behind Sherman's admonition printed with the court-martial proceedings. In 1880 Dunn approved for publication *A Digest of the Opinions of the Judge Advocate General of the Army* compiled by his assistant, William Winthrop. There the case of Colonel Kautz is cited in a discussion of the Sixty-second Article of War. According to Winthrop, the actions of Kautz were held by the court to be “gravely unmilitary conduct to the prejudice of good order and military discipline,” imply-

ing a violation of the article. The words of the digest that follow echo Sherman's addendum, as if the court had found the defendant guilty. Winthrop's digest was periodically updated and reissued, successive editors retaining the erroneous gloss. It appeared for the last time in 1912.³³

The case of Colonel Kautz is now dismissed.



NOTES

¹ The Arizona department included the federal territory, much of southern California and the southern tip of Nevada, altogether about 175,000 sq. mi. A study of Kautz' postwar life is by Andrew Wallace, “Soldier in the Southwest: The Career of General A. V. Kautz, 1869–1886” (Univ. of Arizona Ph.D. thesis, 1968). See also Lawrence G. Kautz, *August Valentine Kautz, USA: Biography of a Civil War General* (Jefferson, NC: McFarland & Co., 2008), 213-15.

² Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1890* (New York, 1973), 3-14, 20-22, 35, 357-59, 372. Thomas E. Sheridan, *Arizona, a History* (Tucson: Univ. of Arizona Press, 1995), 107-108.

³ Charles Patrick Eagan joined the Washington Territory volunteers in 1862. After the Civil War, he was commissioned in the regular army and participated in the Modoc Indian War but transferred to the Subsistence Department in 1874. He was Commissary General of the army in 1898. Constance W. Altschuler, *Cavalry Yellow & Infantry Blue* (Tucson: Arizona Historical Society, 1991) 115-16.

⁴ Hq., Dept. of Arizona, G. O. 18, Aug. 17, 1877, RG 393, Records of U. S. Army Continental Commands, National Archives (NA). Campbell resigned from West Point in 1864 to join the 1st N.Y. Artillery. He was appointed a 2d Lt. in the 6th Cavalry in 1866. Before his regiment left Texas in 1875, Campbell was court-martialed for insubordination (1871) but promoted to captain in 1874. His indebtedness was the subject of admonishment from The Adjutant General of the army (see AGO Files 1030 [1876] and 1368 [1877]), Record Group 94, Gen. Corresp. of the Adjutant-General's Office, National Archives [NA]. His court-martial at Prescott (July 25–August 7, 1877) is in

File QQ 327, RG 153, Records of the Office of the Judge Advocate General, NA. Altshuler, *Cavalry Yellow & Infantry Blue*, 55.

⁵ This and the next three paragraphs are based on ms. diaries in the Papers of General August V. Kautz (Library of Congress, Washington, D.C.), for the years 1877–78. Hereafter, Kautz Diary.

⁶ William H. Carter, *From Yorktown to Santiago with the Sixth U.S. Cavalry* (Orig. publ. 1900; reprint, Austin, TX: State House Press, 1989), 188-92, 194. Capt. Samuel W. Whitside and two companies of the 6th Cav. founded Ft. Huachuca on March 3, 1877. Altshuler, *Cavalry Yellow & Infantry Blue*, 367.

⁷ Complete proceedings of the Campbell court are included as Exhibit P in the 1878 court-martial record of Kautz, File QQ-628, RG 153, NA.

⁸ U.S. Senate, 47 Cong., 1 sess. Report No. 600 (to accompany bill S. 1736) May 31, 1882. Altshuler, *Cavalry Yellow & Infantry Blue*, 55.

⁹ General Order No. 2, Jan. 12, 1878, Dept. of Arizona, RG 393, NA. Altshuler, *Cavalry Yellow & Infantry Blue*, 115.

¹⁰ Letter, Humphreys to Dunn, Nov. 13, 1877, and Dunn's testimony in File QQ-628. The father of Capt. Campbell was Archibald Campbell, civil engineer for the Pacific railway surveys and the Northwest Boundary Survey before the Civil War.

¹¹ Information on Eagan and his relationship to the Sherman, McKee, and Dunn families comes mostly from fugitive documents from the National Archives in the author's possession. See also Oscar T. Shuck, *Bench and Bar in California* (San Francisco, 1888), 120-21 (for Eagan's early life); W. H. Powell, comp., *Records of Living Officers of the Army* (New York, 1890) 190; W. T. Sherman, *Memoirs* (New York, 1875); and William W. Woolen, *William McKee Dunn, Brigadier General, U.S.A.* (New York, n.d.).

¹² Dunn's endorsement to Campbell court-martial, Exhibit F, file QQ-628. Ellen Sherman had known Eagan since pre-Civil War days on the Pacific Coast when her husband was a banker in San Francisco and young Eagan was living with their friend John T. Doyle, a prominent lawyer. She had once written of Eagan that "a brighter braver boy never lived" when she tried to get him a brevet for his part in the quelling the Modoc Indian uprising. Letter, Mrs. Wm. T. Sherman to Secretary of War, July 1, 1873. Copy in author's possession. Anna McAllister, *Ellen Ewing, Wife of General Sherman* (New York, 1936), 120, 123, 127-31.

¹³ Sherman's endorsement to Campbell court-martial, Dec. 12, 1877, Exhibit F, File QQ-628.

¹⁴ Sherman believed that the President was very amenable to private entreaties from old army friends. Utley, *Frontier Regulars*, 366n.

¹⁵ Prescott *Arizona Enterprise*, Jan. 9, 1878.

¹⁶ File 237 AGO 1878.

¹⁷ File 881 AGO 1878. The 8th Infantry was scattered about the Arizona department but, over several months, would be concentrated at Benicia Barracks near San Francisco. Martha Summerhayes, *Vanished Arizona*, 4th ed. (Tucson: Arizona Silhouettes, 1960) 173-176.

¹⁸ File 1073, AGO 1878.

¹⁹ *New York Times*, Feb. 27, 1878.

²⁰ Letter, Dunn to Secretary of War, Feb. 15, 1878, enclosing two copies of Kautz' Pamphlet. File 1850 (1878), RG 107. Records of the Office of the Secretary of War.

²¹ Sherman's endorsement Feb. 15, to *ibid.*

²² Endorsements by Secretary of War McCrary, Feb. 19 *Ibid.*

²³ Kautz Diary, 1878.

²⁴ *Ibid.* File QQ-628.

²⁵ Entry in *The New Handbook of Texas*, Vol. 1 (6 vols., Austin: Texas State Historical Soc., 1996) s.v. "Augur" by Robert Wooster. Martin F. Schmitt, ed., *General George Crook, His Autobiography*, 2d ed. (Norman: Univ. of Oklahoma Press, 1960) 3, 6, 27, 29, 241-42. Powell, *Records of Living Officers*, 98f (Burnham), 305 (Ingalls), and 330 (Kilburn).

²⁶ Kautz Diary, 1878. Kelton, a year ahead of Kautz at West Point, had been assistant adjutant-general for the Div. of the Pacific since 1870 and would become Adjutant-general of the Army in 1889. Powell, *Records of Living Officers*, 324-25. Files 2465 and 2751 AGO 1878.

²⁷ Letter, Sheridan to Sherman, April 13, 1878 (letterbook copy) and letter, Sherman to Sheridan, April 20, 1878, in the Papers of Philip H. Sheridan (Library of Congress, Washington, D.C.).

²⁸ File QQ-628.

²⁹ *Army and Navy Journal*, May 18, 1878.

³⁰ *Ibid.*

³¹ *Ibid.* Kautz Diary, 1878.

³² General Court-Martial Order No. 26, Hq. of the Army, May 18, 1878.

³³ William Winthrop, *A Digest of the Opinions of the Judge Advocate General of the Army* (Washington, 1880) 44. [Charles R. Holland,] *A Digest of Opinions of the Judge Advocates General of the Army, 1912* (Washington, 1912) 144.