From the wording of this law it is evident that Congress clearly considered Capt Hinton an officer in the Navy. The dismissal of the Secy of the Navy to the contrary notwithstanding. else they could not have ordered a Court of Inquiry to sit upon his case.

In obedience to this law the Secy of War & marine ordered a Court of enquiry which after a short session returned a verdict saying in substance that "It was impossible to try a man against whom no charges or specifications were preferred, and that as far as they knew he had never been guilty of any ungentlemanly or un-Officer like Conduct." Unfortunately for the clear elucidation of this case the findings of this Court and all the papers connected with it were lost in the destruction of the Adjutant Generals Office a year or two ago. But there can be no doubt as to the fact that Capt Hinton was honorably acquitted.

Up to the time that Capt Hinton was illegally dismissed he received his pay in the depreciated currency of the Govt which afforded but a bare pittance for the support of himself and family. after his dismissal this pittance was denied him, and he was left without ~~a~~ ~~the~~ employment, and the necessary expenses attending his application for