

FUSS AND FEATHERS.

Col. Bend, of the First Regiment M. N. G., Reprimanded.

Gov. Hubbard Sustains the Charges of His Adjutant General for Disrespect of His Orders.

The facts calling out the following were that Adjutant General MacCarthy notified Col. Bend, holding the fort in camp Sheridan, to have his regiment ready to review by the governor and staff between 5 and 6 o'clock, Tuesday afternoon, July 23, by letter the day previous. This letter was disregarded entirely, and Col. Bend fixed the time of review at 7:30 that evening. The governor and staff took train for Minneapolis on the afternoon of Tuesday morning, when they heard that Col. Bend had changed the time for the review to an hour when it was impossible for the governor and staff to be present, whereupon it was decided that the review could not come off at the hour fixed by Col. Bend, and Adjutant General MacCarthy sent an orderly to the camp with a note written on the back of an assessment, in which he said they must "take place at 5 o'clock or not at all," which card was torn up by that officer, the fragments stamped upon in the presence of officers and troops, and the commands disregarded. When the governor and staff did arrive at Camp Sheridan, however, there was a hurried gathering of troops together and the movements of a review were made through with.

STATE OF MINNESOTA, EXECUTIVE DEPARTMENT, ST. PAUL, Sept. 26, 1884. General Order No. 11. The following executive document is published for the information and guidance of the National Guards: STATE OF MINNESOTA, EXECUTIVE DEPARTMENT, ST. PAUL, Sept. 26, 1884. Brig. Gen. C. M. McCarty, Adj. General: General: On the 22d of August, 1884, you filed with me charges against Col. Wm. B. Bend, commanding First Regiment, Minnesota National Guards, as follows: "First Charge—Disrespect toward his commanding officer. Specification—In this, that the said Col. William B. Bend, while commanding the First Regiment, Minnesota National Guard, at Camp Sheridan, on the 22d of August, 1884, with intent to disregard the wishes of his superior officer, did announce, publish and declare that the governor would review the troops then and there encamped at 7 o'clock and 30 minutes p. m. of the said day, notwithstanding that the said Col. Bend, had been previously officially notified by the undersigned as adjutant general, that the commander in chief would be at Camp Sheridan in the afternoon of said day, and that all official ceremonies should take place not later than 5 or 6 o'clock. All in violation of the 20th article of war.

Second Charge—Conduct prejudicial to good order and military discipline. Specifications—In this, that the said Col. William B. Bend, at said Camp Sheridan, while in command of the said National Guard, did receive an official communication from the undersigned as adjutant general, notifying him as commanding said Camp Sheridan that the governor and staff would arrive at said camp on the 23d of August, 1884, and that the intended review and other ceremonies should take place between the hours of 5 and 6 o'clock, or not at all. That then and there and in presence of officers and men of the said National Guard, and others, the said Col. William B. Bend, did tear up, destroy and scatter under foot, said official communication after having communicated the contents and nature of the same to the officers then present, and in declaring that he would not recognize such an order as official, and did, then and there otherwise demean himself with disrespect to the officer sending said communication, and the commander-in-chief, to the great scandal and detriment of the service, and in violation of the sixty-second article of war. Copies of the charges have been furnished Col. Bend, he has in a communication to me explained to the following effect: "Before going into camp I understood that you would review the troops on Tuesday, July 23, at 7:30 p. m., the usual hour. I so announced it to the officers and made all my arrangements accordingly. The final shooting for the regiment prize was fixed for the day named from 4 o'clock to 6 o'clock. On Monday, July 22, I received from the adjutant general a letter stating that owing to your engagements it would be more convenient for you to have the review not later than 6 o'clock, but there was no pretense of an order. I recognized no order but your excellency then, I am not hesitate to obey any order you may issue, however distasteful it may be to me, and I am at all times ready to do what you wish, even when you do not issue an order, if it is in my power to do so. It was impossible for me to make different arrangements. Of course, had I received an order to be ready for review at 5 o'clock, or at any other hour, I would have done my best to obey it, but I respectfully submit that I had no order whatever and consequently disobeyed none. In regard to the second charge, the facts are as follows: On the morning of the 23d of July, I received a visiting card of W. E. Atkinson, St. Paul, on the back of which was written, 'I have the honor to order you to have your regiment ready to review at 5 o'clock to-day or not at all.' "Col. W. B. Bend: The review must take place at 5 o'clock to-day or not at all." C. M. McCARTHY, Adjutant General.

I beg to call your excellency's attention to the fact that no such communication as the above can be considered as an official communication or in proper form. Whatever treatment may have been accorded to it cannot be inquired into, as if it were sent by order of your excellency. I regarded it then, as no more than a piece of impertinent and partial of the sender, and for which I had a right to hold him personally responsible if I saw fit to do so. Your excellency is doubtless aware that the military code of this state forbids any staff officer to assume any command, and unless the adjutant general signs a paper "By Order of the Commander-in-Chief," or words to that effect it is simply his individual act and has no force. I disavow entirely any disrespect to any superior officer. None was meant and I think none was shown, and I respectfully submit that the charges should be quashed."

The letter which Col. Bend received on the forenoon of the 21st July, but disregarded as not being an order, was, as far as related to the present matter, as follows: STATE OF MINNESOTA, ADJUTANT GENERAL'S OFFICE, ST. PAUL, July 30, 1884. COLONEL:—The governor dines with the old First Minnesota at Lyndale hotel, at 1:30 p. m., Tuesday, and will review your regiment as early in the evening as possible. Endeavor to have the ceremony at 5 or 6 o'clock, so as to permit an early return to the city, where other engagements are made. Yours, etc. C. M. McCARTHY, Adjutant General.

The acts alleged in the specifications to be charges are substantially admitted by Col. Bend, but he denies that they constitute the offenses named in the charges, and I accept Col. Bend's disclaimer of an intention to offend, but do not share his opinion that no disrespect was shown. The conduct of that officer in the premises, if unprovoked, I cannot but regard as hurtful to the discipline and efficiency of the guard; but the occasion in respect to which it was exhibited, and unless the adjutant general signs a paper "By Order of the Commander-in-Chief," or words to that effect it is simply his individual act and has no force. I disavow entirely any disrespect to any superior officer. None was meant and I think none was shown, and I respectfully submit that the charges should be quashed."

THE ACTS ALLEGED IN THE SPECIFICATIONS TO BE CHARGES ARE SUBSTANTIALLY ADMITTED BY COL. BEND, BUT HE DENIES THAT THEY CONSTITUTE THE OFFENSES NAMED IN THE CHARGES, AND I ACCEPT COL. BEND'S DISCLAIMER OF AN INTENTION TO OFFEND, BUT DO NOT SHARE HIS OPINION THAT NO DISRESPECT WAS SHOWN. THE CONDUCT OF THAT OFFICER IN THE PREMISES, IF UNPROVOKED, I CANNOT BUT REGARD AS HURTFUL TO THE DISCIPLINE AND EFFICIENCY OF THE GUARD; BUT THE OCCASION IN RESPECT TO WHICH IT WAS EXHIBITED, AND UNLESS THE ADJUTANT GENERAL SIGNS A PAPER "BY ORDER OF THE COMMANDER-IN-CHIEF," OR WORDS TO THAT EFFECT IT IS SIMPLY HIS INDIVIDUAL ACT AND HAS NO FORCE. I DISAVOW ENTIRELY ANY DISRESPECT TO ANY SUPERIOR OFFICER. NONE WAS MEANT AND I THINK NONE WAS SHOWN, AND I RESPECTFULLY SUBMIT THAT THE CHARGES SHOULD BE QUASHED."

CITY NOTICE.

any officer should have in disregard of his wishes of his commanding officer, formally communicated in writing, that it was politely communicated to him in a letter as a wish, and not, as if disobedience were otherwise feared, in a formal order. The manner you adopted is proper, complimentary to the receiver, and not insulting. It implies a confidence on the part of a writer that the receiver needs only to know the wish of him who might command to obey it. But, giving the fullest force to the circumstances pleaded by Col. Bend, the most that they would permit was an omission to order the review at any time. Nothing, after your review, justified him in announcing that the governor would review at an hour which would necessitate breaking his other engagements. In regard to the defence to the second charge, "that the order was not official, nor in proper form, and did not bear words to show that it was sent by order of the commander-in-chief." If by reason of the informality of the communication Col. Bend doubted the authority of the signature, he might have satisfied the doubt by questioning the order which he delivered it. It is the signature which attests the character of the paper; not the material on which, or with which it is written. Circumstances do not always permit expression of the military affairs to be prepared in the usual form. If it conveys the wish of one whose wish has a claim to obedience it should be obeyed. Col. Bend justifies his treatment of the order in question by his belief that it was issued by the adjutant general without authority; that the officer had done an unlawful act in assuming to exercise military command. Such a supposition was unwarranted by the character and disposition of the officer thus discredited, and the lack of authority in the case. The public expression of such a belief before the commander, and even subsequent, especially with gestures and acts of disrespect, was prejudicial to military discipline. The words, "by order of," etc., are usual and proper when the lack of authority in the case is not to be presumed from their absence in a communication of a staff officer writing on matters in his special line of duty. In this case the communication was substantially a repetition of that of the day before, when the lack of authority was the commander-in-chief, and was such as should be expected from him, unless he were willing to have his hours of duty assigned him by the colonel of the regiment. Staff officers are entitled to proper respect. Proper respect will presume that authority for officers acts done in their several lines of service, especially those done in continuation of duty already duly entered upon.

Publish the substance hereof in general orders, to the guard for instruction and guidance. L. F. HUBBARD, Governor and Commander-in-Chief. 2. Commandants of regiments and companies will publish this order to their respective commands at the next regular assembly by the receipt of the same. By command of G. M. McCARTHY, Adjutant General.

GAS FIXTURES.

KENNEY & HUDNER, 105 and 105 West Third Street, Opposite Metropolitan Hotel.

S. M. HEWETT, N. H. WINCHELL, J. A. WOLVERTON, Pres. Secy. Treas. The Minnesota Stone Comp'y, Wholesale and Retail Dealers in North River and Pennsylvania Blue Stone, ALSO, SAWED OIL FLAGGING.

CITY NOTICE.

OFFICE OF THE CITY TREASURER, ST. PAUL, MINN., SEPT. 19, 1884. All persons interested in the assessments for Grading Rondo street from Rice street to a point about 425 ft. West of Louis street and for Paving and Curbing Broadway from Third street to Mississippi street and Mississippi street to Grove street, WILL TAKE NOTICE, that on the 19th day of September, 1884, I did receive different warrants from the City Comptroller of the City of St. Paul, for the collection of the above named assessments.

CITY NOTICE.

THIRTY DAYS after the first publication of this notice, I shall report you and your real estate so assessed as delinquent, and apply to the District Court of the County of Ramsey, Minnesota, for judgment against your lands, lots, blocks, or parcels thereof, so assessed, including interest, costs and expenses, and for an order of the Court to sell the same for the payment thereof. GEO. REIS, City Treasurer.

CITY NOTICE.

OFFICE OF THE CITY TREASURER, ST. PAUL, MINN., SEPTEMBER 19, 1884. All persons interested in the assessment for Paving Fourth street from Jackson street to Seventh street, Paving St. Peter street from Third street to Martin street, Paving Fifth street from Broadway to St. Peter street, (except between Jackson and Sibley streets), Paving Fifth street between Jackson and Sibley streets, (except east 150 ft.), Grading Douglas street from Ramsey street to Goodrich Avenue, Grading alley in block 30, Kittson's Addition to St. Paul, and for the construction of Sewers on Jackson street from Fourteenth street to Fifteenth street, and on Oak street from Walnut street to Sherman street, WILL TAKE NOTICE, that on the 19th day of September, 1884, I did receive warrants from the City Comptroller of the City of St. Paul, for the collection of the above named assessments.

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CITY NOTICE.

Bergbols's Subdivision of Lots 2, 3, 4, 5 and 6, 10, 11, 14 and 16, Bazille's Acres Lots to St. Paul.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like Herman Oehme and J.F. Eisenmenger.

City Treasurer's Sale:

OFFICE OF THE CITY TREASURER, ST. PAUL, MINN., SEPT. 27, 1884. Notice is hereby given that under and by virtue of a judgment entered on Sept. 18th, 1884, in the District Court, second judicial district, Ramsey county, State of Minnesota, against the hereinafter described real estate, situate, lying and being in said city and county, on an assessment warrant for

Grading Rice Street from Bianca Street North to North Line of the City.

In said city of St. Paul, the undersigned will on the 15th day of October, 1884, at 10 o'clock in the forenoon, at the City Treasurer's office, in the city of St. Paul, county of Ramsey, offer for sale at public auction as provided by law, the best bidder for cash, the following described real estate, to-wit:

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like R.P. Lewis and J.F. Eisenmenger.

Lyton's Addition.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like R.P. Lewis and J.F. Eisenmenger.

McKenly's Out Lots.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like W.E. Gaster and J.D. McKenty.

Gray's Addition to McKenty's Out Lots.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like J.D. McKenty and W.E. Gaster.

Weide's Addition and Rearrangement of Paist's Out Lots.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like N. and P. Landerholm and R.P. Lewis.

Lewis' Second Addition.

Table with columns: Supposed owner and description, Lot, Block, Judgment, Am't of description. Includes names like Philip Reilly and R.P. Lewis.

Supposed owner and description.

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