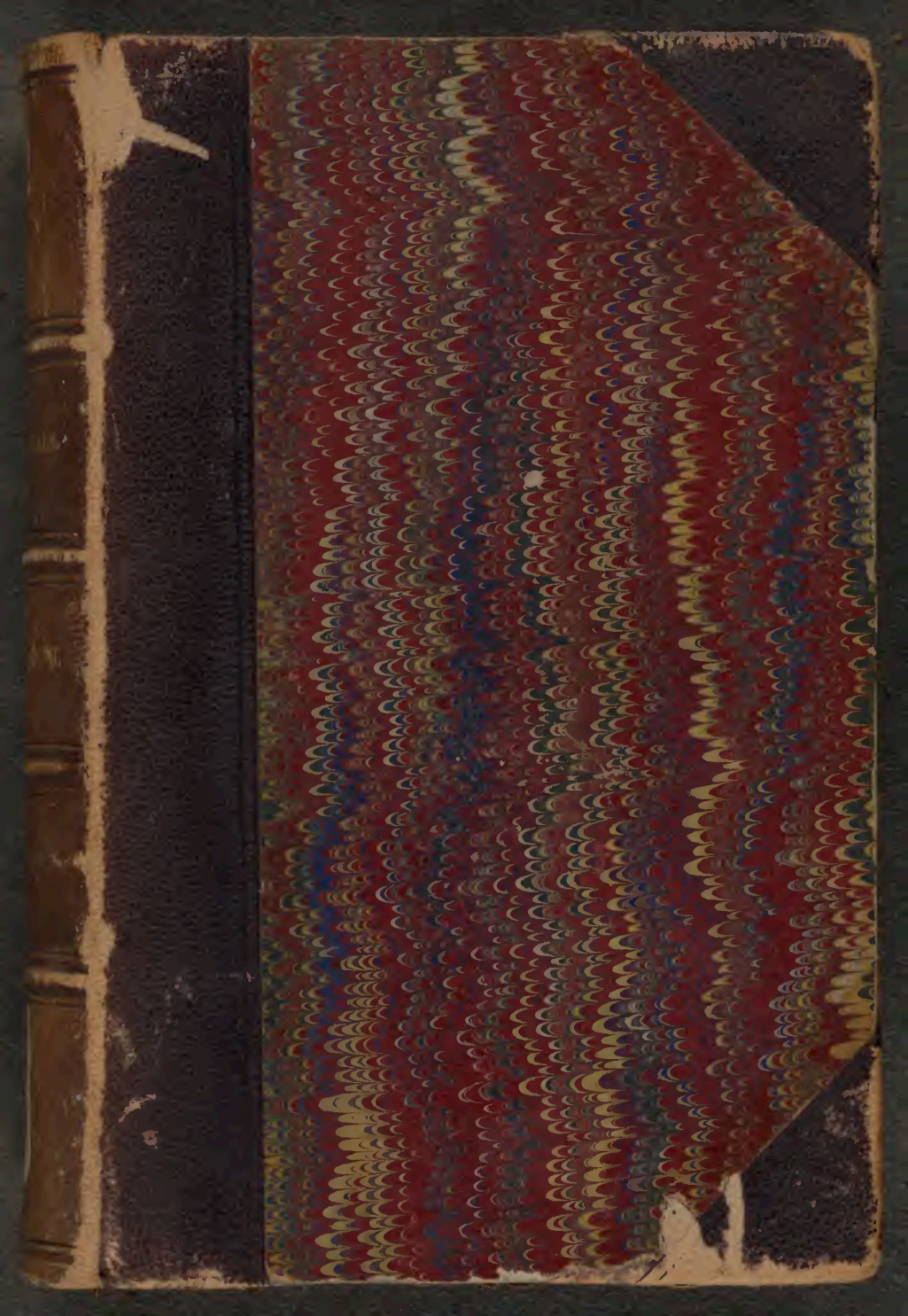

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of the South.

1862.

HEAD QUARTERS :— DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., AUG., 4, 1862.

GENERAL ORDERS, No. 25.

I. At a General Court Martial which convened at Camp Stevens on James Island S. C. at the Head Quarters of Colonel William M. Fenton Comd'g 1st Brigade, 1st Division U. S. forces; pursuant to Special Orders No. 80 of June 26th 1862 from Head Quarters of said 1st Division, and of which Colonel WILLIAM M. FENTON, 8th Michigan Vols. is PRESIDENT was arraigned and tried, among others,

Lieut. J. S. Dunning, Company "D" 7th Regt. Conn. Vols.

CHARGE 1ST.

Disobedience of Orders.

Specification—In this, that Colonel Alfred H. Terry, then Commanding said seventh Regiment, having by a regimental order, absolutely prohibited all gambling or playing at cards or other games for money; said Dunning did play at Cards for money with Sergeant Broas, and Sergeant Staples of said Company "D" and Sergeant Pierce, of Company "C," all of said Seventh Regiment.

This in the camp of the said Seventh Regiment on Tybee Island, Ga., April 2nd 1862, and on divers days between the 1st of March and the 10th of April 1862

CHARGE 2ND.

Conduct unbecoming a Gentleman and an Officer.

Specification—In this, that the said Lieut. Dunning did gamble and play at cards for money with Sergeants Broas and Staples, of Co. "D." and Sergeant Pierce, of Co. "C," and by using two packs of cards did foully cheat and defraud Broas out of three dollars.

This in the camp of the Seventh Regiment, Conn. Vols., on Tybee Island, Ga. April 2nd 1862.

To which charges and specifications the accused pleaded as follows.

To the *Specification* of the 1st CHARGE,	"Not Guilty."
To the 1st CHARGE,	"Not Guilty."
To the *Specification* of the 2nd CHARGE,	"Not Guilty."
To the 2nd CHARGE,	"Not Guilty."

FINDING OF THE COURT.

The Court finds the accused as follows:

Of the *Specification* of the 1st CHARGE,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification* of the 2nd CHARGE,	"Guilty."
Of the 2nd CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Lieutenant *J. S. Dunning*, of Company D, 7th Regt Conn. Vols.—*to be dismissed from the service of the United States.*

II. The proceedings and sentence in the foregoing case are approved, and will be executed. Lieutenant *J. S. Dunning*, 7th Regt Conn. Vols., ceases to be an officer of the United States forces, from the date of this order.

BY COMMAND OF

Major General D. HUNTER.

CHAS. G. HALPINE

Ass't Adj't. Gen'l and Chief of Staff.

HEAD QUARTERS:—DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., AUG. 25, 1862.

GENERAL ORDERS, No. 31.

I. At the General Court Martial which convened at Camp Morgan, Pensacola, Fla., pursuant to "Special Orders," No. 36, of July 6th, 1862, from Head Quarters, Western District, Department of the South, and of which Lieutenant Colonel JONATHAN TARBELL, 91st Reg N. Y. Vols., is PRESIDENT, was arraigned and tried,

Captain John C. Bloomfield, of the 6th Reg. N. Y. Vols., on the following Charges and Specifications:—

CHARGE 1st.

Drunkenness on duty.

Specification.—In this, that he, the said Captain John C. Bloomfield, of the 6th Reg. N. Y. Vols., while Regimental Officer of the Day, did become drunk and disorderly.

This at Pensacola, Fla., on or about the 28th day of June, 1862

CHARGE 2nd.

Conduct unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that he, the said Captain John C. Bloomfield, of the 6th Reg. N. Y. Vols., being on duty as Regimental Officer of the day, did expose himself before enlisted men, in a state of intoxication.

This at Pensacola, Fla., on or about the 28th day of June, 1862

Specification 2nd.—In this, that he, the said Captain John C. Bloomfield, of the 6th Reg. N. Y. Vols., did, in the presence of officers and enlisted men, make use of language highly unbecoming an officer and a gentleman, towards an officer of his regiment, Captain C. E. Henbuer, in the following language: "You are a God damned liar; you are a damned drunken loafer; and you are a damned fool," or words to that effect.

This at Pensacola, Fla., on or about the 28th day of June, 1862.

1ST ADDITIONAL CHARGE.

Breach of Arrest.

Specification.—In this, that he, Captain J. C. Bloomfield, 6th Regt. N. Y. Vols., after having been placed in arrest by Lieutenant James J. Heary, Adjutant 6th Reg. N. Y. Vols., by order of the Commanding Officer, did fail to obey said arrest, by appearing on the streets of Pensacola, a long time after having been so placed in arrest.

2ND ADDITIONAL CHARGE.

Conduct to the prejudice of good order and military dicipline.

Specification.—In this, that Captain J. C. Bloomfield, 6th Reg. N. Y. Vols., after having been placed in arrest by Lieut. James J. Heary,

6th Reg. N. Y. Vols., did appear on the streets of Pensacola, in a state of intoxication.

3RD ADDITIONAL CHARGE.

Conduct unbecoming an officer and a gentleman.

Specification.—In this, that he, Captain J. C. Bloomfield, 6th Reg. N. Y. Vols., did exhibit himself in the streets of Pensacola, to enlisted men of the command, in a state of intoxication.

All this at Pensacola, Fla., on or about July 4th, 1862.

To which the accused, Captain J. C. Bloomfield, pleaded as follows:

"Not Guilty, to the whole."

FINDINGS OF THE COURT.

The Court, after having maturely considered the evidence adduced, find the accused, Captain J. C. Bloomfield, 6th Reg. N. Y. Vols., as follows:—

Of the first *Specification* of first *Charge*, *Not Guilty.*

Of the first *Charge*, *Not Guilty.*

Of the first *Specification* of second *Charge*, *Not Guilty.*

Of the second *Specification* of second *Charge*, *Guilty*, excepting the words, "In the presence of enlisted men."

Of the second *Charge*, *Guilty.*

Of the *Specification* of first *Additional Charge*. *Guilty.*

Of the first *Additional Charge*, *Guilty.*

Of the *Specification* of second *Additional Charge*, *Guilty*, excepting the words, "In a state of intoxication," and substituting "under the influence of liquor."

Of the second *Additional Charge*, *Guilty.*

Of the *Specification* of third *Additional Charge*, *Guilty*, with the exception of the words, "In a state of intoxication," and substituting "under the influence of liquor."

Of the third *Additional Charge*, *Guilty.*

SENTENCE.

And the Court do, therefore, sentence the said Captain J. C. Bloomfield, 6th Regt. N. Y. Vols., *to be dismissed the service.*

II. The proceedings, findings, and sentence, in the case of Captain John C. Bloomfield, 6th Regt. N. Y. Vols., are approved, and referred to the General Commanding the Department of the South, or army in the field, in that Department, for his confirmation or disapproval and orders in the case. *Vide* Act of Congress, approved December 24th, 1861.

(Sd.) L. G. ARNOLD,
Brig. Gen'l U. S. V.,
Commanding.

III. The proceedings, findings and sentence in the case of Captain John C. Bloomfield, 6th Regiment of New York Volunteers, are approved and confirmed.

Captain John C. Bloomfield, 6th Regiment New York Volunteers, *ceases to be an officer of the United States Army*, from this date.

BY COMMAND OF

Major General D. HUNTER.

E. W. SMITH,
1st Lieut. 15th Infantry,
A. A. A. General.

OFFICIAL:

1st Lieut. 15th Infantry,
Act. Ass't. Adj't General.

HEAD QUARTERS :—DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., AUG. 29, 1862.

GENERAL ORDERS, No. 33.

1. At the General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders," No. 25, of Aug. 8th, 1862, from Head Quarters, Port Royal Island, and of which COL. R. WHITE, 55th Reg. Pa. Vols., is PRESIDENT, was arraigned and tried,

2nd Lieut. James H. Brown, Co. "G," 8th Reg. Maine Vols., on the following Charges and Specifications :—

CHARGE 1ST.

Violation of the 45th Article of War.

Specification.—In this, that on the 17th day of August, A. D., 1862, the said 2nd Lieut. James H. Brown, of the said 8th Reg. Maine Vols., having command of Co. "G," in said regiment was so drunk that he was unable to perform the duties which devolved upon him, as commander of said company, at the usual Sunday morning Inspection of said company.

This at the camp of said 8th Reg. Maine Vols., at Beaufort, S. C.

CHARGE 2ND.

Conduct unbecoming an Officer and a Gentleman.

Specification I.—In this, that in presence of certain enlisted men, of said 8th Reg. Maine Vols., the said Lieut. James H. Brown made use of the following language, viz :—"You tell Col. Twitchel that he is a damned son of a bitch ; and tell him that I said so," or words to that effect, which expression or expressions of like import, he repeated several times.

This at the camp of the 8th Reg. Maine Vols., at Beaufort, S. C., on the 17th day of August, A. D., 1862.

Specification II.—In this, that the said Lieut James H. Brown, when ordered by Lt. Col. Twitchel, then in command of said 8th Regt. Maine Vols., to go to his tent, under arrest, did refuse so to do ; and Lt. Col. Twitchel was under the necessity of sending him to his tent under a guard of one sergeant and four privates.

This at the camp of the 8th Reg. Maine Vols., at Beaufort, S. C., on the 17th day of August, 1862.

CHARGE 3D.

Violation of the 77th Article of War.

Specification.—In this, that the said Lieut. James H. Brown, being placed under arrest, by order of Lieut. Col. Twitchel, then in command of the 8th Reg. Maine Vols., on the morning of the 17th day of

August, A. D. 1862, and he, the said Lieut. Brown, being ordered by Lt. Col. Twitchel, not to leave his tent until three o'clock in the afternoon, did, contrary to said Lt. Col. Twitchel's orders, leave his tent before that time, and conduct himself in a disorderly manner, after so leaving his tent; and the said Lt. Col. Twitchel found it necessary to place a guard at his tent, to keep him from a second time leaving his tent contrary to orders.

This at the camp of the 8th Reg. Maine Vols., Beaufort, S. C.

To which the accused, Lieut. James H. Brown, pleaded as follows :

"Not Guilty."

FINDINGS OF THE COURT.

The Court, after maturely considering the evidence adduced, find the accused, 2nd Lieut. James H. Brown, Co. "G," 8th Reg. Maine Vols, as follows:

Of the first *Specification* of first *Charge*,	*Guilty.*
Of the first *Charge*,	*Guilty.*
Of the first *Specification* of second *Charge*,	*Guilty.*
Of the second *Specification* of second *Charge*,	*Guilty.*
Of the second *Charge*,	*Guilty.*
Of the *Specification* to third *charge*,	*Guilty.*
Of the third *charge*,	*Guilty.*

SENTENCE.

And the Court do, therefore, sentence the said 2d Lieut. James H. Brown, Co. "G," 8th Regt. Maine Vols., *to be cashiered.*—

II. The proceedings, findings and sentence in the case of 2d Lieut. James H. Brown, Co. "G," 8th Regiment of Maine Volunteers, are approved and confirmed.

2d Lieut James H. Brown, Co. "G," 8th Reg. Maine Vols., ceases to be an officer of the army, from this date.

By Command of

Maj. Gen. D. HUNTER.

OFFICIAL:

1st Lieut. 15th Infantry,
Act. Ass't. Adj't. General.

HEAD QUARTERS, DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C. SEPT. 4, 1862.

GENERAL ORDERS, No. 35.

I. At the General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders," No. 25, of August 8th, 1862, from Head Quarters, Port Royal Island, and of which Col. R. WHITE, 55th Regt. Pa. Vols., is PRESIDENT, was arraigned and tried,

2d Lieut. Levi Weaver, Co. "G," 55th Regt. Pa. Vols., on the following Charge and Specifications:

CHARGE.

Conduct unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that 2nd Lieut. Levi Weaver, of Co. "G," 55th Reg. Pa. Vols., came to Major John H. Filler, of the 55th Reg. Pa. Vols., then in command of his regiment, to borrow his horse to ride to the camp of the 47th N. Y. Vols.; and upon the Major declining to loan his horse, he, the said 2d Lieut. Levi Weaver, broke out into violent and insulting language, saying, "You may keep your horses and stick them in your God damned arse; and kiss my arse, God damn you;" repeating the language frequently.

This in the presence of Surgeon David Merritt, of the 55th Reg. Pa. Vols., and a number of others, at the camp of the 55th Reg. Pa. Vols., Hilton Head, S. C., on or about the 26th of July, 1862.

Specification 2nd.—In this, that 2d Lieut. Levi Weaver, Co. "G," 55th Reg. Pa. Vols., after being put in arrest, followed the said Major Filler to the quarters of the Adjutant, repeating the language used in the former specification, adding, "I'll lick the God damned son of a bitch for it yet."

This at the camp of the 55th Reg. Pa. Vols., Hilton Head, S. C., on or about the 26th of July, 1862.

Specification 3rd.—In this, that when the said Major John H. Filler was walking from the quarters of the Adjutant to his own, the said 2nd Lieut. Levi Weaver again repeated the language quoted in the 1st and 2nd specifications to the charge, adding, "Are you going to prefer them charges against me, you damned four eyed son of a bitch?"

This at the camp of the 55th Reg. Pa. Vols., Hilton Head, S. C., on or about the 26th of July, 1862.

FINDING OF THE COURT.

The Court, after maturely considering the evidence adduced, find the accused, 2nd Lieut. Levi Weaver, Co. "G," 55th Reg. Pa. Vols., as follows:

Of the first *Specification* of the CHARGE, "Guilty," except

the words "God damn," "Kiss my arse, God damn you," "repeating this language frequently" and "a number of times."

Of the second *Specification* of the CHARGE, "Guilty," except the words "Repeating the words used in the former specification."

Of the third *Specification* of the CHARGE, "Guilty," except the words "Again repeated the words quoted in the 1st and 2nd specifications."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does, therefore sentence him, the said 2nd Lieut. *Levi Weaver*, Co. "G," 55th Reg. Pa. Vols., *to be dismissed from the service.*

II.—The proceedings, findings and sentence in the case of 2nd Lieut. *Levi Weaver*, Co. "G," 55th Reg. Pa. Vols., are approved and confirmed.

III. In compliance with the recommendation of the Court, the sentence in the above case is remitted.

2nd Lieut. *Levi Weaver*, Co. "G," 55th Reg. Pa. Vols., *is returned to duty.*

BY COMMAND OF

Maj. Gen. D. HUNTER.

D. Reid

2nd Lieut. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

HEAD QUARTERS, DEPARTMENT OF THE SOUTH,

HILTON HEAD, PORT ROYAL, S. C., SEPT. 25, 1862.

GENERAL ORDERS, No. 41.

I. At the General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders," No. 218, of July 24th, 1862, from Head Quarters Department of the South, and of which Col. JOHN L. CHATFIELD, 6th Reg. Conn. Vols., is PRESIDENT, were arraigned and tried,

1st.—Col. Edward W. Serrell, N. Y. Vol. Engineers, on the following Charges and Specifications :

CHARGE 1ST.

Knowingly making and allowing false Muster.

Specification 1st.—In this, that Col. Edward W. Serrell, Regiment of New York Volunteer Engineers, did, on or about the 29th day of October, 1861, direct and cause the name of Second Lieutenant Otto Vernam, of Company "D," of the Regiment of New York Volunteer Engineers, to be entered on the muster rolls of the said Company as Brevet Second Lieutenant; and the said Colonel Edward W. Serrell, as mustering officer of the said Regiment, did, knowingly, on or about the 31st day of Oct., 1861, falsely muster for payment the said Second Lieutenant Otto Vernam, as a Brevet Second Lieutenant in the said Company.

This on board the U. S. Steam Transport "Star of the South," between Fortress Monroe, Virginia, and Hilton Head, South Carolina.

Specification 2nd.—In this, that Colonel Edward W. Serrell, Regiment of New York Volunteer Engineers, did cause the name of one John F. Bingham, to be entered upon the muster rolls of Company "D," of the aforesaid Regiment, as Second Lieutenant of the said Company, and did falsely muster for payment the said John F. Bingham, as such Second Lieutenant, Lieutenant Otto Vernam being at that time the Second Lieutenant of said Company, all of which was known to the said Colonel Serrell.

This on or about the last day of October, 1861, on board the U. S. Transport "Star of the South," between Fortress Monroe, Virginia, and Hilton Head, South Carolina.

Specification 3d.—In this, that Colonel Edward W. Serrell, regiment of New York Volunteer Engineers, did cause the name of First Lieutenant De Witt C. Brown, of Company "C," of the aforesaid regiment, to be entered on the muster rolls of said company, as Brevet Second Lieutenant, and knowingly did falsely muster for payment the said First Lieutenant Brown, as Brevet

Second Lieutenant of the said company.

This on or about the last day of October, 1861, while on board the U. S. Steam Transport "Star of the South," between Fortress Monroe, Virginia, and Hilton Head, South Carolina.

Specification 4th.—In this, that Colonel Edward W. Serrell, regiment of New York Volunteer Engineers, did cause the name of one Walter Scott, to be entered upon the muster rolls of Company "C," of the aforesaid regiment, as First Lieutenant of the said company, and knowingly did falsely muster the said Walter Scott, as First Lieutenant of the said company, Lieutenant D. C. Brown at that time being the First Lieutenant of the said company.

All this on or about the last day of October, 1861, on board the U. S. Steam Transport "Star of the South," between Fortress Monroe, Virginia, and Hilton Head, South Carolina.

CHARGE II.

Exciting and Causing a Mutiny or Sedition.

Specification.—In this, that Colonel Edward W. Serrell, of New York Volunteer Engineers, did, while in command of his regiment, at Hilton Head, South Carolina, on or about the 16th day of April, 1862, declare to his regiment, in words to the following effect, to wit: that after ten days he (Colonel Serrell) would neither receive, nor give any more orders to his men, neither would he allow any other person to give them any orders, nor would he expect them to do any duty after the ten days aforesaid, unless the men were righted in their position. In case they were not so righted he (Serrell) would be "one with them," and ready to go to the Rip-Raps or any other raps with them; and that he did by this and other language to men and officers, at or about the same time, cause, provoke and excite a mutiny, which subsequently broke out in his regiment, on or about the 27th of April, 1862.

CHARGE 3d.

Conduct Unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that Colonel Edward W. Serrell, of the regiment of New York Volunteer Engineers, did, on or about the 31st day of August, 1861, write to Mr. Ph. Haas, "appointing" the said Ph. Haas to the position of a Lieutenant in the regiment of the New York Volunteer Engineers, and did secure the service of Mr. Haas as a Lieutenant in the said regiment, and did promise Mr. Haas, on or about the 31st day of October, and on or about the 31st day of December, 1861, to have him (Haas) sworn into the service of the United States, and did fail to keep the promise aforesaid, and on or about the 31st day of December, did falsely state in words to the following

effect, to wit; "Mr. Haas joined my regiment at Fortress Monroe, with mere verbal orders or representations from Adj't General Hillhouse, of New York, and further than that, I know nothing of Mr. Haas or his claims to be an officer of my regiment."

All this at the city of New York, on board the U. S. Steam Transport "Star of the South," between Fortress Monroe Virginia, and Hilton Head, South Carolina, and at Hilton Head on or about the times above mentioned.

Specification 2d.—In this, that Colonel Edward W. Serrell, of the regiment of New York Volunteer Engineers, did, on or about the 28th of August, 1861, promise one Henry H. Frenor a position as Lieutenant in the regiment of New York Volunteer Engineers; having thus secured the enlistment of said Frenor, he did fail to make good his promise, but to quiet the solicitations of the said Henry H. Frenor, did, on or about the 10th day of November, 1861, offer him the position of "Assistant Ordnance Officer," pretending that said position was that of a commissioned officer, and that he (Serrell) was authorized to make the appointment.

This at New York, and at Hilton Head, on or about the dates above mentioned.

Specification 3d.—In this, that Colonel Edward W. Serrell, regiment of New York Volunteer Engineers, did write a letter to Major General George B. McClellan, containing the following false statement, to wit: "There are now about 900 men and 27 officers of my regiment," there being at that time only about half that number of men and officers in the said regiment.

This at Washington City, on or about the 25th of September, 1861.

Specification 4th.—In this, that Colonel Edward W. Serrell, of the regiment of New York Volunteer Engineers, did, on or about the 27th day of September, 1861, and at various other times, pretend to have authority from the Secretary of War to appoint five cadets to his regiment, and by promising one Henry A. Fenner that he should be appointed one of the said cadets, did induce him, on or about the 10th of October, 1861, to enlist in the said regiment, and did keep him about his (Serrell's) person for a time as orderly, and did subsequently order him to do duty in the ranks.

This in New York, in transit between New York and Hilton Head, S. C., and at Hilton Head, South Carolina.

CHARGE 4th.

Conduct to the Prejudice of Good Order and Military Discipline.

Specification.—In this: Colonel Edward W. Serrell, regiment New York Volunteer Engineers, did, on or about the 15th day of July, 1862,

while in arrest at Hilton Head, South Carolina, in the company streets of his regiment, make a speech, or speeches to his men, in which he used words to the following effect: "I have always stood by you and you will stand by me;" and when the men cheered him, he (Col. Serrell) said, "Hush, boys, I am under arrest and for you now."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the 1st *Specification* 1st CHARGE,	"Not Guilty,"
To the 2d *Specification* 1st CHARGE,	"Not Guilty,"
To the 3d *Specification* 1st CHARGE,	"Not Guilty."
To the 4th *Specification* 1st CHARGE,	"Not Guilty."
To the CHARGE,	"Not Guilty."
To the *Specification* 2d CHARGE,	"Not Guilty."
To the 2d CHARGE	"Not Guilty,"
To the 1st *Specification* 3d CHARGE,	"Not Guilty,"
To the 2d *Specification* 3d CHARGE,	"Not Guilty."
To the 3d *Specification* 3d CHARGE,	"Not Guilty."
To the 4th *Specification* 3d CHARGE,	"Not Guilty."
To the 3d CHARGE,	"Not Guilty."
To the *Specification* 4th CHARGE,	"Not Guilty."
To the 4th CHARGE,	"Not Guilty."

FINDINGS OF THE COURT.

The Court, after mature consideration of the evidence adduced, do find the accused, Col. E. W. Serrell, Vol. Eng. Reg., as follows:

1st *Specification* 1st CHARGE,	"Not Guilty."
2d " " "	"Not Guilty."
3d " " "	"Not Guilty."
4th " " "	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
1st *Specification* 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."
1st *Specification* 3d CHARGE,	"Not Guilty."
2d " " "	"Not Guilty."
3d " " "	"Not Guilty."
4th " " "	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty."

1st *Specification* 4th CHARGE, find the facts as specified, but attach no criminality thereto.

Of the fourth CHARGE,	"Not Guilty."

And the Court do accordingly acquit him.

2. The proceedings, finding and sentence in the foregoing case are approved and confirmed. Colonel Serrell is returned to duty.

2d. Colonel R. WHITE, 55th Reg. Pa. Vols., on the following Charges and Specifications:

CHARGE 1ST.

Forcing Guard.

Specification.—In this, that Col. R. White, of the 55th Reg. Pa. Vols., did, on or about the 27th day of November, 1861, while in a state of intoxication, force the Guard in a violent manner. This at Camp Hamilton, Virginia.

CHARGE 2D.

Conduct Unbecoming an Officer and a Gentleman.

Specification.—In this, that in the fields lying between the camps of the 55th Reg. Pa. Vols., and the Mass. Cavalry, the said Colonel R. White, did run after a negro woman and caught the said negro woman, and threw her on the ground, and then and there did attempt to violate her, the negro woman's person. This in the afternoon, on or about the 26th day of June, 1862, on Edisto Island, S. C.

CHARGE 3D.

Violation of the 45th Article of War.

Specification.—In this, that on the 4th day of August, 1862, he, the said Col. R. White, laid drunk in his markoe, and in the evening of said day did go on board of the schooner "Milton," then lying in the harbor of Beaufort, S. C., and then and there drank until exhausted; when, about, the hours of one or two o'clock, A. M., on the morning of the 5th of August, 1862, he, the said Col. R. White, did fall on the deck of the aforesaid schooner, being so much intoxicated that he could not stand, and laid on the deck of said schooner until daylight, when he, the said Col. R. White, started for the camp of the 55th Reg. Pa. Vols., and while coming through the streets of Beaufort, did attempt to kick in a gate, and also attempted to break in a door. This at Beaufort, S. C., while the said Col. R. White was Field Officer of the Day.

To which the accused, Col. R. White, 55th Reg. Pa. Vols., pleaded,

"NOT GUILTY."

FINDING OF THE COURT.

The Court, after maturely considering the evidence adduced, find the accused, Col. R. White, 55th Reg. Pa. Vols., as follows:

Specification of 1st CHARGE,	"Not Guilty."
Of first CHARGE,	"Not Guilty."
Specification of 2d CHARGE,	"Not Guilty."
Of the second CHARGE,	"Not Guilty."
Specification of 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty," and he

is accordingly acquitted.

2. The commanding General has read with attention the proceedings of the Court in the case of Richard White, Colonel commanding 55th Regiment Pennsylvania Volunteers.

The acquittal of Colonel White is approved. In releasing Colonel White from arrest and returning him to duty in accordance with the decision of the Court, the Commanding General feels it his duty to say, that the conduct charged upon Colonel White, and of which some unknown person appears to have been guilty, richly merits the reprobation of every officer and soldier in the service.

It is hoped that in the future that no occasion will ever arise for preferring such charges sustained by such specifications against any person in the service of the United States within the limits of the Department of the South.

3. The General Court Martial, of which Col. John L. Chatfield, 6th Reg. Conn. Vols., is President, is hereby dissolved.

II.

1. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "General Orders," No. 47, of August 12th, 1862, from Head Quarters Hilton Head, and of which Col. HENRY R. GUSS, 97th Reg. Pa. Vols., is PRESIDENT, was arraigned and tried,

1st Lieut. Charles Knerr, of Company "H," 76th Reg. Pa. Vols., on the following Charges and Specifications.

CHARGE 1st.

Drunkenness.

Specification 1st.—In this, that 1st Lieut. Charles Knerr, of Company "H," 76th Reg. P. V., did appear on dress parade, in command of Co. "E," of said regiment, in a state of intoxication.

Specification 2d.—That said 1st Lieut. Charles Knerr, of the company and regiment aforesaid, being drunk in his quarters, and on the street in front of the same, did act in a most disgraceful and unofficer like manner.

This on or about the 18th of May, 1862, at Hilton Head, S. C.

CHARGE 2d.

Violation of the 77th Article of War.

Specification 1st.—In this, that 1st Lieut. Charles Knerr, of Company "H," 76th Reg. P. V., did leave his confinement before being set at liberty, and visited the quarters of Capt. Hicks, commanding Co. "C," 76th Reg. P. V.

Specification 2d.—That 1st Lieut. Charles Knerr, of the company and regiment aforesaid, did leave his confinement and the limits of the camp, and walked down the beach in company with Lieut. Hicks, of the 76th Reg. P. V.

Specification 3d.—That 1st Lieut. Charles Knerr, of the company and regiment aforesaid, said that he'd be damned if he wouldn't go where he pleased, regardless of this arrest, or words to that effect.

This between the 18th and 30th of May, 1862, at Hilton Head, S. C.

CHARGE 3d.

Violation of the 45th Article of War.

Specification.—In this, that 1st Lieut. Charles Knerr, of Company "H," 76th

Reg. P. V., did get drunk whilst on duty with his company at Tybee Island, Ga., on the 9th day of April, 1862.

CHARGE 4th.

Conduct calculated to incite Sedition.

Specification.—In this, that 1st Lieut. Charles Knerr does publicly aver, that the Rules and Articles of War do not relate in any manner, to the Volunteers in the service of the United States, or words to that effect.

To which the accused, 1st Lieut. Charles Knerr, Company "H," 76th Reg. P. V., pleaded as follows:

Of the 1st *Specification* of 1st CHARGE,	"Not Guilty,"
Of the 2d *Specification* of 1st CHARGE,	"Not Guilty,"
Of the 1st CHARGE,	"Not Guilty."
Of the 1st *Specification* of 2d CHARGE,	"Not Guilty."
Of the 2d *Specification* of 2d CHARGE,	"Not Guilty,"
Of the 3d *Specification* of 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty,"
Of the *Specification* of 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE.	"Not Guilty."
Of the *Specification* of 4th CHARGE,	"Not Guilty."
Of the 4th CHARGE,	"Not Guilty."

FINDINGS OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, 1st Lieut. Charles Knerr, Company "H," 76th Pennsylvania Volunteers, as follows:

Of the 1st *Specification* of the 1st CHARGE,	"Not Guilty."
Of the 2d *Specification* of the 1st CHARGE,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the 1st *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 3d *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."
Of the 1st *Specification*, of the 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty."
Of the 1st *Specification* of the 4th CHARGE,	"Not Guilty."
Of the 4th CHARGE,	"Not Guilty."

SENTENCE.

And the Court do therefore sentence the said 1st Lieut. Charles Knerr, *to be dismissed the service.*

2. The proceedings, finding and sentence in the foregoing case are approved. The sentence is remitted on the recommendation of the Court, and 1st Lieut. Charles Knerr, Co. "H," 76th Reg. Pa. Vols., is relieved from arrest and returned to duty.

III.

1. At the General Court Martial convened at St. Augustine, Fla., pursuant

to "General Orders," No. 3, of July 26th, 1862, from Head Quarters Fort Pulaski, Key West, &c., and of which Major SABINE EMERY, 9th Reg. Me. Vols., is PRESIDENT, were arraigned and tried,

1st. 2d Lieut. Harvey F. Wiggin, Co. "E,"4th Reg. N. H. V., on the following Charges and Specifications :

CHARGE 1ST.

Conduct to the Prejudice of Good Order and Military Discipline.

Specification 1st.—In that the said Harvey F. Wiggin, 2d Lieutenant, Co. "E," 4th Regiment N. H. Volunteers, did drink intoxicating liquor in company with enlisted men of said Regiment, and became intoxicated.

All this at St. Augustine, Fla., July 4th, 1862.

Specification 2d.—In that the said Harvey F. Wiggin, 2d Lieut. Co. "E," 4th Regiment N. H. V., did, while intoxicated, strike an enlisted man of said regiment.

All this at St. Augustine, Fla., July 4th, 1862.

CHARGE 2D.

Conduct Unbecoming an Officer and a Gentleman.

Specification.—In that the said Harvey F. Wiggin, 2d Lieut. Co. "E," 4th Reg. N. H. V., did become intoxicated, and while so intoxicated, engage in a fight with Frederick A. Kendall, 2d Lieut. Co. "C," 4th Regiment N. H. V., Henry W. Locke, 2d Lieut. 4th Regiment, N. H. V., and one or more enlisted men of said regiment in the presence of several enlisted men of said regiment.

All this at St. Augustine, Fla., July 4th, 1862.

To which the accused, 2d Lieut. Harvey F. Wiggin, Co. "E," 4th Regt. N. H. Vols., pleaded as follows :

To the 1st *Specification* of the 1st CHARGE, "Not Guilty."
To the 2d *Specification* of the 1st CHARGE, "Not Guilty."
To the 1st CHARGE, "Not Guilty."
To the *Specification* of the 2d CHARGE, "Not Guilty."
To the 2d CHARGE, "Not Guilty."

FINDING OF THE COURT.

After mature deliberation, the Court find him, 2d Lieut. Harvey F. Wiggin, as follows :

Of the 1st *Specification* to the 1st CHARGE, "Not Guilty."

Of the 2d *Specification* to the 1st CHARGE, "Guilty," with the exception of the words "intoxicated," but attach no criminality thereto.

Of the 1st CHARGE, "Not Guilty."

Of the *Specification* to the 2d CHARGE, "Guilty," with the exception of the words "did become intoxicated, and while so intoxicated," and "and one or more enlisted men of said regiment in the presence of several enlisted men in said regiment."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does, therefore, order and sentence him, 2d Lieut. Harvey F. Wiggin, *to be dismissed from the service.*

2. The proceedings, finding and sentence in the case of 2d Lieut. Harvey F. Wiggin, 4th Reg, N. H. Vols., are approved; but in consideration of the recommendation of the Court, the sentence is hereby remitted. Lieut. Wiggin will resume his sword and return duty.

2. Cyrus D. Tuck, Assistant Surgeon 9th Reg. Me. Vols., upon the following Charges and Specifications:

CHARGE 1ST.

Extortion.

Specification 1st.—In this, that the said Cyrus D. Tuck, Assistant Surgeon Ninth Maine Volunteers, did cause forty cents per month for one month or more to be deducted from each of the negro laborers employed in Fort Clinch, Fernandina, Fla., as medical fees for himself, said negroes being in the employ of the military authorities of the United States, in the construction of said Fort.

This at Fernandina, Fla., on or about the 25th day of June, 1862.

Specification 2d.—In this, that the said Cyrus D. Tuck, Assistant Surgeon Ninth Regiment Maine Volunteers, did attempt to obtain from Lieut. John H. Lowell, Quartermaster Ninth Regiment Maine Volunteers, a medical fee for himself, of forty cents per month, for all negroes employed in the Quartermaster's Department of the Ninth Regiment Maine Volunteers.

This at Fernandina, Fla., on or about the 25th day of June, 1862.

CHARGE 2D.

Appropriating Hospital Stores and Rations for his own Private Use.

Specification 1st.—In this, that the said Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Volunteers, has, from the time of his entering the service until the present time, continually appropriated hospital rations for his own use, deriving a large portion of his subsistence therefrom.

This at Washington, D. C., at Annapolis, Md., Hilton Head, S. C., and at Fernandina, Fla.

Specification 2d.—In this, that the said Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Volunteers, did, on or about the tenth day of June, 1862, demand and receive, from Corporal John S. Gilpatrick, of Company "E," Ninth Regiment Maine Vols., a sum of money for medicine furnished him from the dispensary of the hospital of the 9th Regiment Maine Volunteers.

This at Fernandina, Fla.

CHARGE 3D.

Insulting and Disrespectful Language Concerning his Commanding Officer.

Specification 1st.—In that the said Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Volunteers, did, upon hearing of certain complimentary letters from the Hon. Hannibal Hamlin, Vice President of the United States and the Senators from Maine, to Col. Rishworth Rich, Post Commander, at Fernandina, Fla., and which Col. Rich had caused to be read to said 9th Regiment Maine Volunteers, while on Dress Parade, at Fernandina, Fla., on or about the 18th day of July, 1862, did throw out insinuations against the authenticity of said letters, intimating that they were not genuine, but were written or caused to be written by Col. Rich himself, adding, "I would give five dollars to see the handwriting of those letters," or words to that effect.

All this at Fenandina, Fla.

CHARGE 4TH.

Conduct Unbecoming an Officer and a Gentleman.

Specification 1st.—In that the said Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Vols., did, while in charge of the sick of said regiment, who were left at Hilton Head, S. C., when said regiment embarked for Fernandina, Fla., sell to enlisted men and other purchasers, a quantity of liquors daily.

All this at Hilton Head, S. C., during the months of February and March.

Specification 2d.—In this, that Cyrus D. Tuck, Assistant Surgeon 9th Reg., Maine Volunteers, did, in the dispensary of the Hospital of the 9th Reg. of Maine Vols., use the following vulgar, ungentlemanly and unbecoming language towards Capt. George F. Granger, Co. "A," 9th Regiment Maine Vols., in the presence and hearing of a number of private soldiers of said regiment, viz: "For two snaps I will kick your arse over that balcony," or words to that effect.

This at Fernandina, Fla., on or about the 17th day of July, 1862.

Specification 3d.—In that the said Cyrus D. Tuck, Assistant Surgeon 9th Regiment Maine Volunteers did sell, cause to be sold, and did make a practice of selling and causing to be sold, at various times during the months of May, June and July, 1862, at the Hospital of the 9th Reg., of Maine Volunteers, certain quantities of eggs, milk and pies, to which the patients in said hospital were entitled free of charge to said patients, at an exorbitant price; also that the said Cyrus D. Tuck did sell to the patients in the hospital of the 9th Reg. Maine Vols., milk obtained from a cow furnished for the use of the sick in said hospital, at fifteen cents per quart, subsequent to the issuing of an order by

Rishworth Rich, Col. Commanding Post, at Fernandina, Fla., "that no person should charge more than ten cents per quart for milk," stating that he did not care for the order, that he should sell his milk for fifteen cents per quart, or words to that effect.

All this at Fernandina, Fla.

To which the accused, Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Volunteers pleaded as follows :

To the 1st *Specification* of the 1st CHARGE,	"Not Guilty."
To the 2d *Specification* of the 1st CHARGE,	"Not Guilty."
To the 1st CHARGE,	"Not Guilty."
To the 1st *Specification* of the 2d CHARGE,	"Not Guilty."
To the 2d *Specification of the* 2d CHARGE,	"Not Guilty."
To the 2d CHARGE,	"Not Guilty."
To the *Specification* of the 3d CHARGE,	"Not Guilty."
To the 3d CHARGE,	"Not Guilty."
To the 1st *Specification* of the 4th CHARGE,	"Not Guilty."
To the 2d *Specification* of the 4th CHARGE,	"Not Guilty."
To the 3d *Specification* of the 4th CHARGE,	"Not Guilty."
To the 4th CHARGE,	"Not Guilty."

FINDING OF THE COURT.

After mature deliberation of the evidence, the Court find the accused, Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Vols., as follows :

Of the 1st *Specification* to the 1st CHARGE,	"Guilty."
Of the 2d *Specification* to the 1st CHARGE,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the 1st *Specification* to 2d CHARGE,	"Guilty."
Of the 2d *Specification to* 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."

Of the *Specification* to 3d CHARGE, "Guilty," with the exception of the words "but were written or caused to be written by Col. Rich himself."

Of the 3d CHARGE,	"Not Guilty."
Of the 1st *Specification* to 4th CHARGE,	"Not Guilty."
Of the 2d *Specification* to 4th CHARGE,	"Guilty."
Of the 3d *Specification* to 4th CHARGE,	"Not Guilty."
Of the 4th CHARGE,	"Guilty."

SENTENCE.

And the Court does therefore, order and sentence him, the said Cyrus D. Tuck, Assistant Surgeon 9th Reg. Maine Volunteers,

That he forfeit to the United States Treasury the sum of one hundred and thirty dollars, ($130) *and that he be dismissed from the service.*

2. The proceedings finding and sentence in the foregoing case are

approved and the sentence will be carried into effect. Assistant Surgeon Cyrus D. Tuck, 9th Reg. Maine Vols., is hereby dismissed from the United States' service.

By Command of Maj. Gen. O. M. MITCHEL,

Assistant Adjutant General.

HEAD QUARTERS, DEPARTMENT OF THE SOUTH,

HILTON HEAD, PORT ROYAL, S. C., OCT. 18, 1862.

GENERAL ORDERS, No. 45.

I.

1. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "General Orders," No. 47, of August 12th, 1862, from Headquarters, Hilton Head, S. C., and of which Col. HENRY R. GUSS, 97th Regt. Pa. Vols., is PRESIDENT, were arraigned and tried,

1st. Private Albert G. Pratt, Co. "G," 7th Regt. Conn. Vols.

CHARGE 1ST.

Disrespectful and Contemptuous Behavior toward his Commanding Officer.

Specification.—In this, that he, the said Private Albert G. Pratt, Co. "G," 7th Regt. Conn. Vols., being ordered by Sergeant George Edwards, Co. "G," 7th Regt. Conn. Vols., then duly acting in capacity of Orderly Sergeant of said company, to appear on Dress Parade, did reluctantly and contemptuously obey said order. and on returning from Dress Parade, did use disrespecful and insulting language towards said acting Orderly Sergeant George Edwards, saying: "You are putting on a damned great many airs for only an acting Orderly Sergeant in another man's place," and "Lieut. Townsend said you were not capable for Orderly, and jumped you for that reason," or words to that effect. Also using other disrespectful and contemptuous language, at that and other times. All this at Edisto Island, S. C., on or about the 15th day of July, 1862.

CHARGE 2d.

Absenting Himself from his Post without Leave from his Superior Officer.

Specification.—In this, that he, the said Private Albert G. Pratt, Co. "G" 7th Regt. Conn. Vols., having been duly stationed at a picket post, under charge of Corporal David R. Adams, Co. "G," 7th Reg. Conn. Vols., and having applied to said Corporal David R. Adams, for permission to return to camp, on the ground of sickness, and being told by said Corporal Adams to proceed to picket headquarters, and there ask permission of Lieut. John Thompson, of said Regiment, commanding the picket, did return to camp, without proceeding to the picket headquarters, and without the permission of said Lieut. Thompson.

This at Edisto Island, S. C., on or about the 19th day of July, 1862.

FINDING OF THE COURT.

The Court, after mature consideration of the evidence adduced, find the

accused, Private Albert G. Pratt, Co. "G," 7th Reg. Conn. Vols., as follows:

Of the *Specification* to the first CHARGE,	"Guilty."
Of the first CHARGE,	"Guilty."
Of the *Specification* to the second CHARGE,	"Not Guilty."
Of the second CHARGE,	"Not Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Albert G. Pratt, Co. "G," 7th Regt. Conn. Vols., to ask the pardon of acting Orderly Sergeant George Edwards, of Co. "G," of said regiment, for the disrespectful and insulting language set forth in the Specification of the 1st Charge, publicly, in the presence of the said Co. "G," and further, to forfeit one month's pay to the Government, and further, to thirty days' hard labor under guard.

2d. Commissary Sergeant William F. Reisinger, 76th Penna. Vols.

CHARGE 1st.

Disobedience of Orders and Conduct Prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that the said Commissary Sergeant, William F. Reisinger, 76th Regt. Penna. Vols., did, on or about the 3d day of August, 1862, peremptorily refuse to obey orders of Lieut. Charles N. Brumm, acting Quartermaster, 76th Regt. Penna. Vols., and said, "I'll be damned if I ask the Quartermaster or any body else for teams to haul the Commissary Stores," or words to that effect.

This at or near Hilton Head Island, South Carolina.

Specification 2d.—In this, that the said Commissary Sergeant William F. Reisinger, 76th Regt. Penna. Vols., did, on or about the 6th day of August, 1862, use disrespectful and threatening language, by saying in a most contemptuous manner, "since you have been acting Quartermaster of the Regiment there is all hell up, and you will see who will be Quartermaster next week," or words to that effect.

This at or near Hilton Head Island, South Carolina.

CHARGE 2D.

Violation of Article 36 of the Articles of War of the Revised Army Regulations.

Specification 1st.—In this, that the said Commissary Sergeant William F. Reisinger, did, at different times during the months of June, July, and part of August, 1862, sell, without a proper order, provisions belonging to the United States.

This, at or near James and Hilton Head Islands, South Carolina.

Specification 2d.—In this, that the said Commissary Sergt. W. F. Reisinger, did, at different times during the months of June, July and part of August, 1862, embezzle and misapply provisions and other stores belonging to the United States.

This at or near James and Hilton Head Islands, South Carolina.

CHARGE 3D.

Violation of Article 29 of the Articles of War of the Revised Army Regulations.

Specification.—In this, that the said Commissary Sergeant Willam F. Reisinger, 76th Regt. Penna. Vols., did at different times during the months of June, July and part of August, 1862, embezzle money belonging to the United States.

This at or near James and Hilton Head Islands.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Commissary Sergeant William F. Reisinger, 76th Regt. Penna. Vols., as follows:

Of the first *Specification* of the first CHARGE,	"Guilty."
Of the 2d *Specification* of the first CHARGE,	"Guilty."
Of the first CHARGE,	"Guilty."
Of the first *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."
Of the *Specification* of the third CHARGE,	"Guilty"
Of the third CHARGE,	"Guilty."

SENTENCE.

And the Court do, therefore, sentence the said Commissary Sergeant William F. Reisinger, *to be reduced to the ranks and to forfeit two months' pay.*

3d. Captain John B. Dennis, Co. "H," 7th Reg. Conn. Vols.

CHARGE 1st,

Disobedience of Orders.

Specification.—In this, that on the 19th day of July, 1862, Jerome Tourtellotte, Captain of Co. "K," 7th Conn. Vols., was regularly detailed as officer of the day, and that while acting in that capacity, pursuant to an order then and there received by him from Daniel C. Rodman, Major of said regiment, he ordered the said Captain John B. Dennis to proceed at once to embark with his company on board the steamer "Delaware," without delaying for any purpose whatever, except for the men to sling their knapsacks, and that the said Captain John B. Dennis then and there failed to obey said order, and utterly refused to do so, saying, "By God my men shall have coffee, orders or no orders." All this at Edisto Island, S. C., July 19th, 1862.

CHARGE 2d.

Conduct prejudicial to Good Order and Military Discipline.

Specification.—In this, that on the 19th day of July, 1862, John B. Dennis, Captain of Co. "H," 7th Reg. Conn. Vols., was ordered by Joseph R. Hawley Colonel of said regiment, to proceed immediately with his company on board the Steamer "Delaware," and then repair

to the Hea l Quarters of said 7th Reg. Conn. Vols., and deliver up his sword, and then and there consider himself under arrest; and that upon receiving said orders as aforesaid, the said Captain John B. Dennis made the following disrespectful reply, viz: "You can take my sword now if you want it."

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, Captain John B. Dennis, Co. "H," 7th Reg. Conn. Vols., as follows:

Of the *Specification* of the 1st CHARGE,	"Not Guilty."
Of the first CHARGE,	"Not Guilty."
Of the *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."

And the Court do therefore acquit him.

4th. Private George S. Stevens, Co. "K," 7th Reg. Conn. Vols.

CHARGE.

Insubordination.

Spe ification 1st—In this, that the said George S. Stevens, of the company and regiment aforesaid, being ordered and commanded by Lieutenant Charles J. Greene, of said company and regiment, to perform certain duties, to wit: to split a log, he the said Stevens had brought in for firewood, neglected and refused to do the same, answering the said Lieutenant Greene saucily and impertinently, that he would not split the wood as commanded.

This on the grounds of Seventh Regiment Connecticut Volunteers, Camp Stevens, James' Island, S. C., June 26th, 1862.

Specification 2d.—In this, that the said Stevens, being ordered and commanded by said Lieutenant Greene to put on his knapsack, answered, "I won t do it," and neglected and refused to do it.

This on the ground of the Seventh Regiment Connecticut Volunteers, Camp Stevens, James' Island S. C., June 26th 1862.

Specificat.on 3d.—In this, that the said Stevens, having been taken from the custody of the officers of the guard and conveyed to the street of said company "K," by said Lieutenant Greene, threw off his knapsack which he had been lawfully commanded to wear, and with violent and profane language refused to wear it, and said "I'll be damnd if I'll do it, I'll fight first," or words to that effect; and the said Stevens with great force and violence endeavored to prevent a party of men, whom the said Lieutenant Greene had detailed to tie the said Stevens, from the execution of their duty, and said, "I guess we'll have a little sporting first," meaning that he would strike his superior officer before he would obey him, and while so preventing and resisting, did assault and strike at the said Lieutenant Greene.

This on the ground of the 7th Connecticut Volunteers, Camp Stevens, James' Island, S. C., June 26th, 1862.

FINDING OF THE COURT.

The Court, after maturely considering the evidence adduced, find the accused, Private George S. Stevens, Co. "K," 7th Reg. Conn. Vols., as follows:

Of the first *Specification* of the CHARGE,	"Guilty."
Of the second *Specification* of the CHARGE,	"Guilty"
Of the third *Specification* of the CHARGE,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court therefore sentence the above named George S. Stevens to *be sent to the dry Tortugas, there to be kept at hard labor for the period of one year, and to forfeit to use of the Government one half of his monthly pay for the period of six months.*

5th. Private John J. Harrington, Co. "K," 7th Reg., Conn. Vols.

CHARGE.

Insubordination.

Specification.—In this, that the said Private John J. Harrington, of company and regiment aforesaid, did aid and abet one George S. Stevens of said company and regiment, in resisting the authority and disobeying the orders of Lieutenant Greene of said company, and the said Harrington, while the said Stevens was being tied by a party of men detailed for that purpose, commanded them to stop, and upon their refusal did with force and violence beat and strike Private S. W. Bugbee, the said Bugbee being one of the party detailed to tie said Stevens, many severe blows, with the intention of preventing him from the discharge of his duty and of aiding and encouraging said George S. Stevens in his disobedience and insubordination.

This on the ground of the Seventh Regiment Connecticut Volunteers, Camp Stevens, James' Island, S. C., June 26th, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John J. Harrington, Co. "K," 7th Reg. Conn. Vols., as follows:

Of the *Specification*,	"Not Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private John J. Harrington, Co. "K," 7th Reg. Conn. Vols., *to forfeit one half month's pay, and to be publicly reprimanded by his Regimental Commander in the presence of his Regiment.*

6th. Private John S. Kough, Co. "F," 76th Reg., Pa. Vols.

CHARGE.

Violation of Seventh Article of War.

Specification.—In this, that the said John S. Kough, of Co. "F," 76th Reg., Pa. Vols., while Lieutenant Bittinger of Co. "D," 76th Reg., Pa. Vols., was in the act of punishing Private Jackson Williams, of Co. D, said regiment, did endeavor to prevent Lieutenant Bittinger from apprehending Williams when he escaped to the quarters of Co. "F," and said in an excited manner—"We won't see Jack hurt, he has friends in this company and every man will stick up for him. You had better go to your quarters or you might get hurt."

All this on Hilton Head, S. C., on or about the 7th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John S. Kough, Co. "F," 76th Reg., Pa. Vols., as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private John S. Kough, Co. F, 76th Reg., Pa. Vols., *to be reprimanded by the Commander of the Regiment, the prisoner standing at the time on a barrel in the center of the Regiment drawn up in a hollow square.*

7th. Private Horace A. Tolles, Co. "A," 7th Reg., Conn. Vols.

CHARGE 1ST.

Disobedience of Orders.

Specification.—In this, that he, Private Horace "A," Tolles, Co. A, 7th Reg. Conn. Vols., did pass the regimental lines of said regiment, contrary to orders, without permission of the Regimental Commander.

This at Hilton Head, S. C. on or about the fourth day of August, 1862.

CHARGE 2ND.

Disrespectful contemptuous and insolent Language to a Sentinel on Duty.

Specification.—In this, that he, Private Horace A. Tolles, Co. A. 7th Reg., Conn. Vols., did pass the regimental lines of said regiment, and and being told by the sentinel there posted that he could not pass, did use the following disrespectful and insolent language to said sentinel, viz: "God damned if I don't go across here. Company "F" is getting to be damned stiff lately," or words to that effect.

This at Hilton Head, S. C., on or about the 4th day of August, 1862.

CHARGE 3D.

Conduct Prejudicial to Good Order and Military Discipline.

Specification.—In this, that he, Private Horace A. Tolles, Co. "A," 7th Reg. Conn. Vols., having addressed disrespectful and insolent language to a sentinel on duty who attempted to prevent his crossing his beat, and being cautioned by said sentinel not to use such language or he would report him, replied, "Report and go to Hell, God damn you," or words to that effect.

This at Hilton Head, S. C., on or about the 4th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Horace A. Tolles, Co. "A," 7th Reg. Conn. Vols., as follows:

Of the *Specification* to the 1st CHARGE, "Not Guilty."
Of the 1st CHARGE, "Not Guilty."
Of the *Specification* to the 2nd CHARGE, "Guilty," except the words, "did pass the regimental lines of said regiment."
Of the second CHARGE, "Guilty."
Of the *Specification* to the third CHARGE, "Guilty."
Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Horace A. Tolles, Co. "A," 7th Regt. Conn. Vols., to be confined on bread and water at Provost Marshal's Guard House for six consecutive days, and at the expiration of that time to ask pardon of the sentinel, in the presence of the regiment, for the disrespectful, contemptuous and insolent language used.

8th. Sergeant John A. Boyles, Co. "F," 76th Regt. Pa. Vols.

CHARGE.

Violation of Seventh Article of War.

Specification.—In this, that the said Sergeant John A. Boyles, of Co. "F," 76th Reg. P. V., while Lieutenant Bittinger of Co. "D," was punishing private Jackson Williams of said Co. "D," did leave his own company, and came to the street of Co. "D," and endeavored to stir up mutiny and opposition to the said Lieutenant Bittinger, and entered the tent in which Lieutenant Bittinger was having Williams tied, for the purpose of interfering, saying, "Jack, they shan't buck and gag you while I am about and can help it," and subsequently threatened the guard with a club.

All this on Hilton Head Island, S. C., on or about the 7th day of August, 1862.

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, Sergeant John A. Boyles, Co. "F," 76th Reg. Pa. Vols., as follows:

Of the *Specification* to, and including the words, "*to stir up mutiny and opposition to the said Lieutenant Bittinger,*" "Guilty."
Of the remainder of the *Specification,* "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Serg. John A. Boyles, Co. "F," 76th Reg. Pa. Vols., *to be redu ed to the ranks, and, standing in the center of a hollow square formed by the regiment, to receive a reprimand from the commander of the regiment.*

9th. Private Jackson Williams, Co. "D," 76th Reg. Pa. Vols.

CHARGE 1st.

Conduct prejudicial to Good Order and Military Discipline.

Specification.—In this, that the sai l Jackson Williams, of Co. "D," 76th Reg Pa. Vols., while on fatigue duty at Fort Welles, under charge of Lieutenant Bittinger, did leave the fort without the knowledge or permission of Lieutenant Bittinger, and returned to camp, thus avoiding his duty.

All this at or near Fort Welles.

CHARGE 2D.

Mutinous Conduct.

Specification.—In this, that the said Private Jackson Williams, of Co. "D," 76th Reg. Pa. Vols., on being ordered to carry a log for his offence, insolently refused, and also refused to stand on a barrel. Being tied and gagged, he broke lose and ran away. Being taken by First Sergeant Diller to the marquee of Lieutenant Bittinger, he defiantly declared that he would not submit, and went to his tent. When Lieutenant Bittinger appeared at his, Williams' quarters, to carry out his punishment, he drew a bayonet and threatened to run it through Sergeant Waltersdorf, used insulting language toward the Lieutenant, and repeatedly struck Sergeants Diller and Waltersdorf, who were ordered to tie him, and ran through the rear of the tent. Being overpowered and tied and gagged, he used insulting language toward the Lieutenant, calling him "a d—d son of a bitch," and threatening as soon as released to "give him the God damndest licking he ever had," with other insulting language toward Captain Littell, Officer of the Day, who appeared on the ground to quell the mutiny incited, as well as making use of improper language in reference to Colonel Power, "He might kiss his (Williams') arse," and "He did not care a God damn for Colonel Power."

All this at Hilton Head, S. C., on or about the 7th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Jackson Williams, Co. "D," 76th Reg. Pa. Vols., as follows:

Of the *Spe ification* to the 1st CHARGE, "Guilty."

Of the 1st CHARGE, "Guilty."

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

SENTENCE.

And the Court do therefore sentence the said Private Jackson Williams, Co. "D," 76th Reg't Vols. *to one year at hard labor at Tortugas, with six pound ball and four feet of chain attached to left leg, also one half of pay to be stopped during the time*

10th. Private William Farnham, Co. "C," 3d R. I. Artillery.

CHARGE.

Desertion.

Specification.—In this, that Private William Farnham, of Co. "C," 3d R. I. Artillery, a soldier who has received pay and who has been duly enlisted in the service of the United States, did desert from said company and regiment, and from the service of the United States.

This at Hilton Head, S. C., on or about August 4th, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private William Farnham, Co. "C," 3d R. I. Artillery, as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private William Farnham, Co. "C," 3d R. I. Artillery *to be dismissed the service, to be drummed to the tune of "Rogues March" in front of the regiment, and to forfeit all pay and allowances that he may now, or might ever be, entitled to otherwise.*

11th. Private Patrick Quigley, Co. "E," 7th Regt. Conn. Vols.

CHARGE 1st.

Disobedience of Orders.

Specification.—In this, that the said Patrick Quigley, when ordered by his superior officer, Lieut. Dempsey, Co. "E," 7th Regt. Conn. Vols., to get up and discharge his rifle, said order being given in conformance with a regimental order to that effect, did absolutely refuse, saying, "I won't do it."

This at the camp of the 7th Regt. Conn. Vols., James Island, S. C., June 8th, 1862.

CHARGE 2D.

Insolence.

Specification.—In this, that the said Patrick Quigley, at the place and time aforesaid, when commanded by his superior officer, Capt. Palmer to get up and discharge his piece, did reply as follows: "God damn you, if I ever get out of the service, I'll meet you," or words to that effect.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Patrick Quigley, Co. "E" 7th Regt. Conn. Vols., as follows:

Of the *Specification* to the 1st CHARGE, "Not Guilty."
Of the 1st CHARGE, "Not Guilty."
Of the *Specification* to the 2d CHARGE, "Not Guilty."
Of the 2d CHARGE, "Not Guilty."

And do therefore *acquit him.*

12th. Private Timothy Carty, Co. "F" 3d Regt. R. I. Vols.

CHARGE 1st.

Leaving his Post after being duly Posted as Sentinel.

Specification.—In this, that Private Timothy Carty was, on the night of the 24th of July, 1862, duly posted as sentinel, on post No. , at Post Commissary's and whilst on duty as sentinel, did leave his post, and was found some distance from said post.

CHARGE 2d.

Drunkenness.

Specification.—In this, that Private Timothy Carty was duly posted as sentinel on post No. , at Post Commissary's, on the night of the 24th of July, 1862, and was found absent from his post, and when seen was drunk and incapable of discharging his duties as sentinel.

All this at Hilton Head, S. C., on or about the 24th day of July, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced find the accused, Private Timothy Carty, Co. "F." 3d Regt. R. I. Vols., as follows:

Of the *Specification* to the 1st CHARGE, "Not Guilty."
Of the first CHARGE, "Not Guilty."
Of the *Specification* to the 2d CHARGE, "Not Guilty."
Of the 2d CHARGE, "Not Guilty."

And do therefore acquit him.

13th. Sergeant Charles Spilker, Co. "D," N. Y. Vol. Engineers.

CHARGE 1st.

Assaul with Intent to Kill.

Specification.—In this, that said Spilke came to Sergeant Charles Willken, of Co. "D," N. Y. Vol. Engineers to his place of work at the fortifications and asked him (Willken) for an axe which said Willken was then using; that said Willken told said Spilker, "you cannot get the axe until I am through using it myself," or words to the effect; that said Spilker thereupon took the axe out of the hands of said Willken, swinging it upon him and attempting to knock him down. Said Spilker would have proceeded in his wicked design had not other persons present interfered.

This at Hilton Head, S. C., on August 1th, 186_.

CHARGE 2d.

Using Insulting Language towards Sergeant Charles Willken.

Specification.—In this, that said Spilker called said Willken a miserable scoundrel and other bad names.

This at the above place and dat .

FINDING OF THE COURT.

The Court after maturely considering the evidence adduced, find the accused, Sergeant Charles Spilker Co. "D," N. Y. Vol. Engineers as follows:

Of the *Specification* to the first CHARGE,	"Not Guilty."
Of the first CHARGE	"Not Guilty."
Of the *Specification* to the second CHARGE,	"Guilty."
Of the second CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Sergeant Charles Spilker, Co. "D," N. Y. Vol. Engineers, *in presence of the commander of his Company, to ask pardon of Sergeant Charles Willken of Co. "D," N. Y. Vol. Engineers, for insulting language used.*

14th. Private Jacob Abendorst, Co. "B," N. Y. Vol. Engineers.

CHARGE.

Conduct to the Prejudice of Good Order and Military Discipline.

Specification 1st.—In this, that the Private Jacob Abendorst, of Co "B" N. Y. Vol. Engineers, while cook at the Post Bakery, did sell rations belonging to the Post Bakers, and appropriate the proceeds thereof to his own use.

This at the Post Bakery, on Hilton Head, S. C., on the 7th day of August, 1862.

Specification 2d.—In this, that the said Private Jacob Abendorst, of Co. "B," N. Y. Vol. Engineers, has been for a long time, to wit: from on or about the first day of July to the 6th day of August, or thereabout, selling rations belonging to the Post Bakery, appropriating the proceeds to his own use.

This at the Post Bakery, on Hilton Head, S. C., from on or about the 1st day of July to the 6th day of August

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, Private Jacob Abendorst, Co. "B," N. Y. Vol. Engineers, as follows:

Of the first *Specification*,	"Not Guilty."
Of the 2d *Specification*,	"Not Guilty."
Of the CHARGE,	"Not Guilty."

And do therefore acquit them.

15th. Private Asa Williams, Co. "C," 47th Reg N. Y. S. Vols.

CHARGE 1st.

Drunkenness while on Duty.

Specification.—In this, that the said Private Asa Williams, Co. "C," 47th N. Y. S. Vols., while a member of the guard did become intoxicated and unfit for duty, creating disorder in the camp.

This at the camp of the 47th Reg. N. Y, S. Vols., Hilton Head, S. C., on or about the 10th day of August 1862.

CHARGE 2D.

Threatening his Superior Officer.

Specification.—In this, that the said Private Asa Williams, Co. "C" 47th N. Y. S. Vols., subsequent to his arrest on the foregoing charge, by order of the officer of the Day, Captain Edward Eddy, Co. "A" 47th Reg. N. Y. S. Vols, did use threatening language to said officer, saying "I'll remember you for this," "I'll fix you for him," or words to that effect, and did use other threatening and insulting language.

This at the camp of the 47th Reg. N. Y. S. Vols., Hilton Head, S. C., on or about the 10th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Asa Williams, Co. "C," 47th Reg. N. Y. S. Vols., as follows:

Of the *Specification* to the first CHARGE,	"Guilty."
Of the first CHARGE,	"Guilty."
Of the *Specification* to the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Asa Williams Co. "C," 47th N. Y. S. Vols. *to one week hard labor under the charge of the Provost Marshal.*

16th. Private John Hull, Co. "B," 7th Reg. Conn. Vols.

CHARGE.

Conduct to the prejudice of Good Order and Military Discipline.

Specification.—In this that he the said Private John Hull, Co. "B," 7th Reg. Conn. Vols., did enter the house of Benjamin Washington, a negro residing on Drayton's Plantation, Hilton Head, S. C., and did steal, take and carry away therefrom, and appropriate to his own use, a watch and five dollars in money more or less, the same being the property of the said Benjamin Washington.

This on Hilton Head Island, S. C., on or about the 10th day of August, '62.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John Hull, Co "B," 7th Reg. Conn. Vols., as follows:

Of the *Specification* of stealing the watch,	"Not Guilty,"
Of stealing the money, and of the remainder of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Private John Hull, Co. "B," 7th Reg. Conn. Vols., to pay the negro Benjamin Washington, from his first

pay the sum of six dollars, to forfeit to the Government one month's pay, and whilestanding on a barrel in the centre of the regiment formed in a hollow Square, to be reprimanded by the Commander of the regiment.

17th. Private John Manion, Co. "B," 7th Reg. Conn. Vols.

CHARGE.

Conduct to the Prejudice of Good Order and Military Discipline.

Specification.—In this, that he, the said Private John Manion, Co. "B," 7th Reg. Conn. Vols., did enter the house of Benjamin Washington, a negro residing on Drayton's Plantation, Hilton Head Island, S. C., and did steal, take and carry away therefrom, and appropriate to his own use, a watch and five dollars in money, more or less, the same being the property of said Benjamin Washington.

All this at Hilton Head Island, S. C., on or about the 10th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John Manion, Co. "B," 7th Reg. Conn. Vols., as follows:

On the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And do therefore acquit him.

II. The proceedings and findings of the Court in the foregoing cases are approved; the sentences are confirmed and will be executed.

Captain John B. Dennis, Co. "H," 7th Reg. Conn. Vols., is relieved from arrest and returned to duty.

Private Patrick Quigley, Co. "E," 7th Reg. Conn. Vols., Private Timothy Canty, Co. "F," 3d Reg. R. I. Artillery, Private Jacob Abendorst, Co. "B," N. Y. Vol. Engineers and Private John Manion, Co. "B," 7th Reg. Conn. Vols., are released from arrest and will return to duty.

III. The General Court Martial of which Col. Henry R. Guss, 97th Reg. Pa. Vols., is President, is hereby dissolved.

II.

I. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "General Orders," No. 59, of Sept. 26th, 1862, from Headquarters, Hilton Head, S. C., and of which Col. HENRY R. GUSS, 97th Regt. Pa. Vols., is PRESIDENT, were arraigned and tried,

1st. Corporal George W. Davis, Co. "C," 76th Reg., Pa. Vols.

CHARGE

Disobedience of Orders and Refusal to do his Duty.

Specification 1st.—Being detailed as Corporal for Post Guard by Orderly Sergeant Joseph D. Keech, said that "By God I will not go on," and that he (Sergt. Keech) had imposed on him ever since his being a non-commissioned officer, and using other language unbecoming a soldier.

Specification 2d.—After being detailed as Corporal for Post Guard, did refuse

to do his duty, and did not go on duty, and remained in his quarters.

This at Hilton Head, S. C., on or about the 18th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused Corporal George W. Davis, Co. "C," 76th Reg. Pa. Vols., as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Corporal George W. Davis, Co. "C," 76th Regt. Pa. Vols. *that he be reduced to the ranks, and that he be placed in confinement at the Provost Guard House, at Hilton Head, at hard labor for the term of one month, and half of one month's pay now due him be retained.*

2d. Private Abram Beals, "Co. "C," 76th Regt. Pa. Vols.

CHARGE.

Conduct Prejudicial to Good Order and Military Discipline.

Specification.—In this, that the said Abram Beals, of Co. "C," 76th Regt. Pa. Vols., while Lieut. Bittinger of company "D," was passing from the company street to his marquees, did yell, hoot, and by other ways grossly insult the said Lieut. Bittinger.

This on Hilton Head Island, S. C., on or about the 7th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Abram Beals, Co. "C," 76th Regt. Pa. Vols., as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Abram Beals, of Co. "C," 76th Regt. Pa. Vols., *that he be confined one month in charge of the Provost Guard, at Hilton Head, S. C., the first week to be solitary confinement, and the remaining three weeks at hard labor, with a ball weighing 24 pounds attached to his left leg by a chain four feet long, and that he forfeit one month's pay.*

3d. Private Edward Kelly, Co. "H," 3d R. I., Artillery.

CHARGE.

Conduct Prejudicial to Good Order and Military Discipline.

Specification.—In this, that the said Edward Kelly, did, on the night of the 13th of September or thereabouts, steal or purloin from a sutler's shop, or near there, articles of value, which he did bring to Fort Welles.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Edward Kelly, Co. "H," 3d R. I. Artillery, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty"

SENTENCE.

And the Court do therefore sentence the said Private Edward Kelly, Co. "H," 3d R. I. Artillery *that he be confined in charge of the Provost Guard, at Hilton Head, S. C., for the term of one month. The first and last week of the month to be solitary confinement, and the balance of the month at hard labor.*

4th. Corporal Charles H. Robinson, Co. H, 3d R. I. Artillery.

CHARGE.

Conduct prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that the said Corporal Robinson did, on the night of the 13th of September or thereabouts, steal or purloin from a sutler's shop or near there, articles of value, which he did bring to Fort Welles.

All this while acting as Corporal of the Guard.

Specification 2d.—In this that the aforesaid Corporal Robinson did, on the night of the 13th of September or thereabouts, induce or persuade two of the guard to go with and assist him in stealing or purloining articles of value, and this without the consent of the Sergeant of the Guard.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Corporal Charles H. Robinson, Co. 'H,' 3d R. I. Artillery, as follows:

Of the 1st. *Specification* "Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE "Guilty."

SENTENCE.

And the Court do therefore sentence the said Corporal Charles H. Robinson, Co. "H," 3d R. I. Artillery, *that he be reduced to the ranks and that he be confined one month in charge of the Provost Guard, at Hilton Head, S. C., the first and last weeks of that time to be solitary confinement, and the balance of the month at hard labor.*

5th. Private Owen Mahoney, Co. 'B,' 47th Reg. N. Y. S. Vols.

CHARGE.

Sleeping on Post.

Specification.—In this that the said Private Owen Mahoney, Co. "B," 47th Reg. N. Y. S. Vols., after being posted as a sentinel, did sit down, place his musket aside and go to sleep at about 12½ o'clock, A. M., on or about the 17th of August, 186..

This at Hilton Head, S. C. at the camp of the 47th Reg. N. Y. S. Vols.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Owen Mahoney, Co. "B," 47th Reg. N. Y. S. Vols., as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Owen Mahoney, Co. "B," 47th N. Y. S. Vols., *that he be confined in charge of the Provost Guard, at Hilton Head, S. C., the term of six months, the first week of each month to be solitary confinement, the succeeding week of each month at hard labor, and the last two weeks of each month to have a 12 pound ball attached to his left leg by a chain four feet long, at hard labor, to be continued until the full term of the sentence is completed.*

6th. Captain Pardon Mason, 3d Reg. R. I. Artillery.

CHARGE 1ST.

Drunkenness on Duty

Specification.—In this, that Capt. Pardon Mason, 3d R. I. Volunteers, was drunk while on duty as Officer of the Day.

This at Hilton Head, S. C., on or about Oct. 2d, 1862.

CHARGE 2D.

Giving the wrong Countersign or Watchword, Violation of 53d Article of War.

Specification.—In this, that Capt. Pardon Mason, 3d R. I. Volunteers, being the Officer of the Day, (usually called Field Officer of the Day,) did give to Lieut. R. F. McIlvaine 76th Pa. Vols., the officer of the Picket Guard, the word Springbrook as the countersign or watchword, when in fact the proper countersign was Crown Point.

This at Hilton Head, S. C., on or about Oct. 2d, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced find the accused, Captain Pardon Mason, 3d R. I. Artillery, as follows:

Of the *Specification*, to the 1st CHARGE,	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the *Specification* to the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Captain Pardon Mason, 3d R. I. Artillery, *that he be reprimanded in presence of all the commissioned officers of his regiment, by Col. N. W. Brown.*

II. The proceedings and findings of the Court in the foregoing cases are approved; the sentences are confirmed and will be executed.

III. The General Court Martial of which Col. HENRY R. GUSS, 97th Reg. Pa. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJ. GEN. O. M. MITCHEL,

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., NOV. 5, 1862.

GENERAL ORDERS, No. 49.

I. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "Special Orders," No. 324, of October 10th, 1862, from Head Quarters Department of the South, and of which Lieut.-Col. J. H. BEDEL, 3d Regt. N. H. Vols., is PRESIDENT, were arraigned and tried.

1st. Private James Kells, Co. "G," 48th Regiment N. Y. Vols.

CHARGE.

Sleeping on his Post.

Specification.—In this, that Private James Kells, Co. "G," 48th Regt. New York State Volunteers, having been regularly posted as a sentinel, at the "North Magazine" in Fort Pulaski, Ga., on the night of August 21st, 1862, did sleep upon his post.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private James Kells, Co. "G," 48th Regt. N. Y. State Volunteers, as follows:

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Private James Kells, Co. "G," 48th Regt. N. Y. State Vols., to *Two month's imprisonment in charge of the Provost Guard, commencing on the 16th day of October, 1862; the first fortnight of each month to be kept in solitary confinement, and to be fed on bread and water.*

2d. Private Richard Harvey, Co. "B," 48th Regt. N. Y. S. Vols.

CHARGE.

Sleeping on his Post.

Specification.—In this, that Private Richard Harvey, Co. "B," 48th Regt. N. Y. State Volunteers, having been regularly posted as a sentinel, on the ramparts of Fort Pulaski, Georgia, on the night of August 21st, 1862, did sleep upon his post.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Richard Harvey, Co. "B," 48th Regt. N. Y. S. Vols., as follows:

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Richard Harvey, Co. "B," 48th Regt. N. Y. S. Vols., *to be imprisoned in the custody of the Provost Guard for the period of three (3) months from this date; two weeks of*

each month to be fed on bread and water, and to forfeit all pay for three months.

3d. Private James Wauls, Co. "E," 97th Regt. Pa. Vols.

CHARGE.

Disobedience of Orders.

Specification 1st.—In this, that he, Private James Wauls, of Co. "E," 97th Regt. Pa. Vols., being a member of the Picket Guard of the aforesaid Regiment, refused to take the post assigned him by Sergt. James Coughlin, who was Sergeant commanding the detachment of picket, bringing his musket to the ground, and saying, "I'll be damned if I go on that post, I'll go under arrest first."

This at or near "Pope's Plantation," on Hilton Head, S. C., on the morning of the 7th of October, 1862.

Specification 2d.—In this, that the said James Wauls, of Co. "E," 97th Regt. Pa. Vols., on being ordered by Captain William M'Connell to carry a billet of wood on his shoulder in front of the guard, did refuse, saying to Sergeant Samuel D. Smith of said Co. "E," 97th Regt. Pa. Vols., "I'll be damned if I do, or if he did, there would have to be a man to hold it on his shoulder," or words to that effect.

This at the camp of the 97th Regt. Pa. Vols., on the forenoon of the 7th of October, 1862.

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, Private James Wauls, Co. "E," 97th Regt. Pa. Vols., as follows:

Of the 1st *Specification*	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Private James Wauls, Co. "E," 97th Regt., Pa Vols., *To be reprimanded by his regimental commander, in presence of the regiment, and to forfeit to the United States one half of his monthly pay for six successive months.*

4th. Private Edwin Westcott, Co. "L," 3d Regt. R. I. Vols.

CHARGE.

Conduct Prejudicial to Good Order and Military Discipline.

Specification.—In this, that Private Edwin Westcott, Co. "L," 3d Regt. R. I. Vol. Artillery, did, on or about the night of the 8th of September 1862, feloniously enter the store of Douglas, Steele & Co. and steal therefrom two pistols and one telescope, the property of the aforesaid Douglas, Steele & Co.

This at Hilton Head, S. C., on or about the 8th of September, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Edwin Wescott, Co. "L," 3d Regt. R. I. Vol. Artillery, as

follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Edwin Westcott, Co. "L." 3d Regt. R. I. Vol Artillery, *To be drummed along his regiment at Dress Parade, wearing a large sign on his back, marked "THIEF," preceded by the Drum Band, playing the "Rogues March," and a file of soldiers with arms reversed, and followed by a file of soldiers at charge bayonets;—then to be imprisoned in the custody of the Provost Guard for twelve (12) months, with a twelve pound ball and chain attached to his leg,—the first week of each month's imprisonment to be solitary confinement; and to forfeit all pay during the term of his imprisonment.*

II. The proceedings and findings of the Court in the foregoing cases are approved; the sentences are confirmed and will be carried into due effect.

BY ORDER OF
BRIG. GEN. J. M. BRANNAN.

LOUIS J. LAMBERT,
Assistant Adjutant General.

OFFICIAL:

Lt. 47th N. Y. Vols.,
Acting Assistant Adjutant General.

HEAD QUARTERS:—DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., NOV. 11, 1862.

GENERAL ORDERS, No. 52

I. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "General Orders," No. 59, of Sept. 26th, 1862, from Head Quarters, Hilton Head, S. C., and of which Col. HENRY R. GUSS, 97th Regt. Pa. Vols., is PRESIDENT, was arraigned and tried,

Private Henry Brown, Co. "L" 3d R. I. Artillery.

CHARGE.

Conduct Prejudicial to Good Order and Military Discipline.

Specification.—In this, that Private Henry Brown, Co. "L," 3d R. I. Artillery, did enter the tent of Sergt. J. W. Robinson, Co. "A," 3d R. I. Artillery, and take therefrom a silver watch, the property of said Sergt. Robinson, and appropriate the same to his own use.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Henry Brown, Co. "L" 3d R. I. Artillery, as follows:

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Henry Brown, 3d R. I. Artillery, *That he be confined in charge of the Provost Guard, at Hilton Head, S. C., the term of three months; the second and fourth week of each month to be solitary confinement, and the balance of the time at hard labor; and one half of three months pay be stopped.*

II. The proceedings and finding of the Court in the foregoing case are approved; the sentence is confirmed and will be executed.

BY COMMAND OF

BRIG. GEN. J. M. BRANNAN.

LOUIS J. LAMBERT,

Assistant Adjutant General

10th Army Corps.

OFFICIAL:

Israel Seely

2d Lt. 47th N. Y. Vols.,

Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., Nov. 20, 1862.

GENERAL ORDERS, No. 53.

I. At the General Court Martial which convened at Hilton Head, S. C., pursuant to "Special Orders," No. 524, of Oct. 10th, 1862, from Head Quarters, Hilton Head, S. C., and of which Col. J. H. BEDEL, 3d Regt. N. H. Vols., is PRESIDENT, were arraigned and tried,

1st. 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols.

CHARGE 1st.

Gross Neglect of Duty.

Specification—In this, that on the 8th day of September, 1862, Company "I," of the 7th Regt. N. H. Vols, was ordered to remove from the barracks, in St. Augustine, Fla., and go into camp on ground adjacent to Fort Marion; and on said 8th day of September, said 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols., then being the only commissioned officer present for duty in said company, and having been particularly requested by Captain Joseph Troschel of said Co. "I," to carefully superintend the removal of said company and the camp and garrison equipage thereof, did intentionally and wrongfully, wholly fail to give any attention to the removal of said company, and the camp and garrison equipage thereof, but did at the time assigned for the removal of said company, designedly and without leave from his commanding officer, absent himself from his said company, for the purpose of his own pleasure and recreation.

This at St. Augustine, Fla., on or about the 8th of September, 1862.

CHARGE 2D.

Absence without Leave.

Specification.—In this, that he, the said 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols., did, without leave of his commanding officer, voluntarily and designedly absent himself from the "Dress Parade" of his regiment, well knowing that he was the only commissioned officer present for duty in his said company.

This, too, at St. Augustine, Fla., on or about the 8th day of September, 1862.

CHARGE 3D.

Breach of Arrest.

Specification.—In this, that he, the said 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols., after having been placed in arrest, by his then commanding officer, Lieut-Col. J. C. Abbott, 7th Regt. N. H. Vols., for neglect of duty and absence without leave, and having been particularly ordered to remain at his quarters, did leave his

quarters and go at pleasure about the streets of the city of St. Augustine.

This at St. Augustine, Fla., on or about the 8th day of September, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced upon the charges, 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols., as follows:

Of the *Specification* to the 1st CHARGE,	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the *Specification* to the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."
Of the *Specification* to the 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty."

And the Court do therefore *acquit* the said 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols.

2d. Private Samuel T. Noble, Co. "K," 97th Regt. Pa. Vols.

CHARGE.

Disobedience of Orders.

Specification.—In this, that he, Private Samuel T. Noble, Co. "K," 97th Regt. Pa. Vols., having just been released from the Provost Guard House, and being ordered to do duty by Colonel Henry R. Guss, Commanding 97th Regt. Pa. Vols., refused to do duty, saying that he would not take up a musket again, because he had been enlisted as a drummer.

This at the camp of the 97th Regt. Pa. Vols., Hilton Head, S. C., on the 1st day of October, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the case, find the accused, Samuel T. Noble, Co. "K," 97th Regt. Pa. Vols., as follows:

Of the *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence him, Private Samuel T. Noble, Co. "K," 97th Regt. Pa. Vols.,

That he be confined in charge of the Provost Guard for six months; the first two weeks of each month in close confinement, diet on bread and water, the balance of each month hard labor with a ball and chain attached to his right leg; and to forfeit to the U. S. Government, during the period of his confinement, the sum of ten dollars ($10) of his monthly pay per month

3d. 1st Sergeant E. E. Carpenter, Co. "C," 3d Regt. R. I. Artillery.

CHARGE 1ST.

Conduct Prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that he, the said 1st Sergt. E. E. Carpenter, Co. "C," 3d Regt. R. I. Artillery, did, in the presence of officers make use of language highly unbecoming, towards an officer of his regiment, 2d Lieut. H. W. Looe, in the following language: "You don't know enough to be an officer, "you are a damned fool,"

or words to that effect.

This at Camp Stephen Olney, Hilton Head, S. C., on or bout the 17th day of August, 1862.

Specification 2d.—In this, that he, the said Sergt. F. F. Carpenter Co. "C," 3d Regt. R. I. Artillery, did, in the presence of officers and enlisted men, make use of language highly unbecoming, towards an officer of his regiment, 2d Lieut. Horace W. Love, in the following language: "There is that Lieut. Love, a God damned son of a bitch, always sticking his nose into everything," or words to that effect.

This at Camp Stephen Olney, Hilton Head, S. C., on or about the 19th day of October, 1862.

Specification 3d.—In this, that he, the said 1st Sergeant, E. E. Carpenter, Co. "C," 3d Regt. R. I. Artillery, did, in the presence of enlisted men, on being sent to his quarters under arrest, by Lieut. Love, use the following language: "I will go when I feel like it," or words to that effect.

This at Camp Stephen Olney, Hilton Head, S. C., on or about the 19th day of October, 1862.

CHARGE 2D.

Breach of Arrest.

Specification In this, that he, the said 1st Sergt. E. E. Carpenter, Co. "C," 3d Regt. R. I. Artillery, having been placed in arrest, by Lieut. H. W. Love, of the same regiment, did leave his quarters and the camp.

All this at Camp Stephen Olney, Hilton Head, S. C., on or about the 19th day of October, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the case, find the accused, 1st Sergt. E. E. Carpenter, Co. "C," 3d Regt. R. I. Artillery, as follows:

Of the 1st *Specification* to the 1st CHARGE,	"Guilty."
Of the 2d " " "	"Guilty."
Of the 3d " " "	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *peSci cation* to the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said 1st Sergt. E. F. Carpenter, Co. "C," 3d Regt. R. I. Artillery, *That he be reduced to the ranks as a private soldier, to be imprisoned in the custody of the Provost Guard, for six months, the first week of each month to be solitary confinement the remainder of the time to wear a 12 pound ball with a chain four feet long at ached to his leg, and to forfeit one half of his pay for the whole term of his imprisonment.*

The Private Charles E. Lee Co. "C," New York Vol. Engineers.

CHARGE 8.

Mutinous Conduct.

Specification 1st.—In this, that he, Private Charles E. Lee, Co. "C," New York

Vol. Eng. Regt., at Fernandina, Fla., on or about the 4th day of August 1862, at Guard Mounting, refused to do duty, and in company with Privates James Ward and John Wallace, Co. "C" N. Y. Vol. Eng. Regt., did declare he would do no more duty.

Specification 2d.—In this, that he, Private Charles E. Lee, Co. "C," N. Y. Vol. Eng. Regt., in company with several other privates of said Company "C" did stack his arms in front of the officers' quarters of the said N. Y. Vol. Eng. Regt., and left them there and refused to do duty.

All this at Fernandina, Fla., on or about the 26th day of July, 1862.

CHARGE 2D.

Refusing to do Duty.

Specification.—In this, that he, Private Charles E. Lee, Co. "C," N. Y. Vol. Eng. Regt., at Fernandina, Fla., on or about the 4th day of August, 1862, did declare, at various times he would do no more duty.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused Private Charles E. Lee, Co. "C," N. Y. Vol. Engineers, as follows:

Of the 1st *Specification* to the 1st CHARGE, "Guilty," except as to the words "and in company with Privates James Ward and John Wallace, of Co. "C," N. Y. Vol. Engineers, did declare he would do no more duty."

Of the 2d *Specification* of the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Charles E. Lee, Co. "C," N. Y. Vol. Engineers, *That he be confined at the Dry Tortugas, for the period of twelve months at hard labor.*

5th. Private James Ward, Co. "C," N. Y. Vol. Engineers.

CHARGE 1ST.

Mutinous Conduct.

Specification 1st.—In this, that he, Private James Ward, Co. "C," New York Vol. Engineer Regt., at Fernandina, Fla., on or about the 4th day of August, 1862, did refuse to appear at Dress Parade and at the same time, in a vindictive and very disrespectful manner, declare he would do no more duty.

All this at Fernandina, Fla., on or about the 4th day of August, 1862.

Specification 2d.—In this, that he, Private James Ward, Co. "C," New York Vol. Engineer Regt., in company with Privates John Wallace and Charles E. Lee of Co. "C," New York Vol. Eng. Regt., did declare he would do no more duty.

All this at Fernandina, Fla., on or about the 4th day of August, 1862.

CHARGE 2D.

Refusing to do Duty.

Specification.—In this, that he, Private James Ward, Co. "C," New York Vol.

Eng Regt., at Fernandina, Fla., on or about the 4th day of August, 1862, in a vindictive and very disrespectful manner did declare, at various times, he would do no more duty.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private James Ward, Co. "C," N. Y. Vol. Engineers, as follows:

Of the 1st *Specification* to the 1st CHARGE, "Guilty."
Of the 2d " " " " " "Guilty."
Of the 1st CHARGE, "Guilty."
Of the 1st *Specification* to the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE

And the Court do therefore sentence the said Private James Ward, Co. "C," N. Y. Vol. Eng Regt., *That he be confined at the Dry Tortugas, for the period of twelve months, at hard labor.*

6th. Private John Wallace, Co. "C," N. Y. Vol. Eng. Regt.

CHARGE 1ST.

Mutinous Conduct.

Specification 1st.—In this, that he Private John Wallace, Co. "C," N. Y. Vol. Eng. Regt. at Fernandina, Fla. on or about the 4th day of August, 1862, did not appear on Dress Parade, and afterwards, when asked the reason why he was not at Dress Parade he replied, the reason was he would do no more duty.

Specification 2d.—In this, that he, Private John Wallace, Co. "C," N. Y. Vol. Eng. Regt., in company with Privates James Ward and Charles E. Lee, Co. "C," N. Y. Vol. Eng. Reg., did declare he would do no more duty.

All this at Fernandina, Fla., on or about the 4th day of August 1862.

Specification 3d.—In this, that he Private John Wallace, Co. "C," N. Y. Vol. Eng. Regt., in company with several other privates of said company ("C") did stack his arms in front of the officers' quarters, of the said New York Vol. Eng. Regt. and left them there, and refused to do any more duty.

CHARGE 2D.

Refusing to do Duty.

Specification.—In this, that he, the said Private John Wallace, Co. "C," N. Y. Vol. Eng. Regt., did declare, at various times, he would do no more duty.

All this at Fernandina, Fla., on or about the 4th day of August, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John Wallace, Co. "C," N. Y. Vol Eng. Regt., as follows:

Of the 1st *Specification* to the 1st CHARGE "Guilty."
Of the 2d " " " " " "Guilty."
Of the 3d " " " " " "Not Guilty."
Of the 1st CHARGE. "Guilty."

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

SENTENCE.

And the Court do therefore sentence the said John Wallace, Co. "C," N. Y. Vol Eng. Regt., *That he be confined at the Dry Tortugas, for the period of twelve* (12) *months, at hard labor.*

7th. Private Cornelius Cashman, Co. "F," 3d Regt. R. I. Artillery.

CHARGE 1st.

Desertion.

Specification.—In this, that Private Cornelius Cashman, Co. "F," 3d Regt. R. I. Artillery, having been duly enlisted in the service of the United States, did pass the Guard, at the Intrenchments and the Picket Guard, and did attempt to pass the Picket Guard at "Spanish Wells,"—that being the outer guard,—on false passes, intending to go over to the enemy.

This at Hilton Head, S. C., on or about the 12th day of October, 1862.

CHARGE 2D.

More than One Mile from Camp, without Leave.

Specification.—In this, that Private Cornelius Cashman, Co. "F," 3d Regt. R. I. Artillery, was found more than one mile from Camp, without leave in writing from his superior officer.

This at Hilton Head, S. C., on or about the 12th of October, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Cornelius Cashman, Co. "F," 3d Regt. R. I. Artillery, as follows:

Of the *Specification* to the 1st CHARGE, "Not Guilty."
Of the 1st CHARGE, "Not Guilty."
Of the *Specification* to the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Private Cornelius Cashman, Co. "F," 3d Regt. R. I. Artillery, *To be imprisoned three months in the custody of the Provost Guard, with a ball and chain attached to his leg the first two weeks of each month, to be solitary confinement; and to forfeit Ten Dollars of his monthly pay, per month, during the term of his imprisonment.*

8th. Private Joseph Buss Co. "E" 3d Regt. N. H. Vols.

CHARGE.

Violation of the 46th Article of War.

Specification.—In this, that Joseph Buss, a Private of Co. "E" 3d Regt. N. H. Vols., being regularly posted as a sentinel on the regimental guard of his regiment did fall asleep on his post, and was found sleeping and lying down on his post.

All this at Hilton Head, S. C., on the morning of the 2d day of November, 1862

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced find the accused Private Joseph Buss, Co. "E" 3d Regt. . . . Vols., as follows:

Of the *Specification* to the CHARGE, "Not Guilty."

Of the CHARGE "Not Guilty."

And the Court *do therefore acquit him.*

9th. 1st Lieut. Charles O. Brown, Co. "G," 9th Reg. Maine Vols

CHARGE 1ST.

Conduct Unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that he, 1st Lieut. Charles O. Brown, Co. "G," 9th Regt. Maine Vols., did at various times during the months of March and April 1862, sell intoxicating liquors to certain non-commissioned officers and privates of the company to which he belongs; and also made his boast, that he had made three hundred dollars, by selling liquor, since his connection with the said company.

This at Fernandina, Fla.

Specification 2d.—In this, that he, the said Lieut. Charles O. Brown, Co. "G," 9th Regt. Maine Vols., did sell intoxicating liquors to certain non-commissioned officers and privates of Co. "G," and the said non-commissioned officers and privates became unruly and riotous, from the effects of the liquor thus obtained; and all or a part of them were placed in the guard house.

This at Fernandina, Fla., on or about the 25th day of March, 1862.

Specification 3d.—In this that he, the said Lieut. Charles O. Brown, Co. "G," 9th Regt. Maine Vols., while in command of the company stationed at the railroad bridge, having received a quantity of whiskey, to be dealt out to his men as rations, did sell the whole or a part of the whiskey thus obtained for twenty-five cents a drink.

This at Fernandina, Fla., on or about the 4th day of July, 1862.

CHARGE 2D.

Conduct Prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that he, the said Lieut. Chas. O. Brown, 9th Me., Vols., while posted with his company at the railroad bridge, and in command of said company, did encourage two of his men to fight, viz: John Codrey and Albert S. Palmer, privates, he, Lieut. Chas. O. Brown, saying, "Give it to him, Palmer; I won't hurt you for it," or words to that effect.

This at Fernandina, Fla., on or about the 28th day of June, 1862.

Specification 2d.—In this, that he, the said Lieut. Chas. O. Brown, Co. "G," 9th Regt., Me. Vols., did sell intoxicating liquors to certain non-commissioned officers and privates of Co. "G," and the said non-commissioned officers and privates became unruly and riotous, from the effect of the liquor thus obtained, and all or a part of them were placed in the guard house.

This at Fernandina, Fla., on or about the 25th day of March, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, 1st Lieut. Charles O. Brown, 9th Regt Me. Vols., as follows:

Of the 1st *Specification* to the 1st CHARGE, "Guilty,"
with the exception of the words, "and also made his boast, that he had made three hundred dollars by selling liquor, since his connection with said company."

Of the 2d *Specification* to the 1st CHARGE, "Guilty."
with the exception of the words, "and all or part of them were placed in the guard house."

Of the 3d *Specification* to the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the 1st *Specification* to the 2d CHARGE, "Guilty."
Of the 2d *Specification* to the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 1st Lieut. Chas O. Brown, 9th Me Vols *To be dismissed the service of the United States.*

10th.—Private Patrick McGrath, Co. "D," New York Vol. Eng Regt.

CHARGE 1ST.

Threatening and Offering Violence toward his Superior Officer.

Specification 1st.—In this, that he the said Private Patrick McGrath, did, about the hour of Tattoo, on the 4th day of Nov., 1862 threaten to do violence to Capt. F. E. Græf, Commanding Co. "D," N. Y. Vol Engineers; that said McGrath designedly started for his tent; that he procured his musket with the bayonet fixed; that he went with his musket in search of said Capt. Græf; that when within a few yards of said Capt. Græf, said McGrath was prevented from executing his murderous attack on said Capt. Græf, by being knocked down by some person or persons.

Specification 2d.—In this, that said Private Patrick McGrath, about the middle of October, 1862, when being arrested by Capt F. E. Græf, N. Y. Vol Engineers, threatened said Capt. Græf, in vindictive and violent language.

This at Hilton Head, S. C.

CHARGE 2D.

Conduct Prejudicial to Good Order and Military Discipline.

Specification—In that said Private Patrick McGrath, did, about the hour of Tattoo, on the 4th day of Nov., 1862, threaten to stab Privates John Buhler, Jr. and Corporal Charles Neeb both of Co. "D," New York Vol. Engineers; that said McGrath made the attempt to execute his threat, with a dagger, and that he was prevented from executing his murderous design only by being overpowered and the dagger being wrested from him.

This at Hilton Head, S. C.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the ac-

cused, Private Patrick McGrath, Co. "D," N. Y. Vol. Eng. Regt., as follows:

Of the 1st *Specification* to the 1st CHARGE,	"Guilty."
Of the 2d " " " " "	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification* to the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."

SENTENCE

And the Court do therefore sentence the said Private Patrick McGrath, N. Y. Vol. Eng. Regt., *that he be confined at the Dry Tortugas, at hard labor, for the balance of the term of his enlistment, and forfeit two dollars per month of his monthly pay, during the term of his imprisonment; and previous to his departure for the Dry Tortugas he be marched in front of his regiment, with his head shaved.*

11th. Capt. Israel G. Atwood, N. Y. Vol. Engineers.

CHARGE 1st.

Disobedience of Orders.

Specification.—In this, that Capt. Israel G. Atwood, aforesaid, did refuse to obey the order of his superior officer, which order was as follows:

HEADQUARTERS VOL. ENGINEERS,
HILTON HEAD, S. C., Nov. 7th, 1862.

Captain Atwood will turn over to Lieut. McKenna such tools as are wanted for the fort at Scull Creek.

Corporal Johnson will report to Lieut. McKenna this morning.

(Signed) EDWARD W. SERRELL, Col. and Chief Engineer.

This at Hilton Head, S. C., on or about the seventh day of November, 1862.

CHARGE 2D.

Obstructing the Public Service.

Specification.—In this, that Captain Israel G. Atwood, aforesaid, having in his possession carpenters tools, that were much wanted in the construction of the new fort on Scull Creek, which tools were public property of the United States did refuse to deliver the same for use, to Lieut. McKenna, thereby hindering the prosecution of the work on said fort at Scull Creek, some time.

This at Hilton Head, S. C., on or about the 7th day of November, 1862.

CHARGE 3D.

Neglect of Duty.

Specification.—In this, that Capt. Israel G. Atwood, aforesaid, having refused to deliver a set of working tools, used in the construction of fortifications, as ordered by his superior officer, did neglect to notify his superior officer of the fact of his said refusal, whereby it was not known to his superior officer that the said tools had not been provided for use, and thereby the public interest suffered.

This at Hilton Head, S. C., on or about the seventh day of November, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Capt. Israel G. Atwood, N. Y. Vol. Engineers, as follows:

Of the 1st *Specification* to the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE,	"Not Guilty."
Of the *Specification* to the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."
Of the *Specificat on* to the 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty."

And the Court do therefore acquit him.

II.

1. At a General Court Martial which convened at Beaufort, S. C., pursu[illegible] t[illegible] Special Orders, No. 41, from Headquarters U. S. Forces, Port Royal [illegible] Nov. 5th, 1862, and of which Capt. J. P. S. GOBIN, 47th Regt. Pa. Vols. PRESIDENT, was tried:

2d Lieut. Adelbert White, 4th Regt N. H. Vols.

CHARGE.

Violation of 45th Article of War.

Specifi ation—In this, that the said Adelbert White, 2d Lieut. Co. "B," [illegible] Regt. New Hampshire Vols., was intoxicated while on duty [illegible] Lieut. of the Prov. st Guard, in the town of Beaufort, S [illegible] on or abou the 29th day of September, 1862.

To which the accused pleaded as follows:

To the *Speci cation*,	"Not Guilty."
To the CHARGE,	"Not Guilty"

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced find the [illegible] cused as fo lows:

Of the *Specification*	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

[illegible] And the Court do therefore sentence the said 2d Lieut. Adelbert White Co. "B," 4th N. H. Vols., *to be Cashiered.*

[illegible]. The proceedings and findings in the foregoing case are approved. 2 Lieut. Adelbert White, 4th N. H. Vols., ceases to be an officer of the [illegible] from the date of this order.

The proceedings, findings and sentences of the General Court Martial in the cases of 1st Lt. Charles O. Brown, Co. "G," 9th Regt. Me. Vols. Sergeant E. [illegible] Carpenter, Co. "C," 3d Regt. R. I. Artillery, Privates Cha[illegible] [illegible] James Ward and John Wallace, Co. "C," N. Y. Vol. Engineers [illegible] Corporals [illegible] Co. "E," 3d Regt. R. I. Artillery, and Private [illegible], Co. "D," New York Vol. Engineers, *are approved, and the sentence will be carried into effect.* 1st Lieut. Charles O. Brown, Co. "G," 9th Regt. [illegible], *consequently ceases to be an officer of the United States Army, from the date.*

The proceedings, finding and sentence of the Court in the case of Pri[illegible] [illegible] Noble, Co. "K," 97th Regt. Pa. Vols., are approved. In con[illegible] [illegible] the youth of Private Noble, such parts of the sentence in his case [illegible] and imprisonment, are remitted. Such part of the sente[illegible]

s relates to *stoppage of pay will be carried into effect.*

The proceedings and finding of the Court in the cases of Captain Israel G. Atwood, New York Vol. Engineers, 1st Lieut. Charles Cain, Co. "I," 7th Regt. N. H. Vols., and Private Joseph Buss Co. "E," 3d Regt. N. H. Vols., *are approved and confirmed.*

Captain Israel G. Atwood, New York Vol. Engineers, and Lieut. Charles Cain, 7th Regt N. H. Vols., *are released from arrest and will resume their swords*

Private Joseph Buss, Co. "E," 3d Regt. N. H. Vols., *is released from arrest and will return to duty.*

III. The General Court Martial of which Lieut-Col. J. H. Bedel, 3d Regt. N. H. Vols, is President, is hereby dissolved.

By Command of

Brig. Gen. J. M. BRANNAN.

Louis J. Lambert,

Assistant Adjutant General,

10th Army Corps.

OFFICIAL.

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., Nov. 24, 1862.

GENERAL ORDER No. 56.

Private William W. Lunt, Co. "I," 9th Regt., Me. Vols., having been convicted by a General Court Martial of "Desertion" and "Highway Robbery," and sentenced to be shot, and the same having been approved by the President of the United States, the sentence will be carried into execution, in presence of the Forces on Hilton Head Island S. C., in accordance with instructions, imparted to Brig. Gen'l Terry Nov. 19, 1862.

BY COMMAND OF
BRIG. GEN. J. M. BRANNAN.
LOUIS J. LAMBERT,
Assistant Adjutant General,
10th Army Corps.

OFFICIAL

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., DEC. 24, 1862.

GENERAL ORDERS,
No. 59.

I.

1. At a General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders" No 380, of December 9th, 1862, from Head Quarters, Department of the South, and of which Brig. Gen. A. H. TERRY, U. S. Vols., is PRESIDENT, was arraigned and tried,

Col. R. White, 55th Regt. Pa. Vols, on the following CHARGES and *Specifications:*

CHARGE 1ST.

Conduct to the Prejudice of Good Order and Military Discipline, and unbecoming an Officer and a Gentleman.

Specification.—That the said Col. R. White, 55th Regt Pa Vols., temporarily in command of the U. S. forces, at Beaufort, S. C., did authorize or direct his Provost Marshal to take possession of a stable, occupied by Drs. Durant and Hawks, Act. Asst. Surgeons, U. S. A., attached to the Staff of Brig. Gen. R. Saxton, said stable being attached to the house occupied by said Acting Assistant Surgeons, and had been regularly assigned to them by him, and was absolutely necessary for the protection of the public horses used by the said Acting Assistant Surgeons, in the discharge of their arduous duties.

That, acting under the orders of the said Col. White, the Provost Marshal, without even notifying the aforesaid Brig. Gen. Saxton of his intentions, proceeded, in violation of common courtesies of civil and military life, to send a party, armed with the necessary implements, to destroy the building aforesaid, which party only desisted from the complete performance of their disgraceful duty, upon being shown a written order from Brig. Gen. Saxton, warning them against the outrage.

This at Beaufort, S. C., on or about the 2d of December, 1862.

CHARGE 2D.

Disobedience of the Orders of his Superior Officer, in Violation of the 9th Article of War.

Specification.—That the said Col. White, 55th Regt. Pa. Vols, notwithstanding the positive orders of his superior officer, Brig. Gen. R. Saxton, that the stable should not be molested, did, in direct violation of that order, reiterate his instructions to the Provost Marshal or officer acting for him, to destroy the stable aforesaid, and in obedience to which instructions, a party of soldiers under the command of Drs. Greely and McClellan proceeded to destroy the building.

After partially accomplishing its destruction, they were pre-

vented from completely doing so, by the personal interference of Brig. Gen. Saxton. Thus disobeying and treating with contempt and disrespect the orders of his superior officer, Brig. Gen. R. Saxton, and grossly outraging the rights of members of his Staff. All this at Beaufort, S. C., on or about the 3d of December, 1862.

To which CHARGES and *Specifications* the accused pleaded "Not Guilty."

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, do find the accused, Col. R. White, 55th Regt. Pa. Vols., as follows:

Of the *Specification* of the 1st CHARGE,	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 2d CHARGE,	"Not Guilty."

And he is accordingly acquitted.

II.

At a General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders," No. 384, of Dec. 13th, 1862, from Head Quarters, Department of the South, and of which COL. JAMES L. FRASER, 47th Regt. N. Y. S. Vols. is PRESIDENT, was arraigned and tried,

Capt. C. H. Nichols, 6th Regt. Conn. Vols., on the following Charges and Specifications:

CHARGE 1ST.

Conduct Prejudicial to Good Order and Military Discipline. (*99th Article of War.*)

Specification 1st.—That the said Capt. C. H. Nichols, 6th Regt. Conn. Vols., Provost Marshal, did arrest and confine to the guard-house, Dr. J. M. Hawks, Assistant Surgeon, 1st So. Ca. Volunteers, on a most trivial offence, thus violating the two hundred and twenty-second and two hundred and twenty-fourth paragraphs, pages thirty-eight and nine, Regulations for the Government of the Armies of the United States.

This at Beaufort, South Carolina, on or about the 9th of Dec. 1862.

Specification 2d.—That the said Capt. C. H. Nichols Provost Marshal, at Beaufort, South Carolina, upon being ordered by his superior officer, Brig. Gen. R. Saxton, through his Aide-de-camp, Capt. J. E. Thorndike, to release Asst. Surgeon J. M. Hawks, did reply to said officer in a highly contemptuous and disrespectful manner and tone, saying: "Tell Gen'l. Saxton that I arrested him by order of the commander of this Post, and I will not release him until I get orders from the same authority," or words to that effect.

This at Beaufort, South Carolina, on or about the ninth day of December, 1862.

Specification 3d.—That the said Capt. C. H. Nichols, Provost Marshal, at Beaufort, So. Ca., having arrested Assistant Surgeon J. M. Hawks, 1st So. Ca. Vols., did fail to notify Brig. Gen. R. Saxton, his immediate commander, of said arrest, as required by the Regulations for the Government of the Armies of the United States—all this with the evident design of bringing the authority of his superior officer,

Brig. Gen. R. Saxton into contempt

This at Beaufort, South Carolina, on or about the ninth day of December, 1862.

CHARGE 2D.

Disobedience of Orders, (9th Article of War.)

Specification.—That the said Capt. C. H. Nichols, Provost Marshal, of Beaufort, S. C., having unwarrantably and without any authority or right, arrested and confined Dr. J. M. Hawks, Asst. Surgeon, 1st So. Ca. Vols., in the guard-house, did, when ordered by his superior officer, Brig. Gen. R. Saxton, to release said prisoner, positively refuse and fail to obey said order, when at the time of his refusal he knew that by the orders of the Secretary of War, Gen. Saxton had general control over all the provost marshals in the Dept. of the South.

This at Beaufort South Carolina, on or about the 9th day of Dec., 1862.

CHARGE 3D.

Breach of Arrest, (77th Article of War.)

Specification.—That the said Capt. C. H. Nichols, Provost Marshal, at Beaufort, So. Ca. upon being ordered in arrest by his superior officer, Brig. Gen. R. Saxton, did positively refuse to obey said arrest, and did send a message to that effect to Brig. Gen. R. Saxton, when at the time he well knew that by the orders of the Secretary of War, Gen. Saxton had general control of all the provost marshals in the Dept. of the South.

This at Beaufort So. Ca., on or about the 9th day of Dec., 1862.

To which CHARGES and *Specification* the accused pleaded "Not Guilty."

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, Capt. C. H. Nichols 6th Regt. Conn. Vols., as follows:

Of 1st the *Specification* of the 1st CHARGE,	"Guilty."
Of the 2d *Specification* of the 1st CHARGE,	"Not Guilty."
Of the 3d *Specification* of the 1st CHARGE,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification* of the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."
Of the *Specification* of the 3d CHARGE,	"Guilty."
Of the 3d CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence the said Captain C. H. Nichols, 6th Regt. Conn. Vols., *to be cashiered.*

III.

At a General Court Martial which convened at Beaufort, S. C., pursuant to "Special Orders" No. 41, of Nov. 5th, 1862, from Head Quarters, U. S. Forces, Port Royal Island, and of which Capt. J. P. SHINDEL COBIN, 47th Pa. Vols., is PRESIDENT was arraigned and tried.

Lieut. John O'Neil, Co. "C," 55th Reg., Pa. Vols., on the following Charge and Specification:

CHARGE.

Leaving Confinement before being set at Liberty by his Commanding Officer.

Specification.—In this, that 1st Lieut. John O'Neil Co. "C," 55th Regt. Pa. Vols., after being ordered into close arrest by his regimental commander, did, without being set at liberty, leave his confinement.

All this at Beaufort, S. C., on or about the 18th of Nov., 1862.

To which CHARGE and *Specification* the accused pleaded "Not Guilty."

FINDING OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, 1st Lieut. O'Neil, 55th Regt. Pa. Vols., as follows:

Of the *Specification* of the CHARGE, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said Lieut. John O'Neil, Co. "C," 55th Regt. Pa. Vols., *To be cashiered.*

IV.

1. The proceedings and finding of the General Court Martial in the case of Col. R. White, 55th Regt. Pa. Vols., are approved.

Col. White is released from arrest and will resume his command.

2. The proceedings, findings and sentence of the General Court Martial in the case of Capt. C. H. Nichols, 6th Regt. Conn. Vols., are approved.

Owing to the excellent character hitherto borne by that officer, and the earnest recommendation of the court in his favor, the sentence is remitted. Capt. Nichols is released from arrest and will resume his sword.

3. The proceedings, finding and sentence of the General Court Martial in case of Lt. John O'Neil, 55th Regt. Pa. Vols., are approved.

At the earnest recommendation of the Court the sentence is remitted. Lt. O'Neil is released from arrest and will resume his sword.

4. The General Court Martial of which Col. JAMES L. FRASER, 47th N. Y. S. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF

BRIG. GEN. J. M. BRANNAN.

LOUIS J. LAMBERT,

Assistant Adjutant General,

10th Army Corps.

OFFICIAL:

Lieut. & Aide-de-Camp.

Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., DEC. 31, 1862.

GENERAL ORDERS, No. 60.

I. At a General Court Martial which convened at St. Augustine, Fla., pursuant to "Special Orders," No. 365, of Nov. 22d, 1862, from Head Quarters Department of the South, and of which Colonel H. S. PUTNAM, 7th Regt. N. H. Vols., is PRESIDENT, were arraigned and tried.

1st. Sergeant William McL. Moore, Co. "B," 7th Regt. N. H. Vols.

CHARGE 1ST.

Breach of his Arrest.

Specification—In this, that he, the said Sergeant William McL. Moore, of Co. "B," 7th Regiment, N. H. Volunteers, did while under arrest absent himself from his quarters without leave.

CHARGE 2D.

Conduct to the Prejudice of Good Order and Military Discipline.

Specification.—In this, that he, the said Sergeant William Mc L. Moore, Company "B," 7th Regiment N. H. Volunteers, did make use of mutinous and insulting language to 1st Lt. Ezra Davis, his company commander, saying: "You are a pretty man, just what I always thought of you; you are a fool; you are a damned fool; you are a God damned fool. This is the way you use your men; and this is just what I think of you, and what they all think of you; you are a son of a bitch, a God damned son of a bitch,"—or words to that effect.

CHARGE 3D.

Violation of the Ninth Article of War.

Specification—In this, that he, the said William McL. Moore, a Sergeant in Co. "B," 7th Regiment, N. H. Volunteers, threw a brick-bat at 1st Lt. Ezra Davis, his company commander, and did make insulting and threatening gestures towards him, accompanying them with profane, violent and abusive language.

All this at St. Augustine, Fla., on or about the 9th day of October, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Sergeant William McL. Moore, Co. "B," 7th Regt. N. H. Vols., as follows:

Of the *Specification* to the 1st CHARGE,	"Guilty."
Of the 1st CHARGE,	"Guilty."
Of the *Specification* to the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."
Of the *Specification* to the 3d CHARGE,	"Not Guilty."
Of the 3d CHARGE,	"Not Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Sergeant William McL. Moore, Co. "B," 7th Regt. N. H. Vols., *To be reduced to the ranks, and to be kept in close confinement for two* (2) *months; ten* (10) *days of each month to be solitary confinement on bread and water diet.*

2d. Private Loammi B. Warren, Co. "B," 7th Regt. N. H. Vols.

CHARGE.

Violation of the 20th Article of War.

Specification.—In this, that he, the said Private Loammi B. Warren, Co. "B," 7th Regt. N. H. Vols., did on or about the first day of February, 1862, desert from his company, at White St. Barracks, New York City, and did continue to absent himself, until apprehended by Lieut. W. C. Knowlton, of Co. "D," 7th Regt. N. H. Vols., on or about the 9th day of October, 1862, at Concord, N. H., and by him returned to his regiment.

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING AND SENTENCE.

After mature deliberation the Court confirm the plea of the prisoner, and do therefore sentence him the said Private Loammi B. Warren, Co. "B," 7th Regt. N. H. Vols. *To make good the time lost by desertion,—eight* (8) *months and nine* (9) *days,—to forfeit all pay and allowances due him on the ninth* (9) *day of October*, 1862, *and to forfeit in addition thereto, ten* (10) *dollars of his monthly pay for six* (6) *months.*

3d. Private Daniel L. Ordway, Co. "I," 7th Regt. N. H. Vols.

CHARGE.

Desertion.

Specification.—In this, that he, the said Private Daniel L. Ordway, of Co. "I," 7th Regt. N. H. Vols., was absent from his company without leave and with intention not to return to his said company, from the latter part of December, 1861, until the 19th day of September, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused Private Daniel L. Ordway, Co. "I," 7th N. H. Vols., as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court do therefore *acquit him.*

4th. Private Oscar F. Carson, Co. "H," 7th Regt. N. H. Vols.

CHARGE.

Violation of the 46th Article of War.

Specification.—In this, that he, the said Private Oscar F. Carson, Company "H," 7th Regiment N. H. Volunteers, having been regularly detailed as a member of the guard, and having been posted as a sentinel in the Tower at Fort Marion, was found sleeping on his post.

This at St. Augustine, Fla., on or about the 30th day of September, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Oscar F. Carson, Co. "H," 7th Regt. N. H. Vols., as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And do therefore *acquit him.*

5th. Private John Hobin, Co. "A," 7th Regt. N. H. Vols.

CHARGE.

Violation of the 46th Article of War.

Specification.—In this, that he, the said Private John Hobin, Company "A," 7th Regt. N. H. Vols., being detailed for duty and posted as one of the "picket guard," did sleep on his post.

This at St. Augustine, Fla., on or about the 9th day of September, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private John Hobin, Co. "A," 7th Regt. N. H. Vols., as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private John Hobin, Co. "A," 7th Regt. N. H. Vols., *to hard labor with a thirty-two* (32) *pound ball, attached by a chain to his person, during the remainder of his term of service, and to forfeit one-half of his future monthly pay from the tenth* (10*th*) *day of December*, 1862.

6th. Private Horace M. Prescott, Co. "C," 7th Regt., N. H. Vols.

CHARGE.

Conduct Prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that he, the said Private Horace M. Prescott, Co. "C," 7th Regt. N. H. Volunteers, did defraud Peter B. Dumas, a resident of St. Augustine, Florida, of a quantity of sutler's tickets, to the value of about twenty-five dollars, by means of a certain writing prepared for this purpose by said Prescott, in the form of a promissory note payable to said Dumas, for the sum of twenty-five dollars, and subscribed with the names "Frank M. Chase" and "L. A. Rollins, Capt. Co. "F,", 7th N. H. Vols.," the name of "Frank M. Chase" being the name of some fictitious or unknown person, and the name "L. A. Rollins," being virtually and in intent a forgery of the name of Capt. A. W. Rollins, of Co. "F," 7th Regt. N. H. Vols., and was fraudulently represented by said Prescott to said Dumas to be the real signature of the Captain of Co. "F," 7th N. H. Vols.

This at St. Augustine, Fla., on or about the 5th day of November, 1862.

Specification 2d.—In this, that he, the said Private Horace M. Prescott, Co. "C," 7th Regt. N. H. Vols., did aid, abet and procure the defrauding of one Mrs. Gardner, a resident of St. Augustine, Fla., of a quantity of sutler's tickets, to the value of about ten dollars, by means of a certain writing, prepared by said Prescott, with intent that the same should be used for the purpose of defrauding said Mrs. Gardner, in the form of a promissory note, payable to said Mrs. Gardner for the sum of ten dollars, and subscribed with the names "Charles Foster," and A. H. Cotton, Capt. Co. "A," 7th Regt. N. H. Vols., the name Charles Foster being the name of some fictitious or unknown person, and the name "A. H. Cotton" being virtually and in intent a forgery of the name of Capt. J. F. Cotton of Co. "A," 7th Regt. N. H. Vols., and said Prescott did deliver said writing to some person now unknown, well knowing that it was to be used for the purpose of defrauding said Mrs. Gardner, who was in fact so defrauded.

This at St. Augustine, Fla. on or about the 30th day of October, 1862.

Specification 3d.—In this, that he, the said Private Horace M. Prescott, of Company "C," 7th Regt., N. H. Vols., did aid, abet and procure the defrauding of Peter B. Dumas, a resident of St. Augustine, Fla., of a quantity of sutler's tickets, to the value of about thirty dollars, by means of a certain writing prepared by said Prescott, with intent that the same should be used for the purpose of defrauding said Dumas, in the form of a promissory note, payable to said Dumas, for the sum of thirty dollars, and subscribed with the names "Frank Newton" and "L. A. Rollins," Capt. Co. "F," 7th N. H. Vols., the name "Frank Newton," being the name of some fictitious or unknown person, and the name "L. A. Rollins," being virtually and in intent a forgery of the name of A. W. Rollins, Capt. Co. "F," 7th N. H. Vols., and said Prescott did deliver said writing to some person now unknown, well knowing that it was to be used for the purpose of defrauding said Dumas, who was in fact so defrauded.

This at St. Augustine, Fla., on or about the 5th day of November, 1862.

FINDING OF THE COURT.

The Court, having maturely considered the evidence adduced, find the accused, Private Horace M. Prescott, Co. "C," 7th Regt. N. H. Vols., as follows:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the 3d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private Horace M. Prescott, Co. "C," 7th Regt. N. H. Vols., *to be confined at hard labor for three (3) months, with a twenty-four (24) pound ball attached by a chain to his person; and to forfeit one-half his monthly pay for six (6) months.*

II. The proceedings, findings and sentences of the General Court Martial in the cases of Sergeant William McL. Moore, Co. "B," 7th Regt. N. H. Vols., Private Loammi B. Warren, Co. "B," 7th Regt. N. H. Vols., Private Horace M. Prescott, Co. "C," 7th Regt. N. H. Vols., and Private John Hobin, Co. "A," 7th Regt. N. H. Vols., are approved, and the sentences will be carried into execution.

The proceedings of the General Court Martial in the cases of Private Daniel L. Ordway, Co. "I," 7th Regt. N. H. Vols., and Private Oscar F. Carson, Co. "H," 7th Regiment N. H. Vols., being informal, are disapproved.

III. The General Court Martial of which Col. H. S. Putnam, 7th Regt. N. H. Vols, is President, is hereby dissolved.

BY COMMAND OF

BRIG. GEN. J. M. BRANNAN.

LOUIS J. LAMBERT,
Assistant Adjutant General
10th Army Corps.

OFFICIAL:

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of the South.

1863.

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DEPARTMENT OF THE SOUTH,

1863.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., JAN. 1, 1863.

GENERAL ORDERS, No. 1.

I. By a Military Commission which convened at Hilton Head, S. C., on the 18th day of December, 1862, pursuant to "Special Orders" No. 388, dated Headquarters Department of the South, Hilton Head, Port Royal, S. C., Dec. 17th, 1862, and of which Capt. D. A. ALLEN, 47th Regt. N. Y. Vols. is PRESIDENT, were arraigned and tried:

1st. Neptune, (colored.)

CHARGE.

Theft of Government Clothing.

Specification.—In this that Neptune (colored) while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and there, in conjunction with others, break open certain boxes of clothing and take therefrom twenty pairs of dark blue trousers and fifty-nine forage caps the property of the Government and appropriate the same to and for his own use, and that being charged with the theft did thereupon confess the same.

All this at Hilton Head, S. C., on or about the 26th day of November, 1862.

To which the prisoner pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation find the accused, Neptune (colored) as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Commission do therefore sentence him, Neptune (colored) to two months hard labor in custody of Provost Guard, the first and third weeks of each month to wear a twenty-four pound ball, attached to the right leg by a chain four feet in length.

The last week of his confinement to be solitary on bread and water diet.

2d. William H. O'Brien.

CHARGE.

Theft of Government Clothing.

Specification.—In this, that William H. O'Brien while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and there, in conjunction with others, break open certain boxes of clothing and take therefrom twenty pairs of dark blue trowsers and fifty-nine forage caps the property of the Government, and appropriate the same to and for his own use, and that being charged with the theft, did thereupon confess the same.

All this at Hilton Head, S. C., on or about the 26th day of November, 1862.

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation, find the accused, Wm. H. O'Brien, as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Commission do therefore acquit Wm. H. O'Brien.

3d. Tom (colored.)

CHARGE.

Theft of Government Clothing.

Specification.—In this, that Tom, (colored) while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and there, in conjunction with others, break open certain boxes of clothing, and take therefrom twenty pairs of dark blue trowsers and fifty-nine forage caps, the property of the Government, and appropriate the same to and for his own use, and that being charged with the theft, did thereupon confess the same.

This at Hilton Head, S. C., on or about the 26th day of November, 1862.

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation, find the accused, Tom (colored) as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Commission do therefore sentence the accused, Tom, (colored) to two month's hard labor in custody of the Provost Guard, the first and third weeks of each month to wear a twenty-four pound ball attached to the right leg by a chain four feet in length, the last week of his confinement to be solitary, on a bread and water diet.

4th. Adam (colored.)

CHARGE.

Theft of Government Clothing.

Specification.—In this, that Adam, (colored) while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and there, in conjunction with others, break open certain boxes of clothing, and take therefrom twenty pairs of dark blue trowsers and fifty-nine forage caps the property of the Government, and appropriate the same to and for his own use, and that being charged with the theft, did thereupon confess the same.

All this at Hilton Head, S. C., on about the 26th day of November, 1862.

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation, find the accused, Adam (colored,) as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Commission do therefore sentence him, Adam (colored,) to two *months hard labor in custody of the Provost Guard, the first and third weeks of each month to wear a twenty-four pound ball attached to the right leg by a chain four feet in length, the last week of his confinement to be solitary, on bread and water diet.*

5th. Cyrus (colored.)

CHARGE.

Theft of Government Clothing.

Specification.—In this, that Cyrus, (colored) while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and their, in conjunction with others, break open certain boxes of clothing and take therefrom twenty pairs of dark blue trowsers and fifty-nine forage caps, the property of the Government, and appropriate the same to and for his own use, and that being charged with the theft, did thereupon confess the same.

All this at Hilton Head, S. C., on or about the 26th day of November, 1862.

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation, find the accused, Cyrus (colored) as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Commission do therefore *acquit Cyrus (colored.)*

6th. Sam (colored.)

CHARGE.

Theft of Government Clothing.

Specification. In this, that Sam (colored) while engaged in discharging the cargo of the ship "Maria," at Hilton Head, S. C., did then and there, in conjunction with others, break open certain boxes of clothing and take therefrom twenty pairs of dark blue trowsers and fifty-nine forage caps, the property of the Government, and appropriate the same to and for his own use, and that being charged with the theft, did thereupon confess the same.

All this at Hilton Head, S. C., on or about the 26th day of November, 1862.

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS OF THE COMMISSION.

The Commission, after mature deliberation, find the accused, Sam (colored)

as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Commission do therefore *acquit Sam (colored.)*

II. The proceedings and findings of the commission in the foregoing cases are approved, the sentences are confirmed and will be carried into execution by the Provost Marshal at Hilton Head, S. C.,

Wm. H. O' Brien, Cyrus and Sam (colored) having been acquitted by the commission will be released from arrest.

III. The Military commission of which Capt. D. A. ALLEN, 47th Regt. N. Y. Vols., is President is dissolved.

BY COMMAND OF
BRIG. GEN. J. M. BRANNAN.
LOUIS J. LAMBERT,
Assistant Adjutant General
10th Army Corps.

OFFICIAL:

Israel Fealy

1st Lt. 47th N. Y. Vols.,
Acting Assistant Adjutant General.

HEADQUARTERS,—DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., JAN. 23, 1863.

GENERAL ORDERS, No. 6.

Pursuant to instructions from the War Department, dated A. G. O., January 14th, 1863, so much of General Orders No. 59, series of 1862, issued from these Head Quarters by Command of Brig. Gen'l. J. M. Brannan, dated Head Quarters Department of the South, Hilton Head, S, C., Dec. 24th, 1862, as remits the sentences in the cases of Capt. C. H. NICHOLS, 6th Conn. Vols., and 1st Lt. JOHN O'NEIL, 55th Pa. Vols., is hereby revoked. These officers will be placed in arrest until the pleasure of the President of the United States can be made known.

BY COMMAND OF

Maj. Gen. DAVID HUNTER.

CHAS. G. HALPINE,

Assistant Adjutant General

OFFICIAL:

Israel Greely

Assistant Adjutant General.

HEADQUARTERS,—DEPARTMENT OF THE SOUTH.

HILTON HEAD, PORT ROYAL, S. C., FEB. 6, 1863.

GENERAL ORDERS, No. 7.

I. At a General Court Martial which convened at Hilton Head S. C., on the 18th day of December, 1862, pursuant to "Special Orders" No. 70, dated Dec. 16, 1862, from Headquarters U. S. Forces, Hilton Head, S. C., and of which Colonel EDWIN MERCALF, 3d R. I. Artillery, was PRESIDENT were arraigned and tried:

1. Captain John E. Wilbur, 3d Regt. N. H. Vols.

CHARGE I.

Disobedience of Orders.

Specification 1st.—In this, that the said Captain John E. Wilbur, 3d N. H. Vols., being stationed with a detachment at Talbot's, on Skull Creek, for fatigue duty, did take certain enlisted men of his company and pass over Skull Creek with them to Pinckney Island, outside the lines of the United States forces, notwithstanding that the passing over to said Island of any person whether officer or enlisted man, had been strictly prohibited by Brigadier-General Terry, commanding said forces, which prohibition was well known to said Wilbur.

This on and near Hilton Head Island, S. C., on or about the 22d day of November, 1862.

Specification 2d.—In this, that the said Captain John E. Wilbur, did, at a certain other time, commit the offences set forth in the 1st Specification of this charge, under the circumstances and notwithstanding the prohibition therein set forth, which prohibition was well known to the said Capt. John E. Wilbur.

This on and near Hilton Head Island, S. C., on or about the 24th day of November, 1862.

CHARGE II.

Conduct Prejudicial to Good Order and Military Discipline.

Specification 1st.—In this, that the said Capt. John E. Wilbur, being under arrest by order of Brig.-Gen. Alfred H. Terry, commanding the forces on Hilton Head Island, for the offences set forth in the first and second Specification of the 1st Charge, did speak contemptuously and sneeringly to Asst. Surg. A. J. H. Buzzell, of said Regiment, and to other officers, of said arrest, and of the possibility of his being cashiered for said offences, saying: 'I have had about enough of the service; I would just as lief get out of the service," or words to that effect.

This at Hilton Head, S. C., on or about the 4th day of December, 1862.

Specification 2d.—In this, that the said Captain John E. Wilbur, being in arrest as set forth in the first Specification of this charge, did send Sergt. James S. Kelsey of Company "H," of said Regiment, with a pass authorizing him the said Captain Wilbur, to pass the guards,

and directed the said Sergeant to go outside the entrenchments and picket guards in said Island, with said pass, telling him that he might properly go with said pass, all of which was in direct and wilful violation of the orders and regulations duly established and then existing in regard to passing said guards.

This at Hilton Head Island, S. C., on or about the 10th day of December, 1862.

To which Charges and Specifications the accused pleaded as follows:

To the 1st *Specification* of the 1st CHARGE, "Not Guilty."
To the 2d *Specification* of the 1st CHARGE, "Not Guilty."
To the 1st CHARGE, "Not Guilty."
To the 1st *Specification* of the 2d CHARGE, "Not Guilty."
To the 2d *Specification* of the 2d CHARGE, "Not Guilty."
To the 2d CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, as follows:

Of the 1st *Specification* of the 1st CHARGE, "Guilty."
Of the 2d *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the 1st *Specification* of the 2d CHARGE, "Not Guilty."
Of the 2d *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Captain John E. Wilbur, 2d New Hampshire Vols., *to be dismissed the military service of the United States.*

2. Captain Israel G. Atwood, 1st Regt. N. Y. Vol. Engineers.

CHARGE.

Conduct Unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that the said Captain Israel G. Atwood, did furnish an enlisted man with intoxicating liquor for the purpose of vending the same, to officers and enlisted men, with the agreement that there should be a division of the proceeds of the sales.

This at Hilton Head, S. C., on or about the 23d day of February, 1862, and on or about the 25th day of November, 1862, and at various other times.

Specification 2d.—In this, that the said Captain Atwood, did receive from an enlisted man, certain monies, being a share of the proceeds of sales of intoxicating liquors to officers and enlisted men.

This at Hilton Head, S. C., on or about the 28th day of February, 1862, and on or about the 25th day of November, 1862.

To which Charges and Specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused as follows:

Of the 1st *Specification*,	"Guilty."
Of the 2d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Captain *I. G. Atwood*, N. Y. Vol. Engineers, *to be dismissed the service of the United States.*

II. The proceedings and findings in the case of Capt. *John E. Wilbur*, 2d N. H. Vols., are approved; the sentence is, however, suspended until the pleasure of the President of the United States can be made known.

III. The proceedings and findings in the case of Capt. *Israel G. Atwood*, N. Y. Vol. Engs., are approved, the sentence is confirmed and will be carried into effect.

Capt. *Israel G. Atwood*, N. Y. Vol. Engs., ceases to be an officer of the U. S. Forces from the date of this order.

BY COMMAND OF

Maj. Gen. D. HUNTER.

E. W. SMITH,
Assistant Adjutant General.

OFFICIAL:

Israel Seely

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen.

HEADQUARTERS,—DEPARTMENT OF THE SOUTH,
HILTON HEAD, PORT ROYAL, S. C., March 14, 1863.

GENERAL ORDERS,
No. 21.

I. At a General Court Martial which convened at Hilton Head, S. C., pursuant to "Special Orders" No. 201, of February 18th, 1863, from Headquarters U. S. Forces, Hilton Head, S. C., and of which Lt. Col. GEORGE S. BATCHELLER, 115th Regiment N. Y. S. Vols., is PRESIDENT, was arraigned and tried,

2d Lieut. John A. Kelly, Co. "E," 9th Regt. Maine Vols., on the following charges and specifications:

CHARGE I.

Drunkenness on Duty.

Specification 1st.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., on or about the 9th day of November, 1862, at Fernandina, Fla., while his company and regiment were assembled under arms by the beating of the "long roll," was drunk and totally unfit for duty.

Specification 2d.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., while on outpost duty, on Jenkins Island, on or about the night of the 6th day of February, 1863, was found by sentinels of his company dead drunk, and lying on the ground outside of his tent, and lay there in such a condition during an alarm, which occurred at about eleven o'clock that night, during which alarm his company were under arms.

CHARGE II.

Conduct unbecoming an Officer and a Gentleman.

Specification 1st.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., was, to his discredit as an officer and a gentleman, drunk on the following dates, viz: 26th and 27th of November, 1862.

Specification 2d.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., did, on or about the night of the 20th day of February, 1863, become intoxicated, and did create disturbance in the camp of the 9th Maine Vols., by loud and profane talk, and did take a jug containing spirituous liquors and carry it into the company quarters, and did treat enlisted men of Co. "E," 9th Maine Vols., and drink with them, until he became so intoxicated that said enlisted men took him to his tent and put him to bed.

Specification 3d.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., did, on or about the 21st day of February, 1863, enter

the tent of Ansel G. Marston, Captain, and did accuse the said Capt. Ansel G. Marston, and S. F. McKenny, of stealing and being accessory to the theft of $100 of his money, and did threaten to take the life of such officers, using the following language: "I have been robbed of a hundred dollars. Lieut. McKenny stole it; and you know where it is. I will kill Lieut. McKenny," or words to that effect.

CHARGE III.

Conduct prejudicial to Good Order and Military Discipline.

Specification.—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Vols., did, on or about the 27th day of November, 1862, take off his coat and hat, and challenge enlisted men to fight. This at Fernandina, Fla.

CHARGE IV.

Creating a False Alarm.

Specification—In this, that the said John A. Kelly, 2d Lieut. Co. "E," 9th Maine Volunteers, while on outpost duty at Jenkins Island, did create a false alarm in the camp of the 9th Maine Volunteers, stationed on said island, on or about the morning of the 6th day of February, 1863, between the hours of 3 and 7 o'clock, A. M., by discharging fire-arms, in woods near said camp, and ordering said Co. "E" to fall in, saying that the rebels were firing on our pickets, and did go to the tent of his superior officers and used the following language: "Are you all dead, or what the hell ails you, that you don't turn out during an alarm?" or words to that effect, and then immediately went out into the woods and fired his revolver several times, the balls passing over or near the tents occupied by the company officers of said Co. "E," 9th Maine Volunteers.

To all of which Charges and Specifications the accused pleaded "Not Guilty."

FINDINGS OF THE COURT.

The Court having maturely considered the evidence adduced, find the accused, John A. Kelly, 2d Lieut. Co. "E," 9th Maine Volunteers, as follows:

Of the 1st *Specification* of the 1st CHARGE,	"Not Guilty."
Of the 2d *Specification* of the 1st CHARGE,	"Not Guilty."
Of the 1st CHARGE,	"Not Guilty."
Of the 1st *Specification* of the 2d CHARGE,	"Guilty."
Of the 2d *Specification* of the 2d CHARGE,	"Not Guilty."
Of the 3d *Specification* of the 2d CHARGE,	"Guilty."
Of the 2d CHARGE,	"Guilty."
Of the *Specification* of the 3d CHARGE,	"Guilty."
Of the 3d CHARGE,	"Guilty."
Of the *Specification* of the 4th CHARGE,	"Not Guilty."
Of the 4th CHARGE,	"Not Guilty."

SENTENCE.

And the Court do therefore sentence the said 2d Lieut. John A. Kelly, Co. E, 9th Maine Vols., to be *dismissed the service.*

II. The proceedings and findings of the General Court Martial in case of 2d Lieut. John A. Kelly, Co. "E," 9th Maine Vols., are approved; the sentence is confirmed and will be carried into effect.

2d Lieut. John A. Kelly, Co. "E," 9th Maine Vols., ceases to be an officer in the United States Forces, from the date of this order.

BY COMMAND OF

Maj. Gen. D. HUNTER.

E. W. SMITH,

Assistant Adjutant General.

OFFICIAL:

Israel Realy

1st Lt. 47th N. Y. Vols.,

Act. Asst. Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.

HILTON HEAD, S. C., March 30, 1863.

GENERAL ORDERS, No. 29.

I. At a General Court Martial, which convened at St. Helena Island, S. C., pursuant to General Orders, No. 2, current series, from Headquarters Detachment 10th Army Corps, dated St. Helena Island, S. C., Feb. 13th, 1863, and of which Col. W. W. H. DAVIS, 104th Pennsylvania Vols., is PRESIDENT, was arraigned and tried :

Captain *John W. McIntosh*, 39th Regt. Illinois Volunteers.

CHARGE 1st.—"Drunkenness while on duty."

Specification—In this; that the said *John W. McIntosh* Capt. Co. "F," 39th Regiment Illinois Volunteers, did, on or about the night of the 24th of January, 1863, while on duty as Regimental Officer of the Day, become so intoxicated as to render him incompetent to discharge his duties. All this near Newbern, N. C.

CHARGE 2d.—"Conduct unbecoming an officer and prejudicial to good order and military discipline."

Specification—In this; that the said *John W. McIntosh*, Captain Co. "F.," 39th Regiment Illinois Vols, did, on or about the night of the 24th of January, 1863, provoke and engage in a disgraceful row with one James Henderson, 2d Lieut. Co. "C.", 39th Regiment Illinois Vols. All this near Newbern, N. C.

CHARGE 3d.—"Breaking of his arrest."

Specification—In this; that the said *John W. McIntosh*, Captain Co. "F.," 39th Regiment Illinois Vols., did between the hours of seven and nine, or thereabout, on the evening of the 24th of February 1863, or thereabout, leave the camp of the 39th Regt. Illinois Volunteers, and go to the camp of the 24th Regt. of Massachusetts Volunteers, without permit of his Commanding Officer, said *John W. McIntosh*, Captain Co. "F.," 39th Regt. Illinois Volunteers, then being in arrest and limited to the camp lines of the 39th Regiment Illinois Volunteers.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, finds the accused as follows :

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

Of the 1st CHARGE, "Guilty."

Of the *Specification* to 2d Charge, "Guilty," except the words, "provoke and."

Of the 2d CHARGE, "Guilty."

Of the *Specification* to 3d Charge, "Guilty," except the words, "and go to the camp of the 24th Regt. Massachusetts Volunteers."

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Captain *John W. McIntosh*, 39th Regt. Illinois Volunteers, *To be cashiered.*

II. The proceedings and findings in the foregoing case are approved; the sentence is confirmed, and will be carried into effect.

Captain *John W. McIntosh* ceases to be an officer in the United States Forces from this date.

BY COMMAND OF MAJ. GEN. D. HUNTER.

CHAS. G. HALPINE,
Lieut. Col. and Assistant Adjutant General
10th Army Corps and Department of the South.

OFFICIAL:

Gerald Pleasy

1st Lt. 47th N. Y. Vols.
Act. Asst. Adjutant General

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

HILTON HEAD, S. C., April 1st, 1863.

GENERAL ORDERS, No. 30.

At a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders, No. 201, current series, from Headquarters U. S. Forces, Hilton Head, S. C., dated February 18th, 1863, and of which Col. D. C STRAWBRIDGE, 76th Pennsylvania Volunteers, is PRESIDENT, was arraigned and tried :

2d Lieut. *Joseph W. Cannon*, 76th Pennsylvania Vols.

CHARGE.—" Drunkenness on duty."

Specification 1st—In this ; that 2d Lieut. Joseph W. Cannon, Co. " F," 76th Pennsylvania Vols., after having been detailed to take charge of a Fatigue Party did become drunk and unfit for duty. This, at Hilton Head, S. C., on or about the 26th day of March, 1863.

Specification 2d—In this ; that 2d Lieut. Joseph W. Cannon, Co. " F.," 76th Pennsylvania Vols., after having been detailed, and on duty as Officer of the Post Guard, did become drunk, and wholly unfit for duty. This, at Hilton Head, S. C., on or about the 31st day of March, 1863.

To which charge and specifications the accused pleaded " Guilty."

FINDING.

The Court, after mature deliberation, find the accused as follows :

Of the 1st *Specification*, " Guilty."
Of the 2d *Specification*, " Guilty."
Of the CHARGE, " Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 2d Lieut. *Joseph W. Cannon*, Co. " F.," 76th Pennsylvania Vols., *To be cashiered.*

II. The proceedings and findings in the foregoing case are approved ; the sentence is confirmed, and will be duly executed.

2d Lieut. *Joseph W. Cannon*, 76th Pennsylvania Vols., ceases to be an officer in the United States Forces, and is disqualified from ever holding any office of trust, emolument or honor, in the service of the United States.

BY COMMAND OF MAJ. GEN. D. HUNTER.

ED. W. SMITH,
Assistant Adjutant General.
10th Army Corps and Department of the South.

OFFICIAL :

Israel Peale

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjutant General.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH.

HILTON HEAD, S. C., April 2d, 1863.

GENERAL ORDERS, No. 31.

At a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders, No. 201, current series, from Headquarters U. S. Forces, dated Hilton Head, S. C., February 18th, 1863, and of which Col. D. C. STRAWBRIDGE, 76th Pennsylvania Volunteers, is PRESIDENT, was arraigned and tried:

Captain *Elisha S. Bisbee*, 9th Maine Vols.

CHARGE 1st.—"Conduct unbecoming an officer and a gentleman."

Specification 1st—In this; that on or about the 24th day of October, A. D. 1862, at Fernandina, Fla., said Capt. Elisha S. Bisbee did report to Col. Rishworth Rich, commanding 9th Maine Regt. Vols., that Capt. Geo. F. Granger, commanding Co. "A," of said Regt., who was at that time Officer of the Day, at the Post of Fernandina, Fla., was drunk, and had his Company under arms, which statement was a falsehood.

Specification 2d—In this; that the said Capt. Elisha S. Bisbee did, by means of the aforesaid representation, obtain a written order from said Col. Rishworth Rich, for the relief of said Capt. Geo. F. Granger as Officer of the Day—of which the following is a true copy:

"HEADQUARTERS, FERNANDINA, FLA.

To Capt. George F. Granger:

You are hereby released from duty as Officer of the Day. Captain ..... is detailed to act for the remainder of the night.

By order of Col. R. RICH, Comdg. Post.

Lieut. JOSEPH NOBLE, Act. Post Adjt."

Also, that the said Capt. Elisha S. Bisbee did afterward, on the same day, before furnishing said Capt. Geo. F. Granger with the above order, and while said Capt. Geo. F. Granger still lawfully held the position of Field Officer of the Day, maliciously and without authority, cause said Capt. Geo. F. Granger to be arrested, by a corporal and file of armed men, with loaded muskets, and carried into the Guard House of said Post,—said Capt. Geo. F. Granger being, at the time of his arrest, in the quiet and lawful discharge of the duties of the Officer of the Day.

All this at Fernandina, Fla., on or about the 24th day of Oct., A. D. 1862.

Specification 3d—In this; that the said Capt. Elisha S. Bisbee did order Corporal George T. Spraggs, of Co. "G," 9th Maine Vols., to take a file of armed men and arrest said Capt. Geo. F. Granger, and carry him into the Guard House of said Regt., using to said Corporal Spraggs the following language: "Arrest him dead or alive, if he makes any resistance to being arrested, shoot him," or words to that effect. This, at Fernandina, Fla., on or about the 24th day of Oct., 1862.

Specification 4th—In this; that the said Capt. Elisha S. Bisbee having procured the arrest of said Capt. Geo. F. Granger, did, upon being requested to show his authority for such arrest, by said Capt. Geo. F. Granger, neglect and

refuse so to do, ordering the Guard in an insulting and abusive manner to bring them along to the Guard House, unlawfully and maliciously causing said Guard to carry into said Guard House, under guard, in the presence of a large number of the enlisted men of said 9th Regt. of Maine Vols., said Capt. Geo. F. Granger, Mr. Alex. Tillinghast, Act. Master, U. S. N., and Geo. S. Colbath, Orderly Sergt. of said Co. "A.," and when said Capt. Geo. F. Granger repeatedly protested to said Capt. Elisha S. Bisbee against being carried into the Guard House, he replied to said Capt. Geo. Granger, in the following insulting and ungentlemanly language: "Oh, you do, do you? Well, I don't care a damn, if you do. You are going into the Guard House,"—or words to that effect.

This at Fernandina, Fla., on or about the 24th day of Oct., 1862.

Specification 5th—In this; that the said Capt. Elisha S. Bisbee did, on or about the 25th day of Oct., 1862, report to Col. Rishworth Rich aforesaid, that the statement he had previously made that Capt. Geo. F. Granger was drunk, was not true, but did report to said Col. Rishworth Rich at the same time, that although said Capt. Geo. F. Granger was not drunk, he was under the influence of liquor, which last statement was a falsehood.

This, at Fernandina, Fla.

CHARGE 2d.—"Inciting and encouraging mutiny and insubordination among the private soldiers of Co. "A.," 9th Regt. Maine Vols., to the prejudice of good order and millitary discipline."

Specification—In this; that the said Capt. Elisha S. Bisbee did, on or about the 25th day of Oct., A. D., 1862, enter the quarters occupied by Capt. Geo. F. Granger, Co. "A.," 9th Regt. Maine Vols., and did request certain insubordinate and mutinous enlisted men of said Company, who he was aware were hostile to said Capt. Geo. F. Granger, to go around and collect all evidence they were able to against said Capt. Geo. F. Granger, stating to them that he and Lt. Col. Bisbee, would put him (meaning Capt. Geo. F. Granger,) through, or words of like meaning, and did send for Private Charles H. Scott, of said Company and Regt., and taking him into his own quarters, did there ask him if he could not tell him something about Capt. Geo. F. Granger, aforesaid, that would help break him, using to the said Charles H. Scott, the following language: "He (meaning the said Capt. Geo. F. Granger), is played out, God damn him! this will break him, he has got to the end of his rope, and, damn him, I am glad of it!" or words of that effect—to the prejudice of good order and military discipline. This at Fernandina, Fla.

To which charges and specifications the accused pleaded "Not Guilty."

The Court, after mature deliberation, finds the accused as follows:

Of the 1st *Specification*, 1st CHARGE, "Guilty," except the words "and had his company under arms."

Of the 2d *Specification*, 1st CHARGE, "Guilty."

Of the 3d *Specification*, 1st CHARGE, "Guilty."

Of the 4th *Specification*, 1st CHARGE, "Guilty."
Of the 5th *Specification*, 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification*, 2d CHARGE, "Not Guilty."
Of the 2d CHARGE, "Not Guilty."

SENTENCE.

And the Court do therefore sentence the said Capt. *Elisha S. Bisbee*, Co. "F," 9th Maine Regt. Vols., *To be dismissed from the service of the United States.*

II. The proceedings and findings in the foregoing case are approved; the sentence is confirmed, and will be duly executed.

Capt. *Elisha S. Bisbee*, 9th Maine Vols., ceases to be an officer in the United States Forces from this date.

BY COMMAND OF MAJ. GEN. D. HUNTER.

ED. W. SMITH,
Assistant Adjutant General.

OFFICIAL:

2d Lieut. 10th U. S. Infantry.
A. D. C.

HEADQUARTERS, Department of the South.

HILTON HEAD, PORT ROYAL, S. C., April 21, 1863.

GENERAL ORDERS, No. 32.

I. Before a General Court Martial, which convened at Fernandina, Fla., March 21st, 1863, pursuant to Special Orders No. 149, current series, from these Head Quarters, and of which Lt. Col. GEORGE F. GARDINER, 7th Conn. Vols., is PRESIDENT, were arraigned and tried,

1st. Private Henry Cole, Co. "D", 7th Conn. Vols.

CHARGE, "Mutiny."

Specification—In this; that the said Henry Cole, of Co. "D." 7th Regt. Conn. Vols., assisted by private Owen Dinneny, George Adams and others, while on Picket Guard with his company, at the post called the Bridge, at Fernandina, Fla., did cause, excite, and join in a mutiny, as follows: Sergt. Eli D. Seely, of said Co. "D," ordered by Capt. B. F. Skinner to arrest private George Webb for drunkenness and disorderly conduct, was in the act of arresting him, the said Webb, as ordered, when the said Henry Cole sprang upon him, the said Sergt. Seely, and then and there did strike and beat with great force and violence, and did charge him, the said Sergt. Seely, with threats and curses, to release him, the said George Webb, and the said Henry Cole, assisted and aided by the said Owen Dinneny, George Adams and others, did conduct himself with such violence by challenging, threatening, beating, cursing and striking, that it became necessary to turn out the greater part of the Company under arms to put down the mutiny, the said Henry Cole still refusing to desist, and in contempt of the officers and men under arms, did continue to threat, challenge, curse and strike, and did also endeavor to induce others to assist in overpowering the guard, and did not desist until finally overpowered by the non-commissioned officers and men, and being then put under guard, did strike, beat, curse, abuse and struggle with the guard, and attempt to force his way past the guard, and did, in one instance, succeed in forcing the guard, and would not return until again overpowered, and on being again placed under guard, did not only endeavor to excite others to assist him, but endeavored to influence those who had assisted him, namely, Owen Denneny and George Adams, to greater acts of violence, and upon being told by the said Capt. B. F. Skinner that he was sorry for him, answered as follows: "I don't care a damn, Capt. Skinner, if you ever live to strike New Haven dock, you will never breathe in Danbury." And did also threaten and abuse Corporal F. K. Nash of said Co. "D." of the 7th Regt. Conn. Vols. All this at Fernandina, Fla.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, private Henry Cole, of the 7th Regt. Conn. Vols., as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, private Henry Cole, of Co. "D," 7th Regt. Conn. Vols., "*To six months hard labor, with ball and chain on left ankle, 24 pound ball, six feet chain, iron not more than one-half inch or less than one-fourth inch in diameter, at such place as the General Commanding may designate, one half of pay and allowances to be forfeited for seven months, the punishment of hard labor to be followed by twenty-eight* (28) *days of solitary confinement, with interval provided by law.*"

In view of extenuating circumstances which appeared in evidence, the sentence is lighter than the extreme penalty of the law.

2nd. Private George Adams, Co. "D.," 7th Conn. Vols.

CHARGE.—"Mutiny."

Specification—In this; that the said George Adams, of Co. "D.," 7th Conn Vols., on the 21st day of February, 1863, at Fernandina, Fla., did excite and join in a mutiny, assisted by privates Henry Cole and Owen Denneny, of said Co. "D.," and while so engaged in mutiny, did strike and beat Sergt. Eli D. Seely, of said Co. "D.," with intent to prevent him from discharging his duty in putting down the mutiny.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, private George Adams, of the 7th Regt. Conn. Vols., as follows:

Of the *Specification*—"Guilty."

Of the CHARGE.—"Guilty."

SENTENCE.

And the Court does therefore sentence him, private George Adams, Co. "D," 7th Regt. Conn. Vols., "*To six months hard labor, with ball and chain on left ankle, 24 pound ball, six feet chain, iron not more than one-half inch or less than one-fourth inch in diameter, at such place as the General Commanding may designate, one half of pay and allowances to be forfeited for seven months, the punishment of hard labor to be followed by twenty-eight* (28) *days of solitary confinement, with interval provided by law.*

In view of extenuating circumstances which appeared in evidence, the sentence is lighter than the extreme penalty of the law.

II. The proceedings and findings in the foregoing cases are approved; the sentences are confirmed; and will be duly executed by the Provost Marshal of the post of Fernandina, Fla.

III. The General Court Martial, of which Lt. Col. GEO. F. GARDINER, 7th Conn. Vols., is PRESIDENT, is dissolved.

BY COMMAND OF MAJ. GEN. D. HUNTER.

CHAS. G. HALPINE,
Lieut. Col. and Assistant Adjutant General,
10th Army Corps & Department of the South.

OFFICIAL:

Israel Seely

1st Lt. 47th N. Y. Vols.
A. A. A. General

HEADQUARTERS, Department of the South,

HILTON HEAD, PORT ROYAL, S. C., May 19, 1863.

GENERAL ORDERS, No. 38.

I. At a General Court Martial, which convened at St. Augustine, Fla., pursuant to Special Orders No. 218, current series, from these Headquarters, and of which Lieut. Col. J. C. ABBOTT, 7th N. H. Vols., is PRESIDENT, were arraigned and tried:

1st. Private James Foss, Co. "H.," 7th Regt. N. H. Vols.

CHARGE.—"Violation of the 46th Art. of War."

Specification 1st—In this; that the said private James Foss, Co. "H.," 7th Regt. New Hampshire Volunteers., having been regularly detailed and duly posted as a sentinel on "Post No. 1," before the entrance of Fort Marion, was found sleeping upon his post.

This at St. Augustine, Fla., on the morning of March 7th, 1863, between the hours of 12 and 3.

Specification 2d—In this; that the said private James Foss, of Co. "H.," 7th Regt. N. H. Vols., having been regularly detailed and duly posted as a sentinel on "Post No. 1," before the entrance to Fort Marion, did leave his post before he was regularly relieved.

This at St. Augustine, Fla., on the morning of March 7, 1863, between the hours of twelve and three.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused as follows;

Of the 1st *Specification* "Guilty"

Of the 2d *Specification* "Not Guilty."

Of the CHARGE "Guilty."

SENTENCE.

And the Court do therefore sentence him, private James Foss, Co. "H., 7th Regt. N. H. Vols., "*To confinement at hard labor, with a 24-pound ball attached by a chain to his person for six months; and to forfeit one half of his monthly pay for the same time. The Court is thus lenient in the sentence on account of the evident weak physical condition of the prisoner at the time he committed the offence.*

2d. Private Henry Grant, Co. "F.," 7th N. H. Vols.

CHARGE.—"Violation of the 6th Art. of War."

Specification—In this; that he, the said private Henry Grant, Co. "F.," 7th N. H. Vols., did address to his Company Commander, Capt. Augustus W. Rollins, the following abusive, contemptuous and disrespectful language: "God damn you, you God damn son of a bitch, I will go back on you, I will have my revenge, God damn you," or words to that effect, which language or similar was several times repeated.

This at St. Augustine, Fla., on or about the 19th day of February, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced find the accused as follows :

Of the *Specification* "Guilty."

Of the CHARGE "Guilty."

SENTENCE.

And the Court do therefore sentence him, private Henry Grant, Co. "F.," 7th Regt. N. H. Vols., "*To confinement at hard labor, with a 24-pound ball attached by a chain to his person for three months, and to forfeit one-half of his monthly pay for the same time,—the first seven days of each month to solitary confinement on bread and water diet.*

II. The proceedings and findings in the foregoing cases are approved; the sentences are confirmed, and will be duly carried into effect.

BY COMMAND OF MAJ. GEN. D. HUNTER.

Sarah R. Peaby

1st Lt. 47th N. Y. Vols.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, PORT ROYAL, S. C., June 5, 1863.

GENERAL ORDERS, No. 44.

I. At a General Court Martial, which convened at St. Augustine, Fla., pursuant to Special Orders No. 218, current series, from these Headquarters, and of which Lt.-Col. J. C. ABROTT, 7th N. H. Vols., is PRESIDENT, were arraigned and tried :—

1. Private James G. York, Co. "F," 7th Regt. N. H. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this ; that he, the said private James G. York, Co. "F," 7th N. H. Vols., did forcibly break and enter the store of one Mr. Nelligan, on Marine street, and did, without leave, take therefrom a pitcher of beer, and carry the same to his quarters.

Specification 2d—In this ; that he, the said private James G. York, Co. "F," 7th N. H. Vols., did address to Lt. F. G. Wentworth, of Co. "F," 7th N. H. Vols., then Officer of the Guard, the following abusive language : "God damn you, I can lick you or any other God damn son of a bitch," or words to that effect.

This at St. Augustine, Fla., on or about the 19th day of February.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, "Not Guilty."

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, private James G. York, of Co. "F," 7th N. H. Vols., "*To confinement at hard labor for two months, with a 24-pound ball attached by a chain to his person, and to forfeit one-half of his monthly pay for the same time. The first 14 days confinement on bread and water diet*"

2. Private Albeen B. Reynolds, Co. "G," 7th Regt. N. H. Vols.

CHARGE.—"Desertion."

Specification—In this ; that he, the said private Albeen B. Reynolds, of Co. "G," 7th Regt. N. H. Vols., while on Outpost duty with his company at St. Augustine, Fla., did desert from the service of the United States, and was apprehended at about 20 miles from said post.

This at St. Augustine, Fla , on or about the twenty-third day of March, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, private Albeen B. Reynolds, Co. "G," 7th N. H. Vols., "*To confinement at hard labor, with a 24 pound ball attached by a chain to his person for the remainder of his term of service, and to forfeit his entire monthly pay for the same time,—the first seven days of each month on bread and water diet.*"

3d. Private Solomon Rollins, Co. "G," 7th Regt. N. H. Vols.

CHARGE.—"Desertion."

Specification—In this: that he, the said private Solomon Rollins, of Co. "G," 7th Regt. N. H. Vols., while on Outpost duty with his company at St. Augustine, Fla., did desert from the service of the United States, and was apprehended at about twenty miles from said post.

This at St. Augustine, Fla., on or about the twenty-third day of March, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, private Solomon Rollins, Co. "G," 7th Regt. N. H. Vols., "*To confinement at hard labor, with a 24-pound ball attached by a chain to his person the remainder of his term of service, and to forfeit all pay and allowances for the same time,—the first seven days of each month on bread and water diet.*"

II. The Major-General Commanding, in reviewing the proceedings and findings of the Court in the cases of Privates Albeen B. Reynolds and Solomon Rollins, Co. "G," 7th New Hampshire Volunteers, is at a loss to understand the motives governing the Court in the extreme leniency of the sentences upon these men, who, in the findings of the Court, were guilty—not merely of desertion in presence of the enemy, but,—as must be inferred from all the surrounding circumstances,—of desertion with the intent of going over to the enemy, and furnishing him information which would probably have resulted in serious disasters to the command holding St. Augustine. In these cases, the Major-General Commanding fails to see one palliating trait, and is clearly of opinion that the men should have received the extreme punishment prescribed by military law for their crime; and had the sentences of the Court so read, such sentences would have been approved at these Headquarters, and the necessary orders issued for prompt execution. It is the earnest hope of the Major-General Commanding, first, that no other soldiers of this command may be capable of the crime of which these men have been convicted; and second, that if any commit a similar crime, they may be ordered before a Court having less regard to a meretricious sentimentalism, and keener perceptions of their duty to our country, and the supreme importance of enforcing fidelity, good order and military discipline.

III. The proceedings and findings in the foregoing cases are approved, the sentences are confirmed, and will be duly carried into execution.

IV. The General Court Martial, of which Lt.-Col. J. C. Abbott, 7th N. H. Vols., is President, is hereby dissolved.

By Command of Maj. Gen. D. HUNTER.

Israel R. Sealy.

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Official

HEADQUARTERS, Department of the South,

HILTON HEAD, PORT ROYAL, S. C., June 18, 1863.

GENERAL ORDERS, No. 50.

I. At a General Court Martial, which convened at Beaufort, S. C., pursuant to Special Orders No. 97, from Headquarters U. S. Forces, Port Royal Island, S. C., May 18th, 1863, and of which Lt.-Col. H. M. HOYT, 52d Pa. Vols., is PRESIDENT, was arraigned and tried :

Lieut. Charles S. Detrick, Q. M., 174th Pa. Militia.

CHARGE 1st.—" Embezzling, and misapplying military stores."

Specification 1st—In this ; that the said Lieut. Charles S. Detrick, Q. M., 174th Regt. Penn. Ma., did sell, or cause to be sold, to Capt. G. Hager, 174th Regt. Penn. Ma., and others, bread, sugar and other commissary stores, which had been furnished him, the said Lt. C. S. Detrick, by the government of the United States for the subsistence of the enlisted men of said Regiment.

This at Suffolk, Va., at sundry times, between Dec. 4th, 1862, and Dec. 25th, 1862.

Specification 2d—In this ; that the said Lieut. C. S. Detrick, Q. M., 174th Regt. Pa. Ma., did sell, or cause to be sold, to Capt. G. Hager, 174th Regt. Penn. Ma., and others, bread, sugar and other commissary stores, which had been furnished him, the said Lieut. C. S. Detrick, by the government of the United States for the subsistence of the enlisted men of said Regiment.

This at the Camp of the 174th Regt. Pa. Ma., near Newbern, N. C., at sundry times, between Jan. 4th, 1863, and Jan. 25th, 1863.

Specification 3d—In this ; that the said Lieut. C. S. Detrick, Q. M., 174th Regt. Pa. Ma., did receive from enlisted men of Company "G," and other companies of said regiment, a quantity of rice and soap and other commissary stores to the amount of three barrels and three boxes, more or less, full of said stores, which had been issued to the said companies as rations, and did convey the same to Newbern, N. C., with intent to sell, offering to pay the said men therefor at the rate of two cents per pound for said rice and soap.

This at the Camp of the 174th Regt. Pa. Ma., near Newbern, N. C., on or about Jan. 23d, 1863.

Specification 4th—In this : that the said Lieut. C. S. Detrick, Q. M., 174th Regt. Pa. Ma., did deliver to the Steward and other employees of the United States steam transport "General Burnside," a quantity of fresh beef, thirty pounds, more or less, which had been furnished him by the government of the United States for the subsistence of said regiment.

This at Port Royal Harbor, on or about the 2d day of February, 1863.

Specification 5th—In this ; that the said Lieut. Charles S. Detrick, Q. M., 174th Regt. Pa. Ma., did withhold from enlisted men of said regiment portions of commissary stores furnished him by the government of the United States, for the subsistence of said men, to such an extent as to place them on short allowance.

This at Suffolk, Va., at sundry times, between Dec. 4th, 1862, and Dec. 25th, 1862.

Specification 6th—In this; that the said Lieut. C. S. Detrick, Q. M., 174th Regt. Pa. Ma., did withhold from enlisted men of said Regt. portions of commissary stores, furnished him by the government of the United States, for the subsistence of said men, to such an extent as to place them on short allowance.

This at Camp of the 174th Regt. Pa. Ma., near Newbern, N. C., at sundry times, between Jan. 4th, 1863, and Jan. 25th, 1863.

CHARGE 2d.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that the said Lieut. C. S. Detrick, Q. M., 174th Regt. Pa. Ma., did encourage enlisted men of said regiment to sell to him quantities of rice, soap, and other commissary stores, which had been issued to said men by the government of the United States as rations, offering them two cents per pound for said rice and soap.

This at the Camp of the 174th Regt. Pa. Ma., near Newbern, N. C., on or about the 23d day of January, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Lieutenant Charles S. Detrick, Q. M., 174th Regiment, Pa. Ma., as follows:

Of the 1st *Specification* of the 1st CHARGE, "Guilty."
Of the 2d *Specification* of the 1st CHARGE, "Guilty."
Of the 3d *Specification* of the 1st CHARGE, "Guilty."
Of the 4th *Specification* of the 1st CHARGE, "Not Guilty."
Of the 5th *Specification* of the 1st CHARGE, "Not Guilty."
Of the 6th *Specification* of the 1st CHARGE, "Not Guilty."
Of the 1st CHARGE, "Guilty," except the words "Embezzling and."
Of the *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Lieut. *Charles S. Detrick*, Q. M., 174th Regt. Pa. Ma., "*To make good the loss at his own expense; to forfeit all his pay, and be dismissed from the service.*" *And the Court do find the value of the goods misapplied to be forty-three* (43) *dollars and* (40) *cents.*

II. The proceedings and findings of the Court in the case of Lieut. *Charles S. Detrick*, Q. M., 174th Pa. Vols., are approved, the sentence is confirmed, and will be carried into effect.

Lieut. *Charles S. Detrick*, Q. M., 174th Penn. Militia, ceases to be an officer in the U. S. Forces from the date of this order.

BY ORDER OF BRIG.-GEN. Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. General.

OFFICIAL:

Israel Reaby

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, PORT ROYAL, S. C., June 30th, 1863.

GENERAL ORDERS, No. 54.

I. At a General Court Martial convened at Fort Pulaski, Ga., pursuant to Special Order No. 291, current series, from these Headquarters, of which Major DUDLEY W. STRICKLAND, 48th N. Y. Vols., is PRESIDENT, were arraigned and tried:

1st. Private Charles Mills, Co. E. 48th N. Y. Vols.

CHARGE.—"Violation of the Ninth Article of War."

Specification—In this, that Private Charles Mills, of Co. "E," 48th Regt. N. Y. S. Vols., did approach Acting Corporal Douglas, and ask him (Douglas), what he was laughing at? To which Acting Corp'l Douglas replied, that he did not think that he had to give the said Mills an account of what he did,—or words to that effect; upon which said Mills struck Acting Corp'l Douglas in the face.

This between the hours of six and eight on the morning af the 5th of May, 1863, in casemate No. 22, at Fort Pulaski, Ga. To which charge and specification the accused pleaded "Guilty."

FINDING.

The Court, after mature deliberation, find the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private Charles Mills, Co. "E," 48th Regt. N. Y. Vols., *To six hours a day knapsack drill for two weeks. The Court, in passing this light sentence for so grave an offence, did so in consideration of the extenuating circumstances attending the case.*

2d. Corporal William Clarkson, Co. "I," 48th N. Y. Vols.

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

Specification 1st—In this; that he, the said Corporal William Clarkson, Co. "I," 48th N. Y. Vols., did offer violence against his superior officer, 1st Sergeant David Orr, Co. "I," 48th N. Y. Vols., he (Orr) being in the execution of his office.

This on or about the 1st of May, 1863, at Tybee Island, Georgia.

Specification 2d—In this; that he, the said Corporal William Clarkson, Co. "I," 48th N. Y. Vols., did lay his hands on and push his superior officer, 1st Serg't David Orr, Co. "I," 48th N. Y. Vols.

This on or about the 1st of May, 1863, at Tybee Island, Georgia.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Corporal William Clarkson, Co. "I," 48th N. Y. Vols., *To be reduced to the ranks. The Court in passing this light sentence, did so in view of the mitigating circumstances attending the case.*

3d. Corporal John Giles, Co. "B," 48th N. Y. Vols.

CHARGE.—"Insubordination."

Specification 1st—In this; that the said Corporal John Giles, Co. "B," 48th N. Y. Vols., did, after being detailed by the 1st Sergeant, at Reveille roll-call for guard duty, go up to the said 1st Sergeant Cornelius Coutant, and ask him—"How is this, that you put me on guard to-day? it is not my

turn." The Sergeant answered—"I am aware it is not your turn, but you go on to-day by order of the Captain." Giles replied—"I refuse to go!"

This at Fort Pulaski, between the hours of 5 and 6 in the morning, the 2d day of June, 1863.

Specification 2d—In this; that after the foregoing occurrence had been reported to the Captain, by the 1st Serg't, Corporal John Giles, upon being called before Capt. Nere A. Elfwing, commanding Co. "B." 48th N. Y. Vols., and asked if he refused to go on guard that day, distinctly answered that he refused to do so.

This at Fort Pulaski, the 2d day of June 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Corporal John Giles, Co. "B," 48th N. Y. Vols., *To be reduced to the ranks, and that he be confined in the dungeon, on bread and water for the period of ten days, and do fatigue duty, with ball and chain attached to his right leg for the period of two months, and that half his pay be stopped for the period of three months.*

4th. Corporal William H. Pense, Co. "F," N. Y. Vol. Eng's.

CHARGE.—"Violation of the 21st Article of War."

Specification—In this; that the said Corporal William H. Pense having received from his commanding officer, with the approval of the Commandant of the Post, a pass to visit Hilton Head, S. C., and return within forty-eight hours, did wilfully absent himself from his company and post for a period of twelve days, notwithstanding there were frequent opportunities for his return, and that when he did return, it was not of his own choice, but because arrested and returned at request of Commandant of the Post.

This at Fort Pulaski, Geo., and Hilton Head, S. C.

from the 20th day of May, 1863, to the 1st day of June, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Corporal William H. Pense, Co. "F," N. Y. Reg't Vol. Engineers, *To be reduced to Private of the second-class, and be confined in the guard house, at hard labor, for the period of one month.*

5th. Corp'l Charles E. Brayton, Co. "G," 3d R. I. Artillery.

CHARGE.—"Conduct prejudicial to good order and discipline."

Specification 1st—In this; that Corporal Charles E. Brayton, Co. "G," 3d R. I. Vol. Artillery, on visiting the South Dock, Cockspur Island, Ga., he, the aforesaid Corporal being on duty as Corporal of the Guard, and making the patrol, did find the picket asleep, and did neglect to promptly report it.

This at 1 o'clock on the morning of the 7th inst., on Cockspur Island, Ga.

Specification 2d—In this; that Charles E. Brayton, Co. "G," 3d R. I. Vol. Artillery, on returning to the Guard House did report that the Guard were all right, or words to that effect.

This at 1 o'clock on the morning of the 7th inst., on Cockspur Island, Ga.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Corporal Charles E. Brayton, Co. "G," 3d R. I. Artillery, *To be reduced to the ranks*

6th. Private Andrew Thompson, Co. "E," 48th N. Y. Vols

CHARGE.—"Sleeping on his post."

Specification—In this; that Private Andrew Thompson, Co. "E," 48th N. Y. Vols., was found asleep on his post, after being duly placed there by the Acting Corporal of the picket, at the South Dock, Cockspur Island, Ga., by the patrol.

This on Cockspur Island, Ga., at or about 1 A. M. on the 7th inst.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty"—and do therefore acquit him.

7th. Private John Fenner, Co. "G," 48th N. Y. Vols.

CHARGE.—"Sleeping on his post."

Specification—In this; that the said John Fenner, after being regularly posted as a sentinel, on post No. 5, on the northeast corner of the ramparts of Fort Pulaski, did sit down in the sentry-box, and there fall asleep, in which condition he was found by the Corporal who relieved him.

All this at Fort Pulaski, Ga., about the hour of 12 on the night of the 2d of June, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private John Fenner, Co. "G," 48th N. Y. Vols, *To be confined at hard labor, at the Dry Tortugas, during the remainder of his term of service, and that half his pay and allowances be stopped during that time. Also that during the first six months of his term of serving under the sentence, he have a twenty-four pound ball attached by chain to his right leg, and at the expiration of his sentence he be dishonorably discharged.*

8th. Private Calvin Havens, Co. "F," 48th N. Y. Vols.

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

Specification—In this; that the said Calvin Havens, of Co. "F," 48th Regt. N. Y. S. V., did make an assault upon Coporal Abram Hills, of Co. "F," N. Y. Reg't Vol. Eng's, as he was going to his regular duties, catching him by the throat, saying: "You call me a nigger, do you? God damn you," and other words to the same effect, tearing his shirt and striking him about the head, his only provocation being an answer made by Corporal Hills to the question asked by the said Havens, "whether he saw any niggers on the Bluffton Expedition? that he could see niggers enough here."

This at Fort Pulaski, Ga., on or about the 6th day of June, 1863.

FINDING.

To which charge and specification the accused pleaded "Not Guilty."

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private Calvin Havens, Co. "E," 48th N. Y. Vols., *To be confined in the dungeon at Fort Pulaski Ga. for the period of ten days, and during that time to be fed on bread and water diet, also to be confined in the Guard House, at said Post, with a twenty-four pound ball attached by chain to his right leg for the period of twenty days, and do fatigue duty in and around the garrison for the whole of that time. Also, that half his pay be stopped for a period of two months.*

9th. Private Charles E. Jones, Co. "E," 48th N. Y. Vols.

CHARGE.—"Sleeping on his post."

Specification—In this; that the said Private Charles E. Jones, Co. "E," 48th N. Y. S. Vols, having been duly posted as a sentinel on the ramparts of Fort Pulaski, Ga., did sleep on his post.

This at Fort Pulaski, Ga., on the 11th day of June, 1863, between the hours of 11 and 12 o'clock, P. M.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE "Guilty."

And the Court does therefore sentence him, Private Charles E. Jones, Co. "E," 48th N. Y. Vols., *To be confined at the Dry Tortugas for the balance of his term of enlistment, and that half his pay and allowances be stopped for that period, the first three months to have a twenty-four pound ball attached by chain to his right leg.*

II. The proceedings and findings of the Court in the foregoing cases are radically defective, inasmuch as it does not appear that the Judge Advocate was sworn in the presence of the prisoner, or indeed that he was sworn at all. This is a fatal omission, and not only vitiates the action of the Court, and shields the offenders from punishment, but in view of the military experience of the officers composing the Court, gained by nearly two years service, and the repeated action of reviewing officers in cases of similar omissions, by other courts, as published in General Orders, from the War Department, it reflects very little credit upon their zeal and intelligence as officers.

The sentences in the foregoing cases are inoperative, and are accordingly annulled.

III. The General Court Martial, of which Major DUDLEY W. STRICKLAND, 48th New York Vols., is PRESIDENT, is hereby dissolved.

BY ORDER OF BRIG. GEN. Q. A. GILLMORE.

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, PORT ROYAL, S. C., July 2d, 1863.

GENERAL ORDERS, No. 57.

I. At a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 357, from Headquarters, U. S. Forces, Hilton Head, S. C., and of which Major JAS. E. BAILEY, 3d R. I. Artillery, is PRESIDENT, was tried:

2d Lieut. James S. Graham, Co. "D," 9th Maine Vols.

CHARGE 1st.—"Conduct unbecoming an officer and a gentleman."

Specification 1st—In this; that the said Lt. James S. Graham, Co. "D," 9th Maine Vols., did become so intoxicated as to be unfit for duty.

This at Hilton Head, S. C., on or about the 17th day of June, 1863.

Specification 2d—In this; that the said 2d Lieut. James S. Graham, Co. "D," 9th Maine Vols., did, while drunk, make improper advances toward the wife of an enlisted man, in the presence of said enlisted man.

This at Hilton Head, S. C., on or about the 17th day of June, 1863.

CHARGE 2d.—"Conduct to the prejudice of good order and military discipline."

Specification—In this; that the said 2d Lieut. James S. Graham, Co "D," 9th Maine Vols., did drink liquor with an enlisted man, and become drunk in his company.

This at Hilton Head, S. C., on or about the 17th day of June, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

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

Of the 2d *Specification* to the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 2d Lieut. *James S. Graham*, Co. "D," 9th Maine Vols., *To be dismissed the service.*

II. The proceedings and findings in the foregoing case are approved, the sentence is confirmed, and will be duly executed. 2d Lieut. *James S. Graham*, 9th Maine Vols., ceases to be an officer of the U. S. Forces from the date of this order.

BY ORDER OF BRIG.-GEN. Q. A. GILLMORE.

Samuel Seely

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD.
MORRIS ISLAND, S. C., July 31, 1863.

GENERAL ORDERS, No. 65.

I. At a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 15, from Headquarters U. S. Forces, dated Morris Island, S. C. July 26, 1863, and of which Brig Gen. THOMAS G. STEVENSON is PRESIDENT, was arraigned and tried:

2d. Lieut. William Bonsall, 100th N. Y. Vols.

CHARGE.—"Drunkenness on duty."

Specification.—In this, that he, the said 2d Lieut. William Bonsall, Co. "I," 100th N. Y. Vols., while in command of a siege battery in front of the enemy's works, at Morris Island, S. C., did become drunk and incapaple of performing his duty as an officer. This on or about the 25th day of July, 1863.

To which the accused pleaded as follows:

To the specification—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

The Court, after due deliberation upon the evidence adduced, finds him, the said 2d Lieut. William Bonsall, Co. "I," 100th Regt. N. Y. Vols.:—

Of the specification—"Guilty"

Of the CHARGE—"Guilty."

SENTENCE.

And the Court does therefore sentence him, the said 2d Lieut. Wm. Bonsall, Co. "I," 100th Regt, New York Vols., To be cashiered.

II. The proceedings, findings, and sentence in the foregoing case are approved.

To the clemency of the Court alone, and not to any mitigating circumstances developed in the evidence, Lieut. Bonsall is doubtless indebted for the mild sentence pronounced upon him.

Cashiering is no adequate punishment for the henious crime of drunkenness, committed while holding an important command in the face of the enemy: a crime which puts in jeopardy the safety of an army, and the lives of thousands of brave men.

2d Lieut. William Bonsall, 100th N. Y. Vols., ceases to be an officer in the U. S. Service from the date of this order.

BY ORDER OF BRIG. GEN. Q. A. GILLMORE
W. L. M. BURGER,
Asst. Adjt. General

OFFICIAL:

Israel Peaty

1st Lt. 47th N. Y. Vols.,
Act. Asst. Adjt. General

Department of the South, HEADQUARTERS IN THE FIELD.
MORRIS ISLAND, S. C., Sept. 18th, 1863.

GENERAL ORDERS, No. 75.

I. At a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 48, from Headquarters U. S. Forces, dated Morris Island, S. C., Aug. 5, 1863, and of which Major CHAS. W. HOOPER, 24th Mass. Vols., is PRESIDENT, was tried:

2d Lieut. Nelson Orchard, 52d Regt. Penn. Vols.

CHARGE.—"Drunkenness on Picket Duty."

Specification.—In this; that 2d Lieutenant *Nelson Orchard*, Company "F," Fifty-second Regiment Pennsylvania Volunteers, was drunk while on duty, in command of the Picket Guard posted on the upper end of Folly Island, South Carolina. This on the evening of July thirtieth, 1863.

To which the accused pleaded as follows:

To the *Specification* "Not Guilty."

To the CHARGE "Not Guilty."

FINDING OF THE COURT.

After mature deliberation, the Court find the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 2d Lieut. *Nelson Orchard*, Co. "F," 52d Regt. Penn. Vols., *To be cashiered.*

II. The proceedings and findings in the foregoing case are approved, the sentence is confirmed, and will be duly carried into effect.

2d Lieut. *Nelson Orchard* ceases to be an officer in the United States Forces from the date of this order.

BY ORDER OF BRIG. GEN. Q. A. GILLMORE.

Chas. Grady

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
MORRIS ISLAND, S. C., Sept. 18th, 1863.

GENERAL ORDERS, }
No. 78. }

I. At a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 48, dated Headquarters U. S. Forces, Morris Island, S. C., Aug. 5th, 1863, and of which Major CHAS. W. HOOPER, 24th Mass. Vols., is PRESIDENT, was tried:

1st Lieut. *Mark Tomlinson*, 10th Regt. Conn. Vols.

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

Specification.—In this; that said 1st Lieut. *Mark Tomlinson*, Co. "A," 10th Regt. C. V., did declare Assistant Surgeon Charles R. Hart, 10th Regt. C. V., "to be a liar, a pimp, a sneak, incompetent and unfit to hold the position of Assistant Surgeon, and that every officer in the regiment held the same opinion." This declaration being made in the presence of a number of officers and enlisted men of the 10th Regt. C. V. All this at Morris Island, S. C., on the 21st day of August, 1863.

To which the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING AND SENTENCE.

The Court, after mature deliberation, confirm the pleadings of the accused, and do therefore sentence him, 1st Lieut. *Mark Tomlinson*, Co. "A," 10th Regt. C. V., *To be dismissed from the military service of the United States.*

II. The proceedings and findings in the foregoing case are approved, and the sentence confirmed. 1st Lieut. *Mark Tomlinson*, 10th Regt. Conn. Vols., ceases to be an officer of the U. S. Forces from the date of this order.

BY ORDER OF BRIG. GEN. Q. A. GILLMORE.

Charles Peirce

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, Headquarters in the Field.

Folly Island, S. C., Oct. 8th, 1863.

General Orders, No. 86.

The action of Brig. Gen'l A. H. Terry, in the cases of sentence against Private Thomas Quigley, Battery "B," 3d N. Y. Artillery, Private James Gaffney, Co. E, 24th Mass. Vols., Private Michael Fahey, Co. E, 100th N. Y. Vols., Privates Frank Plummer and Alonzo Smith, Co. E, 9th Maine Vols., Private James Beeson, Co. I, 85th Penn. Vols., and Private Wm. H. Harvey, Co. C, 85th Penn. Vols., as promulgated in General Orders Nos. 27, 28, 29, and 30, from Headquarters U. S. Forces, Morris Island, S. C., is approved, and the sentences will be carried into effect as recommended.

The Q. M. Department will furnish the necessary transportation to Fort Clinch, Fernandina, Fla.

By Command of Major Gen'l Q. A. Gillmore.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

W. L. Ruger

Asst. Adjt. Gen'l.

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Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Oct. 17th, 1863.

GENERAL ORDERS, No. 90.

I. Before a General Court Martial, which convened at Folly Island, S. C., pursuant to General Orders No. 7, current series, from Headquarters U. S. Forces, Folly Island, S. C., dated Aug. 10th, 1863, of which Col. H. S. FAIRCHILD, 89th N. Y. V., is PRESIDENT, was arraigned and tried:

1st Lieut. *Theodore Bertrand*, Co. "E," Independent Battalion, N. Y. V.

CHARGE 1st.—"Drunk while on duty."

Specification—In this; that the said Lieutenant *Theodore Bertrand*, Independent Battalion, New York Volunteers, did while on duty in command of a picket stationed on Little Folly Island, S. C., become so drunk as to be unfit to discharge properly his duties.

CHARGE 2d.—"Neglect of duty."

Specification—In this; that the said Lieutenant *Theodore Bertrand*, Independent Battalion, New York Volunteers, did while on duty in command of a picket on Little Folly Island, permit his men to get drunk and discharge their firearms, and to make other unseemly noises.

CHARGE 3d.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said Lieut. *Theodore Bertrand*, Independent Battalion, New York Volunteers, did while in command of a picket on Little Folly Island, S. C., both sell and give liquors to the men of his command, on which they became so much intoxicated as to be unfitted to discharge properly their duties.

Specification 2d—In this; that the said Lieutenant *Theodore Bertrand*, Independent Battalion, New York Volunteers, did purchase a box of wine and give the same to Private Chesslee, Company "A," of said Battalion. All this on or near Little Folly Island, S. C., on or about the 25th day of July, 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court after mature deliberation upon the evidence adduced, finds the accused, Lt. *Theodore Bertrand*, Co. "E," Ind. Bat., N. Y. Vols., as follows:

Of the *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."
Of the 1st *Specification* of the 3d CHARGE, "Not Guilty."
Of the 2d *Specification* of the 3d CHARGE, "Not Guilty."
Of the 3d CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence the said Lieut. *Theodore Bertrand*, Co. "E," Ind. Bat. N. Y. Vols, *To be cashiered.*

II. The proceedings and findings of the Court in the foregoing case are approved, the sentence is confirmed, and will be carried into effect. 1st Lt. *Theodore Bertrand*, Ind. Batt. N. Y. V., ceases to be an officer in the U. S. Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Daniel Kealy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Oct. 21st, 1863.

GENERAL ORDERS, No. 92.

I. Before a General Court Martial which convened at Morris Island, S. C., pursuant to Special Orders No. 224, current series, from Headquarters U. S. Forces, Morris Island, S. C., dated Oct. 1st, 1863, of which Major J. B. CONYNGHAM, 52d Penn. Vols., is PRESIDENT, was arraigned and tried :

1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols.

CHARGE 1st.—"Drunkenness on duty."

Specification—In this ; that the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., was, while on duty as Adjutant of the 2d S. C. Vols., in a state of intoxication and drunkenness, and utterly unfit and unable to perform the duties of his office, or any military duty whatever, and this near the enemy at Morris Island, S. C., on or about the 15th day of August, 1863.

CHARGE 2d —"Conduct to the prejudice of good order and military discipline."

Specification 1st—In this ; that he, the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., while in conversation with 1st Lieut. Wm. B. Dickey, A. A. Q. M., 2d Brigade, Terry's Division, at the quarters of Capt. G. H. Hooker, A. A. A. Gen'l, 2d Brigade, Terry's Division, did rise from his sitting, and in a menacing and threatening manner used the following language to the said 1st Lieut. Wm. B. Dickey, A. A. Q. M., 2d Brigade, Terry's Division, to wit : "Get up, Dickey, if you are any kind of a man, or I will break your G—d d—d nose. Get up out of that, you G—d d—d son of a b—h, or I'll break your G—d d—d nose where you are. I don't care a G—d d—n for you or Col. Montgomery," or words to that effect. All this on Morris Island, S. C., on or about the 14th day of August, 1863.

Specification 2d—In this ; that he, the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C., Vols., when cautioned by the said 1st Lieut. W. B. Dickey, A. A. Q. M., 2d Brigade, Terry's Division, to be careful what he, the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., was doing, did say, "I don't care a G—d d—n if it is not military, I'll knock your G—d d—d teeth down your throat. Get up, if you are a man, and show yourself," or words to that effect. All this on Morris Island, S. C., on or about the 14th day of August, 1863.

Specification 3d—In this ; that he, the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., has been repeatedly drunk at different times and places, to wit : In camp near Beaufort, S. C., on the 1st, 2d, and 3d days of June, 1863, and in camp on St. Helena Island, S. C., on or about the 1st and 2d days of July, 1863, and in camp on Morris Island, S. C., on the 14th, 15th, and 16th days of August, 1863. All this in violation of a written pledge signed by the said 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., and his brother officers, by which pledge he and they are bound in honor to abstain from intoxicating drinks, as a beverage, as long as they remain in the army.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court after mature deliberation of the evidence adduced, find him, 1st Lieut. *George C. Charles*, Adjt. 2d S. C. Vols., as follows :

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

Of the 1st CHARGE, "Guilty."

Of the 1st *Specification* to the 2d CHARGE, "Guilty."

Of the 2d *Specification* to the 2d CHARGE, "Guilty."
Of the 3d *Specification* to the 2d CHARGE, "Guilty."
Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 1st Lieut. *George C. Charles*, Adjt. 2d South Carolina Vols., *To be cashiered.*

II. The proceedings, findings, and sentence in the foregoing case are approved, the sentence is confirmed, and will be duly carried into execution. 1st Lt. *George C. Charles*, Adjt. 2d S. C. Vols., ceases to be an officer of the U. S. Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Sarah Speaks

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Oct. 26th, 1863.

GENERAL ORDERS, No. 93.

I. Before a Military Commission which convened at Hilton Head, S. C., on the 14th of September, 1863, pursuant to Special Orders No. 519, current series, from Headquarters Department of the South, and of which Lieut. Col. J. C. CAMPBELL, 76th Pa. Vols., is PRESIDENT, was arraigned and tried :

Citizen *Bradford Boiland.*

CHARGE 1st.—"Larceny."

Specification 1st.—In this : that the said *Bradford Boiland*, a sailor and hand employed on board the schooner "Aid," a vessel authorized to trade in the Department of the South, the property of William Bell and John King, authorized traders, did, (together with one John Marney,) on or about the 28th day of May, A. D. 1863, feloniously steal, take, and carry away from on board the said schooner "Aid," the following goods, chattels, and merchandise, the property of the said William Bell and John King, authorized traders as aforesaid : Ten grey wool dress shirts, of the value of thirty dollars ; two quarter chests young hyson tea, of the value of fifty-seven dollars ; one box containing twelve pairs of fine dress boots, of the value of one hundred and forty-four dollars ; one box containing twelve pairs gentlemen's grain boots, of the value of one hundred and forty-four dollars ; twenty silk neck-ties, of the value of fifteen dollars ; one package merino wrappers, of the value of fifteen dollars ; six Yale silk neck-ties, of the value of six dollars ; with the felonious intent to convert the same to his own use, and to defraud the said William Bell and John King. This on Folly river, at or near Stono Inlet, South Carolina, within the Department of the South, on or about the 28th day of May, A. D. 1863.

Specification 2d—In this ; that he, *Bradford Boiland*, being a hand or sailor employed on board the schooner "Aid," authorized trading vessel in the Department of the South, the property of William Bell and John King, authorized traders, did, (with one John Marney,) feloniously steal and take away from the aforesaid schooner "Aid," one boat, commonly called a "ship's yawl," and one pair of oars, of the value, together, of forty dollars, the property of the said William Bell and John King, authorized traders as aforesaid, with intent to convert the same boat and oars to his own use, and to defraud the said William Bell and John King, the said owners thereof. This in Folly river, at or near Stono Inlet, South Carolina, and within the Department of the South, on or about the 28th day of May, 1863.

CHARGE 2d.—"Violation of the Fifty-sixth Article of War."

Specification 1st—In this ; that he, *Bradford Boiland*, a citizen of the United States of North America, then and there being employed as a sailor or hand on board the schooner "Aid," then lying and being in Folly river, at or near Stono Inlet, South Carolina, and within the Department of the South, and within the jurisdiction of the same, did feloniously steal, take, and carry away, from the said schooner "Aid," a large quantity of property, the goods, and chattels, and merchandise of William Bell and John King, authorized traders in the Department of the South, consisting of twenty wool dress shirts ; one package of merino wrappers ; six Yale silk neck-ties ; two one-quarter chests young hyson tea ; one box fine dress boots ; one box gentlemen's grain boots ; twenty silk neck ties, and did take and carry the same goods, chattels, and merchandise to the enemy, with the intent to relieve the enemy thereby, and thereby

give them, the said enemy, aid and comfort, by supplying them with the said goods, chattels and merchandise. This in Folly river, at or near Stono river, South Carolina, within the Department of the South, and on or about the 23th day of May, A. D. 1863.

Specification 2d—In this ; that the said *Bradford Boiland*, a sailor or hand employed on board the schooner "Aid," authorized trading vessel, then and there being and lying in Folly river, South Carolina, and within the Department of the South, the said *Bradford Boiland* being a citizen of the United States, with one John Marney, did relieve the enemy with victuals. This at or near Stono Inlet, South Carolina, on or about the 28th day of May, A. D. 1863.

CHARGE 3d.—"Violation of the Fifty-seventh Article of War."

Specification—In this ; that the said *Bradford Boiland*, a sailor or hand employed on board the schooner "Aid," an authorized trading vessel in the Department of the South, together with one John Marney, did feloniously steal, take and carry away, from the said schooner "Aid," a large amount of goods, chattels, and merchandise, the property of William Bell and John King, authorized traders within the Department of the South, and he, the said *Bradford Boiland*, together with the said John Marney, did take, carry, and convey the same stolen goods, chattels, and merchandise to the enemy, with the intent of disposing of the said goods, chattels, and merchandise to the enemy, and of holding correspondence with the enemy, and he, the said *Bradford Boiland*, with the said John Marney, did then and there hold correspondence with the enemy. This at or near Stono Inlet, South Carolina, on or about the 28th day of May, A. D. 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Commission, having maturely weighed the evidence adduced, find the accused, Citizen *Bradford Boiland*, late a hand or sailor employed on the schooner "Aid," authorized trading vessel in the Department of the South, as follows :

Of the 1st *Specification* of the 1st CHARGE, "Guilty," excepting the words : "Of the value of thirty dollars," "of the value of fifteen dollars," "of the value of six dollars," "of the value of thirty dollars," "of the value of fifty-seven dollars," "of the value of one hundred and forty-four dollars," "of the value of one hundred and forty-four dollars," and "of the value of fifteen dollars."

Of the 2d *Specification* of the 1st CHARGE, "Guilty."

Of the 1st CHARGE "Guilty."

Of the 1st *Specification* of the 2d CHARGE, "Guilty," excepting the words : "To the enemy, with the intent to relieve the enemy thereby, and thereby give them, the said enemy, aid and comfort by supplying them with the said goods, chattels, and merchandise."

Of the 2d *Specification* of the 2d CHARGE, "Not Guilty."

Of the 2d CHARGE, "Not Guilty."

Of the *Specification* of the 3d CHARGE, "Guilty," excepting the words : "To the enemy, with the intent of disposing of the said goods, chattels, and merchandise to the enemy, and of holding correspondence with the enemy, and he, the said *Bradford Boiland*, with the said John Marney, did then and there hold correspondence with the enemy."

Of the 3d CHARGE, "Not Guilty."

SENTENCE.

And the Commission do therefore sentence him, Citizen *Bradford Boiland*, late a hand or sailor employed on the schooner "Aid," authorized trading vessel in the Department of the South, "*To confinement at hard labor for one year,*" *at such place as the Commanding General may direct.*

II. The proceedings and findings of the Military Commission in the foregoing case are approved; the sentence is confirmed, and will be carried into execution under the direction of the Commanding Officer at Fort Pulaski, Ga.

III. The Military Commission, of which Lt. Col. JAMES C. CAMPBELL, 76th Penn. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Lorrell Speedy

Capt. 17th N. Y. Vols.,
Act. Asst. Adjt. General.

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Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Oct. 29th, 1863.

GENERAL ORDERS,
No. 95.

~~I. On the recommendation of the Medical Director, Surgeons of Regiments acting as Brigade Surgeons will not, on that account, be excused from Regimental duty, neither will they leave their Regiments to take up their quarters with Brigade Commanders. The duties of Surgeons of Brigades mainly consist in forwarding the papers of the Brigade to the Division Surgeon, and are not so extensive as to warrant the separation of the officer from his Regiment.~~

~~II. The advance pay, premium, and bounty allowed by law to drafted men, principals and substitutes, recently assigned to Regiments in this Department, will be entered upon the next muster for pay rolls, by the respective mustering officers.~~

III. The action of Brig. Gen. VOGDES in the cases of sentence against Private Isaac Van Nohonys, Co. "G," 3d N. Y. Vols, Private William A. Lock, Co. "G," 3d N. Y. Vols., Private Nathaniel Phenix, Co. "B," 3d N. Y. Vols., Private Michael Cain, Co. "B," 3d N. Y. Vols., Private Christopher Underwood, Co. "E," 169th N. Y. Vols., Private Patrick Welch, Co. "B," 169th N. Y. Vols., Private John S. Haney, Co. "B," 3d N. Y. Vols., Private Joseph D. Theal, Co. "B," 3d N. Y. Vols., Private Julian Perez, Co. "C," 47th N. Y. Vols., as promulgated in General Orders No. 21, from Headquarters U. S. Forces, North End Folly Island, S. C., is approved; and the sentences will be carried into effect under direction of the Commanding Officer at Fort Pulaski, Ga., to which Post the prisoners will be sent under a proper guard.

The Quartermaster's Department will furnish the necessary transportation.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Barnet Geary

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Oct. 31st, 1863.

GENERAL ORDERS, No. 96.

I. Before a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 224, current series, from Headquarters U. S. Forces, Morris Island, S. C., dated Oct. 1st, 1863, of which Major J. B. CONYNGHAM, 52d Penn. Vols., is PRESIDENT, was arraigned and tried :

1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols.

CHARGE 1st.—" Disobedience of orders."

Specification 1st—In this ; that the said 1st Lieut. *A. E. D. Hughes*, Independent Battalion N. Y. Vols., did disobey Special Orders No. 137, Headquarters Davis' Brigade, Oct. 6, 1863, after he, the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., had acknowledged the receipt of the same. This at Morris Island, S. C., on or about the 7th day of October, 1863.

Specification 2d—In this ; that the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., when ordered by Col. W. W. H. Davis, 104th Pa. Vols., commanding Brigade, to disclose the name of the government employee with whom he acknowledged he had bartered or exchanged a public horse, in consideration of twenty-five dollars paid to said employee, did refuse to obey said order. This at Morris Island, S. C., on or about the 5th of October, 1863.

Specification 3d—In this ; that the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., did, in violation of Paragraph 1., General Orders No. 43, from Headquarters U. S. Forces, Morris Island, S. C., dated Oct. 4th, 1863, fail to turn in to Capt. Wm. V. Hutchins, A. Q. M., a public horse which he, the said Lieut. *A. E. D. Hughes*, had in his possession. This at Morris Island, S. C., on or about the 5th day of October, 1863.

Specification 4th—In this ; that the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., did fail to turn in to the Quartermaster's Department a horse which was captured or picked up by him, the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols. This at Morris Island, S. C., on or about the 5th day of October, 1863.

CHARGE 2d.—" Conduct unbecoming an officer and a gentleman."

Specification—In this ; that the said 1st Lieut *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., after having publicly acknowledged that he had bartered or exchanged a public horse with a government employee, and that he, the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., had paid the said government employee twenty-five dollars in consideration thereof, did, in answer to Special Orders No. 137, from Headquarters Davis' Brigade, dated Oct. 6th, 1863, state in writing that he had " never bartered a horse with a government employee," knowing the said statement to be false. This at Morris Island, S. C., on or about the 7th day of October, 1863.

To which charges and specifications the accused pleaded " Not Guilty."

FINDING.

The Court, after mature deliberation of the evidence, find him, the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., as follows :

Of the 1st *Specification* to the 1st CHARGE, " Guilty."
Of the 2d *Specification* to the 1st CHARGE, "Guilty."
Of the 3d *Specification* to the 1st CHARGE, " Not Guilty."
Of the 4th *Specification* to the 1st CHARGE, " Not Guilty."
Of the 1st CHARGE, " Guilty."
Of the *Specification* to the 2d CHARGE, " Guilty."
Of the 2d CHARGE, " Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., *To be dismissed from the military service of the United States.*

II. The proceedings and findings in the foregoing case, are approved; the sentence is confirmed, and will be carried into effect.

1st Lieut. *A. E. D. Hughes*, Indpt. Battalion N. Y. Vols., ceases to be an officer in the U. S. Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Sarah Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Nov. 13th, 1863.

GENERAL ORDERS, No. 101.

I. Before a General Court Martial which convened at Morris Island, S. C., pursuant to Special Orders No. 224, current series, from Headquarters U. S. Forces, Morris Island, S. C., dated Oct. 1st, 1863, of which Major J. B. CONYNGHAM, 52d Penn. Vols., is PRESIDENT, was arraigned and tried:

Captain *Ferdinand Levy*, Indpt. Battalion, N. Y. Vols.

CHARGE 1st.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., did enlist, and cause to be mustered into the service of the United States, as a member of said Indpt. Battalion N. Y. Vols, one Andrew Smith Gilso, then already a deserter from said Battalion, and known to be such by the said Capt. *Ferdinand Levy*. This at the city of New York, on or about the 26th day of January, 1863.

Specification 2d—In this; that Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., did cause to be paid, by a Paymaster of the United States Army, stationed at the city of New York, to one Andrew Smith Gilso, then a deserter from the military service of the United States, and known to be such by the said Capt. *Ferdinand Levy*, the sum of twenty-nine dollars as bounty money. This at the city of New York, on or about the 1st day of February, 1863.

Specification 3d—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did enlist, as a recruit for Co. "H," of said Indpt. Battalion N. Y. Vols., one Leon Baudequin, then a deserter from the "Burnside Rifles," and known to be such by the said Capt. *Ferdinand Levy*, under the assumed name of Fernando Petraloi, the said Fernando Petraloi having deserted from the said Indpt. Battalion N. Y. Vols., some time before, and being then a deserter. This at Camp Sprague, in the State of New York, on or about the 20th day of June, 1863.

Specification 4th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did cause to be paid to one Leon Baudequin, as a recruit for Co. "H," of said Indpt. Battalion, N. Y. Vols., under the assumed name of Fernando Petraloi, by a Paymaster of the United States Army, stationed at the city of New York, the sum of sixty-five dollars as bounty money, when he, the said Capt. *Ferdinand Levy*, knew that the said Leon Baudequin was a deserter from the "Burnside Rifles," and did thereby defraud the government of the United States of that amount of money. This at the city of New York, on or about the 20th day June, 1863.

Specification 5th—In this; that Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., did receive as a recruit for Co. "H," of the said Indpt. Battalion N. Y. Vols., one Auguste Pare, knowing him at the same time to be an enlisted soldier in the 55th Regiment of New York Vols. This at the city of New York, on or about the 20th day of June, 1863.

Specification 6th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did make a proposition to one Auguste Pare, knowing him to be an enlisted soldier of the 55th Regiment of N. Y. Vols., to the effect that if he, the said Auguste Pare, would assume and take the name of a deserter from the said Indpt. Battalion N. Y. Vols., that he, the said Auguste Pare, would get the said deserter's back pay for several months. This at Folly Island, S. C., on two different occasions, between the 1st of July and the 5th of August, 1863.

Specification 7th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did receive as a recruit for Co. "H," of said Indpt. Battalion N. Y. Vols., one Leonidas Duverger, a deserter from the "Seymour Cavalry," he, the said Capt. *Ferdinand Levy*, knowing the said Leonidas Duverger to be a deserter from the service of the United States. This at the city of New York, in the month of April, 1863.

Specification 8th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did cause to be paid to one Leonidas Duverger, a deserter

from the "Seymour Cavalry," by a Paymaster of the United States Army, the sum of seventy-five dollars bounty, as a recruit of the said Indpt. Battalion N. Y. Vols. This at the city of New York, some time between the 1st of April and the 1st of July, 1863.

Specification 9th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did receive and retain in his Co. "H," as a member thereof, one Alphonse de Chambord, knowing him to be a deserter from the 13th New York Cavalry. This at Folly Island, S. C., in the months of July, August, September, and October, 1863.

Specification 10th; In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., after having received one Alphonse de Chambord, a deserter from the 13th N. Y. Cavalry, into his company, and knowing him to be such, did fail to confine him, and give notice thereof to the Corps in which he had last served. This at Folly Island, S. C., in the months of July, August, September, and October, 1863.

CHARGE 2d.—"Defrauding the Government of the United States."

Specification 1st—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did cause to be paid, by a Paymaster of the United States Army, stationed at the city of New York, to one Andrew Smith Gilso, then a deserter from the military service of the United States, and known to be such by the said Capt. *Ferdinand Levy*, the sum of twenty-nine dollars as bounty money, thereby defrauding the Government of the United States of that amount of money. This at the city of New York, on or about the 1st day of March, 1863.

Specification 2d—In this; that Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., did cause to be paid to one Leon Baudequin, as a recruit for Co. "H," of said Indpt. Battalion N. Y. Vols., under the assumed name of Fernando Petraloi, by a Paymaster of the United States Army, stationed at the city of New York, the sum of sixty-five dollars as bounty money, when he, the said Capt. *Levy*, knew that the said Leon Baudequin was a deserter from the "Burnside Rifles," and did thereby defraud the Government of the United States of that amount of money. This at the city of New York, on or about the 20th day of June, 1863.

Specification 3d—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., did cause to be paid to one Leonidas Duverger, a deserter from the "Seymour Cavalry," by a Paymaster of the United States Army, the sum of seventy-five dollars bounty, as a recruit of the said Indpt. Battalion N. Y. Vols., thereby defrauding the Government of the United States of that amount of money. This at the city of New York, sometime between the 1st of April and the 1st of July, 1863.

CHARGE 3d.—"Violation of the 22d Article of War."

Specification 1st—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., having enlisted, and caused to be mustered into service, one Andrew Smith Gilso, knowing the said Andrew Smith Gilso to be a deserter from the said Indpt. Battalion N. Y. Vols., did fail to confine him, and give notice thereof to the Corps in which he last served. This at the city of New York, on or about the 26th day of January, 1863.

Specification 2d—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., having enlisted and caused to be mustered into the United States service, one Leon Baudequin, under the assumed name of Fernando Petraloi, knowing him, the said Leon Baudequin, to be a deserter from the "Burnside Rifles," did fail to confine him, and give notice thereof to the Corps in which he last served. This at Camp Sprague, in the State of New York, on or about the 20th day of June, 1863.

Specification 3d—In this; that Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., having enlisted, and caused to be mustered into the United States service, one Auguste Pare, knowing him, the said August Pare to be an enlisted soldier of the 55th Regiment N. Y. Vols., did fail to confine him, and give notice thereof to the Corps in which he last served. This at the city of New York, on or about the 20th day of June, 1863.

Specification 4th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion

N. Y. Vols., having enlisted, and caused to be mustered into the United States service, one Leonidas Durverger, knowing him, the said Leonidas Duverger, to be a deserter from the "Seymour Cavalry," did fail to confine him, and give notice thereof to the Corps in which he last served. This at the city of New York, in the month of April, 1863.

Specification 5th—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., after having received one Alphonse de Chambord, a deserter from the 13th N. Y. Cavalry, into his company, and knowing him to be such, did fail to confine him, and give notice thereof to the Corps in which he last served. This at Folly Island, S. C., in the months of July, August, September, and October, 1863.

CHARGE 4th—"Neglect of duty."

Specification—In this; that Capt. *Ferdinand Levy*, of the Indpt. Battalion N. Y. Vols., having been placed on detached service, did fail to turn over to the officer who relieved him of the command of his company, the books, papers, and muster rolls of said company, thereby preventing said company from being mustered for pay for the two months, ending August 31, 1863. This at Folly Island, S. C,. on or about the 1st day of August, 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court after mature deliberation upon the evidence adduced, find him, Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., as follows:

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

Of the 2d *Specification* to the 1st CHARGE, "Guilty."

Of the 3d *Specification* to the 1st CHARGE, "Not Guilty."

Of the 4th *Specification* to the 1st CHARGE, "Not Guilty."

Of the 5th *Specification* to the 1st CHARGE, "Guilty."

Of the 6th *Specification* to the 1st CHARGE, "Guilty," with the exception of the words "on two different occasions."

Of the 7th *Specification* to the 1st CHARGE, "Not Guilty."

Of the 8th *Specification* to the 1st CHARGE, "Guilty," with the exception of the words "of the United States Army."

Of the 9th *Specification* to the 1st CHARGE, "Guilty."

Of the 10th *Specification* to the 1st CHARGE, "Guilty."

Of the 1st CHARGE, "Guilty."

Of the 1st *Specification* to the 2d CHARGE, "Guilty."

Of the 2d *Specification* to the 2d CHARGE, "Not Guilty."

Of the 3d *Specification* to the 2d CHARGE, "Not Guilty."

Of the 2d CHARGE, "Guilty."

Of the 1st *Specification* to the 3d CHARGE, "Guilty."

Of the 2d *Specification* to the 3d CHARGE, "Not Guilty."

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

Of the 4th *Specification* to the 3d CHARGE, "Guilty."

Of the 5th *Specification* to the 3d CHARGE, "Guilty."

Of the 3d CHARGE, "Guilty."

Of the *Specification* to the 4th CHARGE, "Guilty."

Of the 4th CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., *To be cashiered.*

II. The proceedings and findings in the foregoing case are approved; the sentence is confirmed, and will be carried into effect.

Capt. *Ferdinand Levy*, Indpt. Battalion N. Y. Vols., ceases to be an officer of the U. S. Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Sarah Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

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Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Nov. 19th, 1865.

GENERAL ORDERS,
No. 103.

~~I. Captain B. T. FRONTINGHAM is hereby announced as Volunteer Aide-de-Camp on the Staff of the Major General Commanding, and will be obeyed and respected accordingly.~~

II. The action of Brigadier General A. H. TERRY, in the cases of sentence against Privates William Bokay, Co. "B," 67th Ohio Vols., William Beatty, Co. "C," 85th Penn. Vols., Frederick C. Thing, Co. "B," 3d N. H. Vols., Michael Manney, Co. "H," 100th N. Y. Vols., John McQuade, Co "E," 24th Mass. Vols., George Mayers, Co. "K," 47th N. Y. Vols., John Carney, Co. "D," 67th Ohio Vols., and Lewis Henspeck, Co. "B," 67th Ohio Vols., as promulgated in General Orders Nos. 54 and 55, from Headquarters U. S. Forces, Morris Island, is approved, and the sentences will be carried into effect as recommended.

The Quartermaster's Department will furnish transportation to Fort Clinch, Fernandina, Fla.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Nov. 28th, 1863.

GENERAL ORDERS,
No. 106.

~~I. Hereafter, officers leaving the Post at which they are stationed, whether upon duty or leave of absence, will register their names at the office of the Post Commander, with a memorandum of their orders, and, in case of leave of absence, the length of time for which the leave is granted.~~

~~Upon arriving at any Post within the Department, officers will report in person at the office of the Post Commander, and register themselves as above provided, unless of superior rank to the Post Commander, in which case it is proper to report their arrival by letter or by Staff officer.~~

~~A book, properly ruled for such register, will be kept at the office of each Post Commander, in charge of the Post Adjutant or Assistant Adjutant General.~~

II. The action of Brig. Gen'l A. H. TERRY, in the cases of sentence against Privates Frederick Olms and Marks H. Meyers, Co. "K," 100th N. Y. Vols., William Welles and Earl Mitchell, Co. "C, 100th N. Y. Vols., William Fine, Co. "H," 100th N. Y. Vols., Clofar LaPoint, Walston Carpenter, and Thomas N. Pendleton, Co. "C," 100th N. Y. Vols., Adam Karn and Adolph Schick, Co. "F," 100th N. Y. Vols., as promulgated in General Orders Nos. 56, 57, and 58, current series, from Headquarters U. S. Forces, Morris Island, S. C., is approved, and will be carried into effect as recommended.

The Quartermaster's Department will furnish the necessary transportation to Fort Clinch, Fernandina, Fla.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Darell Deady

Capt. 47th N. Y. Vols.
Act. Asst. Adjt. General.

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Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Nov. 28th, 1863.

GENERAL ORDERS, No. 107.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 490, from Headquarters U. S. Forces, Hilton Head, S. C., dated Sept. 26th, 1863, and of which Major JOHN HEMINGWAY, 8th Maine Vols., is PRESIDENT, was arraigned and tried :

Captain *James S. Book*, Co. "A," 76th Penn. Vols.

CHARGE 1st.—"Absence without leave."

Specification 1st—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., having received permission from his commanding officer, Lieut. Col. J. C. CAMPBELL, commanding 76th Regt. Penn. Vols., on the 10th day of May, 1863, to go to Hilton Head, S. C., and being at the same time informed that he must return by the first boat that should leave Hilton Head, S. C., for Botany Bay Island, S. C., after his arrival there, by which he would be able to return to his Regiment, did neglect to do so, and did not return until the 18th day of May, 1863. This at Botany Bay, S. C., between the 10th and 18th days of May, 1863.

CHARGE 2d.—"Drunkenness on duty."

Specification—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., when Field Officer of the Day, did, in the camp of the 3d R. I. Art'y, drink intoxicating liquors so as to become drunk. This at Hilton Head, S. C., on or about the night or morning of the 3d and 4th days of Sept., 1863.

CHARGE 3d.—"Conduct unbecoming an officer and gentleman."

Specification 1st—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., did fire his revolver, the bullet from which passed through the weather-boarding, close above the door, of certain negro quarters, occupied by women and children, near the camp of the 76th Penn. Vols., thus endangering the lives of the inmates. This at Hilton Head, S. C., between the hours of 12 and 3 o'clock, on the morning of the 4th day of Sept., 1863.

Specification 2d—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., did compel the inmates of certain negro quarters, near the camp of the 76th Penn. Vols., to open the door by firing his revolver, and did lead his horse into the house, and allowed Musician James Morgan (his orderly), to lead his horse into the house also, thus endangering the lives of the inmates. This at Hilton Head, S. C., between the hours of 12 and 3 o'clock, A. M., of the 4th day of Sept., 1863.

CHARGE 4th.—"Creating false alarm."

Specification—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., did, by firing his revolver, in the vicinity of several camps of regiments and detachments, create a false alarm. This at Hilton Head, S. C., between the hours of 12 and 3 o'clock, on the morning of the 4th day of Sept., 1863.

CHARGE 5th.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this ; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., upon his return from Hilton Head, S. C., on the 18th of May 1863, being asked where he had been, replied : "Oh, I have been having a gay time," or words to that effect, and when informed by his commanding officer, Lt. Col. J. C. CAMPBELL, that he would place him in arrest, Capt. *Book* replied in a contemptuous and disrespectful tone of voice, "You can put me in arrest, I have been in arrest before, and it don't hurt me," or words to that effect. This at Botany Bay Island, S. C., on or about the 18th day of May, 1863.

Specification 2d—In this; that Capt. *James S. Book*, Co. "A," 76th Penn. Vols., while Field Officer of the Day, did allow Musician James Morgan, Co. "A," 76th Penn. Vols., to accompany him to Lieut. James McCormick's (Acting Adjutant 76th Penn. Vols.,) quarters, and then and there allow, and with Musician James Morgan, Co. "A," 76th Penn. Vols., drink intoxicating liquors. This at Hilton Head, S. C., between the hours of 12 and 3 o'clock, on the morning of the 4th day of Sept., 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Capt. *James S. Book*, Co. "A," 76th Regiment Penn. Vols., as follows:

Of the *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification* of the 2d CHARGE, "Not Guilty."
Of the 2d CHARGE, "Not Guilty."
Of the 1st *Specification* of the 3d CHARGE, "Guilty."
Of the 2d *Specification* of the 3d CHARGE, "Guilty."
Of the 3d CHARGE, "Guilty."
Of the *Specification* of the 4th CHARGE, "Guilty."
Of the 4th CHARGE, "Guilty."
Of the 1st *Specification* of the 5th CHARGE, "Guilty."
Of the 2d *Specification* of the 5th CHARGE, "Guilty."
Of the 5th CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Capt. *James S. Book*, Co. "A," 76th Regt. Penn. Vols., *To be dismissed the service of the United States.*

II. The proceedings and findings in the foregoing case are approved; the sentence is confirmed, and will be carried into effect. Capt. *James S. Book*, 76th Penn. Vols., ceases to be an officer in the U. S. Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Donald Fraley

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Dec. 10th, 1863.

GENERAL ORDERS, No. 110.

I. Before a General Court Martial, which convened at Beaufort, S. C., pursuant to Special Orders No. 217, dated Headquarters U. S. Forces, Port Royal Island, Beaufort, S. C., October 13th, 1863, and of which Lt. Col. D W. STRICKLAND, 48th N. Y. Vols., is PRESIDENT, was arraigned and tried :

2d Lt. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co. N. Y. Vol. Sharpshooters.

CHARGE 1st.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this ; that he, 2d Lieut. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co. N. Y. V. S. S., did absent himself from the camp of his Regt. without authority, and did so remain absent from about 6 P. M., till 12 o'clock, midnight. All this at or near the camp of the 56th Regt. N. Y. Vols., on or about the 9th day of October, 1863.

Specification 2d—In this ; that he, 2d Lieut. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co N. Y. V. S. S., did give to Private William Waring, Co. "F," 56th N. Y Vols., wine, whisky or other intoxicating drinks, the said Pv'te Wm. Waring being at that time in the tent of the said 2d Lt. *H. W. McKoon*, who well knew that the said Wm. Waring was a private soldier in the 56th Regt. N. Y. Vols., and the said 2d Lt. *H. W. McKoon* did continue to give said Private William Waring intoxicating drinks, until the said Private William Waring became so much intoxicated that he had to be carried in a helpless condition to his quarters. All this at the camp of the 56th Regt. N. Y. Vols., on or about the evening of October 22d, 1863.

CHARGE 2d.—"Disobedience of orders."

Specification—In this ; that he, 2d Lieut. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co. N. Y. V. S. S., having absented himself from the camp of his Regt., without authority, did gamble for money with cards, in violation of a Regimental order well known to him, the said 2d Lieut. *H. W. McKoon*. All this near the camp of the 56th Regt. N. Y. Vols., Beaufort, S. C., between the hours of 6 P. M., and 12 o'clock, midnight, on or about the 9th day of October, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

After mature deliberation upon the evidence adduced, the Court finds the accused, Lieut. *H. W. McKoon*, Co. "L," 56th N. Y. Vols., as follows :

Of the 1st *Specification* of the 1st CHARGE, "Guilty."
Of the 2d *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 2d Lieut. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co. N. Y. Vol. Sharpshooters, *To be dismissed from the service of the United States.*

II. The proceedings and findings in the foregoing case are approved ; the sentence is confirmed, and will be carried into effect. 2d Lieut. *H. W. McKoon*, Co. "L," 56th Regt. N. Y. Vols., or 5th Co. N. Y. Vol. Sharpshooters, ceases to be an officer of the United States Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Dec. 14th, 1863.

GENERAL ORDERS, No. 111.

I. Before a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 345, from Headquarters U. S. Forces, Morris Island, S. C., dated Dec. 1st, 1863, and of which Brig. Gen'l THOMAS G. STEVENSON, U. S. Vols. is PRESIDENT, was arraigned and tried:

Private *John Kendall*, Co. "G," 3d N. H. Vols.

CHARGE.—"Desertion."

Specification 1st—In this; that the said *John Kendall*, private of Co. "G," 3d N. H. Vols., did desert from his Company and Regiment. This at Morris Island, S. C., on the night of the 28th of November, 1863.

Specification 2d—In this; that the said *John Kendall*, private of Co. "G," 3d N. H. Vols., did desert from the camp of his Company and Regiment, on Morris Island, S. C., and did there declare himself as named "Thomas," and that he was a deserter from the enemy, intending thereby to deceive the military authorities as to his true name and character, and with wilful intent to desert from the military service of the United States. This on or about the 28th day of November, 1863.

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court after mature deliberation of the evidence, find him, Private *John Kendall*, Co. "G," 3d N. H. Vols.,

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said *John Kendall*, private Co. "G," 3d New Hampshire Vols., two-thirds of the members concurring therein, *To be shot to death with musketry at such time and place as the Commanding General may direct.*

II. The proceedings and findings of the Court in the case of Private *John Kendall*, Co. "G," 3d N. H. Vols., are approved; the sentence is confirmed, and will be duly carried into execution, under the direction of Brig. Gen'l A. H. TERRY, commanding U. S. Forces, at Morris Island, S. C., within forty-eight hours after the receipt of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Sarah Peaty

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Dec. 19th, 1863.

GENERAL ORDERS, No. 113.

I. Before a General Court Martial, which convened at the North End of Folly Island, S. C., pursuant to General Orders No. 18, dated Headquarters U. S. Forces, North End of Folly Island, S. C., October 3d, 1863, and of which Col. S. M. ALFORD, 3d N. Y. Vols., is PRESIDENT, were arraigned and tried :

1. Captain *J. S. Mathews*. 112th N. Y. Vols.

CHARGE.—"Neglect of Duty."

Specification—In this ; that said Captain *J. S. Mathews*, 112th N. Y. Vols., while in command of the advanced picket, at Folly River, was found sleeping, that he failed to post a sentinel at his reserve guard, and allowed a greater portion of the same to sleep, thereby greatly endangering the safety and interest of this command. This at Folly Island, S. C., on or about the night of the 19th of September, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

After mature deliberation upon the evidence adduced, the Court finds the accused as follows :

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence the said Capt. *J. S. Mathews*, Co. "F," 112th Regt. N. Y. Vols, *To be dismissed the service of the United States.*

2. 1st Lieut. *Theodore Bremsen*, Adjt. 103d N. Y. Vols.

CHARGE 1st.—"Breach of arrest."

Specification—In this ; that 1st Lieut. *Theodore Bremsen*, Adjt. 103d N. Y. Vols., did, on Sept. 29th, 1863, leave camp while being under arrest and go to Long Island, S, C., without proper permission This at Folly Island, S. C.

CHARGE 2d.—"Disobedience to orders."

Specification—In this ; that said 1st Lieut. *Theodore Bremsen*, Adjt. 103d N. Y. Vols., did, on Sept. 29th, 1863, leave camp in violation of General Orders No. 3, Headquarters U. S. Forces, Folly Island, S. C., without proper permission. This at Folly Island, S. C.

CHARGE 3d.—"Absence without leave."

Specification—In this ; that said 1st Lieut. *Theodore Bremsen*, Adjt. 103d N. Y. Vols., did, on Sept. 29th, 1863, leave camp and go to Long Island, S. C., without proper permission. All this at Folly Island, S. C., on Sept. 29th, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused. 1st Lieut. *Theodore V. Bremsen*, Adjt. 103d N. Y. Vols., as follows :

Of the *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE. "Guilty."
Of the *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."
Of the *Specification* of the 3d CHARGE, "Guilty."
Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence the said 1st Lieut. *Theodore V. Bremsen*, Adjt. 103d Regt. N. Y. Vols, *To be cashiered the service of the United States.*

3. Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—In this ; that said Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols., did, on the 7th day of May, 1863, in camp of the 103d Regt. N. Y. Vols., receive from a messenger sent from the telegraphic office, at Suffolk, Va., an important telegraphic dispatch addressed to Major Theodore V. Bremsen, which he intentionally retained, and failed to deliver to Adjt. Theodore V. Bremsen, then Acting Major of the Regt. up to this day. This at the camp of the Regiment, on the 7th day of May, 1863.

Specification 2d—In this ; that said Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols., did, after assuming temporary command of the Regt., on the 7th day of May, 1863, place Adjt. Theodore V. Bremsen in close confinement, without any cause or charge against him, and upon request to be furnished with a copy of charges, replied that he "had to place the Adjt. in close confinement, at the demand of all the officers in the Regiment," although no such demand had been expressed by any officer.

Specification 3d—In this ; that said Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols., after having been relieved as Commander of the Regiment, on the 8th of May last, [1863,] by Capt. Hazley, of the 89th Regt. N. Y. Vols., failed to inform Captain Hazley of the action taken against the Adjt., and continued to keep the same in close confinement until May the 9th last, when, upon appeal to the Brigade Commander, the Adjt. was released from arrest and restored to duty. All this at camp, near Suffolk, Va., on the 7th, 8th, and 9th of May, 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols., as follows :

Of the 1st *Specification*, "Guilty"
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence the said Capt. *F. W. Schmidt*, Co. "G," 103d Regt. N. Y. Vols., *To be dismissed from the service of the United States.*

II. The proceedings of the General Court Martial in the foregoing cases have been approved by the proper commander, and forwarded for the action of the Major General commanding the Department.

The sentences of the Court are approved, and will be carried into effect. Capt. *J. S. Mathews*, 112th N. Y. Vols., 1st Lieut. *Theodore V. Bremsen*, Adjt. 103d N. Y. Vols., and Capt. *F. W. Schmidt*, 103d N. Y. Vols., cease to be officers of the United States Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Ed M Smith

Assistant Adjutant General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Dec. 23d, 1863.

GENERAL ORDERS, No. 114.

I. Before a General Court Martial, which convened at Fernandina, Fla., pursuant to Special Orders No. 593, current series, from these Headquarters, and of which Major GALUSHA PENNYPACKER, 97th Pa. Vols., is PRESIDENT, was arraigned and tried :

1st Lieut. *Francis J. Eachus*, Co. "C," 97th Regt. Pa. Vols.

CHARGE I.—"Violation of the 42d Article of War."

Specification—In this ; that he, the said 1st Lieut. *Francis J. Eachus*, Co. "C," 97th Regt. Pa. Vols., did, without the consent of his superior officer, remain out of his quarters during the whole of the nights of the 8th, 9th, and 10th days of October, 1863. This at Fernandina, Fla., between the 8th and 12th days of October, 1863.

CHARGE II.—"Violation the 45th Article of War."

Specification—In this ; that he, 1st. Lt. *Fr. J. Eachus*, Co. "C," 97th Regt. Pa. Vols., did appear upon Dress Parade in a state of intoxication. This at the camp of the 97th Pa. Vols., Fernandina, Fla., on the evening of Oct. 11, 1863.

CHARGE III.—"Disobedience of orders."

Specification 1st—In this ; that he, the said 1st Lieut. *Francis J. Eachus*, Co. "C," 97th Regt. Pa. Vols., did refuse to allow Corporal John R. Miller, Co. "C," 97th Regt. Pa. Vols., to obey an order of Captain Isaiah Price, 97th Regt. Pa. Vols., Provost Marshal, to report to him immediately upon the wharf to board the steamer "Boston," then coming in the harbor ; and for other special duty, telling him that he, Corporal Miller, was detailed for guard and could not go. This at Fernandina, Fla., on the 12th day of October, 1863.

Specification 2d—In this ; that he, 1st Lieut. *Francis J. Eachus*, Co. "C," 97th Regt. Pa. Vols., did persist in refusing to allow Corporal John R. Miller, Co. "C," 97th Regt. Pa. Vols., to report to the Provost Marshal, after being expressly informed by the Corporal that the Provost Marshal had directed him to say to the Lieut. that he (the Lieut.) should have another Corporal detailed for the guard, and that Corporal Miller should report immediately to Capt. Price at the wharf, and did say that he "was in command of the company, and Corporal Miller shall not go ;" that he, the Lieut., would take the responsibility off him, and did refuse and neglect to make any detail whatever to report to the Provost Marshal, thus materially interfering with the duties of that office. This at Fernandina, Fla., on the 12th day of October, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, 1st. Lt. *Francis J. Eachus*, Co. "C, 97th Regt. Pa. Vols., as follows :

Of the *Specification* to the 1st CHARGE, "Not Guilty"
Of the 1st CHARGE, "Not Guilty."
Of the *Specification*, to the 2d CHARGE, "Not Guilty."
Of the 2d CHARGE, "Not Guilty."
Of the 1st *Specification*, to the 3d CHARGE, "Guilty."
Of the 2d *Specification* to the 3d CHARGE, "Not Guilty."
Of the 3d CHARGE, "Not Guilty."

And the Court do therefore acquit him, the said 1st Lieutenant *Francis J. Eachus*, Co. "C," 97th Regt. Pa. Vols.

II. The proceedings and findings in the foregoing case are approved. 1st Lieut. *Francis J. Eachus*, 97th Regt. Pa. Vols., is released from arrest, and will resume his sword and return to duty.

III. The General Court Martial of which Major GALUSHA PENNYPACKER, 97th Regt. Pa. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL :

H. M. Bragg.
Captain and A. D. C.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of the South.

1864

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1864.

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Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Jan. 1, 1864.

GENERAL ORDERS, No. 1.

I. Before a General Court Martial, which convened at Beaufort, S. C., pursuant to Special Orders No. 246, from Headquarters U. S. Forces, Port Royal Island, S. C., dated November 19, 1863, and of which Colonel R. WHITE, 55th Penn. Vols., is PRESIDENT, was arraigned and tried:

Private *James Murphy*, alias *Joseph Strobel*, of Co. "I," 55th Penn. Vols.

CHARGE I.—"Desertion."

Specification 1st—In this; that he, the said Private *James Murphy* alias *Joseph Strobel*, Co. "I," 55th Regt. Penn. Vols., did desert from the guard quarters of the Rifle Pit Picket, near Beaufort, Port Royal Island, S. C., on the night of the 27th of Nov., 1863, and remain absent until Nov. 30th, 1863, when he was arrested on St. Helena Island, S. C. This at Port Royal Island, S. C., on or about the night of the 27th of Nov., 1863.

Specification 2d—In this; that he, the said Private *James Murphy* alias *Joseph Strobel*, Co. "I," 55th Regt. Penn. Vols., being one of the detail on guard at the Rifle Pits, near Beaufort, Port Royal Island, S, C., did desert his guard, Company and Regiment, and leave the island with intent to go over to the enemy, and did remain absent until Nov. 30th, 1863, when he was arrested on St. Helena Island, S. C. This at Port Royal Island, S. C., on or about the night of the 27th of Nov., 1863.

CHARGE II.—"Leaving his post without being regularly relieved."

Specification—In this; that he, the said Private *James Murphy* alias *Joseph Strobel*, Co. "I," 55th Regt. Penn. Vols., being one of the detail on guard at the Rifle Pits, near Beaufort, Port Royal Island, S. C., did desert from his post, and remain absent until arrested on St Helena Island, S. C., on the 30th of Nov., 1863. This at Port Royal Island, S. C., on or about the night of the 27th of Nov., 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court, afer mature deliberation upon the evidence adduced, find him, Private *James Murphy*, alias *Joseph Strobel*, Co. "I," 55th Penn. Vols,

Of the 1st *Specification* of the 1st CHARGE, "Guilty."
Of the 2d *Specification* of the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE. "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *James Murphy* alias *Joseph Strobel*, Co. "I," 55th Penn. Vols., two-thirds of the members concurring therein. *To be shot to death with musketry, at such time and place as the General Commanding the Department may direct.*

II. The proceedings, findings, and sentence in the case of Private *James Murphy* alias *Joseph Strobel*, of Co. "I," 55th Regt. Penn. Volunteers, having been approved by the officer ordering the Court, and forwarded for the action of the Major General Commanding the Department, they are hereby approved and confirmed; the sentence will be carried into execution at Beaufort, S. C., under the direction of Brigadier General RUFUS SAXTON, within forty-eight hours after the receipt of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

W. H. Dugan
Assistant Adjutant General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Jan. 1, 1864.

GENERAL ORDERS, No. 2.

The action of Brig. Gen'l ALFRED H. TERRY, commanding U. S. Forces, Morris Island, S. C., in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentence in the cases of Privates Frederick Grossman, Thomas U. Smallshaw, George Grey, Charles H. Waite, Daniel Morriety, Christopher Eggleston, Henry Moran, Charles Britton, Appolus Deurringer, Edward Cope, Washington Cartright, Edward Linderman, of Co. "I," 100th N. Y. Vols., and Privates John Watkins, Mathew Johnston, and George W. Shauer, Co. "E," 100th N. Y. Vols., as promulgated in General Orders Nos. 59, 60, and 61, series of 1863, from Headquarters U. S. Forces, Morris Island, S. C., is approved.

The Quartermaster's Department will furnish the necessary transportation to Fort Clinch, Fla.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

W. H. Seuger
Assistant Adjutant General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Jan. 1, 1864.

GENERAL ORDERS, No. 3.

I. Before a General Court Martial, which convened at Morris Island, S. C., pursuant to Special Orders No. 345, dated Headquarters U. S. Forces, Morris Island, S. C., Dec. 1, 1863, and of which Brig. Gen'l THOMAS G. STEVENSON is PRESIDENT, were arraigned and tried:

1st. Capt. *Wm. C. Knowlton*, 7th N. H. Vols.

CHARGE I.—"Drunkenness on Duty."

Specification—In this; that the said Capt. *Wm. C. Knowlton*, while on duty as Regimental Officer of the Day, was drunk, so as to be unfit to perform properly the duties of his office. This at Morris Island, S. C., on or about the 2d day of December, 1863.

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

Specification 1st—In this; that while on duty as Regimental Officer of the Day, the said Capt. *Wm. C. Knowlton* did invite an enlisted man to his tent, where he furnished him with intoxicating drinks, and drank with him. This at Morris Island, S. C., on or about the 2d day of December, 1863.

Specification 2d—In this; that while Regimental Officer of the Day, after retreat, the said Capt. *Wm. C. Knowlton* did indulge in riotous, boisterous, and disgraceful conduct in his tent. This at Morris Island, S. C., on or about the 2d day of December, 1863.

To which charges and specifications the accused pleaded, "Not Guilty."

FINDING.

The Court, afer mature deliberation of the evidence, find him, Capt. *Wm. C. Knowlton*, 7th N. H. Vols.,

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

Of the 1st CHARGE, "Guilty."

Of the 1st *Specification* to the 2d CHARGE, "Guilty."

Of the 2d *Specification* to the 2d CHARGE, "Guilty," with the exception of the words "riotous and boisterous."

Of the 2d CHARGE. "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Captain *William C. Knowlton*, 7th Regt. N. H. Vols., *To be cashiered, and to be utterly disabled to have or to hold any office in the military service of the United States.*

2d. 1st Lieut. *Ebenezer Spooner*, 100th N. Y. Vols.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said *Ebenezer Spooner*, 1st Lieut. 100th N. Y. Vols., on being reminded by Corporal Ross C. Duffee, of the Provost Guard, said Corporal being then on duty under orders of the Provost Marshal of the Post, that he was acting contrary to orders of Brig. Gen'l A. H. TERRY, commanding U. S. Forces, at Morris Island, S. C., did use contemptuous language against the order of the Commanding General, saying that the "order was contemptible and disgusting," and did use contemptuous and abusive language to said Corporal Ross C. Duffee, saying he was "in low business enforcing obsolete orders," and defying said Corporal to report him to the Provost Marshal or any other authority. This at Morris Island, S. C., on or about the 10th day of November, 1863.

Specification 2d—In this; that the said 1st Lt. *Ebenezer Spooner*, 100th N. Y. Vols., did publicly assail Corporal Ross C. Duffee, of the Provost Guard, with abusive and disrespectful language, calling him a "God d—d Pimp, an Irish Puppy, a Miserable Spy," telling him that "his duty was too low for any decent soldier to be engaged in." This at the dock, at Light House Inlet, Morris Island, S. C., on or about the 21st day of Nov., 1863.

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification—In this; that the said 1st Lt. *Ebenezer Spooner*, 100th N. Y. Vols., did publicly assail Corporal Ross C. Duffee, of the Provost Guard, with abusive and disrespectful language, calling him "a God d—d Pimp, an Irish Puppy, a Miserable Spy," telling him his duty was "too low for any decent soldier to be engaged in." This at the dock, at Light House Inlet, Morris Island, S. C., on or about the 21st day of November, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation of the evidence, find him, 1st. Lieut. *Ebenezer Spooner*, Co. "E," 100th N. Y. Vols.,

Of the 1st *Specification* to the 1st CHARGE, "Guilty."
Of the 2d *Specification*, to the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the *Specification* to the 2d CHARGE. "Guilty."
Of the 2d CHARGE, "Guilty.

SENTENCE.

And the Court do therefore sentence him, the said 1st Lieut. *Ebenezer Spooner*, 100th N. Y. Vols., *To be dismissed from the military service of the United States.*

II. The proceedings, findings, and sentence in the case of Capt. *William C. Knowlton*, 7th Regt. N. H. Vols., having been approved by the officer ordering the Court, and forwarded for the action of the Major General Commanding the Department, so much of the sentence as cashiers him is approved, the remainder is disapproved, and Captain *William C. Knowlton*, 7th New Hampshire Volunteers, ceases to be an officer of the United States from date of this order.

The proceedings, findings, and sentence in the case of 1st. Lieut. *Ebenezer Spooner*, have been approved by the officer ordering the Court, and forwarded for the action of the Major General Commanding the Department; the sentence is confirmed, and 1st Lieut. *Ebenezer Spooner*, 100th N. Y. Vols., ceases to be an officer in the United States Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

W. H. Seeger
Assistant Adjutant General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Jan. 2, 1864.

GENERAL ORDERS, No. 4.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 516, from Headquarters U. S. Forces, Hilton Head, S. C., dated Nov. 6, 1863, and of which Colonel REDFIELD DURYEE, 6th Conn. Vols., is PRESIDENT, was arraigned and tried :

2d Lieut. *Robert P. Quinn*, 47th N. Y. Vols.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this ; that 2d Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, did, after Tattoo Roll Call, appear before Co. "G," of the 47th Regt. N. Y. Vol. Inf'y, and make a speech to the enlisted men of said Co. "G," and did act in a manner highly prejudicial to good order and military discipline, thereby creating a disturbance in the camp. This at the camp of the 47th N. Y. Vol, Inf'y, Hilton Head, S.C., on or about the 18th day of Nov., 1863.

Specification 2d—In this ; that 2d Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, did absent himself without permission, and in violation of General Orders, from his Company and Regiment, after Tattoo Roll Call. This at Hilton Head, S. C., on or about the 21st day of Nov., 1863.

Specification 3d—In this ; that 2d Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, did visit the "Negro Quarters," after Taps, and was then and there found and arrested by a guard, and taken to the Provost Guard, being at the time in a state of intoxication. This at Hilton Head, S. C., on or about the 21st day of Nov., 1863, at or near ten o'clock, P. M.

Specification 4th—In this ; that 2d Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, when ordered to accompany a guard and report to the Commanding Officer of his Regiment, did, after entering the camp of the 47th Regt. N. Y. Vol. Inf'y, positively refuse to accompany the guard to the quarters of his Commanding Officer, and did quit the guard. This at Hilton Head, S. C., on or about the 21st day of Nov., 1863.

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification 1st—In this ; that 2d Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, did visit the "Negro Quarters," after Taps, and was then and there found and arrested by a guard, being at the time in a state of intoxication. This at Hilton Head, S. C., on or about the 21st day of Nov., 1863, at or near ten o'clock, P. M.

Specification 2d—In this ; that Lieut. *Robert P. Quinn*, of the 47th Regt. N. Y. Vol. Inf'y, after having been arrested by a guard and brought to camp by said guard, did positively state to the Commanding Officer of his Regiment, (Lieut. Col. C. R. MACDONALD,) that he had not been arrested by a guard, that he had not been brought into camp by a guard, and that he had not been to the Provost Guard. This at Hilton Head, S. C., on or about the 21st day of Nov., 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused as follows :

Of the 1st *Specification* of the 1st CHARGE, "Guilty."
Of the 2d *Specification* of the 1st CHARGE, "Guilty."
Of the 3d *Specification* of the 1st CHARGE, "Guilty."
Of the 4th *Specification* of the 1st CHARGE, "Guilty."

Of the 1st CHARGE, "Guilty."
Of the 1st *Specification* of the 2d CHARGE, "Guilty,"
Of the 2d *Specification* of the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty.

SENTENCE.

And the Court do therefore sentence him, 2d Lieut. *Robert P. Quinn*, 47th Regt. N. Y. Vols., *To be dismissed the service of the United States, with loss of all pay that may now be, or become, due to him.*

II. The proceedings, findings, and sentence in the foregoing case, are approved; the sentence is confirmed, and will be carried into effect. 2d Lieutenant *Robert P. Quinn*, 47th Regt. N. Y. Vols., ceases to be an officer in the military service of the United States from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

W. H. Singer

Assistant Adjutant General.

Department of the South, HEADQUARTERS IN THE FIELD,
FOLLY ISLAND, S. C., Jan. 6, 1864.

GENERAL ORDERS, No. 5.

I. Before a General Court Martial, which convened at St. Augustine, Fla., pursuant to Special Orders No. 623, dated Department of the South, Headquarters in the Field, Folly Island, S. C., Nov, 28, 1863, and of which Major CHAS. H. HOOPER, 24th Mass. Vols., is PRESIDENT, were arraigned and tried:

1st. Private *Asa A. Harvey*, Co. "B," 10th Regt. Conn. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that he, the said *Asa A. Harvey*, of Co. "B," 10th Regt. Conn. Vols., did, on or about the 31st day of October, 1863, call Sergt. Albert Woodworth, of Co. "B," 10th Regt. Conn. Vols., then acting in the capacity of Officer of the Guard, a d—d son of a bitch, and then made use of other abusive language to the same Sergt. This on board the steamer "Escort," then lying at the wharf at St. Augustine, Fla.

To which charge and specification the accused pleaded "Guilty."

The Court confirm the pleadings of the accused, and therefore sentence him, Private *Asa A. Harvey*, Co. "B," 10th Regt. Conn. Vols., *To two months hard labor, under charge of the Provost Marshal*, said sentence to commence from the 1st day of January, 1864. The Court is thus lenient on account of the already long confinement of the accused, he having been in confinement since October 31, 1863.

2d. Private *Philip D. Atkins*, Co. "F," 24th Regt. Mass. Vols.

CHARGE.—"Desertion."

Specification—That Private *Philip D. Atkins*, Co. "F," 24th Regt. Mass. Vols., having been duly enlisted into the service of the United States, did desert the same on the 29th of November, 1861, at Readville, Mass., and did not return to his Company until Oct. 31, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Private *Philip D. Atkins*, Co. "F," 24th Regt. Mass. Vols., as follows:

Of the *Specification* to the CHARGE, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Philip D. Atkins*, Co. "F," 24th Mass. Vols., *To be shot to death*, two-thirds of the members present concurring therein.

II. The proceedings in the foregoing case of Private *Asa A. Harvey*, of Co. "B," 10th Regt. Conn. Vols., are disapproved. The record fails to show that the Court was closed while deliberating on the findings and sentence. He will be released from confinement and restored to duty.

The proceedings in the case of Private *Philip D. Atkins*, of Co. "F," 24th Regt. Mass. Vols., are approved, but upon the recommendation of his Commanding Officer and the attending circumstances, the sentence "to be shot to death" is commuted to a forfeiture of all pay and allowances that are or may hereafter become due him, except his necessary food and clothing, to make good the time lost by his desertion, and to be confined at hard labor at Fort Clinch, Fla., under charge of the commander of the troops there, during the period for which his services are due the United States.

The record in this case is marked by omissions and irregularities that demand more care in future by the Court and Judge Advocate. A document, purporting to be an official notice of the arrest of the accused as a deserter, was admitted without proof of its authenticity. The examination of a witness by the Court before the accused, is also objectionable. Its right to propound any question that may be deemed essential to the clear understanding of a witness during any period of the trial is not denied, but this does not authorize it to entirely ignore the regular order of proceeding, which requires the examination by the Court to follow that of the Judge Advocate and the accused. The record also omits to state that the accused had no testimony to offer or defence to make.

These, and the proceedings in the case of Private *Harvey*, were forwarded to the Headquarters of the Department, through the Commander of the Post, at St. Augustine, Florida. There is no intermediate authority between the Court or Judge Advocate and the officer ordering it, that has the right to receive or make any endorsements whatever upon them. They should have been forwarded by the Judge Advocate to these Headquarters direct.

By Command of Major Gen'l Q. A. GILLMORE.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

Assistant Adjutant General.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Jan. 19, 1864.

GENERAL ORDERS, No. 9.

I. Before a General Court Martial, which convened at St. Augustine, Fla., pursuant to Special Orders No. 623, dated Department of the South, Headquarters in the Field, Folly Island, S. C., Nov. 28th, 1863, and of which Maj. CHAS. H. HOOPER, 24th Mass. Vols., is PRESIDENT, was arraigned and tried:

Private *Frederick B. Nichols*, Co. "K," 10th Regt. Conn. Vols.

CHARGE.—"Desertion."

Specification—In this; that Private *Frederick B. Nichols*, Co. "K," 10th Regt. Conn. Vols., did, on the morning of the 2d day of October, 1863, leave the camp of his regiment, and did not return until the morning of the 5th of October, 1863. This without leave or consent of his Commanding Officer. All this at Morris Island, S. C., on or about the 2d day of October, 1863.

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty,"

To the CHARGE, "Not Guilty."

FINDING.

The Court confirm the pleadings of the accused, and do find the accused Private *Frederick B. Nichols*, Co. "K," 10th Regt. Conn. Vols., as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Not Guilty," but guilty of absence from camp without leave.

And the Court do therefore sentence him, Private *Frederick B. Nichols*, Co. "K," 10th Regt. Conn. Vols., *To two months hard labor, under charge of the Provost Marshal, and the forfeiture of all pay during that time.*

II. The proceedings in the foregoing case of Private *Frederick B. Nichols*, Co. "K," 10th Regt. Conn. Vols., are disapproved. The record fails to show that the Court was closed when deliberating upon the sentence.

The prisoner will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Wm Seeger
Assistant Adjutant General.

HEADQUARTERS. Department of the South.

HILTON HEAD, S. C., Jan. 29, 1864.

GENERAL ORDERS, No. 13.

The action of Brig. Gen'l A. H. TERRY, in the cases of sentence against Privates William Naylon, Co. "I," and Edward Tann, Co. "C," 100th N. Y. Vols., John Costigan, Co. "I," 24th Mass Vols., Andrew J. Smith, Co. "B," and Reuben Becker, Co. "H," 104th Penn. Vols., William Tremont, Co. "H," and Caspar Stevens, Co. "E," 3d R. I. Artillery Vols., George Peach, Co. "A," 3d U. S. Colored Troops, Webster Wilson, Co. "D," 54th Mass. Vols., Henry H. Church, Co. "H," 7th Conn. Vols., Elmore Jenks, Co. "D," 10th Conn. Vols., Joseph Ryan, Co. "D," 67th Ohio Vols., John Bell, Co. "D," 62d Ohio Vols., and Musician Richard Smith, Co. "A," 3d U. S. Colored Troops, and the action of Brig. Gen'l T. SEYMOUR, in the cases of sentence against Privates John H. Shoemaker, Co. "C," 62d Ohio Vols., Alexander Kelsey, Co. "F," 67th Ohio Vols., George H. Clark, Co. "G," 10th Conn. Vols., Orlando H. Langley, Co. "A," 7th N. H. Vols., and Francis G. King, employee in the Quartermaster's Department, is approved, and the sentences will be carried into effect as recommended.

The Q. M. Department will furnish the necessary transportation to Fort Clinch, Fernandina, Florida.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Parnell Pearly

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Feb. 2, 1864.

GENERAL ORDERS, No. 17.

I. Before a General Court Martial, which convened at Fernandina, Fla., pursuant to Special Orders No. 5, current series, from these Headquarters, and of which Major GALUSHA PENNYPACKER, 97th Penn. Vols, is PRESIDENT, were arraigned and tried :

1. Private *James Wilson*, Co. "B," 97th Regt. Penn. Vols.

CHARGE.—"Desertion."

Specification 1st—In this ; that he, the said *James Wilson*, a Private of Co. "B," 97th Regt. P. V., did desert from his Company and Regiment. This at Fernandina, Fla., on or about the night of Dec 14th, 1863.

Specification 2d—In this that he, the said *James Wilson*, a Private of Co. "B," 97th Regt. P. V., did desert from the military service of the United States, and endeavor to go over to the enemy. This at Fernandina, Fla., on or about the 15th day of December, 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private *James Wilson*, Co. "B," 97th Regt. P. V., as follows :

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said *James Wilson*, Private of Co "B," 97th Regt. Penn. Vols., two-thirds of the members concurring therein, *To be shot to death with musketry, at such time and place as the Commanding General may direct.*

2. Private *James Thompson*, Co. "K," 97th Regt. Penn. Vols.

CHARGE.—"Desertion."

Specification 1st—In this ; that he, the said *James Thompson*, Private of Co. "K," 97th Regt. Penn. Vols., did desert from his Company and Regiment. This at Fernandina, Fla., on or about the night of December 14th, 1863.

Specification 2d—In this ; that he, the said *James Thompson*, Private of Co. "K," 97th Regt. P. V., did desert from the military service of the United States, and endeavor to go over to the enemy. This at Fernandina, Fla., on or about the 15th day of December, 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the prisoner, Private *James Thompson*, of Co. "K," 97th Regt. Penn. Vols., as follows :

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *James Thompson*, of Co. "K," 97th Regt. Penn. Vols., two-thirds of the members concurring therein, *To be shot to death with musketry, at such time and place as the Commanding General may direct.*

3. Private *Peter Goodrich*, Co. "I," 97th Regt. Penn. Vols.

CHARGE.—"Desertion."

Specification 1st—In this; that he, the said *Peter Goodrich*, Private of Co. "I," 97th Regt. Penn. Vols., did desert from his Company and Regiment. This at Fernandina, Fla., on or about the night of the 14th of December, 1863.

Specification 2d—In this; that he, the said *Peter Goodrich*, Private of Co. "I," 97th Regt. Penn. Vols., did desert from the military service of the United States, and endeavor to go over to the enemy. This at Fernandina, Fla., on or about the 15th day of December, 1863.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the prisoner, Private *Peter Goodrich*, of Co. "I," 97th Regt. Penn. Vols., as follows:

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *Peter Goodrich*, of Co. "I," 97th Regt. Penn. Vols., two-thirds of the members concurring therein, *To be shot to death with musketry, at such time and place as the Commanding General may direct.*

II. The proceedings and findings of the Court, in the cases of Privates *James Wilson*, Co. "B," *James Thompson*, Co. "K," and *Peter Goodrich*, Co. "I," 97th Regt. Penn. Vols., are approved; the sentences are confirmed, and will be carried into execution under the direction of the Commanding Officer of the United States Forces, at Fernandina, Fla., within forty-eight hours after the receipt of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Chas. P. Kirby

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS. Department of the South.

HILTON HEAD, S. C., Feb. 5, 1864.

GENERAL ORDERS, No. 18.

I. At a General Court Martial, which convened at the South End Folly Island, S. C., pursuant to Special Orders, No. 8, from Headquarters, Department South, dated Folly Island, S. C., January 6th, 1864 and of which Col. N. M. CURTIS, 142d N. Y. Vols., is PRESIDENT, was arraigned and tried:

Captain *Emil Marthell*, Commissary of Subsistence, U. S. Vols., on the following charges and specifications:

CHARGE I—"Neglect of duty."

Specification 1st—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did pay to John C. Horton, citizen, the sum of thirty-nine ($39) dollars, as salary due him as clerk in the Commissary Department, without taking any receipt or voucher from said Horton for said sum, in violation of Paragraph 1246, Army Regulations, 1863 This at Folly Island, S. C., on or about the 30th day of November, 1863.

Specification 2d—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did pay to H. McMullen, citizen, the sum of fifty ($50) dollars, as salary due him as clerk in the Commissary Department for the month of October, without taking any receipt or voucher from said McMullen for said sum, in violation of Paragraph 1246, Army Regulations, 1863. This at Folly Island, S. C., on or about the 30th day of October, 1863.

Specification 3d—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did pay to H McMullen, citizen, the sum of fifty ($50) dollars, as salary due him as clerk in the Commissary Department for the month of November, without taking any receipt or voucher from said McMullen for said sum, in vio ation of Paragraph 1246, Army Regulations, 1863 This at Folly Island, S. C., on or about the 30th day of November, 1863.

Specification 4th—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did pay to William C. Cassel, citizen, the sum of fifty ($50) dollars, as wages due him as butcher in the Commissary Department, without taking any receipt or voucher from said Cassel for said sum, in violation of Paragraph 1246, Army Regulations, 1863. This at Folly Island, S. C., on or about the 30th day of November, 1863.

Specification 5th—In this; that Capt *Emil Marthell*, Commissary of Subsistence, has not presented for signature, to any of the Surgeons in charge of the Hospitals of the Regiments belonging to the Second Brigade of Gordon's Division, any abstract of the issues and purchases for the respective Hospitals during the month of October, 1863, in violation of Paragraph 1215, Army Regulations, 1863. This at Folly Island, S. C., on or about the 30th day of November, 1863.

Specification 6th—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did destroy, or cause to be destroyed, all memorandum books of the sales made by him of Commissary Stores to officers and citizens, during the months of September, October, and November, 1863. This at Folly Island, S. C., on or about the 10th day of December, 1863.

Specification 7th—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did neglect to preserve any memorandum books of the sales made by him of Commissary Stores to officers and citizens during the months of September, October, and November, 1863. This at Folly Island, S. C., on or about the 10th day of December, 1863.

Specification 8th—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did pay the Company Savings for the month of November, 1863, to the Captains of all the Companies (except Company "D,") of the 142d New York Vol. Regt., and did take their receipts in blank for the same, contrary to the 997th Paragraph of the Revised Regulations for the Army. This at Folly Island, S. C., on or about the 1st day of December, 1863.

CHARGE II.—"Attempting to defraud the United States."

Specification—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did wilfully conceal or destroy, or cause to be destroyed, all memorandum books of the sales of Commissary Stores made by him to officers and citizens during the months of September, October and November, 1863, in order that the correctness of accounts rendered by him to the United States of said sales during said months, might not be inquired into. This at Folly Island, S. C., on or about the 10th day of December, 1863.

CHARGE III.—"Embezzlement of money belonging to the United States."

Specification 1st—In this; that Captain *Emil Marthell*, Commissary of Subsistence, received from sales of commissary stores made by him to officers and citizens, during the period from the first day of December, 1863, to the sixteenth day of December, 1863, inclusive the sum of two thousand six hundred and twenty-eight dollars and eighty-nine ($2,628 89) cents; but the said Captain *Marthell* has accounted to the United States during the said period only for the sum of two thousand one hundred and ten dollars and fifty-two cents, ($2.110 52) intending to embezzle and appropriate to his own use the balance of the sum received as aforesaid, and not accounted for, to wit: the amount of five hundred and eighteen dollars and forty-seven ($518 47) cents. This at Folly Island, S. C., on or about the 16th day of December, 1863.

Specification 2d—In this; that Captain *Emil Marthell*, Commissary of Subsistence, did account to the United States for the sum of eleven dollars and eighty-six cents, as having been paid to a butcher in the Commissary Department, whereas the said Captain *Marthell* never did pay the said sum to any such butcher, but did embezzle and appropriate the same to his own use. This at Folly Island, S. C., on or about the 30th day of November, 1863.

Specification 3d In this; that Captain *Emil Marthell*, Commissary of Subsistence, did embezzle the sum of sixteen hundred ($1600) dollars, or thereabouts, belonging to the United States, being then in his possession as Commissary, by paying the same to one R. Blumenberg, said Blumenberg having no right or claim whatever thereto. This at Folly Island, S. C. on or about the 10th day of December, 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Captain *Emil Marthell*, Commissary of Subsistence, as follows:

Of the several and all the *Specifications* of the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Not Guilty."

Of the *Specification* of the 2d CHARGE, "Not Guilty."

Of the 2d CHARGE, "Not Guilty."

Of the several and all the *Specifications* of the 3d CHARGE, "Not Guilty."

Of the 3d CHARGE, "Not Guilty."

And the Court do therefore acquit him.

II. The proceedings and findings in the foregoing case are disapproved. The material part of several of the specifications to the 1st charge is clearly established.

The 3d specification to the 3d charge was also proved by the admissions of the accused, as appears by the testimony of his Commanding Officer.

If, in its opinion, some of the specifications to the first charge were not in violation of the Paragraph of General Regulations therein cited, or if the evidence did not establish the degree of criminality implied by the third charge, it was competent for the Court to so state in their findings; but in ignoring the testimony of several uncontroverted witnesses, and wholly acquitting the accused of allegations fully proved, one at least, of which, is of the most serious character, it is guilty of a degree of leniency that no Court Martial can indulge in without a neglect of, and indifference to, the strict demands of justice and its most solemn obligations.

The manner in which the pleas of the accused to the charges and specifications are recorded, and the form in which the documentary evidence rejected by the Court was offered in evidence, are irregular and objectionable. The absence of some of the members of the Court prevents its being reconvened as originally constituted.

Captain *Emil Marthell*, Commissary of Subsistence, U. S. Vols., is therefore released from arrest, and will forthwith report in person to the Chief of his Department at Hilton Head, S. C.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

Brad Leahy

Capt. 47th N. Y. Vols.,
Ad. Ass. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S C., Feb. 10, 1864.

GENERAL ORDERS, No. 19.

I. Before a General Court Martial, which convened at Fernandina, Fla., pursuant to Special Orders No. 5. current series, from these Headquarters, and of which Major GALUSHA PENNYPACKER, 97th Penn. Vols., is PRESIDENT, were arraigned and tried:

1. Private *Samuel Stillwell*, Co. "F," 97th Regt. Penn. Vols.

CHARGE I.—"Neglect of duty."

Specification—In this; that he, the said *Samuel Stillwell*, Private of Co. "F," 97th R. P. V., did neglect to repair, at the time fixed, to the place of drill, parade, and other exercises appointed by his Commanding Officer. This at Fernandina, Fla., on or about the 6th day of November, 1863.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that he, the said *Samuel Stillwell* Private of Co. "F," 97th Regt. Pa. Vols., did persistently and steadily refuse to drill, or do any other military duty, although often commanded so to do, saying that he would not do military duty. This at Fernandina, Fla., on or about the 29th day of December, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private *Samuel Stillwell*, of Co. "F," 97th Regt. Penn. Vols., as follows:

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

Of the 1st CHARGE, "Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *Samuel Stillwell*, Co. "F," 97th Regt. Penn. Vols., *To confinement at hard labor, at such place as the Commanding General may direct, for the term of six months, the first week of each month to be solitary confinement, on bread and water, and to forfeit all pay during said term of imprisonment.*

2. Private *Charles Charney*, Co. "H," 97th Regt. Penn. Vols.

CHARGE.—"Desertion."

Specification—In this; that he, the said *Charles Charney*, Private of Co. "H," 97th Regt. Penn. Vols., did desert from the military service of the United States, and did not return until brought back under guard. This at Fernandina, Fla., on or about the 6th day of November, A. D. 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private *Charles Charney*, of Co. "H," 97th Regt. Penn. Vols., as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE

And the Court do therefore sentence him, the said [illegible] of Co. "H" 97th Regt. Penn. Vols., *To confinement at hard labor for one year at such place as the Commanding General may direct, and to forfeit to the U. S. Government, five dollars per month of his pay during such term of imprisonment. The Court is thus lenient on account of the circumstances of the prisoner's ignorance of the English language and of the customs and usages of the Army.*

3. Private *Henry Schlott*, Co. "I," 97th Regt. Penn. Vols.

CHARGE I. — "Neglect of duty."

Specification—In this; that he, the said *Henry Schlott*, Private of Co. "I," 97th Regt. Penn. Vols., did neglect to repair, at the time fixed, to the place of drill, parade, and other exercises appointed by his Commanding Officer. This at Fernandina, Fla., on or about the 6th day of November, 1863.

CHARGE II. — "Conduct prejudicial to good order and military discipline."

Specification—In this; that he, the said *Henry Schlott*, Private of Co. "I" 97th R. P. V., did persistently and steadily refuse to drill, or to do any other military duty, although often commanded so to do, saying that he would not do military duty. This at Fernandina, Fla., on or about the 29th day of December, 1863.

To which charges and specifications the accused pleaded "Guilty."

FINDING.

The Court having maturely considered the case, confirm the pleas of the accused and find him, the said *Henry Schlott*, Private of Co. "I," 97th R. P. V. as follows:

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

Of the 1st CHARGE, "Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *Henry Schlott*, of Co. "I," 97th Regt. Penn. Vols., *To confinement at hard labor for the period of six months, at such place as the Commanding General may direct.*

4. Private *John Williams*, Co. "I," 97th Regt. Penn. Vols.

CHARGE — "Desertion."

Specification 1st — In this; that he, the said *John Williams*, Private of Co. "I," 97th Regt. Penn. Vols., did desert from his company and regiment. This at Fernandina, Fla., on or about the night of the 14th of December, 1863.

Specification 2d — In this; that he, the said *John Williams*, Private of Co. "I," 97th Regt. Penn. Vols., did desert from the military service of the United States, and endeavor to go over to the enemy. This at Fernandina, Fla., on or about the 15th day of December, 1863.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the prisoner, Private *John Williams*, Co. "I," 97th Regt. Penn. Vols., as follows:

Of the 1st *Specification* "Guilty."

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *John Williams*, of Co. "I," 97th Regt. Penn. Vols., *To confinement at hard labor, at such place as the Commanding General may direct, for the balance of his term of service; to forfeit to the United States the sum of twelve ($12) dollars per month from his monthly pay for that period and at the expiration of his term of service to be dishonorably discharged. The Court is thus lenient in consideration of the youth of the prisoner, and other mitigating circumstances adduced by the evidence upon his trial.*

5 Private *Franklin Haines*, Co. "F," 97th Regt. Penn. Vols.

CHARGE.—"Desertion."

Specification 1st.—In this; that he, the said *Franklin Haines*, Private of Co. "F," 97th Regt. Penn. Vols., did desert from his company and regiment, and did not rejoin the same until the 5th day of November, 1863. This at Westchester, Pa., on or about the 16th day of November, A. D. 1861.

Specification 2d.—In this; that he, the said *Franklin Haines*, Private of Co. "F," 97th Regt. Penn. Vols., did desert from his company and regiment, and did not rejoin the same until the 5th day of November, 1863. This at Westchester, Pa., on or about the 14th day of August, 1862.

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the prisoner, *Franklin Haines*, Private of Co. "F," 97th Regt. Penn. Vols., as follows:

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

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *Franklin Haines*, of Co. "F," 97th Regt. Penn. Vols., *To forfeit to the United States all pay and allowances due him upon the 31st day of January, 1864, and in addition to forfeit to the United States one-half of his monthly pay for the balance of his term of service. The Court is thus lenient in consideration of the many mitigating circumstances adduced by the evidence upon the trial.*

II. The proceedings and findings in the cases of Private *Samuel Stillwell*, Co. "F," Private *Charles Charney*, Co. "H," Private *John Williams*, Co. "I," and Private *Henry Schlott*, Co. "I," 97th Penn. Vols., are approved; the sentences are confirmed, and will be carried into execution, under the direction of the Commanding Officer of the United States Forces at Fort Clinch, Fla.

The proceedings and findings in the case of Private *Franklin Haines*, Co. "F," 97th Penn. Vols., are approved; the sentence is confirmed, and will be carried into effect.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Sarah Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South
HILTON HEAD, S. C., Feb 11 1864.

GENERAL ORDERS, No. 21.

The action of Brig. Gen'l I. VOGDES, in the cases of sentence against Corporals John Benz and Frank Meetz, Co. "E," 103d N. Y. Vols., and Privates Lyman Dibble, Co. "E," 89th N. Y. Vols., John H. Norton, Co. "E," and Madison Fox, Co. "C," 117th N. Y. Vols, Ehle Henry and Henry Brunke, Co. "K." 103d N. Y. Vols., Philetas Messenger, Co. "C," 112th N. Y. Vols, William J Casey and Adam Pfohl, Co. "G," Arthur W. Green, Co. "E," and Abram Day Emond, Co. "I," 3d N. Y. Vols., Charles Carroll, 13th Indiana Vols., John Wald, Co. "D," 89th N. Y. Vols., and John Mays, Co. "G," 1st N. C. Vols., James Conneman, Co. "E," 3d U. S. Art'y, and Musician Barney Dean *alias* Adolphus Chamberlain, Co. "E," 169th N. Y. Vols., as promulgated in General Orders No. 31, series of 1863, and General Orders No. 1, current series, from Headquarters U. S. Forces, North End Folly Island, S. C., is approved; and the sentences will be carried into effect at Fort Clinch, Florida.

The action of Brig. Gen'l TERRY, in the case of sentence against Private Theodore Christie, Co. "G," 3d U. S. C. T., as promulgated in General Orders No. 91, series of 1863, from Headquarters U. S. Forces, Morris Island, S. C., is approved; the sentence will be carried into effect as recommended.

The Quartermaster's Department will furnish transportation to Fort Clinch, Fernandina, Florida.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Feb. 15, 1864.

GENERAL ORDERS, No. 23.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to General Orders No. 12, from Headquarters, Hilton Head, Tybee, Fort Pulaski, and St. Helena Islands, dated Hilton Head, S. C., Jan'y 17th, 1864, and of which Captain CHARLES A. MOORE, 47th Regt. N. Y. Vols., is PRESIDENT, was arraigned and tried :

1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. (Vol.) Infantry.

CHARGE I.—"Habitual drunkenness."

Specification 1st—In this ; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did get shamefully intoxicated and fall from his horse near the Express Office, Hilton Head, S. C., and was conveyed to camp of his regiment (3d S. C. Infantry) in an ambulance, in a state of intoxication and drunkenness, utterly unfit and unable to perform the duties of his office, or any military duty whatever. This at Hilton Head, S. C., on or about the 26th day of August, 1863.

Specification 2d—In this ; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S.C. Infantry, did get intoxicated, and remain so intoxicated for two days, during which time he was unfit and unable to perform his duties. This at camp of the 3d S. C. Regt. S. C. Infantry, Drayton's Plantation, Hilton Head, S. C., on the 18th and 19th days of September, 1863.

Specification 3d—In this ; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did give to Corporal James Anderson, 81st N. Y. Vols., Acting Sergeant Major 3d S. C. Infantry, and Musician W. R. Smith, 76th Pa. Vols., Acting Drum Major 3d S. C. Infantry, some whisky, or other intoxicating drinks, the said Corporal James Anderson and Musician W. R. Smith being at the time in the room of the said 1st. Lieut. *Alexander Hay*, who well knew that the said Anderson and Smith were both enlisted men, and on duty with the 3d S. C. Infantry. This at camp 3d S. C. Infantry, Drayton's Plantation, Hilton Head, S. C., on or about the 18th day of September, 1863.

Specification 4th—In this ; that the said 1st Lt. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did get intoxicated and become disorderly while in front of Sutlers' Row, Hilton Head, S. C., where he was arrested by the Provost Guard, but afterward turned over to Private Abraham Grant, Co. "C," 3d S. C. Infantry, who took him (*Lt. Hay*) to the camp of his regiment, (3d S. C. Infantry,) where he (*Lt. Hay*) was placed under arrest by 1st Lt. G. B. Read, then in command of the regiment. This at Hilton Head, S. C., on or about the 7th day of October, 1863.

Specification 5th—In this ; that the said 1st Lt. *Alexander Hay*, R Q. M., 3d S. C. Infantry, did drink intoxicating drinks, and become so intoxicated as to be utterly unfit and unable (when called upon by Major George Metcalf, Act. Asst. Inspector Gen'l,) to produce his books and accounts for inspection. This at camp 3d S. C. Infantry, Drayton's Plantation, Hilton Head, S. C., on the 28th day of October, 1863.

Specification 6th—In this; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did drink whisky, or other intoxicating drinks, and become so intoxicated as to be unfit and unable to perform the duties of his office, or any military duty whatever. This at Camp Bennett, Hilton Head, S. C., on the 5th and 6th days of January, 1864.

CHARGE II.—"Conduct unbecoming an officer and a gentleman"

Specification 1st—In this; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did, while in a state of intoxication, stop a colored woman in front of Sutlers' Row, Hilton Head, S. C., and did there publicly put his arms around said woman's neck. This at Hilton Head, S. C., on or about the 7th day of October, 1863.

Specification 2d—In this; that the said 1st Lt. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did, while in a state of intoxication, put his arms around, and kiss, Mrs. Nelly Simmons, a colored woman. This at Drayton's Plantation, Hilton Head, S. C., on or about the 28th day of October, 1863.

CHARGE III.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said 1st Lt. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did invite into his tent Private Abraham Grant (Orderly to Lt. Col. A. G. Bennett, commanding 3d S. C. Infantry,) and John Conway, teamster, and then and there offer and urge the said Private Abraham Grant and John Conway, teamster, to drink whisky or other intoxicating liquors; said Private Abraham Grant refused to drink, when he, the said 1st Lieut. *Alexander Hay*, said he (Abraham Grant) and Lt. Col. Bennett might kiss his arse. This at Camp Bennett, Hilton Head, S. C., on or about the 6th day of January, 1864.

Specification 2d—In this; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did, while under the influence of liquor, discharge his revolver, thus endangering the lives of those in camp. This between the hours of 10 and 11 o'clock P. M., on the 6th day of January, 1864.

Specification 3d—In this; that the said 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did, while in a state of intoxication, threaten to shoot the first officer who should enter his tent, without permission, or words to that effect. This between the hours of 10 and 11 P. M., at Camp Bennett, Hilton Head, S. C., January 6th, 1864.

CHARGE IV.—"Creating false alarm."

Specification—In this; that the said 1st Lt. *Alexander Hay*, R. Q. M., 3d S. C. Infantry, did, by firing his revolver, create in the camp of his regiment, a false alarm. This at Camp Bennett, Hilton Head, S. C., between the hours of 10 and 11 o'clock P. M., on the evening of the 6th of January, 1864.

To which charges and specifications the accused pleaded "Guilty."

FINDING.

The Court, after mature consideration, find the accused as follows:

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

Of the 2d *Specification* to the 1st CHARGE, "Guilty."

Of the 3d *Specification* to the 1st CHARGE, "Guilty."

Of the 4th *Specification* to the 1st CHARGE, "Guilty."

Of the 5th *Specification* to the 1st CHARGE, "Guilty."

Of the 6th *Specification* to the 1st CHARGE, "Guilty."
Of the 1st CHARGE, "Guilty."
Of the 1st *Specification* to the 2d CHARGE, "Guilty."
Of the 2d *Specification* to the 2d CHARGE, "Guilty."
Of the 2d CHARGE, "Guilty."
Of the 1st *Specification* to the 3d CHARGE, "Guilty."
Of the 2d *Specification* to the 3d CHARGE, "Guilty."
Of the 3d CHARGE, "Guilty."
Of the *Specification* to the 4th CHARGE, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the accused, 1st Lieut. *Alexander Hay*, R. Q. M., 3d S. C. Vols., *To be dismissed the service of the United States, without pay and allowances, from January 1st*, 1864.

II. The proceedings of the General Court Martial in the foregoing case have been approved by the proper commander, and forwarded for the action of the Major General Commanding the Department. The sentence of the Court is approved, and will be carried into effect.

1st Lieutenant *Alexander Hay*, Regimental Quartermaster, 3d South Carolina Volunteers, accordingly ceases to be an officer of the United States Forces from the date of this order.

BY COMMAND OF MAJOR GEN'L Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Gerald Leahy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Feb. 22, 1864.

GENERAL ORDERS, No. 27.

~~I. Lieut. Col. Chas. E. Ferrin is hereby announced as Chief Quartermaster of the 10th Army Corps and Department of the South.~~

~~All Assistant and Acting Assistant Quartermasters in the Department will immediately report to him, by letter, their address and the nature of their duties.~~

II. So much of General Orders No. 5, current series, from these Headquarters, as commutes the sentence "to be shot to death," awarded Private Philip D. Atkins, of Co. "F," 24th Mass. Vols., by the General Court Martial, convened at St. Augustine, Fla., pursuant to Special Orders No. 623, dated Department of the South, Headquarters in the Field, Folly Island, S. C., Nov. 28, 1863, is hereby countermanded. The sentence is suspended, until the pleasure of the President of the United States can be made known.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Feb. 24, 1864.

GENERAL ORDERS, No. 28.

I. Before a General Court Martial, which convened at St. Augustine, Fla., pursuant to Special Orders No. 623, from Headquarters, Department South, dated Department of the South, Headquarters in the Field, Folly Island, S. C., November 28, 1863, and of which Major CHAS. H. HOOPER, 24th Mass. Vols., is PRESIDENT, was arraigned and tried:

1st. Private *David A. Perry*, Co. "B," 24th Regt. Mass. Vols.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that Private *David A. Perry*, Co. "B," 24th Regt. Mass. Vols., did, without authority, while employed in discharging the steamer "Maple Leaf," take and drink a portion of the contents of a keg containing Lager Beer, the property of Dr. Adolf Majer, Surgeon in charge Convalescent Hospital. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

CHARGE II.—"Drunkenness on duty."

Specification—In this; that Private *David A. Perry*, Co. "B," 24th Regt. Mass. Vols., did, while employed in discharging steamer "Maple Leaf," become so intoxicated as to be unfit for duty. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused as follows:

Of the *Specification* to the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Not Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *David A. Perry*, Co. "B," 24th Mass. Vols., *To one month's hard labor, under charge of the Provost Marshal, and the forfeiture of all pay during said time.*

2d. Private *John Evans*, Co. "K," 24th Regt. Mass. Vols.

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

Specification—In this; that Private *John Evans*, Co. "K," 24th Regt. Mass. Vols., did, without authority, while employed in discharging the steamer "Maple Leaf," take and drink a portion of the contents of a keg containing Lager Beer, the property of Dr. Adolf Majer, Surgeon in charge Convalescent Hospital. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

CHARGE II.—"Drunkenness on duty."

Specification—In this; that Private *John Evans*, Co. "K," 24th Regt. Mass. Vols.,

did, while employed in discharging steamer "Maple Leaf," become so intoxicated as to be unfit for duty. This at St. Augustine, Florida, on or about the 10th of December, 1863.

To which charges and specifications the accused pleaded as follows:

To the *Specification* 1st CHARGE, "Not Guilty."

To the 1st CHARGE, "Not Guilty."

To the *Specification* 2d CHARGE, "Guilty."

To the 2d CHARGE, "Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, confirm the pleadings of the accused, and do find him, Private *John Evans*, Co. "K," 24th Mass. Vols., as follows:

Of the *Specification* 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Not Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *John Evans*, Co. "K," 24th Regt. Mass. Vols., *To one month's hard labor, under charge of the Provost Marshal, and the forfeiture of all pay during that time.*

3d. Private *James McIntyre*, Co. "F," 24th Regt. Mass. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that Private *James McIntyre*, Co. "F," 24th Regt. Mass. Vols., while employed in discharging steamer "Maple Leaf," did break into and take from a box containing condensed milk, a portion of its contents, said condensed milk being the property of Adolf Majer, Surgeon in charge of Convalescent Hospital. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused as follows:

Of the *Specification*, "Guilty," with the exception of the words "break into."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *James McIntyre*, Co. "F," 24th Regt. Mass. Vols., *To six months hard labor, at such place as the Commanding General may direct, and the forfeiture of all pay during said time.*

4th. Private *Michael McGrath*, Co. "F," 24th Regt. Mass. Vols.

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

Specification—In this; that Private *Michael McGrath*, Co. "F," 24th Regt. Mass. Vols., did, while employed in discharging steamer "Maple Leaf," take and drink a portion of the contents of a keg containing Lager Beer, the property of Dr. Adolf Majer, Surgeon in charge Convalescent Hospital. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

CHARGE II.—"Drunkenness on duty."

Specification—In this; that the aforesaid Private *Michael McGrath*, Co. "F," 24th Regt. Mass. Vols., said, while employed in discharging steamer "Maple Leaf," become so intoxicated as to be unfit for duty. This at St. Augustine, Florida, on or about the 10th day of December, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused as follows:

Of the *Specification* 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Not Guilty."

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

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Michael McGrath*, Co. "F," 24th Regt. Mass. Vols., *To one month's hard labor, under charge of the Provost Marshal, and the forfeiture of all pay during that time.*

5th. Sergeant *Alonzo Nightingale*, Co. "G," 24th Regt. Mass. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that the said Sergeant *Alonzo A. Nightingale*, Co. "G," 24th Regt. Mass. Vols., did forcibly enter the laundry of the U. S. Convalescent Hospital at this Post, and threaten violence to the laundress residing at said laundry. All this at St. Augustine, Florida, on or about the 21st day of December, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, Sergeant *Alonzo A. Nightingale*, Co. "G," 24th Regt. Mass. Vols., as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court do therefore acquit the accused.

6th. Private *Paul W. Jackson*, Co. "G," 24th Mass. Vols.

CHARGE.—"Making known the 'Countersign' without authority."

Specification—In this; that *Paul W. Jackson*, Private Co. "G," 24th Regt. Mass. Vols., being one of the Provost Guard, did make known the "Countersign" to an enlisted man, said man not being entitled to it. All this at St. Augustine, Fla., on or about the 20th day of December, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, Private *Paul W. Jackson*, Co. "G," 24th Regt. Mass. Vols., as follows:

Of the *Specification* "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court do therefore acquit the accused.

7th. Private *Washington S. Cone*, Co. "G," 24th Regt. Mass. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that Private *Washington S. Cone*, Co. "G," 24th Regt. Mass. Vols., did forcibly enter the laundry of the U S. Convalescent Hospital at this Post, and threaten violence to the laundresses residing at said laundry. All this at St Augustine, Florida, on or about the 21st day of December, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING

The Court, after mature deliberation upon the evidence adduced, do find the accused, Private *Washington S. Cone*, Co. "G," 24th Regt. Mass. Vols., as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty"

And the Court do therefore acquit the accused.

8th. Private *Lawrence Dorgan*, Co. "G," 24th Mass. Vols.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said Private *Lawrence Dorgan*, Co. "G," 24th Regt. Mass Vols., did forcibly enter the laundry of the U S Convalescent Hospital at this Post, and threaten violence to the laundresses residing at said laundry

Specification 2d—In this; that the said Private *Lawrence Dorgan*, Co. "G," 24th Regt. Mass. Vols., when being ordered out of the laundry by Surgeon Adolf Majer, did make use of the following abusive and insolent language: "You are a G—d d—d Dutchman a G—d d—d son of a bitch, I can lick you, at any time," or words to that effect. He, the said *Dorgan*, with threatening attitude and closed fists, advancing towards said Surgeon Adolf Majer, with the intention of carrying out his threat. All this at St. Augustine, Florida, on or about the 21st day of December, 1863

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Guilty" of the words "abusive and insolent language," of the remainder of the *Specification*, "Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused as follows:

Of the 1st *Specification*, "Not Guilty."

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

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Lawrence Dorgan*, Co. "G," 24th Regt. Mass Vols., *To six months' hard labor, at such place as the Commanding General may direct, to wear a ball and chain for one month of said time, and to forfeit five dollars of his pay during each month of said time.*

9th. *James Ryan*, Co. "B," 24th Regt. Mass. Vols.

CHARGE I.—"Drunkenness on duty."

Specification—In this: that he, the said Private *James Ryan*, Co. "B," 24th Mass. Vols., was drunk while on guard.

CHARGE II.—"Quitting his guard without leave."

Specification—In this: that he, the said Private *James Ryan*, Co. "B," 24th Mass. Vols., while doing duty as guard, did quit his guard and go to his company quarters, without permission from the officer Commanding the Guard.

CHARGE III.—"Violation of the Ninth Article of War."

Specification—In this; that he, the said Private *James Ryan*, Co. "B," 24th Mass. Vols., having been ordered by Sergeant Wiley to his guard, did refuse to obey, using abusing and insulting language, and striking said Sergeant Wiley, he being in the execution of his office. All this at St. Augustine, Fla., on or about the 6th day of January, 1864.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, do find the accused as follows:

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

Of the 1st CHARGE, "Guilty."

Of the *Specification* 2d CHARGE, "Not Guilty."

Of the 2d CHARGE, "Not Guilty."

Of the *Specification*, 3d CHARGE, "Guilty," with the exception of the word "abusing."

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *James Ryan*, Co. "B," 24th Regt. Mass. Vols., *To forfeit three months' of his monthly pay.*

II. The proceedings, findings, and sentences in the cases of Privates *David A. Percy*, Co. "B," *Michael McGrath*, Co. "F," and *John Evans*, Co. "K," 24th Regt. Mass. Vols., are approved and confirmed.

The proceedings and findings in the cases of Sergt. *Alonzo A. Nightingale* and Private *Washington S. Cone*, Co. "G," 24th Mass. Vols., are approved; they will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *James McIntyre*, Co. "F," 24th Regt. Mass. Vols., are disapproved, the prosecution having failed to connect the accused with the alleged theft, or even prove that any property was stolen; neither does it appear that there was any property as described in the specification, at or about the place specified. In other words, the affirmative of the issue is not proved.

The admissions of the accused, under these circumstances, are too vague and indefinite to warrant the findings of the Court.

The prisoner is therefore released from confinement, and returned to duty.

The proceedings, findings, and sentence in the case of Private *Paul W. Jackson*, of Co. "G," 24th Regt. Mass Vols., are disapproved. The charge and specification was clearly established by the testimony, and the Court should either have found the accused guilty, without attaching any criminality, and then acquitted him, or it should have awarded a sentence adequate to the offence, and then recommended its remission, instead of which it wholly acquits him, in violation of the testimony and its duty. A certificate of the Post Adjutant was also admitted to record without authentication. This, of itself, is illegal—but, even if it had been duly verified it would still be inadmissible, because it is not the best evidence, as the record shows that that officer was present, and within the control of the Court to testify in person.

The prisoner is released from confinement and returned to duty.

The proceedings, findings, and sentence in the case of Private *Lawrence Dorgan*, Co. "G," 24th Regt. Mass Vols., are approved and confirmed; the sentence will be carried into execution at Fort Clinch, Florida, under the direction of the Commanding Officer of the United States Forces, on Amelia Island.

The proceedings in the case of Private *James Ryan*, Co. "B," 24th Regt Mass Vols., are approved. The findings on the 1st Charge and Specification are disapproved, neither time nor place being stated therein. The specification to the 2d Charge (of which and the Charge the accused was acquitted for want of proof) is also defective, time and place being omitted. The findings on the 3d Charge, and so much of its Specification as alleges that the accused refused to obey and striking Sergt. Wiley, are approved; the sentence is confirmed, and will be carried into effect.

The investigation and results in nearly all the foregoing cases show that they should have been tried by a Field Officer of the Regiment, and not by a General Court Martial. Hereafter, all officers are prohibited from forwarding to these Headquarters, charges which can be properly tried by such officer. Nor will any charges whatever be forwarded or acted upon, until after careful inquiry (if necessary, of the witnesses,) the Commanding Officer is satisfied that the allegations can be proved.

III. The General Court Martial of which Major Chas H Hooper 24th Regt. Mass. Vol., is President, is hereby dissolved.

By Command of Major General Q. A. Gillmore.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., Feb. 25, 1864.

GENERAL ORDERS, No. 29.

I. Before a General Court Martial, convened at Hilton Head, S. C., pursuant to Special Orders No. 516, dated November 6th, 1863, from Headquarters U. S. Forces, Hilton Head, S. C., and Special Orders No. 521, of Nov. 13th, 1863, No. 522, of Nov. 14th, 1863, and No. 532, of November 26th, 1863, from Headquarters U. S. Forces, Hilton Head, Fort Pulaski, and Tybee Island, and Special Orders No. 558, of Dec. 29th, 1863, and No. 562, of Jan'y 3d, 1864, from Headquarters U. S. Forces, Hilton Head, S. C., and of which Major EDWARD EDDY, Jr., 47th N. Y. V., is PRESIDENT, was arraigned and tried:

Sergt. *William Walker*, Co. "A," 3d S. C. Vols.

CHARGE I.—"Mutinous conduct, prejudicial to good order and military discipline."

Specification 1st—In this; that he, Sergt. *William Walker*, Co. "A," 3d S. C. Vols., did, on or about the 23d day of August, 1863, join in a mutiny, at Seabrook wharf, when on detail, and go away to camp, when ordered not to do so by 1st Lieut. Geo. W. Wood, commanding the detail. This at Seabrook, S. C., on or about the 25th day of August, 1863.

Specification 2d—In this; that he, Sergt. *William Walker*, Co "A," 3d S. C. Infantry, did use threatening language, such as: "I will shoot him," meaning 1st Lieut. Geo. W. Wood, this he said in a loud voice, so as to be heard all over camp, having, at the same time, a gun in his hand. All this at the camp of the Detachment, at Seabrook, Hilton Head, S. C., on or about the 23d day of August, 1863.

Specification 3d—In this; that he, Sergt. *William Walker*, Co. "A," 3d S. C., Inf'y, did refuse to obey Capt. Edgar Abed, 3d S. C. Inf'y, when ordered to go into his tent under arrest, and did not go, using language in presence of a number of enlisted men who were mutinous and noisy, such as: "I will not be under arrest by you, I will go to the Provost first." All this at Seabrook, Hilton Head, S. C., on or about the 23d day of August, 1863.

Specification 4th—In this; that he, Sergeant *William Walker*, Co. "A," 3d S. C. Inf'y, did, on or about the 31st day of October, 1863, when ordered to fall in to drill, use words towards Sergeant Sussex Brown, such as: "God damn you, I will shoot you." These words he repeated the third time, in presence of the company, so loud as to be head in the officers' tent. This at Drayton's Plantation, Hilton Head, S. C.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that he, Sergeant *William Walker*, Co. "A," 3d S. C. Inf'y. did, when Drummer William Smith, 76th Pa. Vols., Acting Drum Major, 3d S. C. Inf'y, made an attempt to arrest Ranty Pope, drummer, say, "if he, (Wm. Smith,) tied up Ranty Pope, he would have to tie him, (Sergt. *Wm. Walker*,) also," thereby preventing the arrest of Drummer Ranty Pope. This at Camp Bennett, Hilton Head, S. C., on or about the 19th day of Nov., 1863.

CHARGE III.—"Mutiny."

Specification 1st—In this; that he, Sergt. *William Walker*, Co. "A," 3d S. C. Inf'y, did unlawfully take command of his Company "A," and march the same with others of his Regiment, in front of his Commanding Officer's tent, (Lt. Col. A. G. Bennett.) and then ordered them to stack arms; and when his Commanding Officer, Lt. Col. A. G. Bennett, inquired of the Regiment what all this meant, he, the said Sergt. *William Walker*, replied: "We will not do duty any longer for ($7) seven dollars per month;" and when remonstrated with, and ordered by their commanding officer (Lt. Col. A. G. Bennett) to take their arms and return to duty, he, the said Sergt. *Walker*, did order his Co. "A" to let their arms alone, and go to their quarters, which they did, thereby exciting and joining in a general mutiny. All this at Camp Bennett, Hilton Head, S. C., on or about November 19th, 1863.

Specification 2d—In this; that Sergeant *William Walker*, Co. "A," 3d S. C. Infantry, did, on or about the 19th day of November, 1863, unlawfully order his Company "A," to fall in, and go to the guard house to release Jacob Smith, Private of Co. "A," 3d S. C. Inf'y, from arrest, he being there in the hands of 2d Lieut. John E. Jacobs, who was endeavoring to put a pair of handcuffs on said Jacob Smith, and that he, the said Sergt. *William Walker*, marched to the guard house, at the head of his Company "A," and said words to this effect: "Take hold of him, snatch him, (thereby meaning Jacob Smith,) away, My Bully Boys;" thus inciting, joining in, and causing a general mutiny. All this at Camp Bennett, Hilton Head, S. C.

CHARGE IV.—"Breach of arrest."

Specification—In this; that he, Sergeant *William Walker*, Co. "A," 3d S. C. Inf'y, did, on or about the 20th day of Nov., 1863, leave his tent without permission, and go into a tent in Company "D," 3d S. C. Inf'y, and play cards, after being placed in arrest by his comd'g officer, Lt. Col. A. G. Bennett, who ordered him, (the said Sergt. *Walker*,) not to leave his tent without his, Lt. Col. A. G. Bennett's permission.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Sergt. *William Walker*, 3d S. C. Vols., as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty," excepting the words, "so as to be heard all over camp."

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

Of the 4th *Specification*, "Guilty."

Of the 1st CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

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

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

Of the CHARGE, "Guilty."

CHARGE IV.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Sergeant *William Walker*, Co. "A," 3d S. C. Vol. Infantry, two-thirds of the members concurring, *To be shot to death, with musketry, at such time and place as the Commanding General may direct.*

II. The proceedings, findings, and sentence in the case of Sergeant *Wm. Walker*, of Company "A," 3d Regt. South Carolina Vols., have been approved by the proper officer, and forwarded for the action of the Major General Commanding the Department. The sentence is confirmed, and will be carried into execution, under the direction of the Commanding Officer of the District of Florida, in presence of the Brigade to which the 3d S. C. Vols. is attached, as soon after the receipt of this order as is practicable.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Lorenzo Pearly

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS. Department of the South.

HILTON HEAD, S. C., Feb 27, 1864.

GENERAL ORDERS, No. 30.

I. Before a General Court Martial, which convened at Fernandina, Fla., pursuant to Special Orders No. 5, current series, from these Headquarters, and of which Major GALUSHA PENNYPACKER 97th Pa. Vols., is PRESIDENT, was tried:

Corporal *Chas. Sharp*, Co. "E," 97th Regt. Pa Vols.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that he, the said Corporal *Charles Sharp*, of Co. "E," 97th Regt Pa. Vols., having received permission to leave the camp or quarters of the company and go to Fernandina, to visit the Surgeon for medical advice, did fail to return at the appointed time, and did remain absent until about 12 o'clock A. M., when he returned in an intoxicated condition. This near the quarters of Co. "E," 97th R. P. V., at or near Fernandina, Fla., on or about the 19th day of December, 1863.

Specification 2d—In this: that he, the said Corporal *Charles Sharp*, of Co. "E," 97th R. P. V., did attempt to pass the post of a sentinel without permission, and when ordered by the sentinel to halt, did fail to do so, and did then forcibly pass the guard. This near the quarters of Co. "E," 97th R. P. V., at or near Fernandina, Fla., on or about the 19th day of December, 1863.

CHARGE II.—"Insubordinate conduct."

Specification 1st—In this; that he the said Corporal *Charles Sharp*, of Co. "E," 97th R. P. V., did come into Capt McConnell's quarters in an intoxicated condition, and when asked by Capt McConnell how he got into quarters, said "he had run the guard to-night, and would do it again, he could run any d— d guard whenever he pleased," or words to that effect. This at the quarters of Co. "E" 97th R. P. V., near Fernandina, Fla., on or about the 19th day of December, 1863.

Specification 2d—In this: that he the said Corporal *Charles Sharp*, of Co. "E," 97th R. P. V., when ordered to leave the room, did say to Capt McConnell "you can go to h—l, you are a son of a b—h, kiss my a—e," or words to that effect. This at the quarters of Co "E," 97th R. P. V., near Fernandina, Fla., on or about the 19th day of December, 1863.

Specification 3d—In this; that he, the said Corporal *Charles Sharp*, of Co. "E," 97th R. P. V., in the presence of, and within hearing of, nearly all the members of Co "E," 97th R. P. V., did say of Capt McConnell, "he is a son of a b—h, a God d——d coward and a traitor." This in the quarters of Co. "E," 97th R. P. V., near Fernandina, Fla., on or about the 19th day of December, 1863.

To which charges and specifications the accused pleaded as follows:

CHARGE I.

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

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDINGS.

The Court having maturely considered the evidence adduced, finds the accused, Corporal *Charles Sharp*, of Co. "E," 97th Regt. Pa. Vols., as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Not 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 do therefore sentence him, Corporal *Charles Sharp*, of Co. "E," 97th Regt. Pa. Vols., *To be reduced; to forfeit to the United States twelve* ($12) *dollars per month of his monthly pay, during the balance of his term of service, and to be confined, for the same period, at hard labor, at such place as the Commanding General may direct.*

II. The proceedings and findings in the case of Corporal *Charles Sharp*, of Company "E," 97th Regiment Penn. Vols., are approved; the sentence is confirmed, and will be carried into effect, at Fort Pulaski, Ga., under direction of the Commanding Officer of the United States Forces at that Post.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Barnett Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Feb. 20, 1864.

GENERAL ORDERS, No. 31.

I. Before a General Court Martial, convened at Hilton Head, S. C., pursuant to Special Orders No. 516, dated November 6th, 1863, from Headquarters U. S. Forces, Hilton Head, S. C., and Special Orders No. 521, of Nov. 13th, 1863, No. 522, of Nov. 14th, 1863, and No. 532, of November 26th, 1863, from Headquarters U. S. Forces, Hilton Head, Fort Pulaski, and Tybee Island, and Special Orders No. 558, of Dec 20th, 1863, and No. 562, of Jan'y 3d, 1864, from Headquarters U. S. Forces, Hilton Head, S. C., and of which Major EDWARD EDDY, Jr., 47th N. Y. V., is PRESIDENT, were arraigned and tried :

1. 2d Lt. *Charles Whittaker*, 13th Ind. Vols.

CHARGE.—"Conduct unbecoming an officer and a gentleman."

Specification—In this ; that 2d Lieut. *Charles Whittaker*, 13th Ind. Vol. Inf'y, did become grossly intoxicated or drunk, and was found by 2d Lt. Bennett S. Lewis, 6th Conn. Vols., cond'g dock yard, Hilton Head, S. C., on board the schooner "L. H. Sharp," then at the dock, lying on the deck of said schooner, unable to rise without assistance, and was conveyed in this state of gross intoxication or drunkenness, to the office of the Provost Marshal. This at Hilton Head, S. C., on or about Dec. 15, 1863.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, 2d Lieut. *Charles Whittaker*, 13th Ind. Vol. Inf'y, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 2d Lieut. *Charles Whittaker*, 13th Regt. Ind. Vol. Inf'y, *To be dismissed the service of the United States.*

2. 2d Lieut. *James Sweeny*, 48th N. Y. Vols.

CHARGE I.—"Drunkenness on duty."

Specification—In this ; that 2d Lieut. *James Sweeny*, 48th N. Y. S. Vols , while under the influence of intoxicating drinks, did appear before the men of his company, during the time for drill, for the purpose of instructing them. This at Hilton Head, S. C., at the camp of the N. Y. S. Vols., on or about the 19th day of December, 1863.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that 2d Lieut. *James Sweeny*, 48th N. Y. S. Vols., while under the influence of intoxicating drinks, did appear before the men of his company, during the hour for drill, that so unsteady was his gait, and so free his manner, that it became a common subject of remark. This at Hilton Head, S. C., at the camp of the 48th N. Y. S. Vols., on or about the 19th day of December, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, 2d Lieut. *James Sweeny*, 48th N. Y. Vols., as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 2d Lieutenant *James Sweeny*, 48th Regiment, N. Y. S. Vols., *To be cashiered.*

II. The proceedings and findings in the foregoing cases have been approved by the proper officer, and forwarded for the action of the Major General Commanding the Department.

The sentences are confirmed. 2d Lieut. *Charles Whittaker*, 13th Ind. Vols., and 2d Lieut. *James Sweeny*, 48th N. Y. Vols., cease to be officers of the United States Forces from the date of this order.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Barrett Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS. Department of the South.

HILTON HEAD, S. C., March 2, 1864.

GENERAL ORDERS, No. 32.

I. The action of Colonel W. W. H. DAVIS, Commanding U. S. Forces, Morris Island, S. C., in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentences in the cases of Privates Russel S. Thurston, Co. "E," 52d Pa. Vols., and John Gobar, Co. "K," 100th N. Y. Vols., as promulgated in General Orders, No. 15, current series, from Headquarters U. S. Forces, Morris Island, S. C., is approved.

The action of Colonel J. B. HOWELL, Commanding Brigade at Hilton Head, S. C., in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentences in the cases of Privates Walter O'Donnell, Co. "A," and George Hart, Co. "K," 85th Pa. Vols., Joel Fox and Michael Cox, Co. "F," 67th Ohio Vols., and William Stanley, Co. "F," 62d Ohio Vols., as promulgated in General Orders No. 1, current series, from Headquarters HOWELL'S Brigade, Hilton Head, S. C., is approved.

The sentences of the General Court Martial in the cases of Privates Samuel Martin and Simon Gadson, Co. "H," and John Brown, Co. "C," 1st S. C. Vols., promulgated in General Orders, No. 6, current series, from Headquarters U. S. Forces, Port Royal Island, S. C., will be carried into effect, at Fort Clinch, Fla., under the direction of the Commanding Officer of the United States Forces on Amelia Island.

The Quartermaster's Department will furnish the necessary transportation to Fort Clinch, Florida.

II. The sentences in the cases of Pvt. Carson Keat and Private Boney Weston, of Co. "F," 1st S. C. Vols., tried before a General Court Martial, which convened at Beaufort, S. C., of which Major C. T. TROWBRIDGE, was PRESIDENT, and published in General Orders No. 6, current series, from Headquarters U. S. Forces, Port Royal Island, are hereby suspended, and the proceedings forwarded for the decision of the War Department.

The specification in each of these cases, not only fails to sustain the charge, but contradicts it. The Court substantially acquit them of the charge, and the plea of the prisoners ought not to operate to their prejudice, when the allegations are inherently defective.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE,

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Sarah Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., March 5, 1864.

GENERAL ORDERS, No. 33.

I. Before a General Court Martial, which convened at South End Folly Island, S. C., pursuant to Special Orders No. 8, from Headquarters, Department of the South, dated Folly Island, S. C., January 6, 1864, and of which Major ARCHIBALD BOGLE, 1st. N. C. Col. Vol. Inf'y, is PRESIDENT, was tried :

Captain *William Garvin*, 142d Regt. N. Y. Volunteers.

CHARGE.—" Violation of the Eightieth Article of War."

Specification—In this ; that the said Capt. *Wm. Garvin*, 142d Regt. N. Y. Volunteers, and Provost Marshal of Gordon's Division, did refuse to receive or keep one N. J. Bradshaw, a prisoner, committed to his, Capt. *Garvin's* charge, by Lieut. Col. James F. Hall, 1st Regt. N. Y. Volunteer Engineers, and Provost Marshal General, Department of the South, a statement in writing having been made and signed by Lieut. Col. Hall, and delivered to Capt. *Garvin* at the time of committing the prisoner to his charge. This at Folly Island, S. C., on the eighteenth day of December, 1863.

To which charge and specification the accused pleaded " Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Captain *William Garvin*, 142d Regiment New York Volunteer Infantry, Provost Marshal Gordon's Division, as follows :

Of the *Specification*, " Guilty " of the facts as set forth in the Specification, but attach no criminality thereto.

Of the CHARGE, " Guilty " of the Charge, but attach no criminality thereto.

SENTENCE.

And the Court do therefore sentence him, Captain *William Garvin*, 142d Regt. New York Volunteer Infantry, Provost Marshal Gordon's Division, *To be reprimanded in General Orders.*

II. The proceedings in the case of Captain *William Garvin*, 142d Regt. N. Y. Vols., are disapproved. It is impossible to comprehend by what process of reasoning the Court awards a sentence after it had fully acquitted the accused of all criminality. This is the second instance in which the Major General Commanding has had occasion to notice inexcusable irregularities of this Court during its comparatively brief session. Such conduct evinces a disposition to be governed in the discharge of its duties by caprice, rather than justice and equity, and not only calls for a decided censure, but the assurance that such indifference to their obligations (to use a very mild term) will be no longer tolerated.

The sentence is disapproved, and Captain *Garvin* is released from arrest and restored to duty.

III. The General Court Martial of which Major ARCHIBALD BOGLE, 1st N. C. Vol. Infantry, is PRESIDENT, is dissolved.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE,

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL :

Israel Geary

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 9, 1864.

GENERAL ORDERS,
No. 35.

I. The action of Brig. Gen'l A. SCHIMMELFENNIG, Commanding U. S. Forces, Folly Island, S. C., in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentences in the cases of Privates George Bushaw and Michael Coy, Co. "F," and Joseph Plummer, Co. "G," 40th Mass Vols.; John Walther, Co. "B," and James Roach, Co. "E," 17th Conn. Vols.; Robert Rutherford, Co. "B," 25th Ohio Vols.; John T. Lathey, Co. "E," and William Brown, Co. "K," 75th Ohio Vols.; Aaron Vedder, Co. "H," 157th N. Y. Vols.; Leroy Spencer, Co. "A," and G. H. Basford, Co. "B," 144th N. Y. Vols; John A. Purves, Co. "I," and A. M. Robinson, Co. "K," 142d N. Y. Vols.; Henry Dyer, Co. "F," 127th N. Y. Vols.; John Lloyd, Co. "A," Frederick Goldbach, Co. "C," ——— Campbell, "Co. "E," Joseph Advena and George Holzmann, Co. "K," and Quartermaster Sergeant Edward Zimmer, 41st N. Y. Vols., as promulgated in General Orders No. 5, dated Headquarters U. S. Forces, Folly Island, S. C., February 13th, 1864, is approved.

The sentence of the General Court Martial in the case of Private George T. Allen, Co. "D," 56th N. Y. Vols., promulgated in General Orders No. 5, current series, from Headquarters U. S. Forces, Port Royal Island, S. C., will be carried into effect, at Fort Clinch, Fla., under the direction of the Commanding Officer of the United States Forces on Amelia Island.

The Quartermaster's Department will furnish the necessary transportation to Fort Clinch, Florida.

II. The sentence in the case of Private Abram White, Co. "H," 1st S. C. Vols., tried before a General Court Martial, which convened at Beaufort, S. C., of which Major C. T. TROWBRIDGE, was PRESIDENT, and published in General Orders No. 6, current series, from Headquarters U. S. Forces, Port Royal Island, is suspended in consideration of the youth of Private Abram White, and the attending circumstances as stated in his final defence, by the Colonel of his Regiment, who acted as his counsel; and the proceedings forwarded for the action of the War Department, with the recommendation that the sentence be remitted, except so much as will inflict a stoppage of one half his monthly pay for six months.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., March 20, 1864.

GENERAL ORDERS, No. 40.

I. At a General Court Martial, which convened at Hilton Head, S. C., pusuant to Special Orders No. 90, dated March 5th, and Special Orders No. 93, dated March 7th, 1864, current series, from Headquarters, Department of the South, and of which Lt. Col. J. F. HALL, 1st N. Y. Vol. Engineers, is PRESIDENT, was arraigned and tried :

2d Lieutenant *Frank Reynolds*, 1st Artillery, U. S. A., Commissary of Musters of the Department of the South.

CHARGE —"Drunkenness on duty."

Specification 1st—That the said 2d Lieutenant *Frank Reynolds*, 1st Artillery, U. S. A., Commissary of Musters, Department of the South, having been ordered by the Major General Commanding the Department of the South, to Beaufort, South Carolina, to muster into the United States' service veteran volunteers, did become so much intoxicated as to unfit him for the performance of his duty as a mustering officer. This at Beaufort, South Carolina, on or about the 29th day of February, 1864.

Specification 2d—That the said 2d Lieut. *Frank Reynolds*, 1st Artillery, U. S. Army, Commissary of Musters, Department of the South, having been ordered by the Major General Commanding the Department of the South, to Beaufort, South Carolina, for the purpose of mustering veteran volunteers into the service of the United States, did become so much intoxicated as to be unable to attend to his duty properly, and to cause him to disgrace himself in the presence of numbers of enlisted men of this command. This at Beaufort, South Carolina, on or about the 1st day of March, 1864.

Specification 3d—That the said 2d Lieutenant *Frank Reynolds*, 1st Artillery, U. S. Army, Commissary of Musters, Department of the South, having been ordered by the Major General Commanding the Department of the South, to Beaufort, South Carolina, for the purpose of mustering veteran volunteers into the United States' service, did become so intoxicated as to unfit him for the performance of that duty, causing him to fail to sign the muster rolls of the 56th New York Volunteer Regiment, to the great injury of the service. This at Beaufort, South Carolina, on or about the 2d day of March, 1864.

To which the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, Not "Guilty."

FINDING.

The Court, after mature deliberation, find the accused, 2d Lieutenant *Frank Reynolds*, 1st Artillery, U. S. Army, Commissary of Musters, Department of the South, as follows :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty," excepting the words "having been ordered by the Major General Commanding the Department of the South, to Beaufort, South Carolina, for the purpose of mustering veteran volunteers into the service of the United States."

Of the 3d *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, 2d Lieutenant *Frank Reynolds*, 1st Artillery, U. S. Army, Commissary of Musters, Department of the South, *To be cashiered.*

II. The proceedings and findings in the foregoing case are approved ; the sentence is confirmed, and will be carried into effect.

2d Lieutenant *Frank Reynolds*, 1st U. S. Artillery, Commissary of Musters of the Department of the South, ceases to be an officer from the date of this order.

III. The General Court Martial, of which Lt. Col. J. F. HALL, 1st N. Y. Vol. Engineers, is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL :

Sarah Healy

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.
HILTON HEAD, S. C., March 23, 1864.

GENERAL ORDERS, No. 42.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 2, from Headquarters U. S. Forces, Hilton Head, S. C., Fort Pulaski, Tybee and St. Helena Islands, dated Hilton Head, S. C., February 7th, 1864, and of which Major DANIEL KLIEN, 6th Conn. Vols., is PRESIDENT, were tried:

1st. Private *James Brown*, Co. "A," 6th Conn. Vols.

CHARGE I.—"Robbery."

Specification—In this; that he, Private *James Brown*, Co. "A," 6th Conn. Vol. Inf'y, did knock down and rob, or assist in knocking down and robbing, John Lang of a sum of money, to the amount of two hundred and forty-seven ($247) dollars, more or less, and two (2) watches; Joseph Nelson of a sum of money to the amount of two hundred and eighty (280) dollars, more or less; Eugene Gay of a sum of money, to the amount of sixteen ($16) dollars, more or less, all duly enlisted soldiers in the military service of the United States. This on or about the 22d day of October, 1863, while on the passage from New Haven, State of Connecticut, to Riker's Island, State of New York, on board the steamer "Charles Osgood."

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

Specification 1st—In this; that he, Private *James Brown*, Co. "A," 6th Conn. Vol. Inf'y, did strike, sieze, and do violence, (with intent to rob,) to the said John Lang, Joseph Nelson, and Eugene Gay, and certain other duly enlisted soldiers in the military service of the United States, and now privates in the 6th Regt. Conn. Vol. Inf'y, and of which cruelty and treatment the said Lang and Nelson now bear scars. All this while on board the steamers "Charles Osgood" and "De Molay," between the 22d and 28th days of October, 1863.

Specification 2d—In this; that he, Private *James Brown*, Co. "A," 6th Conn. Vol. Inf'y, did say: "There is about twenty of us, and we will lick the whole G—d d——d crew and officers on board this ship, and set the ship on fire," or words

to that effect, and did cheer for Jeff. Davis. All this on or about the 22d day of October, 1863, while on the passage from New Haven, State of Connecticut, to Riker's Island, State of New York, on board the steamer "Charles Osgood."

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private *James Brown*, Co. "A," 6th Conn. Vol. Infantry, as follows:

CHARGE I.

Of the *Specification* "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty," except the words "scars."

Of the 2d *Specification*, "Guilty," as to the cheer for Jeff. Davis, "Not Guilty," as to the balance of the charge.

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *James Brown*, of Co. "A," 6th Regiment Connecticut Volunteer Infantry, *To be confined at hard labor for the remainder of his term of enlistment, at such place as the Commanding General may direct:—that for the first year of his confinement he forfeit all pay, and the first week in each month to wear a (24) twenty-four pound ball attached to his right leg, by a chain (6) six feet long:—that the (2d) second week of each month, during the (1st) first year of his confinement, he be kept in solitary confinement, on bread and water only:—that the (2d) second year of his confinement he forfeit to the U. S. Treasurer ten ($10) dollars per month of his monthly pay:—that the (3d) third year of his confinement he forfeit to the U. S. Treasurer eight ($8) dollars a month of his monthly pay, and at the expiration of his term of service, he be discharged with ignominy.*

2d. Private *Michael Farrell*, Co. "F," 6th Conn. Vols.

CHARGE I.—"Robbery."

Specification 1st—In this; that he, Private *Michael Farrell*, Co. "F," 6th Conn. Vol. Infantry, did knock down and rob, or assist in knocking down and robbing, John Lang, 6th Regt. Conn. Vol. Inf'y, of a sum of money to the amount of two hundred and forty seven ($247) dollars, more or less, and two

watches. This on or about the 22d day of October, 1863, while on the passage from New Haven, State of Connecticut, to Riker's Island, State of New York, on board the steamer "Charles Osgood."

Specification 2d—In this; that he, Private *Michael Farrell*, Co. "F," 6th Regt. Conn. Vol. Inf'y, did knock down and rob, or assist in knocking down and robbing, Joseph Nelson of a sum of money, to the amount of two hundred and eighty dollars, ($280,) more or less, and did knock down and rob, or assist in knocking down and robbing, also, certain other duly enlisted soldiers, now privates in the 6th Regt. Conn. Volunteer Infantry, of certain sums of money. All this while on board the steamers "Charles Osgood" and "De Molay," between the 22d and 28th days of October, 1863.

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

Specification 1st—In this; that he, Private *Michael Farrell*, Co. "F," 6th Regt. Conn. Vol. Inf'y, did strike, seize, and do violence, (with intent to rob,) to John Lang and Joseph Nelson, and to certain other duly enlisted soldiers, now privates in the 6th Regt. Conn. Vol. Inf'y. All this while on board the steamers "Charles Osgood" and "De Molay," between the 22d and 28th days of October, 1863.

Specification 2d—In this; that he, Private *Michael Farrell*, Co. "F," 6th Regt. Conn. Vol. Inf'y, did kick in the face, and did otherwise injure Private John Lang, 6th Regt. Conn. Vol. Inf'y, and of which cruelty and treatment the said John Lang now bears scars. This on or about the 22d day of October, 1863, while on the passage from New Haven, State of Connecticut, to Riker's Island, State of New York, on board the steamer "Charles Osgood."

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Private *Michael Farrell*, Co. "F," 6th Regt. Conn. Vols., as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Not Guilty.

Of the CHARGE, "Not Guilty.

CHARGE II.

Of the 1st *Specification*, "Guilty" of doing violence to Lang, and "Not Guilty" as to the rest of the *Specification*.

Of the 2d *Specification*, "Guilty," except "otherwise injure."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Michael Farrell*, "Co. "F," 6th Conn. Vol. Inf'y, *To be confined at hard labor for six months, and to lose ten dollars per month of his monthly pay during his confinement.*

3d. Private *Robert Phillips*, Co. "I," 6th Regt. Conn. Vols.

CHARGE I.—"Robbery."

Specification 1st—In this; that he, Private *Robert Phillips*, Co. "I," 6th Regt. Conn. Vol. Inf'y, did knock down and rob, or assist in knocking down and robbing, Pvt. John Lang, 6th Regt. Conn. Vol. Inf'y, of a sum of money, to the amount of two hundred and forty seven ($247) dollars, more or less, and two watches. This on or about the 22d day of October, 1863, while on the passage from New Haven, State of Connecticut, to Riker's Island, State of New York, on board the steamer "Charles Osgood."

Specification 2d—In this; that he, Private *Robert Phillips*, Co. "I," 6th Regt. Conn. Vol. Inf'y, did knock down and rob, or assist in knocking down and robbing, Joseph Nelson of a sum of money, to the amount of two hundred and eighty dollars, ($280,) more or less, and did knock down and rob, or assist in knocking down and robbing, also, certain other duly enlisted soldiers, now privates in the 6th Regt. Conn. Volunteer Infantry, of certain sums of money. All this while on board the steamers "Charles Osgood" and "De Molay," between the 22d and 28th days of October, 1863.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification —In this; that he, Private *Robert Phillips*, Co. "I," 6th Regt. Conn. Vol. Inf'y, did strike, seize, and do violence, (with intent to rob,) to the said John Lang and Joseph Nelson, and to certain other duly enlisted soldiers, now privates in the 6th Regt. Conn. Vol. Inf'y. All this while on board the steamers "Charles Osgood" and "De Molay," between the 22d and 28th days of October, 1863.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Private *Robert Phillips*, Co. "I," 6th Regt. Conn. Vols., as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Robert Phillips*, Company "I," 6th Regt. Connecticut Vol. Inf'y, *To be confined at hard labor for three years, with a fifty* (50) *pound ball attached to one of his legs, by a chain six* (6) *feet long, during the first* (14) *fourteen days of each month of his confinement, and to forfeit all his monthly pay to the U. S. Treasurer during the term of his confinement.*

II. The proceedings, findings, and sentences, in the cases of Privates *James Brown*, Co. "A," *Michael Farrell*, Co. "F," and *Robert Phillips*, Co. "I," 6th Regt. Conn. Vols., have been approved by the proper officer, and forwarded for the action of the Major General Commanding.

The sentences will be carried into effect, at Fort Clinch, Florida, under the direction of the Commanding Officer of the United States Forces on Amelia Island.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 28, 1864.

GENERAL ORDERS, No. 45.

1. At a General Court Martial, convened at Folly Island, S. C., pursuant to General Orders No. 26, from Headquarters Gordon's Division, Folly Island, S. C., dated Dec. 14, 1863, and Special Orders No. 19, dated January 24, 1864, from Headquarters, U. S. Forces, Folly Island, S. C., of which Major GEO. B. FOX, 75th Ohio Vols., is PRESIDENT, was arraigned and tried:

1st Lieutenant *Horace H. Gardiner*, 127th Regiment New York Volunteers.

CHARGE I.—"Drunkenness on duty."

Specification—In this; that the said 1st Lieutenant *Horace H. Gardiner*, while on duty as Regimental Officer of the Day, was drunk, so as to be unfit to perform properly the duties of his office. This at Cole's Island, S. C., on or about the 9th day of January, 1864.

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

Specification—In this; that while on duty as Regimental Officer of the Day, the said 1st Lieut. *Horace H. Gardiner*, did furnish an enlisted man with intoxicating drinks, and drink with him in his, the said 1st Lieut. *Horace H. Gardiner's* tent. This at Cole's Island, S. C., on or about the 9th day of January, 1864.

To which charges and specification the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, 1st Lieut. *Horace H. Gardiner*, 127th New York Volunteers, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty," except as to the words, "and did drink with him."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said 1st Lieut. *Horace H. Gardiner*, 127th New York Volunteers, *To be cashiered.*

II. The proceedings of the Court in the case of 1st Lieut. *Horace H. Gardiner*, 127th New York Vols., have been approved by the proper officer, and forwarded for the action of the Major General Commanding.

The sentence is confirmed. 1st Lieutenant *Horace H. Gardiner*, 127th New York Vols., ceases to be an officer of the United States Forces from the 21st day of March, 1864.

By Command of Major General Q. A. GILLMORE.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., April 3, 1864.

GENERAL ORDERS, No. 48.

I. Before a General Court Martial, which convened at Beaufort, S. C., pursuant to Special Orders No. 45, dated February 25, and Special Orders No. 50, dated March 2, 1864, from Headquarters U. S. Forces, Port Royal Island, S. C., and of which Capt. WM. M. MCARTHUR, 8th Maine Vols., is PRESIDENT, was tried:

1st Lieut. *D. S. Decker*, 56th N. Y. Vols.

CHARGE I.—"Conduct unbecoming an officer and a gentleman."

Specification 1st—In this; that he, Lieutenant *D. S. Decker*, 56th N. Y. S. Vols., did, on the evening of the 30th day of November or 1st of December, 1863, visit the quarters and camp of 1st Lieutenant C. B. Young, Commanding Camp of the Provost Guard, although forbidden by said Young to visit there, and when ordered by said Lieut. Young to leave said quarters and camp, refused to go, using profane language: "That he would not leave until he got G--d d——d good and ready;" that said Lieut. Young had not the power to put him out, and that he had not the confidence of any d——d man in the Department. This at Beaufort, S. C.

Specification 2d—In this; that said Lieut. *D. S. Decker*, did write, sign, and cause to be published in the Republican Watchman, Jeffersonian Democrat, a newspaper printed at Monticello, Sullivan County, N. Y., on the 2d of December, 1863, a document or article in words and figures following, to wit:

BEAUFORT, SOUTH CAROLINA,
November 16, 1863.

Friend Wells,—It is now over one year since your connection with our regiment was dissolved, and during that time we have been subjected to many changes, passed through many dangers, and made the many sacrifices peculiar to a soldier's life, which all must make who enter this great struggle for the preservation of the Federal Government.

Knowing you are ever watchful of us, and of the interests of our regiment, I deem it expedient to relate a few of the occurrences that have lately transpired, causing the machinery of our Legion to run inharmoniously. A few days ago, we were grieved by the announcement of the dismissal of our highly esteemed friend and adjutant, Eli H. Evans.

Doubtless you have already heard the sad tidings, and I dare say you at least know thro' whose instrumentality his dismissal was effected, as you are conversant with the character and military career of the so called Col. C. H. Van Wyck, whose reputation as a military man is as bad as ever, and is each day less likely to gain any of those imperishable and coveted laurels with which so many American soldiers have wreathed their brows. The mask is falling. Every day we see more of the unworthiness of this mock statesman and arch demagogue. When the news reached us, and after the first violence of the surprise and indignation which all felt was past, we calmly took an impartial retrospect of this Van Wyck's proceedings with the regiment; his treatment of officers and especially of our late Adjutant. We could not help coming to the conclusion that the Adjutant was dismissed out of malice and ill will, and that Van Wyck's proceedings were unmilitary and unjust, and he was actuated by the motives stated. Now, from what did this malignant spirit of Van Wyck originate? These are the simple facts: The so called Col, commenced at an early period in the history of our regiment to dismiss officers at will, one after another, until we lost all our best ones, and a regiment composed of the best class of men that ever left N. Y. State, found itself without officers capable of commanding, and with Charley at its head, became miserably disorganized, and demoralized.

After he had committed the unpardonable sin of dismissing officers without a trial, and ruined one of the best regiments in the service, sometime in October, 1862, Gen. Naglee requested him to show his commission or authority to command his regiment. Charley being unable to produce the said document, was relieved from command, and notified that he was no officer in the military service of the United States. Adjutant Evans received orders of Gen. Naglee to drop him from the morning report and muster roll, which he did, and we were also informed by the same authority, that Van Wyck was no Col. The gallant Congressman, finding himself divested of authority, his stay with us was short, and he soon brought up at Washington, where he remained all winter, until Congress adjourned, and his humbug committee had found out the sins of all men except himself. During his absence, the command of the regiment fell upon Lt. Col. J. J. Wheeler, who, through his indefatigable efforts succeeded in bringing order out of chaos and making our regiment efficient in drill and discipline, and to again assume its place among the best regiments of the army. We came into this Department the first of February, 1863, encamped on St. Helena Island, S. C., in company with sixteen other regiments, remained there until about the 28th of March, when Gen. Stevenson was ordered to take possession of the Seabrook Island, and to take three of the best regiments there on St. Helena for the work. All the regiments underwent a rigid inspection, and were reviewed closely by Gen. Hunter, and ours was pronounced the best on the island. Seabrook was occupied on the first of April, and everything passed off well until the middle of the month, when Van Wyck appeared to the regiment, and assumed command without showing or giving any evidence of authority to do so. The Adjutant was ordered to

drop him from the report, and had received *no* order to take him up, and had of course no right to do so. Van Wyck was not long in finding out that the Adjutant did not report nor recognize him as Col. He placed him under arrest, preferred charges against him for misdemeanor which had occurred long before this, *if at all*, and which were never before thought worthy of notice, and stopped his pay which was due from the first of November. 1862.

The Adjutant remained under arrest nearly four months, and during that time there were opportunities for his trial by a Court Martial; and in fact he made application to the proper authorities for it. But Van Wyck, being one of vindictive kind, and wishing to punish his victim all he could, always had his trial put off. Sometime in August the Adjutant was relieved from arrest; but his health was in such a critical condition he was not capable of performing duty, and remained sick until sometime in October, when he tendered his resignation, upon the recommendation of a Medical Board; and while waiting for the honorable discharge that was rightfully his, an order came from the War Department, dismissing him, with loss of pay and emoluments from the first of Nov., 1862. It is needless to add who caused him to be dismissed. All who are acquainted with the history of our regiment know the man capable of performing mean and contemptible acts, and infringing upon all the rights and privileges of men, especially if their views and politics do not accord with his. This case before us is only one instance of his infamy and utter disregard for the reputation of men whom he supposed under his control. We, as a regiment, have all experienced his baneful influence. It has injured us more than the enemy's bullets. But this case of the Adjutant's is so plainly the fruit of malice, and he the victim of ill will and hatred which wrought his condemnation in opposition to the interests of the regiment and our country, that I feel it a duty to put it before the public. In civil life, men are allowed a trial by jury before they can be condemned or punished, and our army regulations guarantee the privilege of a trial to us: but in this case it was refused. The accused desired it, and appealed to the proper authorities for it; but no; the so called Col. Van Wyck was thirsting after revenge, and refused to allow him an opportunity to present his claims for justice and an honorable acquittal which any impartial court would have granted him.

In the first place he promised to secure a military man to command our regiment, and said it was not his design to be Col. He only desired to organize it, and then would procure a leader that would do honor to the brave and worthy men forming it. He repeatedly reasserted it, whenever he could get the regiment together, to inflict upon it his star-spangled-banner and American-eagle harangue, in order to excite the enthusiasm of the men, and enlist them in his favor, because he had in view selfish motives, and intended to make the regiment a political engine to secure his future advancement. This is a melancholy fact; and the ruptures and contentions that have occurred between him and his officers, and all the Brigade Commanders we ever served under, prove it. He insisted upon being Col. against the wishes of the officers, his own pledge and the inte-

rest of the regiment and his country. The inefficient condition of the regiment to-day, and the way we have been kicked from one brigade to another, speak in undisputable language of these facts. Gen. Stevenson kicked us out of his Brigade in just two and a half months after Van Wyck took command, and *one* month before he took command we were pronounced the best regiment in the Department of the South. Then we went into Davis' Brigade, and in about 36 days the regiment was again set adrift—not on account of the men or a majority of the officers, but because of Van Wyck's utter worthlessness to command it. When we entered Davis' Brigade, he inquired of our Surgeon—Dr. Van Etten— what was the matter with our regiment; the men looked and acted so differently from what they did when he last saw them. The Dr., thinking he referred to our sanitary condition, said many of the men had chills and fever. Our Brigade Commander said, "Ah, Dr., it is a disease you cannot cure." Sure enough, we have a disease medicine cannot eradicate.

But amid all our confusion, and lying as we do under the stigma cast upon us by this Van Wyck, we have endeavored to perform our duties as men and soldiers as well as possible; and I know it will be a source of pride and satisfaction to Adjutant Evans' friends in Orange and Sullivan counties to know that we have confidence in his patriotism and ability as an officer; that our love for him remains unshaken and he has the best wishes of all our officers and men, although some of Van Wyck's pimps dare not say so. We drew up a testimonial which was signed by a good majority of our officers present, and he is at liberty to publish it. This letter may result in my dismissal. Let it come! Although it may be overlooked, as our Col. claims to be in favor of free speech and a free press; but I must speak the truth when it is so much required. Please have this published in the Watchman, and oblige Yours,

Very respectfully,
D. S. DECKER,
1st Lieut. 56th Reg't N. Y. S. Vols.

Which said article contained false and scandalous statements, and scurrilous and disrespectful language of and against his superior and other officers and men in the Regiment. This at Beaufort, S. C., November 16, 1863.

CHARGE II.—"Disobedience of orders."

Specification—In this; that when Lieut. Charles B. Young, of the 56th Regt. N. Y. S. Vols., was in command of the camp known as the camp of the Provost Guard, where the said Young had his quarters, the said Young having forbidden the said *D. S. Decker* to come to his quarters, he, however, came, and when the said Young told the said *Decker* he had command of the camp, and ordered him to leave, he, said *Decker*, said he would not leave "until he got G—d d——d good and ready to," that said Young had not the power to put him

out, or words to that effect. This at Beaufort, S. C., November 30th or 1st December, 1863.

CHARGE III.—" Disrespect towards his superior officer."

Specification 1st—In this; that the said Lieut. *D. S. Decker*, did write, sign, and cause to be published in the Monticello Republican Watchman and Jeffersonian Democrat, a newspaper published at Monticello, Sullivan Co., N. Y., an article reflecting upon and censuring the official acts of Col. C. H. Van Wyck, his commanding officer, which said article was published the 2d day of December, 1863, and is fully set forth in the preceding specification, to which reference is made. This at Beaufort, S. C., November 16, 1863.

Specification 2d—In this; that the said Lieut. *D. S. Decker*, did, in the presence of an enlisted man of the regiment, say of and concerning Colonel C. H. Van Wyck, his superior officer, " I do not want to see any such d——d man," or words to that effect. This at Seabrook Island, S. C., in the camp of the 56th Regt. N. Y. Vols., on or about April 10, 1863.

To which charges and specifications the accused pleaded " Not Guilty."

FINDINGS.

The Court, having maturely considered the evidence adduced, find the accused, Lieut. *D. S. Decker*, 56th N. Y. S. Vols., as follows:

CHARGE I.

Of the 1st *Specification*, " Guilty," with the exception of the words, "good and."

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

Of the CHARGE, " Guilty."

CHARGE II.

Of the *Specification*, " Guilty."

Of the CHARGE, " Not Guilty."

CHARGE III.

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

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

Of the CHARGE, " Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 1st Lt. *D. S. Decker*, 56th Regt. N. Y. S. Vols., *To be dismissed the military service of the United States.*

II. The proceedings, findings, and sentence in the case of 1st Lieut. *D. S. Decker*, 56th N. Y. Vols., have been approved by the Commanding Officer of the U. S. Forces on Port Royal Island, and forwarded for the action of the Major General Commanding. The sentence is confirmed, and will be carried into effect.

1st Lieut. *D. S. Decker*, 56th N. Y. Vols., ceases to be an officer of the U. S. Forces from the date of this order.

By Command of Major General Q. A. GILLMORE.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

Israel Greaty

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., April 11, 1864.

GENERAL ORDERS, No. 49.

~~I. Acting Ensign Wm. C. Haxroud, U. S. Navy, having been detailed for temporary duty with this Army, at the request of the Major General Commanding, is hereby announced as a member of the Department Staff.~~

~~Ensign Haxroud will exercise a general superintendence of the outfitting and arming of the armed transports, and the instruction of the officers and men serving on board them.~~

~~Commanding Officers and officers of the Quartermaster's Department will afford him all facilities for the performance of his duties.~~

II. The action of Brig. Gen'l WM. BIRNEY, comd'g U. S. Forces, Port Royal Island, S. C., in designating Fort Clinch, Fla., as the place for carrying out the sentence in the case of Private John Rogers, Co. "E," 55th Penn. Vols., as promulgated in General Orders No. 12, dated Headquarters U. S. Forces, Port Royal Island, Beaufort, S. C., April 1, 1864, is approved, and the sentence will be carried into effect, under the direction of the Commanding Officer of the United States' Forces on Amelia Island.

The Quartermaster's Department will furnish the necessary transportation to Fort Clinch, Fla.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., April 15, 1864.

GENERAL ORDERS, No. 50.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 21, dated March 4th, 1864, and Special Orders No. 24, dated March 7th, 1864, from Headquarters, Hilton Head District, Hilton Head, S. C., and of which Capt. JOHN M. TRACY, 6th Conn. Vols., is PRESIDENT, were tried:

1. Private *Henry Stark*, Co. "E," 6th Regt. Conn. Vols.

CHARGE.—"Desertion."

Specification—In this; that he, Private *Henry Stark*, Co. "E," 6th Regt. Conn. Vol. Inf'y, being one of the guard stationed at Battery Williams, Hilton Head, S. C., did desert said guard and the service of the United States, and did remain absent until apprehended and brought back, on or about the 21st day of February, 1864. This at Hilton Head, S. C., on or about the 9th day of February, 1864.

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, after mature consideration, find the accused as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Private *Henry Stark*, Co. "E," 6th Regt. Conn. Vols., *To be shot to death with musketry, at such time and place as the Commanding General may direct, two-thirds of the Court concurring therein.*

2. Private *Henry Schumaker*, Co. "C," 6th Regt. Conn. Vols.

CHARGE.—"Desertion."

Specification—In this; that he, Private *Henry Schumaker*, Co. "C," 6th Regt. Conn. Vol. Inf'y, did desert his Company and the service of the United States, and did not return until apprehended and brought back, on or about the

21st day of February, 1864. This at Hilton Head, S. C., on or about the 9th day of February, 1864.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature consideration, find the accused, Private *Henry Schumaker*, Co. "C," 6th Regt. Conn. Vol. Inf'y, as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said Private *Henry Schumaker*, Co. "C," 6th Regt. Conn. Vol. Inf'y, *To be shot to death with musketry, at such time and place as the Commanding General may direct, two-thirds of the Court concurring therein.*

3. Private *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vols.

CHARGE.—"Desertion."

Specification—In this; that he, Private *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vol. Inf'y, did desert his Company and the service of the United States, and did not return until apprehended and brought back, on or about the 21st day of February, 1864. This at Hilton Head, S. C., on or about the 9th day of February, 1864.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature consideration, find the accused, Private *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vol. Inf'y, as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, the said *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vols., *To be shot to death with musketry, at such time and place as the Commanding General may direct, two-thirds of the Court concurring therein.*

II. The proceedings, findings, and sentences in the cases of Private *Henry Stark*, Co. "E," Private *Henry Schumaker*, Co. "C," and Private *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vols., have been approved by the proper officer, and forwarded for the action of the Major General Commanding.

The sentences are confirmed, and will be carried into execution under the direction of the Commanding Officer of the United States' Forces at Hilton Head, S. C., within forty-eight hours after the receipt of this order.

By Command of Major General Q. A. GILLMORE.

Ed. W. Smith,
Asst. Adjt. Gen'l.

Official:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., April 18th, 1864.

GENERAL ORDERS,
No. 51.

I. So much of General Orders No. 50, current series, from these Headquarters, as orders the execution of the sentence of the General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 21, dated March 4th, 1864, and Special Orders No. 24, dated March 7th, 1864, from Headquarters, Hilton Head District, Hilton Head, S. C., and of which Capt. JOHN M. TRACY, 6th Conn. Vols., is PRESIDENT, in the case of Private *Gustav Hoffmann*, Co. "B," 6th Regt. Conn. Vol. Inf'y, is hereby annulled—it appearing upon investigation that Private *Gustav Hoofan*, Co. "B," 6th Regt. Conn. Vols., was the party tried under the name of *Gustav Hoffmann*.

This is a radical and fatal error, and the inexcusable carelessness, upon the part of the Judge Advocate, [1st Lt. John W. Acheson, 85th Regt. P. V.] in recording the proceedings of the Court, and of the Court itself in reviewing the same, merits the severest censure.

II. The proceedings, findings, and sentence in the above case are null and void. Private *Gustav Hoofan*, Co. "B," 6th Regt. Conn. Vol. Inf'y, is released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., April 29th, 1864.

GENERAL ORDERS, No. 54.

The action of Col. J. B. HOWELL, Commanding Hilton Head District, in designating Fort Pulaski, Ga., as the place for carrying out the sentences in the cases of Joe Clark (alias Charles Smith) late Cook on board the U. S. Transport Schooner, "B. Watson," and Private William Carrigan, 39th Ill. Vol. Infantry; and Fort Welles, Hilton Head, S. C., in the case of Private Rienzi Brooks, Co. "D" 6th Conn. Vol. Infantry, as promulgated in General Orders No. 9, dated Hilton Head District, Hilton Head, S. C. April 26th, 1864, is approved, and the sentences will be carried into effect as recommended.

BY COMMAND OF MAJOR GENERAL Q. A. GILLMORE.

ED. W. SMITH,
Asst. Adjt. Gen'l.

OFFICIAL:

Capt. 47th N. Y. Vols.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., May 24, 1864.

GENERAL ORDERS, No. 71

I. The following extract from General Orders No. 157, dated War Department, A. G. O., Washington, April 12th, 1864, is published for the information of all concerned:

XI. Before a General Court Martial, which convened at Hilton Head, South Carolina, December 23d, 1863, pursuant to Special Orders No. 516, dated November 6th, 1863; Special Orders No. 521, dated November 13th, 1863; Special Orders No. 522, dated November 14th, 1863; and Special Order No. 532, dated November 26th, 1863, Head Quarters, U. S. Forces, Hilton Head, Fort Pulaski, and Tybee Island, at Port Royal, S. C., and of which LIEUT. COL. REDFIELD DURYEE, 6th Conn. Vols., is President, was arraigned and tried:

Private Henry C. Berry, Co. "D," 6th Conn. Vols.

CHARGE, "Desertion."

FINDING, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said private Henry C. Berry, Co "D," 6th Conn. Vols., "To be shot to death with musketry, at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring therein."

XII. Before a General Court Martial which convened at St. Augustine, Florida, December 19th, 1863, pursuant to Special Orders No. 623, dated November 28th, 1863; and Special Orders No. 628, dated December 3d, 1863, Headquarters in the Field, Department of the South, Folly Island, S. C., and of which MAJOR CHARLES H. HOOPER, 24th Mass. Vols. is President, was arraigned and tried:

Private Phillip D. Atkins, Co. "F," 24th Mass. Vols.

CHARGE, "Desertion."

FINDING, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said private Phillip D. Atkins, Co. "F," 24th Mass. Vols. "To be shot to death, two thirds of the members of the Court concurring therein."

○ ○ ○ ○ ○ ○ ○ ○

XXIV. The proceedings, findings, and sentences of the General Courts Martial in the foregoing cases of Privates Berry and Atkins, have been approved by the proper commanders, and the records forwarded for the action of the President of the United States. Under the provisions of General Orders No 76, War Department, Adjutant General's Office, February 26, 1864, the sentences in the above cases are

mitigated "to imprisonment during the war, at the Dry Tortugas, Florida," where the prisoners will be sent under suitable guards; by orders from the Army Commander.

By Order of the Secretary of War:

E. D. TOWNSEND,

Assistant Adjutant General.

II. The sentences in the foregoing cases will be carried out under the direction of the Provost Marshal General of the Department.

By Order of Brig. Gen. JNO. P. HATCH,

W. L. M. Burger,

Capt. and Assistant Adjutant General.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. Gen'l.

HEADQUARTERS. Department of the South.

HILTON HEAD, S. C., May 25, 1864.

GENERAL ORDERS, No. 72

I. The following extract from General Orders No. 183, dated War Department, A. G. O., Washington, April 27th, 1864, is published for the information of all concerned :

[*Extract.*]

III. Before a General Court Martial, which convened at Hilton Head, South Carolina, December 3d, 1863, pursuant to Special Orders No. 516, dated November 6th, 1863 ; No. 521, dated November 13th, 1863 ; and No. 522, dated November 14th, 1863 ; Headquarters, U. S. Forces, Hilton Head, Fort Pulaski, and Tybee Island, Hilton Head, S. C., and of which LIEUT. COL. REDFIELD DURYEE, 6th Conn. Vols., is President, were arraigned and tried :

1st. Private John Murray, Co. "K," 6th Conn. Vol. Inf'y.

CHARGE I.—"Robbery."

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

CHARGE III.—"Insubordinate conduct to the prejudice of good order and military discipline."

To which charges and specifications the accused, Private John Murray, Co. "K," 6th Conn. Volunteer Infantry, pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John Murray, Co. "K," 6th Connecticut Volunteer Infantry, as follows :

CHARGE I.

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

Of the 2d *Specification*, "Guilty," with the exception of the words "and watches."

Of the CHARGE, "Guilty."

CHARGE II.

Of the charge and its specifications, "Guilty."

CHARGE III.

Of the *Specification* "Guilty," with the exception of the words "call upon those who were with him to."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private John Murray, Co. "K," 6th Regt. Conn. Volunteers, "To be dishonorably discharged the service of the United States, with loss of all pay that may now be or become due to him, and to be confined at hard labor for the period of three years in any Penitentiary in the United States.

2d. Private John Kelley, Co. "G," 6th Conn. Volunteers.

CHARGE I.—"Robbery."

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

To which charges and specifications the accused, Private John Kelly, Co. "G," 6th Conn. Volunteer Infantry, pleaded "Not Guilty.'

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John Kelly, Co. "G," 6th Conn. Volunteers, as follows:

CHARGE I.

Of the charge and its specifications, "Guilty."

CHARGE II.

Of the charge and its specifications "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private John Kelly, Co. "G," 6th Regt. Conn. Volunteers, "To be dishonorably discharged the service of the United States, with the loss of all pay that may now be or become due to him, and to be confined at hard labor, for the period of three years, in any Penitentiary in the United States.

IV. Before a General Court Martial which convened at Morris Island, South Carolina, December 26th, 1863, pursuant to Special Orders No. 369, dated Headquarters United States Forces, Morris Island, South Carolina, December 21st, 1863, and of which Brig.-Gen'l T. G. STEVENSON, U. S. Volunteers, is PRESIDENT, was arraigned and tried:

1st Lieut. Michael Friday, 100th New York Volunteers

CHARGE.—"Disobedience of orders."

To which charge and its specification the accused, 1st Lieut. Michael Friday, 100th New York Vols., pleaded as follows:

To the Specification, "Guilty," with the exception of the words "I'll be God damned if I'll go," or words to that effect.

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 1st Lieut. Michael Friday, 100th New York Volunteers, as follows:

Of the charge and its specification, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said 1st Lieut. Michael Friday, 100th New York Vols., "To be dismissed the military service of the United States."

○ ○ ○ ○ ○ ○ ○ ○

V. The proceedings, findings, and sentences of the Court in the cases of Private John Murray, Co. "K," and Private John Kelly, Co. "G," 6th Conn. Vols., have been approved by the proper commanders, and the record forwarded for the action of the President of the United States, who approves the sentences in both cases, and directs that they be carried into execution. The Penitentiary at Albany, New York, is designated as the place of confinement.

The proceedings of the Court in the case of 1st Lieutenant Michael Friday, 100th New York Vols., have been disapproved by the Major General Commanding the Department of the South, for irregularity, but have been forwarded by him with a recommendation for the officer's dismissal.

The President of the United States approves the recommendation and directs that 1st Lieut. Michael Friday, 100th New York Volunteers be dismissed from the service of the United States, to date from April 14th, 1864.

By Order of the Secretary of War:

[Signed.] E. D. TOWNSEND,

Assistant Adjutant General.

II. The sentences in the foregoing cases of Private John Murray, Co. "K," and Private John Kelly, Co. "G," 6th Conn. Vols., will be carried out under direction of the Provost Marshal General of this Department.

III. The recommendation of the Major General Commanding the Department of the South, in the case of 1st Lieut. Michael Friday, 100th N. Y. Vols., having been approved by the President, he accordingly ceases to be an officer in the Military Service of the United States, to date from April 14th, 1864.

By Order of Brig. Gen. JNO. P. HATCH,

W. L. M. Burger,

Asst. Adjt. Gen'l

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 8, 1864.

GENERAL ORDERS, No. 83.

I. The action of Brig.-Gen'l A. H. TERRY, commanding U. S. Forces, Northern District, D. S., in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentence in the case of Private William C. Constantine, Co. "I," 52d Penn. Vols., as published in General Orders No. 13, from Headquarters, Northern District, Department of the South, is approved.

II. The action of Brig.-Gen'l A. H. TERRY, Commanding U. S. Forces, Northern District, D. S., in the cases of sentence against Peter Parker, servant to M. B. Cline, Sutler 11th Maine Vols., Privates Frederick Seitz, Co. "C," Joseph F. Thurston, Co. "E," Thomas C. Coffee, Co. "C," Thomas J. Jenkins, Co. "A," William Smith, Co. "A," William Ives, Co. "B," 52d Penn. Vols., George H. Weighard, Co. "E," 100th N. Y. Vols., Thomas C. Jones, Co. "F," 11th Maine Vols., William Heashers, Battery "B," 3d N. Y. Art'y, Archibald F. Blake, Signal Corps, U. S. A., Chalkey Bright, Co. "C," 104th Penn. Vols., Isaac King, Co. "M," 3d R. I. Art'y, as promulgated in General Orders No. 15, 16, 17, 18 and 19, current series, from Headquarters Northern District, Department of the South, is approved.

The Quartermaster's Department will furnish the necessary transportation.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Asst. Adjt. Gen'l

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 9, 1864.

GENERAL ORDERS, No. 85.

I. Before a General Court Martial which convened at Jacksonville, Fla., pursuant to Special Orders No. 5, from Headquarters Ames' Division, dated Jacksonville, Fla., March 2d, 1864, and of which Col. PHILIP P. BROWN, Jr., 157th N. Y. Vols., was PRESIDENT, was arraigned and tried :

Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T.

CHARGE I.—"Disobedience of Orders."

Specification 1st—In this ; that the said Corp'l Noade Smith, Co. "F," 8th Regt. U. S. C. T., being in the Color Guard, did leave the ranks without permission.

Specification 2d—In this ; that the said Corporal Noade Smith Co. "F," 8th Regt. U. S. C. T., did leave the ranks of said company, and when ordered to return, by his superior officer, 1st Sergt. James Duty, Co. "F," 8th Regt. U. S. C. T., did resist and refuse to obey said order. This at the city of New York, on or about the 17th day of January, 1864.

CHARGE II.—"Mutiny."

Specification 1st.—In this ; that the said Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T., on being forced to return to the ranks of his company by his superior officer, 1st Sergt. James Duty, Co. "F," 8th Regt. U. S. C. T., did offer violence, by raising his gun to strike, and drawing his bayonet, saying at the same time, "Jim., if you don't go away, I'll stick you, damn you, I'll shoot you for this," or words to that effect. The same 1st Sergt. James Duty, Co. "F," 8th U. S. C. T., being at the same time in the performance of his company duties.

Specification 2d—In this ; that the said Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T., on being returned to his company, did use violent language against his superior officer, 1st Sergt. James Duty, Co. "F," 8th Regt U. S. C. T., saying, "God damn him, I'll shoot him. I hope I may go to hell, if I don't murder him," or words to that effect.

Specification 3d—In this ; that the said Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T., did deliberately load his gun, and shoot 1st Sergt. James Duty, Co. "F," 8th Regt. U. S C. T., thereby inflicting a severe and painful wound,—saying at the same time, "Damn you, I told you I'd shoot you," or words to that effect. The said 1st Sergt. James Duty, Co. "F," 8th Regt. U. S. C. T., being at the time in the performance of his company duties. This at the city of New York, on or about the 17th day of January, 1864.

To which charges and specifications the prisoner pleaded as follows:

CHARGE I.

To the 1st Specification, "Not Guilty."
To the 2d Specification, "Not Guilty."
To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st Specification, "Not Guilty."
To the 2d Specification, "Guilty."
To the 3d Specification, "Guilty."
To the CHARGE, "Not Guilty."

The Court having maturely deliberated upon the testimony adduced, find the accused, Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T., as follows:

CHARGE I.

Of the 1st Specification, "Not Guilty."
Of the 2d Specification, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st Specification, "Guilty," with the exception of the words, "Raising his gun to strike and."
Of the 2d Specification, "Guilty."
Of the 3d Specification, "Guilty."
Of the 2d CHARGE, "Guilty."

And does therefore sentence him, Corporal Noade Smith, Co. "F," 8th Regt. U. S. C. T., "To be reduced to the ranks; to be confined at hard labor, wherever the Commanding General may direct, during the remaining term of his enlistment, 10 days of each month with ball and chain,—to be deprived of all pay, allowances and bounty, which are or may become due him, with the exception of $2 per month.

II. The foregoing proceedings, findings and sentence are hereby approved; the sentence will be carried into effect at Fort Clinch, Florida.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 10, 1864.

GENERAL ORDERS, No. 86.

I. Before a General Court Martial, which convened at Jacksonville, Fla., pursuant to Special Orders No. 5, from Headquarters, Ames' Division, Jacksonville, Fla., dated March 2d, 1864, and of which Lieut. Col. H. N. HOOPER, 54th Mass. Vols., was PRESIDENT, was arraigned and tried:

1st Lieut. *William H. Harrison*, 107th Ohio Vols.

CHARGE I.—"Misbehavior before the enemy."

Specification—"In this; that he, said 1st Lieut. (now Captain) *William H. Harrison*, commanding Co. "D," 107th Regiment Ohio Vols., did, after his company and regiment had been ordered to advance, leave his company and regiment, without the consent of his commanding officer, remaining absent while the Regiment was engaged with the enemy. This at Johns Island, S. C., on or about February 7th, 1864."

CHARGE II.—"Disobedience of orders."

Specification—"In this; that he, the said 1st Lieut. (now Captain) *William H. Harrison*, commanding Co. "D," 107th Regiment Ohio Volunteer Infantry, did, when the regiment was ordered to advance towards the enemy, by his commanding officer, fail to obey said orders, leaving his company and Regiment without the knowledge or consent of his commanding officer. This at Johns Island, S. C., on or about February 9th, 1864."

CHARGE III.—"Conduct unbecoming an officer and a gentleman."

Specification.—"In this; that he, the said 1st Lieut. (now Captain) *William H. Harrison*, commanding Co. "D," 107th Regt. Ohio Vols., did, when his regiment was ordered to advance towards the enemy, by his commanding officer, fail to obey said order, and did remain behind, leaving his company and regiment, and when asked by Capt. P. F. Young, Aide to Gen. AMES, commanding the Brigade, why he was not with his company and regiment, did reply, that "he was excused, because he had been on three days' picket," or words to that effect, which statement was false, the said Lieutenant (now Captain) *William H. Harrison*, knowing it to be false at the time, having received no such per-

mission whatever. This on Johns Island, on or about the 9th day of February, 1864, while his company and regiment was advancing upon and engaged with the enemy.

To which charges and specifications the accused pleaded "Not Guilty."

The Court, after maturely considering the evidence adduced, find the accused, Lieut. (now Captain) *William H. Harrison*, 107th Ohio Vols., as follows.

CHARGE I.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

And the Court does therefore sentence him, Lieut. (now Captain) *William H. Harrison*, 107th Ohio Vols., "To be cashiered, and that his crime, name, place of abode, and punishment, be published in the newspapers about the camp, and in those of the State of Ohio."

II. The proceedings in this case have been approved by the proper officer, and submitted to the Major General Commanding for his action. The record in this case shows that a member of the Court, who was absent from its sitting on the first day of the trial, attended and participated in the proceedings of the second day. This inexcusable irregularity vitiates the action of the Court. This error may have been clerical, on the part of the Judge Advocate, in making up the record, but the Court being dissolved, and its members widely scattered, cannot now be reconvened, and the error corrected. The Major General Commanding the Department regrets that such inaccuracies should be committed by Courts Martial, and that substantial justice should be thus defeated. The evidence shows that the accused, under the most favorable view of his case, failed in his duty as an officer, and sought excuses to avoid going under fire with his men. The findings and sentence, herein, are accordingly, of necessity, but with regret, disapproved. Lieut. (now Captain) *William H.*

Harrison, 107th Ohio Vols., is released from arrest and restored to duty.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Assistant Adjutant General.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 13, 1864.

GENERAL ORDERS, No. 87.

1. Before a General Court Martial which convened at Headquarters, Northern District, D. S., pursuant to Special Orders No. 30, from Headquarters, Northern District, D. S., dated Folly Island, S. C., March 4th, 1864, and of which Lieut. Col. T. L. ENGLAND, 89th New York Volunteers, was PRESIDENT, was arraigned and tried:

Capt. *Henry Hase*, 103d Regiment New York Volunteers.

CHARGE I.—"Neglect of Duty."

Specification.—"In this; that the said Captain *Henry Hase*, 103d Regiment New York Volunteers, having been properly detailed as Brigade Officer of the Day of ALFORD'S Brigade, North End Folly Island, S. C., for the eighth day of March, 1864, and having received written instructions to visit the picket line on Folly River, between the intrenched line and the White House, between the hours of 3 and 5 o'clock A. M., did totally fail to perform the duty."

CHARGE II.—"Disobedience of orders."

Specification.—"In this; that the said Capt. *Henry Hase*, 103d Regiment New York Volunteers, having been properly detailed as Brigade Officer of the Day, of ALFORD'S Brigade, North End of Folly Island, S. C., for the eighth day of March, 1864, and having received written instructions to visit the picket line on Folly River, between the intrenched line and the White House, between the hours of 3 and 5 o'clock A. M., did totally fail to perform the duty."

To which charges and specifications the accused, Capt. *Henry Hase*, 103d Regt. N. Y. Vols., pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

The Court having maturely considered the evidence adduced, find the accused, Captain *Henry Hase*, 103d Regiment New York Volunteers, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

And the Court does therefore sentence him, the said Captain *Henry Hase*, 103d Regt., N. Y. Vols., "To be dismissed the service."

II. The foregoing proceedings, findings and sentence having been approved by the proper officer, and forwarded for the action of the Major General Commanding the Department, are hereby approved and confirmed. Captain *Henry Hase*, 103d Regiment New York Volunteers, accordingly ceases to be an officer in the United States service from this date.

III. The action of Brig.-Gen. R. SAXTON, in the case of sentence against Sergt. *John A. Jackson*, Co. "F," 9th U. S. C. T., as published in General Orders, No. 15, from Headquarters. U. S. Forces, Port Royal Island, S. C., dated Beaufort, S. C., April 1st, 1864, is approved. The Major-General Commanding directs that the sentence in the case of Sergt. *John A. Jackson*, Co. "F," 9th U. S. C. T., be carried into effect at Fort Clinch, Florida.

The Quartermaster's Department will furnish the necessary transportation.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Asst. Adjt. Gen'l

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 14, 1864.

GENERAL ORDERS, No. 88.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Headquarters, Department of the South, Hilton Head, S. C. May 21th, 1864, and of which Col. HENRY M. HOYT, 52 Penn. Vols., is PRESIDENT, was arraigned and tried :

1. 1st Lieut. William N. Hollingsworth, Co. "C," 52d Penn. Vols.

CHARGE.—"Conduct unbecoming an officer and a gentleman."

Specification—In this; that said 1st Lieut. William N. Hollingsworth, Co. "C," 52d Regt. Penn. Vols., did enter the saloon of Mrs. Margaret Frey, and in a threatening manner demand that ale should be furnished him, which he gave to enlisted men sitting at a table, and drinking with them himself. This at Hilton Head, S. C., on or about the 12th day of May, 1864.

To which charge and specification the accused pleaded as follows :

To the Specification of the CHARGE, "Guilty," except the words, "in a threatening manner."

To the CHARGE, "Not Guilty."

The Court having maturely considered the testimony adduced, find the accused, 1st Lieut. William N. Hollingsworth, Co. "C," 52d Regt. Penn. Vols., as follows :

Of the Specification, "Guilty," except the words, "in a threatening manner."

Of the CHARGE, "Guilty."

And the Court do therefore sentence him, the said 1st Lieut. William N. Hollingsworth, Co. "C," 52d Penn. Vols., To be dismissed the United States' service.

2. 2d Lieut. George A. Southworth, 1st Michigan Col'd Vols.

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

Specification—In this; that 2d Lieut. George A. Southworth, Co. "A," 1st Regt. Michigan Col'd Vols., did, when properly detailed by the Adjutant, through the Captain of his company, to take command of a Fatigue Party, detailed from it to work on the fortification, refuse to do so, and did not go with the detail, and when told by the Captain there was no other Lieut. with the company, and he, Lieut. Southworth, would have to go with the detail, did reply, that he stood in the sun all day yesterday, and should not do so again to-day, or words to that effect, all of this in the camp of the 1st Regiment Michigan Col'd Vols., Hilton Head, S. C., on or about the 20th day of May, 1864.

To which charge and specification the accused, 2d Lieut. George A. Southworth, Co. "A," 1st Regt. Michigan Col'd Vols., pleaded "Not Guilty."

The Court after mature deliberation upon the testimony adduced, find the accused, 2d Lieut. George A. Southworth, Co. "A," 1st Michigan Col'd Vols. :

Of the specification, "Guilty."

Of the CHARGE, "Guilty."

And the Court, in view of the extenuating circumstances, do sentence him, 2d Lieut. George A. Southworth, Co. "A," 1st Michigan Col'd Vols., now the 102d U S. C. T., to be reprimanded by the Commanding Officer of his Regiment.

II. The proceedings and findings in the case of 1st Lieut. William N. Hollingsworth, have been submitted to the Major-General Commanding the Department. This officer was described in the charge and specification as William N. Hollingworth, his real name being Hollingsworth. This error should have been corrected by the officer commanding his regiment, before forwarding the charge for approval. But as the accused appeared before the Court, and was tried and sentenced under his real name, this error is not fatal to the proceedings.

The conduct of the accused in procuring liquor for enlisted men, and giving it to them, in a place of public entertainment, was improper, and highly prejudicial to the best interests of the service. The Major-General Commanding desires to express his disapprobation of such unofficer-like conduct.

The proceedings and findings herein, are approved, but the members of the Court, having, in view of all the circumstances, recommended the accused to mercy; the execution of the sentence is suspended until the pleasure of the President can be made known.

On account of the scarcity of officers in this Department, 1st Lieut. William N. Hollingsworth, Co. "C," 52d Penn. Vols., is released from arrest, pending the reference of his case to the President, and restored to duty.

III. The proceedings, findings and sentence in the case of 2d Lieut. George A. Southworth, Co. "A," 1st Michigan Col'd Vols., now the 102d U. S. C. T., are approved. He will be reprimanded by

the Commandant of his Regiment in Regimental Orders.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Assistant Adjutant General.

Official :

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 16, 1864.

GENERAL ORDERS, No. 90.

I. Proceedings of a General Court Martial, which convened at South End of Folly Island, S. C., pursuant to Special Orders No. 66, current series, from Headquarters, Northern District, Department of the South, dated Folly Island, S. C., April 30th, 1864, and of which Lieut.-Col. H. N. HOOPER, 54th Mass. Vols., was PRESIDENT, was arraigned and tried:

Private *Wallace Baker*, Co. "I," 55th Mass. Vols.

CHARGE I.—"Mutiny."

Specification—In this; that he, Private *Wallace Baker*, Co. "I," 55th Mass. Vol. Infantry, being ordered by his superior officer, 2d Lieut. T. F. Ellsworth, 55th Mass. Vols., to go into his quarters, did refuse to do so, at the same time striking Lieut. Ellsworth two violent blows in the face, and that he, private *Wallace Baker*, did then endeavor to take from 2d Lieut. Ellsworth his sword, and did at the same time repeat the blows several times. All this at camp of 55th Mass. Vol. Infantry, Folly Island, S. C., on or about the 1st day of May, 1864.

CHARGE II.—"Disobedience of orders."

Specification—In this; that he, *Wallace Baker*, private Co. "I," 55th Mass. Vol. Infantry, being ordered by 2d Lieut. T. F. Ellsworth, 55th Mass. Vol. Infantry, to go into his quarters, did refuse to obey, saying, "I shan't do it; I'll be damned if I'll go; I'll go to the guard house first," or words to that effect. This at camp of 55th Mass. Vols., Folly Island, S. C., on or about the 1st day of May, 1864.

CHARGE III.—"Contempt and disrespect to his superior officer."

Specification—In this; that he, *Wallace Baker*, private Co. "I," 55th Mass. Vol. Infantry, did say to 2d Lieut. T. F. Ellsworth, 55th Regt. Mass. Vol. Infantry, "You damned white officer, do you think that you can strike me, and I not strike you back again? I will do it, I'm damned if I don't," or words to that effect. This at camp of 55th Mass, Vols., Folly Island, S. C., on or about the 1st day of May, 1864.

CHARGE IV.—"Conduct prejudicial to good order and military discipline."

Specification—In this; that he, *Wallace Baker*, private of Co. "I," 55th Mass. Vol. Infantry, did refuse to obey the orders of

his superior officer, 2d Lieut. T. F. Ellsworth, 55th Regt. Mass. Vol. Infantry, and did strike his superior officer, 2d Lieut. Ellsworth, and did use very abusive language against him in the presence of his company ("I") of the 55th Regt. Mass. Vols. All this at the camp of 55th Mass. Vols., Folly Island, S. C., on or about the 1st day of May, 1864.

To which Charges and Specifications the prisoner pleaded as follows:

CHARGE I.

To the Specification, "Not Guilty."
To the Charge, "Not Guilty."

CHARGE II.

To the Specification, "Not Guilty."
To the Charge, "Not Guilty."

CHARGE III.

To the Specification, "Not Guilty."
To the Charge, "Not Guilty."

CHARGE IV.

To the Specification, "Not Guilty."
To the Charge, "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, Private *Wallace Baker*, Co. "I," 55th Mass. Vol. Infantry, as follows:

CHARGE I.

Of the Specification, "Guilty," except the words, "and that he, Private *Wallace Baker*, did then endeavor to take from Lieut. Ellsworth his sword."

Of the Charge, "Guilty."

CHARGE II.

Of the Specification, "Guilty."
Of the Charge, "Guilty."

CHARGE III.

Of the Specification, "Guilty."
Of the Charge, "Guilty."

CHARGE IV.

Of the Specification, "Guilty."
Of the Charge, "Guilty."

SENTENCE.

And does therefore sentence him, Private *Wallace Baker*, Co. "I," 55th Regiment Massachusetts Volunteers, "*To be shot to death with musketry*, at such time and place as the Commanding

Officer may deem fit," two-thirds of the members concurring therein.

II. The proceedings, findings and sentence in the case of Private *Wallace Baker*, Co, "I," 55th Regiment Mass. Vols., having been approved by the officer ordering the Court, and forwarded for the action of the Major General Commanding the Department, they are hereby approved and confirmed. The sentence will be carried into execution at Folly Island, S. C., under direction of Brig.-Gen. A. SCHIMELFINIG, commanding Northern District of this Department, within forty-eight hours after the receipt of this order.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

Thomas J. Robinson

1st *Lieut.* 21st *U. S. C. T.*,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 17, 1864.

GENERAL ORDERS, No. 91.

I. Proceedings of a General Court Martial, which convened at South End of Folly Island, S. C., pursuant to Special Orders No. 66, from Headquarters Northern District, Department of the South, dated at Folly Island, S. C., April 30, 1864, and of which Lt.-Col. B. T. MORGAN, 51th Regt. N. Y. Vols., was PRESIDENT, was arraigned and tried:

Private John Smith, alias John Flood, Co. "D," 41st Regt. N. Y. Vol. Inf'y.

CHARGE.—"Desertion."

Specification—In this; that Private John Smith, alias John Flood, of Co. "D," 41st Regt. N. Y. Vol. In'fy, who was duly enlisted as a substitute in the service of the United States on the 6th day of November, 1863, and received pay in the same, did desert while on picket duty, and was apprehended by a patrol sent out for that purpose, near the enemy's picket line. This at Kiawah Island, S. C., on the 26th day of April, 1864.

To which charge and specification the prisoner pleaded as follows:

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely deliberated upon the testimony adduced, find the prisoner, Private John Smith, alias John Flood, Co. "D," 41st N. Y. Vols., as follows:

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private John Smith, alias John Flood, Co. "D," 41st N. Y. Vols., "To be shot to death with musketry, at such time and place as the Commanding General may direct," two-thirds of the members concurring therein.

II. The proceedings, findings and sentence in the case of Private John Smith, alias John Flood, Co. "D," 41st Regt. N. Y. Vols., having been approved by the officer ordering the Court, and forwarded for the action of the Major-General Commanding the Department, they are hereby approved and confirmed. The sentence will be carried into execution at Hilton Head, S. C., under the direction of Brigadier-General JNO. P. HATCH, within forty-eight hours after the receipt of this order.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL:

Thomas Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 17, 1864.

GENERAL ORDERS, No. 92.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated at Hilton Head, S. C., May 24, 1864, and of which Col. HENRY M. HOYT, 52d Penn. Vols., is PRESIDENT, was arraigned and tried :

Private Richard Lee, Co. "H," 52d Regt. Penn. Vols.

CHARGE I.—"Misbehavior in the presence of the enemy."

Specification—In this ; that the said Richard Lee, private of Co. "H," 52d Regt. Penn. Vols., when ordered to proceed with a detachment of his Regiment on a reconnoissance to Bull's Bay, did leave the ranks and remain behind, without the knowledge of his commanding officer, saying : "They are not going to get me where I'll be hurt," or words to that effect. This on Morris Island, S. C., on or about the 8th day of March, 1864.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification—In this ; that the said Richard Lee, private of Co. "H," 52d Regt. Penn. Vols., did furnish to Thomas Lynch, Joseph Burgoyne and James Ryan, enlisted men of said Regiment, a bottle of chloroform, to be used in the perpetration of a robbery upon Charles C. Battenburg of Co. "H," of said Regiment, naming the purpose for which the chloroform was to be used. This at Seabrook's, Hilton Head Island, S. C., on or about the 29th day of April, 1864.

CHARGE III.—"Exciting a mutiny."

Specification—In this ; that the said Richard Lee, private of Co. "H," 52d Regt. Penn Vols., did say to George Smith, of the same company, "Smithy, we will have a gay time on the boat going North ; we will kill the officers, and take the boat," or words to that effect, and when answered by said Smith, to the effect that he would not join in such an attempt, did say : "Well, we can get plenty of other boys to join us, and then we will have satisfaction," or words to that effect. This on the steamer Monohansett, on the trip from Folly Island to Hilton Head, on or about the 26th day of April, 1864.

To which charges and specifications the accused pleaded "Not Guilty,"

FINDING.

The Court, after mature deliberation upon the testimony adduced, find the prisoner, Richard Lee, Co. "H," 52d Regt. Penn. Vols., as follows :

CHARGE I.

Of the Specification, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the Specification, "Guilty."
Of the CHARGE, "Guilty."

CHARGE III.

Of the Specification, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the prisoner, Private Richard Lee, Co. "H," 52d Regt. Penn. Vols , "To be confined, at hard labor, for the balance of his term of enlistment, wherever the Commanding General may direct, with forfeiture of all pay and allowances which may be, or may become due him, and at the expiration of his term of service, that he be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentence in the case of Private Richard Lee, Co. "H," 52d Regt. Penn. Vols., having been submitted to the Major-General Commanding the Department for his action, are hereby approved and confirmed. The sentence will be carried into effect at Fort Clinch, Florida.

The Quartermaster's Department will furnish the necessary transportation.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL :

Thomas J. Robinson
1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 18, 1864.

GENERAL ORDERS, No. 93.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Hilton Head, S. C., May 24th, 1864, and of which Col. HENRY M. HOYT, 52d Penn. Vols., is PRESIDENT, was arraigned and tried :

2d Lieut. Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols.

CHARGE —"Conduct unbecoming an officer and a gentleman."

Specification 1st—In this ; that the said 2d Lieut. Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols., did enter the premises of Mrs. Margaret Frey, and behave in an unofficer-like and ungentlemanly manner, saying : "I'm waiting for some of my men to come, and then I'm going to clean the damned Dutch bitch out," or words to that effect. This at Hilton Head, S. C., on or about the 12th day of May, 1864.

Specification 2d—In this ; that the said 2d Lieut. Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols., did enter the kitchen of the Restaurant of Mrs. Margaret Frey, and abuse the proprietress, using, on addressing her in the presence of her children, obscene language. This at Hilton Head, S. C., on or about the 12th day of May, 1864.

To which charge and its specifications the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the testimony adduced, find the accused, 2d Lieut. Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols., as follows :

Of the 1st Specification, "Guilty."
Of the 2d Specification, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And do therefore sentence the accused, 2d Lieut. Aaron Stoughton, Co. "D," 52 Regt. Penn. Vols., "To be dismissed the service of the United States."

II. The proceedings, findings and sentence in the case of Second Lieutenant Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols., having been submitted to the Major-General Commanding the Department for his action, they are hereby approved and confirmed. Second Lieutenant Aaron Stoughton, Co. "D," 52d Regt. Penn. Vols., accordingly ceases to be an officer in the service of the United States from this date.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL :

Thomas Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 21, 1864.

GENERAL ORDERS, No. 95.

I. Proceedings of a General Court Martial, which convened at Jacksonville, Fla., pursuant to Special Orders No. 9, from Headquarters Provisional District, Jacksonville, Fla., dated March 3, 1864, and of which Lt.-Col. U. DOUBLEDAY, 3d U. S. C. T., was PRESIDENT, was arraigned and tried :

Private *Aleck Williams*, Co. "D," 1st N. C. C. Vols.

CHARGE. I.—"Disobedience of orders."

Specification—In this; that said *Aleck Williams*, private Co. "D," 1st N. C. C. Vols., did, when ordered by 1st Lieut. H. N. Bachellor, 1st N. C. C. Vols., to go to his work, refuse so to do, in substituting the following language : "I won't go another God damned inch," at the same time raising a stick. This at Pawnee Landing, Folly Island, S. C., on or about the 10th day of Feb., 1864.

CHARGE II.—"Mutiny."

Specification—In this ; that the said *Aleck Williams*, private Co. "D," 1st N. C. C. Vols., when ordered by Holland N. Bachellor, 1st Lieut. 1st N. C. C. Vols., then in command of a fatigue party, upon which the said *Aleck Williams* had been detailed, to go to his work, did refuse so to do, with profanity and violence. This at Pawnee Landing, Folly Island, S. C., on or about the 10th of Feb., 1864.

CHARGE III.—"Assault upon his superior officer."

Specification 1st—In this; that the said *Aleck Williams*, private Co. "D," 1st N. C. C. Vols., did lift up a stick (with intent to strike) against Holland N. Bachellor, 1st Lieut. 1st N. C. C. Vols. This at Pawnee Landing, Folly Island, S. C., on or about Feb. 10, 1864.

Specification 2d—In this ; that said *Aleck Williams*, private Co. "D," 1st N. C. C. Vols., did grasp the throat of Holland N. Bachellor, 1st Lieut. 1st N. C. C. Vols. This at Pawnee Landing, Folly Island, S. C., on or about the 10th of Feb., 1864.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely deliberated upon the testimony adduced, find Private *Aleck Williams*, Co. "D," 1st N. C. C. Vols., as follows :

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Aleck Williams*, 1st Regt. N. C. C. Vols., "*To be shot to death with musketry*," at such time and place as the Major-General Commanding may direct, two-thirds of the said Court concurring in the said findings and sentence.

II. The proceedings, findings and sentence in the case of Private *Aleck Williams*, Co. "D," 1st Regt. N. C. C. Vols., (now the 35th U. S. C. T.,) having been approved by the proper officer, and forwarded for the action of the Major-General Commanding the Department, they are hereby approved and confirmed; the sentence will be carried into execution at Jacksonville, Fla., under the direction of Brigadier-General WILLIAM BIRNEY, commanding the District of Florida, as soon as practicable after the receipt of this order.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st *U. S. C. T.*,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 24, 1864.

GENERAL ORDERS, No. 101.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., by virtue of Special Orders No. 219, current series, from Headquarters, Department of the South, dated at Hilton Head, S. C., May 24th, 1864, and of which Col. HENRY M. HOYT, 52d Penn. Vols., is PRESIDENT, was arraigned and tried:

1st. Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols.

CHARGE I.—"Absence without leave."

Specification 1st—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did remain behind, without permission from his commanding officer, when his company marched from the landing at Seabrook, S. C., to Pope's Plantation, and was absent until about 10 A. M. next day. This at Seabrook, Hilton Head Island, S. C., on or about the night of the 26th day of April, A. D., 1864.

Specification 2d—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did fall out of the ranks and straggle behind without permission from his commanding officer, while his company and regiment was on the march from Seabrook, S. C., to Hilton Head, S. C. This on or about the 30th day of April, A. D., 1864.

CHARGE II.—"Selling and throwing away his clothing."

Specification 1st—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did sell to Private William Newman, Co. "F," 52d Regt. Penn. Vols., one dress uniform coat, which he, the said Private Frederick Slagel, had received from the United States as clothing. This at the camp of the 52d Regt. Penn. Vols., Hilton Head, S. C., on or about the 6th day of May, 1864.

Specification 2d—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did sell to a negro one woolen blanket, which had been received from the United States as clothing. This at Hilton Head, S. C., on or about the 2d day of May, 1864.

Specification 3d—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did wilfully throw away and abandon a part of his clothing, which he had received from the United States. This at Hilton Head, S. C., on or about the 1st day of May, 1864.

CHARGE III.—"Larceny."

Specification 1st—In this; that the said Private Frederick Slagel Co. "F," 52d Regt. Penn. Vols., did take with felonious intent, from the tent or quarters of Private John Miller, Co. "F," 52d Regt. Penn. Vols., a purse or wallet containing money to the amount of from six to eight dollars, and papers and articles of value or importance, and did conceal the same, and fail to discover or give it up. This at Fort Shaw, Morris Island, S. C., on or about the 6th day of May, 1864.

Specification 2d—In this; that the said Private Frederick Slagel, Co. "F." 52d Regt. Penn. Vols., did take with felonious intent, and appropriate to his own use one knapsack, one woolen blanket, one pair of trowsers, one pair drawers, one shirt, and other articles of clothing, belonging to Private William Gensle, Co. "F," 52d Regt. Penn. Vols. This at Hilton Head, S. C., on or about the 2d day of May, 1864.

Specification 3d—In this; that the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., did take, with felonious intent, from the tent or quarters of Private William Dougherty, Co. "F," 52d Regt. Penn. Vols., one flannel shirt, belonging to the said Private William Dougherty, and did appropriate the same to his own use. This at the camp of the 52d Regt. Penn. Vols., Hilton Head, S. C., on or about the 5th day of May, 1864.

To which Charges and Specifications the accused pleaded as follows:

CHARGE I.

To the 1st Specification, "Guilty."
To the 2d Specification, "Guilty."
To the Charge, "Guilty."

CHARGE II.

To the 1st Specification, "Guilty."
To the 2d Specification, "Not Guilty."
To the 3d Specification, "Guilty."
To the Charge, "Guilty."

CHARGE III.

To the 1st Specification, "Guilty," except the words, "one blanket."
To the 2d Specification, "Not Guilty."
To the 3d Specification, "Not Guilty."

To the Charge, "Not Guilty."

FINDING.

The Court, after mature deliberation upon the testimony adduced, find the prisoner, Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., 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."

CHARGE III.

Of the 1st Specification, "Guilty."
Of the 2d Specification, "Guilty."
Of the 3d Specification, "Guilty."
Of the Charge, "Guilty."

SENTENCE.

And do therefore sentence him, the said Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., "To be confined at hard labor during the balance of his term of service, on such Government works as the Major General Commanding may direct, with loss of all pay and allowances which may be, or may become due him, and at the expiration of his term of enlistment, to be dishonorably discharged the service of the United States."

2d. Private Moore Chandler, Co. "C," 1st Regt. Mich. Col'd Vols.

CHARGE.—"Sleeping on post."

Specification—That Private Moore Chandler, Co. "C," 1st Regt. Mich. Col'd Vols., having been duly posted as a sentinel, was found asleep on his post, in a sitting posture, (and while asleep was relieved of his arms) between the hours of three (3) A. M., and five (5) A. M., when visited by the corporal of the guard. This at Headquarters of Provost Marshal General, Hilton Head, S. C., on or about the 29th day of May, 1864.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation on the testimony adduced, find the prisoner, Moore Chandler, Co. "C," 1st Mich. Col'd Vols., as follows:

Of the Specification, "Guilty."

Of the Charge, "Guilty," but as the evidence shows that the prisoner was not in fit health to have been put on guard, the Court does therefore sentence him, the said Moore Chandler, private Co. "C," 1st Regt. Michigan Vols., "To be confined at hard labor, under charge of the Provost Marshal, for the period of thirty days."

3d. Private Lewis Morgan, Co. "B," 102d Regt. U. S. C. T.

CHARGE.—"Desertion."

Specification—In this; that he, Lewis Morgan, a private soldier of Co. "B," 102d Regt. U. S. C. T., (formerly called the 1st Regt. Mich. Col'd Vols.) having duly enlisted in the service of the United States, did desert the said service from camp at or near Detroit, Michigan, on or about the 23d day of March, 1864, and did remain absent from said service until delivered up as a prisoner at the Military Post, at Detroit, Michigan, on or about the 29th day of March, 1864, and remain absent from his Regiment until delivered at Annapolis, Maryland, on or about the 4th day of April, 1864.

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Lewis Morgan, Co. "B," 102d Regt. U. S. C. T., as follows:

Of the Specification, "Guilty," except the words, "until delivered at Annapolis, Maryland."

Of the Charge, "Not Guilty."

And do therefore sentence him, Private Lewis Morgan, Co. "B," 102d Regt. U. S. C. T., "To make good to the United States such sum of money as may have been expended in procuring his arrest, and to be confined to the camp of his regiment at hard labor for the period of two months."

II. The proceedings, findings and sentence in the case of Private Frederick Slagel, Co. "F," 52d Regt. Penn. Vols., having been submitted to the Major-General Commanding the Department for his action, are hereby approved and confirmed. The sentence will be carried into effect at Fort Clinch, Florida.

III. The proceedings, findings and sentence in the case of Private Moore Chandler, Co. "C," 1st Regt. Michigan Vols., are hereby approved and confirmed. The sentence will be carried into effect under direction of the Provost Marshal General of the Department.

IV. The proceedings, findings and sentence in the case of Private Lewis Morgan, Co. "B," 102d U. S. C. T., having been submitted to the Major General Commanding for his action, they are hereby approved, but as the evidence shows that the prisoner erred through ignorance, so much of the sentence as directs the confinement of the prisoner at hard labor for two months, is remitted. He will be released from arrest and restored to duty.

The Quartermasters' Department will furnish the necessary transportation.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Asst. Adjt. Gen'l.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 29, 1864.

GENERAL ORDERS, No. 103.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Hilton Head, S. C., May 24th, 1864, and of which Col. HENRY M. HOYT, 52d Penn. Vols., is PRESIDENT, was arraigned and tried :

1st. 2d Lieut. *Edwin R. Sterling*, Co. "D," 2d Battalion 4th Mass. Cavalry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said *Edwin R. Sterling*, 2d Lieut. 4th Mass. Cavalry, being released from special duty at Camp Meigs, Readville, Mass, did report for duty at Battery Wharf, Boston Mass., on the day of the embarkation of his company, in a state of intoxication, and did so report to his superior officer, Major D. B. Keith, commanding 2d Battalion, and did exhibit himself, while thus intoxicated, in the presence of enlisted men of said Battalion, to the prejudice of good order and military discipline. All this at Boston, Mass., and on board U. S. Transport "Western Metropolis," in Boston Harbor, on or about the 26th day of March, 1864.

Specification 2d—In this; that he, the said *Edwin R. Sterling*, 2d Lieut. 4th Mass. Cavalry, did, while crossing from Braddock's Point, Hilton Head Island, S. C., to Dawfuskie Island, under orders of Capt Horace F. Mills, 9th Regt. U. S. C. Infantry, then commanding Picket Post, at said Braddock's Point, wave or raise his handkerchief, as a signal for some purpose unknown, and did otherwise misbehave himself, he being intoxicated at the time. This at Braddock's Point, and when between the advance line of U. S. Pickets and the supposed Rebel Picket Line, on or about the 11th day of May, 1864.

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification—In this; that he, the said Lieut. *Edwin R. Sterling*, 4th Mass. Cavalry, did abuse and threaten 1st Lieut. Jno. L. Perley, 4th Mass. Cavalry, his superior officer, saying: "Damn you, what have you got to do with me, say another word and I'll run my sabre through you," or words to that effect, at the same time pointing his sabre at the breast of said Lieut. John L.

Perley. This at Braddock's Point, Hilton Head Island, S. C., on or about the 11th day of May, 1864.

CHARGE III.—"Drunkenness on duty."

Specification—In this; that he, the said *Edwin R. Sterling*, 4th Mass. Cavalry, was intoxicated, and unable and unfit to perform his duty. This while on duty at the Advance Picket Line,, at Braddock's Point, Hilton Head Island, S. C., on or about the 11th day of May, 1864.

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, do find the accused, 2d Lieut. *Edwin R. Sterling*, Co. "D," 2d Battalion 4th Mass. Cavalry, as follows:

CHARGE I.

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

Of the 2*d Specification*, "Guilty," excepting the words, "and did otherwise misbehave himself, he being intoxicated at the time."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty," excepting the words, "Damn you,—and at the same time pointing his sabre at the breast of said Lieut. Jno. L. Perley."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 2d Lieut. *Edwin R. Sterling*, Co. "D," 2d Battalion 4th Mass. Cavalry, "*To be dismissed the military service of the United States.*"

2d. Private *Charles M. Keyser*, Co. "D," 104th Penn. Vols.

CHARGE.—"Desertion."

Specification—In this; that Private *Charles M. Keyser*, Co. "D," 104th Penn. Vols., having been duly enlisted into the military service of the United States, did desert the same on or about the 10th day of December, 1862, while an inmate of Jarvis General Hospital, Baltimore, Md., and did remain absent until he was apprehended as a deserter in June, 1863, and was returned to his Regiment in March, 1864. All this at Baltimore, Maryland.

To which charge and specification the prisoner pleaded "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, do find the prisoner, Private *Charles M. Keyser*, Co. "D," 104th Penn. Vols., as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Not Guilty," but guilty of "absence without leave."

SENTENCE.

And the Court do therefore sentence him, the said *Charles M. Keyser*, private "Co. "D," 104th Regt. Penn. Vols., "*To forfeit all pay and allowances which are, or may be due to him from the United States, for the period beginning with the 10th day of December*, 1862, *and ending with the first day of June*, 1863."

II. The proceedings, findings and sentence in the foregoing case of 2d Lieut. *Elwin R. Sterling*, Co. "D," 2d Battalion 4th Mass. Cavalry, having been forwarded for the action of the Major-General Commanding the Department, they are hereby approved and confirmed. 2d Lieut. *Elwin R. Sterling*, 2d Battalion 4th Mass. Cavalry, accordingly ceases to be an officer in the United States' Service from this date.

III. The proceedings, findings and sentence in the case of Private *Charles M. Keyser*, Co. "D," 104th Penn. Vols., having been forwarded for the action of the Major-General Commanding the Department are approved, and confirmed. Private *Charles M. Keyser*, Co. "D," 104th Penn. Vols., will be released from arrest and restored to duty.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 30, 1864.

GENERAL ORDERS, No. 165.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Hilton Head, S. C., May 24, 1864, and of which Col. HENRY M. HOYT, 52 Penn. Vols., is PRESIDENT, was arraigned and tried :

1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols.

CHARGE I.—"Conduct unbecoming an officer and a gentleman."

Specification—In this ; that he, 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols., did use the following language, or words of like meaning, to Private Nat. Bruin, Co. "K," 33d U. S. C. T., to wit : "What in hell are you doing with that belt, are you commissioned ? God damn you, you have no right to have that belt on, you are not commissioned, and that belt is a comissioned officer's belt. They (meaning the officers of the 33d U. S. C. T..) do not know nothing. Look there, the war has disgraced him. If I had my will of the God damn nigger troops I would drown every one ; damn you, you all will drown after the rebel war. What Regiment do you belong to ? Why don't you belong to the 54th, where you can amount to something, God damn you, you know enough to run. Why were you not at Jacksonville." This on board the steamer "Wyoming" on her passage from Hilton Head, S. C., to Beaufort, S. C., on or about the 14th day of May, 1864.

CHARGE II.—"Using reproachful and provoking speech to a soldier."

Specification—In this ; that he, 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols., did use the following language, or words of like meaning, to Private Nat. Bruin, Co. "K," 33d U. S. C. T., to wit : "What in hell are you doing with that belt, are you commissioned ? God damn you, you have no right to have that belt on ; you are not commissioned and that is a commissioned officer's belt. They (meaning the officers of the 33d U. S. C. T.,) do not know nothing. God damn, look there, the war has disgraced him. If I had my will of the God damn nigger troops I would drown every one, damn you. You all will drown after the rebel war. What Regiment do you belong to ? Why don't you belong to the 54th, where you can amount to something ? God damn you, you know enough to run. Why was you not at Jacksonville." This on beard the steamer "Wyoming" on her passage from Hilton Head, S. C., to Beaufort, S. C., on or about the 14th day of May, 1864.

CHARGE III.—" Disobedience of orders."

Specification—In this; that he, 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols., did arrive at Beaufort, S. C. on or about the 14th day of May, 1864, and depart therefrom without registering his name in the Register Book, kept at the office of the Post Commandant, Beaufort, S. C., thereby disobeying Paragraph I, of General Orders No. 106, dated Department of the South, Headquarters in the Field, Folly Island, S. C., November the 28th, 1863.

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty.

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn Vols., as follows:

CHARGE I.

Of the *Specification*, "Guilty," excepting the words, "God," on 9th line, from top of the 1st page of charges and specifications hereto annexed; also the words, "God damn, look there, the war has disgraced him. If I had my will of the God damn nigger troops, I would drown every one;" also the word "God," on 2d line from top of 1st page of charges, &c., hereto annexed; also the words, "why were you not at Jacksonville?"

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty," excepting the same words as are excepted in the finding of the Court in the specification of the 1st charge.

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court do therefore sentence him, the said 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols., "*To be reprimanded in General Orders by the Major-General Commanding the Department.*"

II. The proceedings, findings and sentence in the foregoing case of 1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols, are approved and confirmed.

The Major-General Commanding regrets to be obliged to reprimand a Commissioned officer for an offence of this kind. An officer in the United States' service that has no more respect for his position than to degrade himself by the use of ungentlemanly language to an enlisted man, deserves the severest censure.

1st Lieut. *J. W. Glase*, Co. "E," 104th Penn. Vols., will be released from arrest and restored to duty.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Asst. Adjt. Gen'l.

Official:

Thomas J. Robinson

1st Lieut. 21st *U. S. C. T.*,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., July 1, 1864.

GENERAL ORDERS, No. 106.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Hilton Head, S. C., May 24, 1864, and of which Col, HENRY M. HOYT, 52d Penn Vols., is PRESIDENT, was arraigned and tried:

Private *John M'Laughlin*, Signal Corps, U. S. A.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st—In this; that the said Private *John M'Laughlin*, was drunk at the Signal Station, at Hilton Head, S. C., and while in that condition, did create a disturbance among the signal men on duty at the station, using abusive language towards and threatening to kill them, and when remonstrated with by Private George, of the Signal Detachment, did make an assault on the said Private George, threatening to take his life. This at Hilton Head, S. C., on or about the nights of January 24 and 25, 1864.

Specification 2d—In this; that the said Private *John M'Laughlin*, did take a position near the door, inside the room occupied by the signal men on duty at the station, at Hilton Head, S. C., stating that he would kill the first officer who attempted to enter the room, or words to that effect. This at Hilton Head, S. C., on or about the night of January 25, 1864.

To which charge and specifications the prisoner pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the prisoner, Private *John M'Laughlin*, Signal Corps, U.S.A., as follows:

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And do therefore sentence him, the said Private *John M'Laughlin*, Signal Corps, U.S.A., "*To forfeit to the United States the sum of ten ($10) dollars per month for the period of five months.*

The sentence of the Court is made thus lenient in view of the long confinement, at hard labor, of the prisoner, in the Provost Guard House at Hilton Head, S. C., previous to his trial.

II. The proceedings, findings and sentence in the foregoing case of Private *John M'Laughlin*, Signal Corps, U.S.A., having been forwarded for the action of the Major-General Commanding, they are hereby approved and confirmed.

Private *John M'Laughlin*, Signal Corps, U.S.A., will be released from arrest and restored to duty.

III. The General Court Martial, of which Col. HENRY M. HOYT, 52d Penn. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., July 12, 1864.

GENERAL ORDERS, No. 107.

I. The action of Col. JAS. C. DRAKE, Commanding 2d Provisional Division, Jacksonville, Fla., as published in General Orders No. 16, from Headquarters 2d Provisional Division, dated Jacksonville, Fla., April 20, 1864, in the cases of Privates William B. Johnson, Hiram Waters, James H. Parker, Co. "A," and Private Chene Hays, Co. "B," 33d U. S. C. T., are approved and confirmed. The sentence will be carried into effect, under the direction of the Commanding Officer at Fort Pulaski, Ga., to which place the prisoners will be sent under guard.

II. The action of Col. JAS. C. DRAKE, in designating Fort Clinch, Fla., as the place of confinement in the cases of Sergt. John Farrell, Co. "K," Private Joseph Neddo, Co. "F," 169th N. Y. Vols., Private David H. Brainard, Co. "I," 40th Mass. Vol. Mounted Infantry, Private Adam Schellenberger, Co. "D," 1st N. Y. Vol. Engineers, Privates J. Johnson, Co. "G," and Jerome B. Graves, Co. "I," 112th Regt. N. Y. Vols., and Private Joseph Barrenger, Co. "K," 169th N. Y. Vols., as published in General Orders No. 16, from Headquarters 2d Provisional Division, dated Jacksonville, Fla., April 20, 1864, is approved and confirmed. The prisoners will be sent, under guard, to the Commanding Officer at Fort Clinch, Fla.

III. The action of Brig-Gen'l R. SAXTON, Commanding U. S. Forces, District of Beaufort, as published in General Orders No. 21, dated Headquarters U. S. Forces, Beaufort, S. C., June 23, 1864, in the cases of Private Robert Simmons, Co. "D," 33d U. S. C. T., and Private William J. Mann, Co. "D," 26th U. S. C. T., is approved and confirmed. The sentence will be carried into execution, under the direction of the Commanding Officer at Fort Pulaski, Ga.

IV. The proceedings, findings and sentences in the cases of Sergt. William G. H. Hamilton, Co. "I," 26th Regt. U. S. C. T., and Private Ishmael Small, Co. "E," 33d U. S. C. T., as published in General Orders No. 21, dated Headquarters U. S. Forces, Beaufort, S. C., June 23, 1864, are approved and confirmed. They will be released from arrest and restored to duty.

V. The proceedings, findings and sentence in the case of Private Putnam Weston, 33d Regt. U. S. C. T., as published in General Orders No. 21, Headquarters U. S. Forces, District of Beaufort, dated June 23, 1864, are hereby approved and confirmed; but so much of the action of Brig.-Gen'l R. Saxton, Commanding U. S. Forces, District of Beaufort, S. C., as directs the sentence to be carried out, under direction of the Provost Marshal at Beaufort, is countermanded. Private Putnam Weston, 33d Regt. U. S. C. T., will be sent, under guard, to the Commanding Officer at Fort Pulaski, Ga., and the sentence carried into effect under his direction at that place.

VI. The proceedings, findings and sentence in the case of Pv't Richard Adams, Co. "B," 33d Regt. U. S. C. T., as published in General Orders No. 21, from Headquarters U. S. Forces, District of Beaufort, dated June 23, 1864, are approved, but so much of the sentence as directs that he be imprisoned for one month, at hard labor, is remitted, it having been shown that the prisoner was not in a fit state to do duty. General Orders No. 3, from the Adjutant General's Office, dated Washington, D. C., January 2, 1864, calls the attention of Courts Martial and Reviewing Officers, to the impropriety and danger of associating with the honorable and important duty of guards any idea of punishment or degradation. Private Richard Adams, Co. "B," 33d Regt. U. S. C. T., will be released from arrest and restored to duty.

The Provost Marshal General, Department South, is charged with the execution of this order.

The Quartermaster's Department will furnish the necessary transportation.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Assistant Adjutant General.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., July 21, 1864.

GENERAL ORDERS, No. 110.

The action of Brig.-Gen'l R. SAXTON, Commanding U. S. Forces, District of Beaufort, as published in General Orders No. 26, dated Headquarters U. S. Forces, District of Beaufort, Beaufort, S. C., July 13, 1864, in the cases of Private James Jackson, Co. "C," and Private John Davis, Co. "G," 56th N. Y. Vols., is approved and confirmed, but so much of the order of approval as reads in the case of Private Sidney Dean, Co. "K," 102d U. S. C. T., that "the sentence will be carried into effect accordingly, under direction of the Provost Marshal, District of Beaufort," is disapproved.

Private Sidney Dean, Co. "K," 102d U. S. C. T., will be sent under guard, to the Commanding Officer at Fort Pulaski, Ga., under whose direction the sentence will be carried into effect.

The Provost Marshal General, Department of the South, is charged with the execution of this order.

The Quartermaster's Department will furnish the necessary transportation.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,
W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Aug. 6, 1864.

GENERAL ORDERS, No. 113.

I. Proceedings of a General Court Martial which convened at Hilton Head, S. C., pursuant to Special Orders No. 219, from Headquarters, Department of the South, dated Hilton Head, S. C., May 24th, 1864, and of which Col. HENRY M. HOYT, 52d Penn. Vols., was PRESIDENT, was arraigned and tried.

WILLIAM KING, "Teamster" Quartermaster's Department.

CHARGE,—"Theft."

Specification—"In this; that WILLIAM KING, teamster in Quartermaster's Department, did steal from JAMES HOEY, Carpenter Quartermaster's Department, money to the amount of ($110) one hundred and ten dollars, more or less. This at Hilton Head, S. C., on or about the 9th of May, 1864."

To which charge and specification the prisoner pleaded as follows:

To the *Specification* "Guilty."

To the CHARGE "Guilty."

After mature deliberation the Court confirm the prisoner's plea of Guilty to both the Charge and Specification, and do therefore sentence him WILLIAM KING, Teamster in Quartermaster's Department, as follows: "*To be confined at hard labor for twelve months at such place as the Commanding Officer may direct.*

II. The proceedings, findings and sentence in the case of WILLIAM KING, teamster in the Quartermaster's Department, having been submitted to the Major General Commanding for his action, are hereby approved. On account, however, of the extreme youth and evident ignorance of the prisoner, and upon the recommendation of the Court, the sentence is remitted. The Provost Marshal General of the Department will forthwith take the necessary steps to have the prisoner, WILLIAM KING, teamster and civilian, sent to some suitable asylum at the North, where he may educated and reformed.

III. The action of Brig.-General WILLIAM BIRNEY, Commanding District of Florida, in designating Fort Clinch as the place for carrying out the sentences in the cases of private GEORGE CUNNINGHAM, Co. "H," and JOHN Q. ADAMS, Co. "I," 3d U. S. C. T., is disapproved. The sentences will be carried into effect at Fort Pulaski, Georgia.

The Provost Marshal General, Department of the South, is charged with the execution of this order.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Aug. 13, 1864.

GENERAL ORDERS, No. 117.

I. Proceedings of a General Court Martial which convened at Jacksonville, Fla., pursuant to Special Orders No. 131, dated Headquarters, District of Florida, Department of the South, Jacksonville, Fla., June 22d, 1864, and of which Lieut.-Colonel ULYSSES DOUBLEDAY, 3d U. S. C. T., is PRESIDENT, was arraigned and tried :

Captain *William Harrison*, 107th Ohio Vols.

CHARGE 1st.—"Neglect of Duty."

Specification 1st—"In this; that Captain *William Harrison*, 107th Regt Ohio Vols., being in command of the Provost Guard, did neglect to take the proper precaution to secure John Aleck Williams, private 35th U. S. C. T., who was condemned to suffer death; although he, the said Captain *William Harrison*, had been repeatedly cautioned and warned of the more than ordinary necessity for watchfulness and care in respect of said prisoner, and that in consequence of such neglect on the part of said Captain *William Harrison*, said prisoner did escape."

All this at Jacksonville, Fla., on or about the 24th day of June, 1864.

Specification 2d—"In this; that Captain *William Harrison*, 107th Regt. Ohio Vols., being in command of the Provost Guard, did cause certain private soldiers to be arrested and confined in the Guard House, without removing from them their side arms."

All this at Jacksonville, Fla., on or about the 24th day of June, 1864.

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification—"In this; that Captain *William Harrison*, 107th Regt. Ohio Vols., being in command of the Provost Guard, when the Sergeant of the Guard did arrest and bring to the Guard House, a commissioned officer, to wit, Lieut. Charles L. Rundell, 2d U. S. C. T., in uniform, and charged with no offence, did justify the said arrest."

All this at Jacksonville, Fla., on or about the 24th day of June, 1864.

CHARGE III.—"Breaking his arrest."

Specification—"In this; that Captain *William Harrison*, 107th Regt. Ohio Vols., having been placed in arrest by order of the Commanding General, did leave his quarters and the limits of his camp, and proceed to various houses and places within the city of Jacksonville, without proper authority."

All this at Jacksonville, Fla., on or about the 28th day of June, 1864.

To which Charges and Specifications the accused, Captain *William Harrison*, 107th Ohio Vols., pleaded as follows :

CHARGE I.

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

And the Court, after maturely considering the testimony adduced, is of opinion that the accused, Captain *William Harrison*, 107th Ohio Vols., is of

CHARGE I.

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

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

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty," but attach no criminality thereto.

Of the CHARGE "Not Guilty."

And do therefore sentence him, Captain *William Harrison*, 107th Ohio Vols., "*To be suspended from rank and pay for one year.*"

II. The proceedings, findings, and sentence in the case of Captain *William Harrison*, 107th Regt. Ohio Vols., having been approved by the officer ordering the Court, and submitted to the Major-General Commanding, they are hereby approved and confirmed, excepting the findings on the second charge and specification thereof, which are disapproved, as being unsupported by the evidence.

Captain *William Harrison*, 107th Regt. Ohio Vols., is accordingly suspended from his rank and pay for one year from this date.

III. The action of Brig.-Gen. R. SAXTON, Commanding U. S. Forces, Port Royal Island, S. C., in the case of Private *Billy Eddy*, Co. "D," 1st Regt. S. C. Vols., (now the 33d U. S. C. T.,) as published in General Orders No. 71, from Headquarters U. S. Forces, Port Royal Island, dated Beaufort, S. C., December 20th, 1863, is approved. But in consideration of the long confinement of Private *Eddy* in the Guard House, at Beaufort, S. C., the sentence in his case is hereby commuted to four months imprisonment at Fort Clinch, Fla., where he will be sent under proper guard.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL :

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., Aug. 23, 1864.

GENERAL ORDERS, No. 123.

I. Proceedings of a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Order No. 243, from Headquarters, Department of the South, dated Hilton Head, S. C., June 16th, 1864, and of which Col. P. P. BROWN, JR., 157th N. Y. Vols., is PRESIDENT, was arraigned and tried.

Colonel *Thomas Bailey*, 9th U. S. Colored Troops.

CHARGE—"Neglect of Duty, to the prejudice of good order and military dicipline."

Specification 1st—In this; that the said *Thomas Bailey*, Colonel of the 9th U. S. Colored Troops, being in command of said Regiment, and of the Transport "Edwin Lewis," and under orders to proceed up the Ashepoo River, to the mouth of Mosquito Creek, did, to the great danger of his command, utterly neglect and fail to put a competent Pilot at the helm, although he knew there was one on board of the "Edwin Lewis," or a vessel close by, and subject to his orders, but proceeded up the river with a pilot unacquainted with the channel. This at Ashepoo river, South Carolina, on the night of the 25th of May, 1864.

Specification 2d—In this; that the said *Thomas Bailey*, Colonel of the 9th U. S. Colored Troops, being in command of said Regiment, and of the Transport "Edwin Lewis," which had been sent him by Brig.-General Birney, commanding the Expedition, to convey the said regiment of troops under command of said Colonel *Bailey*, to the mouth of Mosquito Creek, on the Ashepoo River, did wholly neglect and fail to avail himself of the services of William C. Mandel, a competent pilot; although he was informed at that time by Acting Master C. M. Hancock, of said Transport, that Brig.-Gen. Birney had placed the said competent pilot on board the "Edwin Lewis," for the purpose of piloting said vessel up the Ashepoo. This at the Ashepoo River, S. C., on the 25th day of May, 1864.

Specification 3d—In this; that the said *Thomas Bailey*, Colonel of the 9th U. S. Colored Troops, being in command of said regiment, and of the transport "Edwin Lewis," and under orders to proceed to the landing at the mouth of Mosquito Creek, on the Ashepoo river, did wholly neglect and refuse to inform the Acting Master and the Pilot on said Transport, what landing they were to stop at, although the said Master, and the said Pilot, frequently expressed their desire to know; and did continue so to neglect and refuse until the said transport had gone up the river about eight miles above the said landing, and past the pickets of the enemy,

and under the guns of a rebel battery. This at the Ashepoo river, S. C., on the 25th day of May, 1864.

Specification 4th—In this: that the said *Thomas Bailey*, Colonel of the 9th U. S. Colored Troops, being in command of his regiment, and of the transport "Edwin Lewis," in the Ashepoo river, and under orders to stop at the mouth of Mosquito Creek, about 8 miles from St. Helena Sound, did negligently and carelessly proceed six or eight miles further up the Ashepoo river, and was there hailed by a rebel sentry standing near a fire on the bank, with, "What boat is that?" or words to that effect, and that the said *Bailey* answered, "The 'Edwin Lewis';" that instead of turning back, the said *Bailey* passed with the transport and the troops on board, beyond the sentry and about one mile further into the lines of the enemy, although he distinctly heard the alarm given by the rebel sentry; which act of criminal thoughtlessness endangered his whole command, put the enemy on guard against the intended surprise, and contributed greatly to the loss of the steamer "Boston." This at the Ashepoo river, S. C., on or about the 25th of May, 1864.

To which Charge and Specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."
To the 2d *Specification*, "Not Guilty."
To the 3d *Specification*, "Not Guilty."
To the 4th *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Colonel *Thomas Bailey*, as follows:

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the 4th *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Court do therefore acquit him, the said Colonel *Thomas Bailey*, 9th U. S. Colored Troops.

II. The proceedings and findings in the foregoing case of Colonel *Thomas Bailey*, 9th Regt. U. S. C. T., having been submitted to the Major-General Commanding, are hereby approved.

Colonel *Thomas Bailey*, 9th Regt. U. S. C. T., is accordingly released from arrest and restored to duty.

III. The Court Martial of which Col. P. P. BROWN, Jr., 157th

Regt. N. Y. Vols., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

Thomas Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Aug. 31, 1864.

GENERAL ORDERS, No. 126.

I. Proceedings of a General Court Martial, which convened on board the U. S. Steam Transport "Delaware," in Port Royal Harbor, pursuant to Special Orders No. 312, dated Headquarters, Department of the South, Hilton Head, S. C., August 25th, 1864, and of which Col. M. S. LITTLEFIELD, 21st U. S. C. T., is PRESIDENT, was arraigned and tried:

Daniel D. Latham, Captain of the U. S. Steam Transport "Crescent."

CHARGE I.—"Attempting to allow the escape of Prisoners of War."

Specification 1st—In this; that *Daniel D. Latham*, being the Captain of the U. S. Steam Transport "Crescent," and in command of said Transport, did leave the command of his said vessel temporarily in the hands of William Baxter, second mate thereof, and retire for the alleged purpose of obtaining rest, having given erroneous directions to such second mate, with the view of causing said vessel to be run ashore, and so allowing the escape of certain so-called Confederate officers, prisoners of war, of whom about six hundred were confined on board said transport.

This on board the U. S. Steam Transport "Crescent," near Cape Romain, S. C., on or about August 24th, 1864.

Specification 2d—In this; that *Daniel D. Latham*, being the Captain of the U. S. Steam Transport "Crescent," and in command of said Transport, did carelessly allow said transport to be run ashore on the South Carolina coast, at or near Cape Romain, with the view of allowing the escape of certain so-called Confederate officers, prisoners of war, of whom about six hundred were then confined on board said transport.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

Specification 3d—In this; that *Daniel D. Latham*, being the Captain of the U. S. Steam Transport "Crescent," and in command of said transport, did wilfully cause said transport to be run ashore on the South Carolina coast, at or near Cape Romain, with the view of allowing the escape of certain so-called Confederate officers, prisoners of war, of whom about six hundred were confined on board said transport.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

CHARGE II.—"Suffering prisoners to escape."

Specification—In this; that *Daniel D. Latham*, being Captain of the U. S. Steam Transport "Crescent," did allow the said vessel to go ashore at or near Cape Romain, on the South Carolina coast, thereby allowing one or more persons, names unknown, who were confined on said vessel, as prisoners of war, to escape.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

CHARGE III.—"Neglect of Duty."

Specification 1st—In this; that *Daniel D. Latham*, being the Captain of the U. S. Steam Transport "Crescent," did negligently allow said vessel to approach so near the South Carolina coast as to get ashore.

This at or near Cape Romain, S. C., on or about August 24th, 1864.

Specification 2d—In this; that *Daniel D. Latham*, being Captain of the U. S. Steam Transport "Crescent," did wilfully allow said vessel to go ashore.

This at or near Cape Romain, on the South Carolina coast, and on or about August 24th, 1864.

To which Charges and Specifications the accused, *Daniel D. Latham*, pleaded "Not Guilty."

The Court, after mature deliberation upon the evidence adduced, find the accused, *Daniel D. Latham*, Captain of the U. S. Steam Transport "Crescent," as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the 3d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said *Daniel D. Latham*, Captain of the U. S. Steam Transport "Crescent," to be reprimanded in General Orders by the Major General Commanding the Department.

II. The proceedings, findings and sentence in the foregoing case, having been submitted to the Major General Commanding for his action, are hereby approved. The evidence shows that the Steamer "Crescent," having on board six hundred rebel officers,

prisoners of war, went ashore near Cape Romain, on the South Carolina coast, at about three o'clock on the morning of August 24th. inst.

The weather was calm, the night was clear, the Captain retired to his room before ten o'clock in the evening, and did not come on deck again until his vessel had gone ashore. During the night he received but one report from the Officer of the Deck, which was at about eleven o'clock. The lead was not thrown from eight o'clock in the evening until just as the steamer went ashore. The lookout was careless, the steering must have been bad.

Such negligence and laxity of discipline are reprehensible in a ship officer at any time. They become criminal when, as in the present instance, the vessel is freighted with prisoners of war, and near a hostile coast.

Captain *Daniel D. Latham*, is hereby released from arrest.

By Command of Major-General J. G. FOSTER,

W. L. M. Burger,

Assistant Adjutant General.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Aug. 31, 1864.

GENERAL ORDERS, No. 127.

I. Proceedings of a General Court Martial, which convened on board the U. S. Steam Transport "Delaware," in Port Royal Harbor, pursuant to Special Orders No. 312, dated Headquarters, Department of the South, Hilton Head, S. C., August 25th, 1864, and of which Col. M. S. LITTLEFIELD, 21st U. S. C. T., is PRESIDENT, was arraigned and tried:

William Baxter, Second Mate of the U. S. Steam Transport "Crescent."

CHARGE I.—"Attempting to allow Prisoners of War to escape."

Specification 1st—In this; that *William Baxter*, being second officer of the U. S. Steam Transport "Crescent," and being in charge of said vessel, did allow her to go ashore for the purpose of permitting or enabling certain so-called Confederate officers, prisoners of war, who were confined in said vessel, to escape.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

Specification 2d—In this; that *William Baxter*, being second officer of the U. S. Steam Transport "Crescent," and being in charge of said vessel, did cause her to run or go ashore, for the purpose of permitting or enabling certain so-called Confederate officers, prisoners of war, who were confined on said vessel, to escape.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

CHARGE II.—"Suffering prisoners to escape."

Specification 1st—In this; that *William Baxter*, second officer of the U. S. Steam Transport "Crescent," being in charge of said vessel, did allow her to be run or go ashore, thereby suffering certain persons, names unknown, who were confined on board said vessel, as prisoners of war, to escape.

This on board the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., on or about August 24th, 1864.

Specification 2d—In this; that *William Baxter*, second officer of the U. S. Steam Transport "Crescent," being in charge of said vessel, did cause her to be run or go ashore, thereby suffering certain persons, names unknown, who were confined on board said vessel, as prisoners of war, to escape.

This on board of the U. S. Steam Transport "Crescent," at or near Cape Romain, S. C., and on or about August 24th, 1864.

CHARGE III.—"Neglect of Duty."

Specification 1*st*—In this; that *William Baxter*, second officer of the U. S. Steam Transport "Crescent," being in charge of said vessel, did negligently allow her to approach so near the coast as to get ashore.

This at or near Cape Romain, S. C., and on or about August 24th, 1864.

Specification 2*d*—In this; that *William Baxter*, second officer of the U. S. Steam Transport "Crescent," being in charge of said vessel, did wilfully allow or cause her to go ashore.

This at or near Cape Romain, S. C., and on or about August 24th, 1864.

To which Charges and Specifications the accused pleaded "Not Guilty."

FINDING.

And the Court having maturely considered the evidence adduced, find the accused, *William Baxter*, second mate or officer of the U. S. Steam Transport "Crescent," as follows:

CHARGE I.

Of the 1st *Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE II.

Of the 1*st Specification*, "Not Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Not Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence the said *William Baxter*, second officer of the U. S. Steam Transport "Crescent," to pay a fine of one hundred dollars, and to be confined in the Provost Guard House at Hilton Head, S. C., until such fine is paid.

II. The proceedings, finding, and sentence herein, having been submitted to the Major General Commanding for his action, are hereby approved. The fine will be paid to the Provost Marshal General of the Department, for the use of the General Hospital at Hilton Head, S. C.

III. The General Court Martial, of which Col. M. S. LITTLEFIELD, 21st U. S. C. T., is PRESIDENT, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

Thomas J. Robinson
1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Sept 9, 1864.

GENERAL ORDERS, No. 134.

I. Proceedings of a General Court Martial, which convened at Jacksonville, Fla., pursuant to Special Orders No. 131, dated Headquarters, District of Florida, Jacksonville, Fla., June 22, 1864, and of which Lieut.-Col. ULYSSES DOUBLEDAY, was PRESIDENT, was arraigned and tried:

1st. Private *Alexander Swaine*, Co. "D," 3d U. S. C. T.

CHARGE.—"Sleeping on Post."

Specification—That Private *Alexander Swaine*, Co. "D," 3d Regt. U. S. C. T., having been duly posted as a sentinel (on outpost duty,) was found asleep on his Post between the hours of 3 and 5 A. M. when visited by the Corporal with the new relief.

This at or near Jacksonville Fla., on or about the 14th day of June, 1864.

To which charge and specification the accused *Alexander Swaine*, Co. "D," 3d U. S. C. T., pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court after maturely deliberating upon the testimony adduced, is of opinion that the accused Private *Alexander Swaine*, Company "D," 3d, U. S. C. T., is

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE

And do therefore sentence him private *Alexander Swaine*, Co. "D," 3d U. S. C. T., *To be shot to death with musketry*, at such time and place as the Commanding General may direct, two thirds of the Court concurring therein.

2d. Private *William H. Bayard*, Co. "E," 3d U. S. C. T.

CHARGE.—"Sleeping on Post."

Specification—That Private *William H. Bayard*, Co. "E," 3d Regt. U. S. C. T., having been duly posted as a sentinel on outpost duty, was found asleep on his Post, by Lieut. Stephen L. Kearney, between the hours of 5 and 6 P. M

This near Jacksonville, Fla., on or about the 13th day of June, 1864.

To which charge and specification the accused, *William H. Bayard*, Co. "E," 3d U. S. C. T., pleaded as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

FINDING.

The Court after maturely deliberating upon the testimony adduced, is of opinion that the accused private *William H. Bayard*, Co. "E," 3d U. S. C. Troops, is

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And they do therefore sentence him, private *William H. Bayard*, Co. "E," 3d U. S. C. T., *To be shot to death with musketry*, at such time and place as the Commanding General may direct, two-thirds of the Court concurring therein.

II. The proceedings, findings and sentence in the case of Private *Alexander Swaine*, Co. "D," 3d Regt. U. S. C. T., having been approved by the proper officer and submitted to the Major General Commanding for his action, the proceedings and findings are hereby approved, but upon the recommendation of Brig.-Gen'l BIRNEY, then commanding the District of Florida, and in consideration of the fact that officers of the Picket Guard at Jacksonville, had permitted seats to be made and used by the sentinels on post, thereby tempting the men to sleep, the sentence herein is commuted to imprisonment at hard labor for *six months and forfeiture of all pay for that time except two dollars per month*,

III. The proceedings, findings and sentence in the case of Private *William H. Bayard*, Co. "E," 3d Regt. U. S. C. T., having been approved by the officer ordering the Court, and submitted to the Maj.-Gen'l Commanding, the proceedings and findings are hereby approved, but upon the recommendation of Brig.-General BIRNEY, then Commanding the District of Florida, the sentence is mitigated to *six months confinement at hard labor with ball and chain, and forfeiture of all pay during that time, except three dollars per month.*

The sentences will be carried into effect at Fort Clinch, Fla.

BY COMMAND OF MAJ.-GEN'L J. G. FOSTER.

W. L. M. BURGER,

Asst. Adjt. Gen'l.

OFFICIAL:

Thomas Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Sept. 16, 1864.

GENERAL ORDERS,
No. 135.

~~I. During the temporary absence of Surgeon Meredith Clymer, Medical Director of this Department, Assistant Surgeon W. H. Ramsay, U. S. A., will perform the duties of Acting Medical Director. He will be obeyed and respected accordingly.~~

II. The action of Brigadier-General A. Schimmelfennig, Commanding Northern District, Department of the South, in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentences in the cases of Privates *Young Gouch*, *John Lewis*, and *Nelson Browning*, Co. "A," 55th Mass. Vols., as promulgated in General Orders No. 37, current series, from Headquarters, Northern District, Department of the South, is approved.

The Provost Marshal General, Department of the South, is charged with the execution of Paragraph II, of this order.

By Command of Maj.-Gen. J. G. FOSTER,
W. L. M. Burger,
Assistant Adjutant General.

Official:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Sept. 19, 1864.

GENERAL ORDERS, No. 136.

The action of Brigadier-General A. SCHIMMELFENNIG, Commanding Northern District, Department of the South, in designating Fort Clinch, Fernandina, Fla., as the place for carrying out the sentences in the cases of Privates *Samson Goliah*, Co. "A," *R. Morrison*, and *Henry M. Way*, Co. "I," and *W. Davis*, Co. "G," 55th Mass. Vols., Corp. *Anson Radrauff*, Co. "B," and Privates *R. Smith*, Co. "C," *D. Murphy*, and *J. Bagley*, Co. "F," 54th N. Y. Vols., *W. Caldwell*, Co. "F," 41st N. Y. Vols., and *Wm. Taylor*, Co. "B," 127th N. Y. Vols., as promulgated in General Orders Nos. 36, 37, 38, and 39, current series, from Headquarters, Northern District, Department of the South, is approved.

The prisoners will be sent there under proper guard. The Provost Marshal General, Department of the South, is charged with the execution of this order.

BY COMMAND OF MAJ.-GEN'L J. G. FOSTER,

W. L. M. BURGER,
Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Sept. 21, 1864.

GENERAL ORDERS, No. 138.

I. Proceedings of a General Court Martial, which convened at the South end of Morris Island, S. C., pursuant to Special Orders No. 133, current series, from Headquarters, Northern District, Department of the South, and of which Major BENJAMIN W. THOMPSON, 32d U. S. C. T., is PRESIDENT, was arraigned and tried:

2d Lieut. *John S. Marcy*, Co. "G," 52d Regt. Penn. Vols.

CHARGE 1st.—"Disobedience of Orders."

Specification—In this, that said *John S. Marcy*, 2d Lieut. company "G," 52d Penn. Vols., having been duly detailed to serve on Grand Guard, when notified by Captain James W. Gurney Field Officer of the Trenches, at Guard Mounting to proceed with the detail from the 54th Mass. Vols., as part of the picket force for the left batteries, did refuse to do so saying, "I will not do duty with Colored Troops," or words to that effect.

This at Grand Guard Mounting, on Morris Island, on or about the 15th day of July, 1864.

CHARGE 2d.—"Mutiny."

Specification—In this, that said *John S. Marcy*, 2d Lieut. "G," company 52d Penn. Vols., who was a part of the Grand Guard detail furnished by the 52d Penn. Vols., did at Grand Guard Mounting refuse to serve at the Post assigned to him by Captain James W. Gurney, Field officer of the Trenches.

This at Grand Guard Mounting, Morris Island, on or about the 15th day of July, 1864.

To which charges and specifications the accused pleaded as follows:

CHARGE 1st.

To the *Specification*. "Not Guilty."
To the CHARGE. "Not Guilty."

CHARGE 2d.

To the *Specification*. "Not Guilty."
To the CHARGE. "Not Guilty."

FINDING OF THE COURT.

The Court having maturely deliberated upon the testimony adduced, find the accused, John S. Marcy, 2d Lieut. Company "G," 52d Regt. Penn. Vols., as follows:

CHARGE 1st.

Of the *Specification*. "Guilty."

Of the CHARGE, "Guilty."

CHARGE 2d.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, John S. Marcy, 2d Lieut., Company "G," 52d Regt. Penn. Vols., "To be suspended from his rank and command for the remainder of his term of service, at such place as the Commanding General may direct, to forfeit all pay and allowances which may become due him for the said period except fifty dollars ($50) per month and then to be dishonorably discharged the service of the United States."

II. The proceedings and findings herein having been approved by the officer ordering the Court, and the sentence having been by him mitigated to an immediate and dishonorable discharge from the service of the United States, subject to the approval of the Major General Commanding the Department, the action of such officer is hereby confirmed. Lieut. *John S. Marcy*, Co. "G," 52d Reg. Penn. Vols., is accordingly dishonorably discharged the Military Service of the United States from this date.

BY COMMAND OF MAJ.-GEN. J. G. FOSTER,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,

Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Sept. 28, 1864.

GENERAL ORDERS, No. 142.

I. The following Order from Headquarters, Northern Department, is hereby republished for the information and guidance of all concerned:

HEADQUARTERS, Northern Department,
COLUMBUS, OHIO, May 3d, 1864.

GENERAL ORDERS, No. 20.

I. Before a General Court Martial, which convened at Detroit, Michigan, pursuant to Special Orders No. 3, current series, January 29th, 1864, from these Headquarters, and of which Lieut. Col. WM. B. WAY, is PRESIDENT, were arraigned and tried:

* * * * * * * *

5th. Corporal *John Thompson*, Co. "I," 1st Mich. Col'd. Vols.

CHARGE 1st.—"Absence without leave."

Specification—In this; Corporal *John Thompson*, Co. "I," 1st Mich. Col'd Vols., did, on the night of February 19th, 1864, leave Camp "Ward" without permission, taking with him eight men, as a self-constituted patrol, and marched with them to the city of Detroit. All this at Camp "Ward," Michigan, on the dates above mentioned.

CHARGE 2d.—"Conduct prejudicial to good order and military discipline."

Specification—In this: that Corporal *John Thompson*, Co. "I," 1st Mich. Col'd Vols., did, on the night of February 19th, 1864, enter a drinking saloon with other soldiers, and then and there, did drink and carouse, and conduct himself in a manner prejudicial to good order and military discipline.

CHARGE 3d.—"Disobedience to Orders."

Specification—In this; that Corporal *John Thompson*, Co. "I," 1st Michigan Col'd Vols., on the night of February 19th, 1864, when ordered to return to Camp "Ward," by his superior and commanding Officer, (then on duty as patrol,) did utterly refuse to obey his commands, and ordered the soldiers with him not to obey said superior officer. All this at Detroit, Michigan, on the dates above-mentioned.

CHARGE 4th.—"Mutiny."

Specification—In this; that he, Corporal *John Thompson*, Co. "I," 1st Mich. Col'd Vols., did, on or about the 19th day of February, 1864, openly and repeatedly refuse to comply with

the orders of his superior officer, threatening to kill him and ordered the soldiers with him to fire on said officer and his patrol, and threatened to shoot any man who would not fire as he ordered; said Corporal and the soldiers with him all having loaded guns.

All this at or near Detroit, Michigan, February 19th, 1864.

To which Charges and Specifications the accused pleaded as follows:

To the *Specification* of the 1st CHARGE,	"Not Guilty."
To the 1st CHARGE,	"Guilty."
To the *Specification* of the 2d CHARGE.	"Not Guilty."
To the 2d CHARGE,	"Not Guilty."
To the *Specification* of the 3d CHARGE,	"Not Guilty."
To the 3d CHARGE,	"Not Guilty."
To the *Specification* of the 4th CHARGE,	"Not Guilty."

FINDING AND SENTENCE.

The Court, after having maturely deliberated on the testimony adduced, is of the opinion that Corporal *John Thompson*, Co. "I," 1st Mich. Col'd Vols., is

"Guilty" of the *Specification* of the 1st CHARGE, except the word "eight."

"Guilty" of the 1st CHARGE.

"Guilty" of the *Specification* of the 2d CHARGE.

"Guilty" of the 2d CHARGE.

"Guilty" of the *Specification* of the 3d CHARGE.

"Guilty" of the 3d CHARGE.

"Guilty" of the *Specification* of the 4th CHARGE, except the words, "and ordered the soldiers with him to fire on said Officer and his patrol," and of the words, "said Corporal and soldiers with him all having loaded guns."

"Guilty" of the 4th CHARGE.

And the Court do therefore sentence him, Corporal *John Thompson*, Co. "I," 1st Michigan Colored Vols., "To be reduced to the ranks, his chevrons torn off in the presence of his regiment; to forfeit to the United States all pay and bounties that are or may hereafter become due; to be kept at hard labor at such place as the Commanding General may direct, for the balance of his term of enlistment, and to wear a ball and chain the last six months of service, and to be drummed out of such quarters as he may be in, with his head shaven, at the expiration of his sentence.

II. The proceedings, finding, and sentence of the General Court Martial in the case of Corporal *John Thompson*, Co. "I," 1st Mich. Col'd Vols., are approved.

The record does not show the plea of the prisoner to the fourth charge; but as the Court have proceeded as if he had pleaded "Not Guilty," it is not considered that this is such an irregularity as to vitiate the proceedings.

III. The General Court Martial of which Lieut. Col. Wm. B. Way, 9th Mich. Cavalry, is PRESIDENT, is hereby dissolved.

By COMMAND OF MAJ.-GEN'L HEINTZELMAN.

C. H. POTTER.

Assistant Adjutant General.

II. The accused and his regiment being in this Department, the sentence will be carried into effect in presence of the regiment wherever it may be serving. Fort Clinch, Fla., is designated as the place of imprisonment.

By COMMAND OF MAJ.-GEN'L J. G. FOSTER,

W. L. M. BURGER,

Asst. Adjt. Gen'l.

OFFICIAL:

Thomas J. Robinson

1st Lieut. 21st U. S. C. T.,
Act. Asst. Adjt. General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., October 10, 1864.

GENERAL ORDERS, No. 144.

I. Before a General Court Martial, convened at the South End of Morris Island, S. C., pursuant to Special Orders No. 133, dated Headquarters, Northern District, Department of the South, Folly Island, S. C., July 18th, 1864, and of which Major BENJAMIN W. THOMPSON, 32d United States Colored Troops, was PRESIDENT, was arraigned and tried:—

Corporal *William Lucas*, Co. "D," 21st United States Colored Troops.

CHARGE 1ST.—"Desertion."

Specification—In this: that he, Corporal *William Lucas*, Co. "D," 21st United States Colored Troops, late Co. "E," 3d Regt. S. C. Infantry, having been duly enlisted into the service of the United States, did desert his company and regiment, stationed at Hilton Head, S. C., and did remain absent until apprehended on board the steamer "*Golden Gate*," at Morris Island, S. C., on or about the 22d day of April, 1864. This at Hilton Head, S. C., on or about the 12th day of February, 1864.

CHARGE 2D.—"Drawing a weapon upon and striking his superior officer."

Specification—In this: that he, the said Corporal *William Lucas*, Co. "D," 21st United States Colored Troops, late Co. "E," 3d Regt. S. C. Infantry, did, when arrested on board the steamer "*Golden Gate*," draw a knife on his superior officer, and did strike and cut Lieut. Anderson, and did otherwise forcibly resist the authority to arrest him. This at Morris Island, S. C., on or about the 22d day of April, 1864.

To which charges and specifications the accused pleaded as follows:

CHARGE 1ST.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE 2D.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely deliberated upon the testimony adduced, finds the prisoner as follows:

CHARGE 1ST.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE 2D.

Of the *Specification*, "Guilty," except the words, "draw a knife on his superior officer and did strike."

Of the CHARGE, "Not Guilty," but guilty of conduct prejudicial to good order and military discipline.

SENTENCE.

And the Court does therefore sentence him, Corporal *William Lucas*, Co. "D," 21st United States Colored Troops, "*To be dishonorably discharged the service of the United States, and then to be confined at hard labor for three years, at such place as the Commanding General may direct.*"

II. Before a Military Commission convened at Hilton Head, S. C., pursuant to Special Orders No. 335, Paragraph IV, dated Headquarters, Department of the South, Hilton Head, S. C., Sept. 19th, 1864, and Special Orders No. 337, Paragraph I, dated Headquarteas, Department of the South, Hilton Head, S. C., Sept. 21st, 1864, and of which Lieut.-Col. C. C. GEARY, 32d United States Colored Troops, is PRESIDENT, was arraigned and tried:

Mr. *Thomas C. Burton*, civilian.

CHARGE.—"Encouraging Desertion.

Specification 1st—In this; that said *Burton*, a citizen of St. Helena Island, S. C., did retain two deserters in his employ, (knowing them to be such,) during the summer of 1864. All this at St. Helena Island, S. C.

Specification 2d—In this; that said *Burton*, citizen of St. Helena Island, S. C., did, on or about the latter part of August, 1864, advise certain deserters to leave his plantation and go to the woods in order to evade the draft on the 10th of September, 1864. The said *Burton* did state that the draft was contrary to the laws of the United States, and that said deserters ought not to submit to it, or words to that effect. All this at St. Helena Island, S. C.

Specification 3d—In this; that said *Burton*, citizen of St. Helena Island, S. C., did, on or about the 25th day of August, 1864, endeavor to take, secretly, one *Wood*, (a colored man,) and a deserter, knowing him to be such, to Hilton Head, S. C., for the purpose of getting said deserter exempted from military duty. All this at St. Helena Island, S. C.

Specification 4th—In this; that said *Burton*, citizen of St. Helena Island, S. C., did interfere in an unwarrantable manner with one *Delph*, a deserter and a prisoner, for the purpose of freeing said deserter from arrest, and restoring him to his (*Burton's*) plantation. All this at St. Helena Island, S. C., on or about the 18th day of August, 1864.

To which charge and specifications the accused pleaded as follows:

To the 1*st Specification*, "Not Guilty."
To the 2*d Specification*, "Not Guilty."
To the 3*d Specification*, "Not Guilty."
To the 4*th Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Commission, having maturely considered the evidence adduced, find the accused, *Thomas C. Burton*, civilian of St. Helena Island, S. C.,

Of the 1*st Specification*, "Not Guilty."
Of the 2*d Specification*, "Not Guilty."
Of the 3*d Specification*, "Not Guilty."
Of the 4*th Specification*, "Not Guilty."
Of the CHARGE, "Not Guilty."

And the Commission do therefore acquit the accused.

III. The proceedings, findings and sentence of the Court in the case of Corporal *William Lucas*, having been approved by the officer ordering the Court, and forwarded for the action of the Major General Commanding the Department, they are approved. The sentence will be carried into effect at Fort Clinch, Fernandina, Florida.

IV. The proceedings and findings of the Military Commission in the case of *Thomas C. Burton*, civilian, resident of St. Helena Island, S. C., are approved. He is accordingly released from arrest.

BY COMMAND OF MAJ.-GEN. J. G. FOSTER,

W. H. Singer

Assistant Adjutant General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., October, 24 1864.

GENERAL ORDERS, No. 149.

I. Before a Military Commission which convened at Hilton Head, S. C., pursuant to Special Orders No. 325, current series, from these Headquarters, and of which Lieut.-Col. E. C. GEARY, 32d U. S. C. T., is PRESIDENT, was arraigned and tried :

Prince Chaplin, (Colored.)

CHARGE.—" Rape."

Specification—" In this : that said *Prince Chaplin*, (Colored,) did, while returning from the Store of John Hunt, with Rosina Pinckney, (Colored,) ask her, Rosina Pinckney, to 'sleep with him,' and on being refused such request, by said Rosina Pinckney, did, by force and violence, commit a rape on the person of said Rosina Pinckney." This at or near Tripps Plantation, St. Helena Island, S. C., on or about the 19th day of April, 1864.

To which charge and specification the accused pleaded " Not Guilty."

FINDING.

The Commission having maturely considered the evidence adduced, find the accused, *Prince Chaplin*, (Colored.) as follows :

Of the *Specification*, " Guilty."

Of the CHARGE, " Guilty."

SENTENCE.

And the Commission do therfore sentence him, *Prince Chaplin*, (Colored,) " *To be confined at hard labor for the period of nine months, at such place as the Commanding General may direct.*"

II. The proceedings, finding and sentence in the foregoing case are approved.

The apparent disproportion of the punishment to the heinous crime charged, is justified only by the peculiar circumstances of the case. Fort Marion, St. Augustine, Fla., is designated as the place for the execution of the sentence.

BY COMMAND OF MAJ.-GEN'L. J. G. FOSTER,

W. H. Ruger

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., October 28, 1864.

GENERAL ORDERS, No. 150.

~~I. 1st Lieut. W. B. Dean, 127th Regiment New York Vols., is hereby announced as Acting Assistant Adjutant General of this Department, and will be obeyed and respected accordingly.~~

~~II. Officers, Soldiers, and Civilians are hereby prohibited from bringing their wives, or any females, within the limits of this Department, without first obtaining permission of the Department Commander, or the Honorable Secretary of War.~~

III. Brig.-Gen. R. Saxton, having approved the sentence of a Court Martial in the case of Private *Henderson Jackson*, Co. "A," 26th U. S. Colored Troops, by General Orders No. 35, dated Headquarters, District of Beaufort, Oct. 21st, 1864, and having ordered the sentence to be carried into effect at such place as the Major-General Commanding the Department should direct, Fort Marion, St. Augustine, Florida, is hereby designated as the place of confinement of the said Private *Jackson*. The Provost Marshal General is charged with the execution of this order.

By Command of Maj.-Gen'l. J. G. FOSTER,

W. H. Ruger
Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., November 1, 1864.

GENERAL ORDERS, No. 151.

Before a General Court Martial which convened at Jacksonville, Florida, pursuant to Special Orders No. 196, Headquarters, District of Florida, dated Jacksonville, Fla., Sept. 6, 1864, of which Major F. W. BARDWELL, 3d U. S. C. T., was PRESIDENT, was arraigned and tried:

Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T.

CHARGE 1st.—"Drunkenness on duty."

Specification 1st—"In this; that the said Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T., did, when on duty with his regiment and ordered to assist in caring for the wounded, fail to obey, and in a state of intoxication, retire to his quarters." This at or near Barber's Station, on or about the 20th day of February, 1864.

Specification 2d—"In this; that the said Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T., did, while on duty with his regiment, neglect his duty, desert his post, ride into Jacksonville, arriving there three hours before his regiment, and take to his bed in a state of intoxication." This on the 2d day of June, 1864, near Cedar Creek, Florida, during a retreat, the enemy in active pursuit.

Specification 3d—"In this; that the said Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T., when sought for to attend to a wounded man, was found in a condition entirely incapacitated to perform duty, caused by excessive drinking of alcholic stimulus." This at bivouac of 35th U. S. C. T., near Darby's Station, Fla., on or about the 25th day of July, 1864, while in the face of the enemy and the only Medical Officer on duty with his regiment.

CHARGE 2d.—"Conduct unbecoming an officer and gentleman."

Specification 1st—"In this; that the said Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T., did, while under the influence of liquor insult a colored woman, name unknown, using indecent and obscene language in addressing her before officers and enlisted men." This on board the Steamer Mary Benton, on the St. Johns' River, Fla., on or about the 23d day of July, 1864.

Specification 2d—"In this; that the said Asst. Surgeon *John V. DeGrasse*, 35th U. S. C. T., has misapplied and appropriated to his own use, liquors belonging to the Medical Department." This on the 2d day of June, 1864, on the march from Camp Milton, Fla., to Jacksonville, Fla.; at Jacksonville, Fla., June, 3d 1864, and on expedition from Jacksonville, Fla., to Baldwin, Fla., July, 23d 1864.

To which Charges and Specifications the accused pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, *John V. DeGrasse*, Asst. Surgeon 35th U. S. C. T., as follows:

CHARGE 1st.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE 2d.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *John V. DeGrasse*, Asst. Surgeon 35th U. S. C. T., "*To be Cashiered.*"

II. The proceedings, findings, and sentence in the foregoing case, having been approved by the officer ordering the Court, and submitted to the Major-General Commanding the Department for his action thereon, are hereby approved and confirmed. Asst. Surgeon *John V. DeGrasse*, ceases to be an officer in the United States Service from this date.

BY COMMAND OF MAJ.-GEN. J. G. FOSTER.

W. Ham Ruger

Assistant Adjutant General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., November 19, 1864.

GENERAL ORDERS, No. 159.

I. Before a Military Commission which convened at Jacksonville, Fla., pursuant to Special Orders No. 246, Par. III, dated Headquarters, District of Florida, Fourth Separate Brigade, D. S., Jacksonville, Fla., Nov. 10th 1864, and of which Col. B. C. TILGHMAN, 2d U. S. C. Troops, was PRESIDENT, was arraigned and tried;

Jackson O. Murray, a citizen of Volusia County, Florida, on the following charge and specification:

CHARGE.—"Murder."

Specification—"In this; that he, the said *Jackson O. Murray*, citizen of Volusia County, Florida, did, without lawful authority or trial, cause to be hung by the neck until he was dead, and did assist in hanging, John Whitney, a citizen of St Johns' or Volusia County, Florida, on account of his. the said John Whitney's, loyalty to the Government of the United States." All this in the month of May, A. D., 1862, in the County of Volusia, and State of Florida.

To which charge and specification the accused, *Jackson O. Murray*, citizen, pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Commission, having maturely considered the evidence adduced' find the accused, *Jackson O. Murray*, citizen of Volusia County, Florida, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Commision does therefore sentence him, *Jackson O. Murray*, "*To be hanged by the neck until he is dead, at such time and place as the General Commanding shall direct; two-thirds of the Commision concuring therein.*"

II. The proceedings, findings and sentence of the Military Commission in the foregoing case of *Jackson O. Murray*, having been approved by the General Commanding the District of Florida, and submitted to the Major-General Commanding the Department for his action thereon, the same are hereby approved and confirmed. The sentence will be carried into execution under direction of the General Commanding the District of Florida, at such place and at such

time within one week after the receipt of the order, publishing the proceedings and confirmation, as he may see fit.

By Command of Maj.-Gen. J. G. FOSTER,

W. H. Sugee

Assistant Adjutant General.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., November 20, 1864.

GENERAL ORDERS, No. 160.

I. Before a General Court Martial which convened at Jacksonville, Fla., pursuant to Special Orders No. 196, Par. I, dated Headquarters, District of Florida, Fourth Separate Brigade, D. S., Jacksonville, Fla., Sept. 6th 1864, and of which Col. B. C. TILGHMAN, 2d U. S. C. Troops, was PRESIDENT, was arraigned and tried:

Captain *Henry McIntire*, 35th Regt. U. S. Colored Troops, on the following charges and specifications.

CHARGE 1st.—"Violation of the 50th Article of War."

Specification—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, having been duly detailed to command of a portion of Picket Guard, did quit his Guard, without urgent necessity, or leave of his superior officer, and remain absent from 9 P. M., until next morning." This at Bivouac of 35th Regt. U. S. C. Troops, near Trout Creek, Florida, in presence of the enemy, on or about the 15th day of July, 1864.

CHARGE 2d.—"Conduct prejudicial to good conduct and military discipline."

Specification 1st.—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, did indecently assault a colored woman name unknown, he being partially intoxicated at the time, did embrace and endeavor to kiss said female, and did use offensive and vulgar language in addressing her, before officers and enlisted men of the Regiment." This on board of steamer "Mary Benton," on St Johns' River, Fla., on or about July 22d, 1864.

Specification 2d—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, having been detailed with his company to guard a portion of the Rail-Road, did neglect to go with his company, and remain in camp, not having been excused from duty by any authority." This at camp 35th U. S. C. Troops, Baldwin, Fla., on or about the 13th day of August, 1864.

Specification 3d—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, having asserted that he didn't feel very well, and having been ordered by Col. J. C. Beecher, Comd'g 35th U. S. C. T., to report himself to the Surgeon, did in an insolent manner reply, 'I won't do it, I won't do it, do you think you are going to impose upon me,' or words to that effect." This at camp of 35th U. S. C. Troops, Baldwin, Fla., on or about the 13th day of August, 1864.

Specification 4th—"In this; that the said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, did leave his company while on the march and in presence of the enemy, and remain absent during four hours or more without permission or excuse, and without notifying the next in command of such absence." This on the march of the regiment toward Magnolia, Fla., on

or about the 18th day of August, 1864.

Specification 5th—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. Troops, did use the following abusive language to a non-commissioned officer, Sergt. Jack Brinkley, Co. "F," 35th U. S. C. Troops, 'why in hell don't you bring him? God damn you,' or words to that effect." This in presence of enlisted men of the company, at Magnolia, Fla., on or about the 21st day of August, 1864.

Specification 6th—"In this; that said *Henry McIntire*, Capt. Co. "F." 35th U. S. C. T., did without due course of law degrade a non-commissioned officer, Sergt. Jack Brinkley, Co. "F," 35th U. S. C. T., did deprive him of his chevrons, and compel him to assume the position of private in the ranks." This at Jacksonville, Fla., on or about the 6th day of Sept. 1864.

Specification 7th—"In this; that said *Henry McIntire*, Capt. Co. "F." 35th U. S. C. T., having been duly instructed by the Colonel Commanding, that the degradation of a non-commissioned officer by himself, is unlawful, did neglect to reinstate Sergt. Jack Brinkley, Co. "F," 35th U. S. C. T., and neglected to permit him, said Sergt. Jack Brinkley, Co. "F," 35th U. S. C. T., to assume his chevrons. This at Jacksonville, Fla., on or about the 9th day of September, 1864.

Specification 8th—"In this; that said *Henry McIntire*, Capt. Co. "F." 35th U. S. C. Troops, having been ordered by his Commanding Officer, Col. J. C. Beecher, to send Sergt. Jack Brinkley Co. "F," 35th U. S. C. T., to Regimental Headquarters, did neglect to do so, and did endorse upon the order, 'There is no such person in the company,' or words to that effect, said endorsement being false, and known to be false by said Capt. *Henry McIntire*." This at Jacksonville, Fla., on or about the 17th day of September, 1864.

CHARGE 3d.—"Conduct unbecoming an officer and a gentleman."

Specification—"In this; that said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. T., did state to Col. James C. Beecher, commanding 35th U. S. C. T., that he had seen the Regimental Surgeon, and told him he was sick, but didn't know whether he was excused from duty or not, or words to that effect. This statement being false, and known to be false by said *Henry McIntire*, Capt. Co. "F," 35th U. S. C. T., This at camp of 35th Regiment U. S. C.T., Baldwin, Fla., on or about the 13th day of August, 1864.

To which charges and specifications the accused, Captain *Henry McIntire*, Co. "F," 35th Regt. U. S. C. T., pleaded, "Not Guilty."

FINDING.

The Court, having maturely deliberated upon the testimony adduced, find the accused, *Henry McIntire*, Capt. Co. "F," 35th Regt. U. S. C. Troops, as follows:

CHARGE 1ST.

Of the *Specification* "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE 2D.

Of the 1st *Specification*, "Guilty." except to words "did embrace, and endeavor to kiss said female."

Of the *2d Specification*, "Guilty."
Of the *3d Specification*, "Guilty."
Of the *4th Specification*, "Not Guilty."
Of the *5th Specification*, "Guilty."
Of the *6th Specification*, "Guilty."
Of the *7th Specification*, "Guilty."
Of the *8th Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE 3D.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, said Captain *Henry McIntire*, Company "F," 35th Regt. U. S. C. Troops, "*To be dismissed the Service.*"

II. The proceedings, findings and sentence in the foregoing case have been approved by the Officer ordering the Court, and submitted to the Major-General Commanding the Department, for his action thereon.

The findings on the 1st Charge and its Specifications, and also on the 2d Charge and all its Specifications, except the Fourth are approved. The acquittal on the Fourth Specification of the second Charge, and also the conviction on the third Charge and its Specification are disapproved, neither being supported by the evidence.

The Commanding General having disapproved the conviction on one of the Charges upon which the sentence must have been based, is constrained to disapprove the sentence also, but as Captain *McIntire*, is clearly proved guilty of scandalous indecency and perverse insubordination, he is dismissed the service, subject to the approval of the President.

BY COMMAND OF MAJ.-GEN. J. G. FOSTER,

Wm Sugar

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., November 25, 1864.

GENERAL ORDERS,
No. 161.

Fort Marion, St Augustine, Florida, is designated as the place of confinement of the following named prisoners; Corporal *Joseph Dawson*, Co. "A," 55th Mass. Colored Vols., Privates *Edmond Brown*, Co. "H," 33d U. S. C. T. and *William Barden*, Co. "B," 55th Mass. Colored Vols., whose sentences by General Court Martial were approved and published in General Orders Nos. 64 and 70 current series, from the Headquarters, of the Northern District, of this Department.

The action of Brig.-Gen'l. R. SAXTON, in designating Fort Marion, as the place for carrying out the sentence in the cases of Privates *Josiah C. Walton*, and *John Mason*, 26th U. S. C. T., and Privates *James Henson*, *Frederick Lake* and *Oliver Winslow*, 102d U. S. C. T., as promulgated in General Orders No. 39, current series, from the Headquarters, of the District of Beaufort is approved.

The Provost Marshal General is charged with the execution of this order.

BY COMMAND OF MAJ.-GEN. J. G. FOSTER,

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., December 3, 1864.

GENERAL ORDERS, No. 163.

The action of Col. P. P. Brown, Jr., Commanding Hilton Head District, in approving the sentences of a Court Martial, which designated Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *Patrick Keating*, Co. "G," 144th N. Y. Vols., *Garrison Bradley*, Co. "A," 32d U. S. C. T., and *Charles Wilson*, Co. "A," 32d U. S. C. T., as promulgated in General Orders No. 40, current series, Headquarters, Hilton Head District, is approved.

The Provost Marshal General is charged with the execution of this order.

By Command of Maj.-Gen. J. G. FOSTER,

W. H. Ruger

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., December 19, 1864.

GENERAL ORDERS, No. 166.

~~I. In several recent cases in which soldiers have been tried by Court Martial for sleeping on post, the Court seem to have thought that the accused could not be convicted, because not properly posted by non-commissioned officers. The practice of allowing sentinels to relieve each other is in violation of par. 413, Army Regulations, and should never be permitted, but it is an error to suppose that a sentinel who relieves another without being properly posted by a non-commissioned officer, is for that reason free from accountability under the 46th Article of War.~~

~~II. It appears from the record of another case that a mistaken idea is prevalent relative to the obligation to obey orders, which, from inadvertence or other causes, are not sent through the ordinary official channels. The omission of an intermediate commander in the transmittal of orders, may be respectfully called to the attention of his superior, by the commander omitted, but furnishes no excuse to the officer receiving the order, for disobedience.~~

III. The action of Brig-Gen. RUFUS SAXTON, Commanding Beaufort District, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *William H. Washington* and *Creed Calaway*, Co. "D," 102d U. S. C. T., and Private *John H. Johnson*, Co. "G," 26th U. S. C. T., as promulgated in General Orders No. 40 and 41, Headquarters Beaufort District, is approved. Private *Charles Jones*, Co. "B," 26th U. S. C. T., whose sentence was promulgated in the latter order will also be confined at Fort Marion. The Provost Marshal General is charged with the execution of this order.

BY COMMAND OF MAJ. GEN. J. G. FOSTER,

W. H. Burger

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Dec. 20, 1864.

GENERAL ORDERS, No. 168.

Before a General Court Martial, which convened at Morris Island, S. C., by virtue of Special Orders No. 215, current series, from Headquarters, Northern District, Department of the South, dated at Morris Island, S. C., October 29th, 1864, and of which Lieut.-Col. ROCKWELL TYLER, 56th N. Y. Vols., is PRESIDENT, was arraigned and tried:

2d Lieut. *Frederick E. Rogers*, 54th Regt. Mass. Vols.

CHARGE 1ST.—"Neglect of duty."

Specification—"In this: that said 2d Lieut. *Frederick E. Rogers*, Co. "A," 54th Regt. Mass. Vol. Infantry, an Officer of the Guard, having been placed in charge of the relief posted to guard the Prisoners of War upon Morris Island, did lie down and go to sleep." This at Camp of Prisoners of War, Morris Island, S. C., between the hours of Four and Six, A. M., Sept. 16th, 1864.

CHARGE 2D.—"Conduct prejudicial to good order and military discipline."

Specification—"In this; that said 2d Lieut, *Frederick E. Rogers*, Co. "A," 54th Mass. Vol. Infantry, an Officer of the Guard, having been placed in charge of the relief posted to guard the Prisoners of War upon Morris Island, did lie down and go to sleep." This at Camp of Prisoners of War, Morris Island, S. C., between the hours of Four and Six, A. M., Sept. 16th, 1864.

To which charges and specifications the accused pleaded as follows:

CHARGE 1ST.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE 2D.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, 2d Lieut. *Frederick E. Rogers*, Co. "A," 54th Mass. Vols., as follows:

CHARGE 1ST.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE 2D.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And do therefore sentence him, the said *Frederick E. Rogers*, 2d

Lieut. Co. "A," 54th Mass. Vols., "*To be dismissed the Military Service of the United States.*"

II. The proceedings, findings and sentence in the foregoing case having been approved by the authority ordering the Court, and submitted to the Major-General Commanding the Department, the same are approved; but upon the recommendation to mercy by the members of the Court, the sentence is commuted to forfeiture for three months of all pay and allowances, except the allowance for one ration. The Commanding General trusts that no similar offence by an officer will hereafter occur to make him regret the leniency shown to Lieut. *Rogers.*

By Command of Maj.-Gen'l. J. G. FOSTER,

W. H. Ringe

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Dec. 29, 1864.

GENERAL ORDERS, No. 171.

I. Before a General Court Martial, which convened at Beaufort, S. C., by virtue of Special Orders No. 185, current series, from Headquarters, U. S. Forces, District of Beaufort, 2d Separate Brigade, dated Beaufort, S. C., October 24th, 1864, and of which Col. HENRY L. CHIPMAN, 102d Regt. U. S. C. T., is PRESIDENT, was arraigned and tried:

2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th Regt. U. S. C. T., on the following Charges and Specifications,

CHARGE 1st.—"Disobedience of Orders."

Specification 1st.—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. Troops, and officer of Post Guard, at Beaufort, when told by Lieut. H. A. Hawkes, Asst. Provost Marshal, Beaufort District, to pass all persons with a Day and Night pass, signed by the Commanding Officer of the District or Post, did positively refuse to do so, and did stop one G. L. Gilbert, a civilian, who had a Day and Night pass signed by order of Col. William Silliman, Commanding Post, then signed officially by Lieut. C. H. Mattison, Post Adjutant, and kept him under arrest until released by Lieut. H. A. Hawkes, Asst. Provost Marshal, Beaufort District." This at Beaufort, S. C., on the 19th day of September, 1864.

Specification 2d.—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. Troops, and officer of Post Guard, did again arrest G. L. Gilbert, civilian, after he had been released by Lieut. H. A. Hawkes, Asst. Provost Marshal, and did keep him for several hours, and when asked by said Gilbert, to be released, said he would not release him until the Provost Marshal came, as he wished to give him, the said Lieut Hawkes, as much trouble as possible." This at Beaufort, S. C., on or about the 19th day of September, 1864.

Specification 3d.—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. Troops, and Officer of the Post Guard, Beaufort, S. C., did leave the guard in charge of the Sergeant of the Guard, Leroy Jackson, Co. "H," 26th U. S. C. T., and did allow him to superintend the discharging the pieces of the guard, in strict violation of orders from Capt. Hayes, Co. "H," 26th U. S. C. T., Detachment Commander." This at Beaufort, S. C., on the 20th day of September, 1864.

CHARGE 2d.—"Conduct unbecoming an officer and a gentleman."

Specification—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. T., and Officer of the Provost Guard, did say, in the presence of enlisted men, that he would not obey the orders of Lieut. H. A. Hawkes, Assistant Provost Marshal: he doing it in a very ungentlemanly-like manner."—This at Beaufort, S. C., on the 19th day of September, 1864.

CHARGE 3d.—"Incompetency."

Specification 1st—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. T., when detailed to mount and inspect the Provost Guard at Beaufort, as Adjutant, did neglect to give the command. "Troop beat off" but did give the command "Present Arms," and did report to the Officer of the Day, Captain Hamner 3d R. I. Artillery, "The Guard is formed," the Guard standing at open order." This at the Parade Ground, Beaufort, S. C., on or about the 20th day of September, 1864.

Specification 2d—"In this: that 2d Lieut. *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. T., when ordered by the Officer of the Day Captain Hamner 3d R. I. A., to march the Guard in review, did give the command. "By platoon, right wheel, head of column to the right, guide left" whereas he should have commanded. "Pass in review, column forward guide right" This at the Parade Ground, Beaufort, S. C., on or about the 20th day of September, 1864.

To which Charges and Specifications the accused pleaded as follows:

CHARGE 1st.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the 3d *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE 2d.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

CHARGE 3d.

To the 1st *Specification*, "Guilty."
To the 2d *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, find the accused, Second Lieutenant *Abraham A. Van Guelder*, Co. "K," 26th U. S. C. Troops, as follows:

CHARGE 1st.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the 3d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE 2d.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE 3d.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court do therefore sentence him, Second Lieutenant *Abraham A. Van Gudder* Co. 'K,' 26th Regt. U. S. C. Troops, "*To be dismissed the service of the United States.*"

II. The proceedings in the foregoing case have been approved by the Officer ordering the Court, and submitted to the Major-General Commanding the Department. The accused has adopted the extraordinary and ill-advised course of pleading guilty to all the Charges and Specifications, and yet claiming in his defense that sentence should not be passed on him, because the specifications do not properly set forth the offences charged. Had he pleaded guilty to the specifications, and not guilty to the charges, and no evidence had been adduced by the prosecution his claim might perhaps have been considered, but by pleading guilty to the charges, he has admitted himself to be guilty of disobedience of orders, (which in the Articles of War and charges framed under them, means *wrongful* disobedience of orders) and of conduct unbecoming an officer and a gentleman.

A Court Martial is not the proper tribunal to examine the third charge, and it should never have been submitted to them. If they had had discretionary power in awarding sentence, the consideration of the third charge would have rendered the sentence null, but as they are bound by the Articles of War to pronounce sentence of dismissal on a conviction of the second charge, the sentence can stand, though the proceedings on the third charge are void. The findings on the first and second charges are therefore approved; the findings on the third charge are disapproved, the Court not having jurisdiction; the sentence is approved. Second Lieutenant *Abraham A. Van Gudder*, 26th Regt. U. S. C. T., ceases to be an officer in the United States' service from the date of the order publishing the proceedings.

BY COMMAND OF MAJ.-GEN'L. J. G. FOSTER.

Assistant Adjutant General.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of the South.

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HEADQUARTERS Department of the South,
HILTON HEAD, S. C., Jan. 4, 1865.

GENERAL ORDERS, }
No. 2. }

The action of Brig.-Gen. E. E. POTTER, Commanding Hilton Head District, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *Thomas T. White*, and *Wm. Henry H. Hall*, Co. "C," *Chauncey Rice*, Co. "E," *George Dailey*, Co. "G," and *Lucius H. Smith*, Co. "B," 157th N. Y. Vol. Infantry, and *Charles Bostic*, Co. "D," 32d U. S. C. T., as promulgated in General Orders 41 and 42, Headquarters, Hilton Head District, is approved. The Provost Marshal General is charged with the execution of this order.

BY COMMAND OF MAJ.-GEN'L. J. G. FOSTER,

Assistant Adjutant General.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., Jan. 23, 1865.

GENERAL ORDERS, No. 10.

I. The action of Brigadier-General POTTER, approving the sentence of Court Martial designating Fort Marion, St. Augustine, Florida, as the place of confinement for privates *John Gilligan*, *2d*, Co. "G," 52d Pa. Vol. Infty., *Sylvester Clark*, Co. "D," 56th N. Y. Vol. Infty., *Hezekiah Johnson*, Co. "E," 55th Mass. Vol. Infty., and *David Washington*, Co. "F," 54th Mass. Vol. Infty., is approved.

The Provost Marshal General is charged with the execution of this order.

~~II. The following paragraph from Special Orders No. 20, Adjutant General's Office, January 13th, 1865, is re-published for the information of this Command~~:

~~SPECIAL ORDERS, No. 20.~~ ~~WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, Washington, Jan. 13th, 1865.~~

~~26. By direction of the President, and upon the recommendation of his Commanding General, Colonel *John F. Tyler*, 1st Infantry, Missouri State Militia, is hereby dishonorably dismissed the service of the United States, for *fraudulent conduct in connection with transportation passes, trading in substitutes, and sanctioning the same in employees under his control*, he being on duty at the time as Assistant Provost Marshal.~~

~~Commanding Generals of Armies and Departments will promulgate this Order to their respective commands.~~

~~By order of the Secretary of War.~~

~~W. A. NICHOLS,~~

~~*Assistant Adjutant General.*~~

BY COMMAND OF MAJOR-GENERAL J. G. FOSTER,

W. H. Engles

Assistant Adjutant General.

HEADQUARTERS, Department of the South.
HILTON HEAD, S. C., February 11, 1865.

GENERAL ORDERS, No. 19.

I. Before a General Court Martial, which convened at Jacksonville, Florida, pursuant to Special Orders No. 270, dated December 9, 1864, and No. 6, dated January 7th, 1865, Headquarters, District of Florida, Fourth Separate Brigade, Department of the South, and of which Colonel B. C. TILGHMAN, 3d U. S. C. T., is PRESIDENT, was arraigned and tried:

MERRIT LOUDON, a private of Company I, 17th Conn. Vol. Infantry.

CHARGE:

"*Violation of the 46th Article of War.*"

SPECIFICATION: "In this, that said Private MERRIT LOUDON, Company I, 17th Regt. Conn. Vol. Infantry, having been duly posted as a sentinel, on picket duty, did sleep on his post, and was found sleeping by the officer of the Day, when making the rounds between the hours of 4 and 5 A. M." This at Picolata, Fla., December 14th, 1864.

To which charge and specification the accused pleaded, "*Guilty,*"

FINDING:

The Court, after mature consideration of the evidence adduced, finds the accused as follows:

Of the specification to the charge, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Private MERRIT LOUDON, Co. I, 17th Conn. Vol. Infantry, *To be shot to death with musketry, at such time and place as the Commanding General may direct, two-thirds of the Court concurring therein.*

II. The commutation of the sentence in this case to forfeiture of one month's pay, and one month's hard labor, as announced in General Orders No. 7, current series, Headquarters, District of Florida, dated January 17th, 1865, is void. The power to remit or commute the punishment of death, is by the 89th Article of War, and the Act of July 2d, 1864, published in General Orders 231, series of 1864, of the War Department, vested only in the President of the United States or the Commander of an Army or Department. The proceedings in the foregoing case are approved, but on the recommendation of the members of the Court, the sentence is commuted to hard labor at Fort Marion, St. Augustine, Florida for the period of six months from January 17, 1865.

This punishment will be carried into execution under the direction of the Commander of the District of Florida.

III. The action of Brevet Brigadier-General M. S. LITTLEFIELD, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *Nelson L. West*, Co. I, and *John Lawler*, Co. C, 157th N. Y. Vols., *Florance Arriman*, Co. F, 25th Ohio Vet. Vols., *Richard T. Wilson*, and *William Jones*, Co. I, 32d U. S. C. T., and *Abram Zuler*, Co. F, 144th N. Y. Vols., is approved.

IV. The action of Brigadier-General JOHN P. HATCH, Commanding Northern District, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *Charles Simpson*, and *William O'Brien*, Co. I, and *Franklin Wright*, Co. D, 52d Regt. Pa. Vol. Infantry, *Charles Brown*, 2d, Co. E, 54th Regt. Mass. Vol. Infantry, and *King Singleton*, Co. D, 21st Regt. U. S. C. T., is approved.

The Provost Marshal General is charged with the execution of Paragraphs III and IV of this order.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,

Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., February 17, 1865.

GENERAL ORDERS, No. 24.

I. Before a General Court Martial, which convened at Jacksonville, Fla., by virtue of Special Orders No. 270, Par. II, dated Headquarters, District of Florida, 4th Separate Brigade, D. S., Jacksonville, Fla., Dec. 9th, 1864, and of which Col. B. C. TILGHMAN, 3d U. S. C. Troops, was President, was arraigned and tried:

Captain SILAS H. SWETLAND, Commisary Subsistence Vols.

CHARGE:

"*Fraud.*"

SPECIFICATION FIRST: "In this, that he, Capt. *Silas H. Swetland*, C. S. Vols., did fraudulently deliver to George Burt, a civilian trader, to be sold or used by him for his own private benefit, five (5) barrels of flour, subsistence stores belonging to the United States, valued at forty-five dollars and fifty cents ($45 50-100.) This at St. Augustine, Fla., on or about the 5th of April, 1864."

SPECIFICATION SECOND: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did fraudulently deliver to George Burt, a civilian trader, to be sold or used by him for his own private benefit, six (6) barrels of flour, valued at fifty-five dollars and fifty cents ($55 50-100.) and three (3) gallons of B. Whiskey, valued at six dollars, ($6) subsistence stores belonging to the United States. All this at St. Augustine, Fla., on or about the 29th of April, 1864."

SPECIFICATION THIRD: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did fraudulently deliver to George Burt, a civilian trader, to be sold or used by him for his own private benefit, ten (10) barrels of flour, subsistence stores belonging to the United States, valued at one hundred and five dollars ($105.) All this at St. Augustine, Fla., on or about the 20th of July, 1864."

SPECIFICATION FOURTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did fraudulently deliver to Henry A. Wilson, sutler, to be sold or used by him for his own private benefit, four (4) barrels of flour, subsistence stores belonging to the United States, valued at forty dollars ($40.) All this at St. Augustine, Fla., on or about the 23d of April, 1864."

SPECIFICATION FIFTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did, in official returns for the month of June, 1864, charge to the account of the United States, the amount of eighty-seven dollars and fifty-two cents ($87 52-100,) said to have been paid to one John Miller, for cattle, knowing that this money had never been paid to said John Miller, and knowing that his receipt for it was fictitious. All this at St. Augustine, Fla., on or about the 30th of June, 1864."

SPECIFICATION SIXTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did, in his official returns for the month of June, 1864, fraudulently charge to the account of the United States, the amount of sixty-seven dollars and sixty cents ($67 60-100,) said to have been paid to William H. Downs for cattle, knowing that this money had not been paid to William H. Downs. All this at St. Augustine, Fla., on or about the 30th of June, 1864."

SPECIFICATION SEVENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did in his official returns for the month of July, 1864, fraudulently charge to the account of the United States, the amount of two hundred and ninety-five dollars and twenty cents ($295 20-100.) said to have been paid to Benjamin Harn for cattle, knowing that this sum of money had not been paid to Benjamin Harn. All this at St. Augustine, Fla., on or about the 31st of July, 1864."

SPECIFICATION EIGHTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did in his official returns for the months of June, July, August and September, 1864, fraudulently charge to the account of the United States, various sums, said to have been paid for cattle, amounting to more than thirteen hundred and ninety dollars, ($1390) he, Captain *Silas H. Swetland*, C. S. Vols., knowing that these various sums amounting to more than thirteen hundred and ninety dollars, ($1390) had never been paid, as alleged. All this at St. Augustine, Fla., at various times, between the 1st of June, 1864, and the 15th of October, 1864."

SPECIFICATION NINTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., furnished a price list for the sale of U. S. Subsistence Stores, at the post of St. Augustine, Fla., for the month of August, 1864, by which list the following articles, viz., candles, salt, vinegar, corn meal, sugar, beans and dried apples were sold for more than the authorized prices, and he fraudulently retained for his own benefit the excess for which these sold. This at St. Augustine, Fla., on or about the 1st of August, 1864."

SPECIFICATION TENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., having refused to pay Benjamin Harn for cattle of his which had been slaughtered, and having refused permission to Benjamin Harn to sell his cattle to other parties, then authorized his clerk, Thomas N. Leib, to purchase of said Benjamin Harn, his cattle claim, with mark and brand at a low price, furnishing one-half the purchase money, with the understanding, that he and the clerk should share the profits:—that subsequently he, Captain *Silas H. Swetland*, C. S. Vols., paid to one William Delk, the sum of two hundred and sixty-two dollars ($262,) or about, as the value of a part of the aforesaid cattle claim, purchased by said Delk, which sum he fraudulently charged to the United States. This at St. Augustine, Fla., on or about the 1st of October, 1864."

SPECIFICATION ELEVENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did render an Abstract of sales to citizens for the month of November, 1863, in which the amount of sales to citizens was fraudulently mis-stated. This at St. Augustine, Fla., on or about the 30th of November, 1863."

SPECIFICATION TWELFTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., did render an Abstract of sales to citizens for the month of December, 1863, in which the amount of sales to citizens was fraudulently mis-stated. This at St. Augustine, Fla., on or about the 31st of December, 1863."

SPECIFICATION THIRTEENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., rendered an Abstract of sales to citizens for the month of February, 1864, in which the amount of sales to citizens was fraudulently mis-stated. This at St. Augustine, Fla., on or about the 29th of February, 1864."

SPECIFICATION FOURTEENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., having paid the stipulated price, ($5) five dollars per head for driving in thirty-eight head of cattle, subsequently paid one dollar per head for the same cattle, to a man not concerned in driving the cattle, and fraudulently charged the whole amount, ($6) six dollars per head, to the account of the United States. This at St. Augustine, Fla., on or about the 1st of October, 1864."

SPECIFICATION FIFTEENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., having a farm under cultivation, in part by means and facilities afforded at the expense of the United States, and having obtained a certain quantity of vegetables from this farm, sold the same to the United States, by means of fraudulent signatures of parties, who never owned the vegetables. This at St. Augustine, Fla., during the months of June and July, 1864."

SPECIFICATION SIXTEENTH: "In this, that he, Captain *Silas H. Swetland*, C. S. Vols., has by fraudulent returns defrauded the United States of about ten thousand dollars ($10, 000.) This at St. Augustine, Fla., between the 1st of November, 1863, and the 1st of November, 1864."

To which charge and specifications the accused pleaded, "*Not Guilty.*"

The 16th Specification was dropped during the trial.

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, Captain *Silas H. Swetland*, C. S. Vols., as follows:

Of the first specification, "*Guilty.*"

Of the second specification, "*Guilty.*" except the words "(3) three gallons of B. whiskey, valued at six dollars."

Of the third specification, "*Guilty.*"

Of the fourth specification, "*Guilty.*"

Of the fifth specification, "*Guilty.*"

Of the sixth specification, "*Guilty.*"

Of the seventh specification, "*Guilty.*"

Of the eighth specification, "*Guilty,*" except the words "August and September." and except the amount ($950) nine hundred and

fifty dollars of the ($1390) thirteen hundred and ninety dollars specified.

Of the ninth specification, "*Guilty.*"

Of the tenth specification, "*Guilty,*" except the words "having refused to pay Benjamin Harn for cattle of his, which had been slaughtered."

Of the eleventh specification, "*Guilty.*"

Of the twelfth specification, "*Guilty.*"

Of the thirteenth specification, "*Guilty.*"

Of the fourteenth specification, "*Guilty.*"

Of the fifteenth specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Captain SILAS H. SWETLAND, Commissary Subsistence Vols., *to be cashiered with loss of all pay and allowances now due or to become due; to be fined* ($5000,) *five thousand dollars; to be imprisoned for one year in such prison or penitentiary as the proper authorities may direct; and the sentence to be published as provided in the 85th Article of War.*

II. The proceedings, findings and sentence in the foregoing case having been approved by the officer appointing the Court and submitted to the Major-General Commanding the Department, the same are hereby approved and confirmed. Captain SWETLAND, ceases to be an officer of the United States from the date of the publication of this order. He will be confined under charge of the Provost Marshal of the District of Florida, until authority is received from the Secretary of War to send him to the Penitentiary at Albany, New York, which is designated as the place of his imprisonment.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., March 1, 1865.

GENERAL ORDERS, No. 28.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Orders. No. 7, dated, Headquarters, Department of the South, Hilton Head, S. C., January 8th, 1865, and of which Major FRANK PLACE, 157th New York Volunteers, is President, were arraigned and tried:

1st. Private JOHN MILLER, Co. I, 32d U. S. C. T.

CHARGE:

"*Desertion in the face of the enemy.*"

SPECIFICATION FIRST: "In this, that he, Private JOHN MILLER, Co. I, 32d U. S. C. T., being on duty with his company in the face of the enemy, did leave the same without the permission of his commanding officer, and without intention to return. All this at Deveaux' Neck, S. C., on or about the 3d of December, 1864."

SPECIFICATION SECOND: "In this, that he, Private JOHN MILLER, Co. I 32d U. S. C. T., did desert his command in the face of the enemy and attempt to make his escape North, by secreting himself on the U. S. Mail Steamer Arago, as she was about to sail. All this at Hilton Head, S. C., on or about December 25th, 1864."

To which charge and specifications the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, Private JOHN MILLER, Co. I, 32d U. S. C. T., as follows,

Of the first specification, "*Guilty.*"

Of the second specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Private JOHN MILLER, Co. I, 32d U. S. C. T., *To be confined at hard labor at Fort Marion, St. Augustine, Fla., one year, with loss of all pay, that may become due him during that period.*

2d. Corporal W. HARRISON SMITH, Co. D, 144th New York Vols.

CHARGE:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, the said Corporal W. HARRISON SMITH, of Company D, 144th N. Y. Vols., did refuse, when ordered by the officer of the Guard to take charge of a colored relief of guard, he being regularly detailed as corporal of the Guard. All this at the Provost Guard House at Hilton Head, S. C., on or about the 15th day of January, 1865."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirm the plea of the accused.

SENTENCE:

And the Court do therefore sentence him, W. HARRISON SMITH, Corporal Co. D, 144th N. Y. Vols., *to be reduced to the ranks as a private soldier, and to forfeit to the United States ten dollars* ($10) *per month from his monthly pay, for eight months.*

3d. Corporal JAMES DAZELL, Company D, 144th New York Vols.

CHARGE:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, the said Corporal JAMES DAZELL, Co. D, 144th N. Y. Vols., did refuse, when ordered by the officer of the Guard, to take charge of a colored relief of the guard. All this at the Provost Guard-house at Hilton Head, S. C., on or about the 15th day of January, 1865."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, confirm the plea of the accused.

SENTENCE:

And they do therefore sentence him, Corporal JAMES DAZELL, Co. D, 144th N. Y. Vols., *to be reduced to the ranks as a private soldier, and to forfeit to the United States ten dollars* ($10) *per month from his monthly pay, for the period of eight months.*

4th. Corporal WILBER BRADLY, Company D, 144th N. Y. Vols.

CHARGE:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that the said Corporal WILBER BRADLY, of Co. D, 144th N. Y. Vols., did refuse, when ordered by the officer of the Guard, to take charge of a colored relief of guard, he being regularly detailed as Corpl. of the Guard. All this at the Provost Guard-house at Hilton Head, S. C., on or about the 15th day of January, 1865."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, confirm the plea of the accused.

SENTENCE:

And they do therefore sentence him, Corporal WILBER BRADLY, Co. D, 144th New York Vols., *to be reduced to the ranks as a private soldier, and to forfeit to the United States ten dollars* ($10) *per month from his monthly pay for the period of eight months.*

5th. Private LEONARD HAMM, Co. I, 144th New York Vols.

CHARGE:

"*Sleeping on Post.*"

SPECIFICATION: "In this, that the said LEONARD HAMM, private of

Co. I, 144th N. Y. Vols., did, after being regularly posted as a sentinel on post No. 15, town guard, over the forage buildings, quit his post and go into the building, place his blankets over him and go to sleep, and was thus found soundly asleep, by the officer of the guard, at 4½ o'clock, A. M., of Jan. 16th, 1865. All this at Hilton Head, S. C., on or about January 16th, 1865."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, Private LEONARD HAMM' Co. I, 144th N. Y. Vols:

Of the specification, "*Guilty,*" except the words "after being regularly posted," and "quit his post."

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Private LEONARD HAMM, Co. I, 144th N. Y. Vols., *to be confined in regimental Camp for thirty days, and to forfeit to the United States two months' pay.*

6th. 2d Lieut. J. H. HAROLD, 1st New York Vol. Engineers.

CHARGE FIRST:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that 2d Lieut. J. H. HAROLD, Co. I, 1st N. Y. Vol. Engineers, being ordered by Brig.-Gen. Jno. P. Hatch, Commanding Division, through a staff officer to take charge of a party of engineers and mask a position during the night, upon which a battery was to be constructed the following day, did fail to comply with the order, but did instruct a non-commissioned officer to do the work, and, said non-commissioned officer failing to execute the order, the said work was not done as directed. This at or near Deveaux' Neck, S. C., on or about the 13th day of December, 1864."

CHARGE SECOND:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that 2d Lieut. J. H. HAROLD, 1st N. Y. Vol. Engineers, when censured by a staff officer for the dilatory and unsatisfactory manner of conducting his working party, did reply that there was no damned head or tail to anything connected with the expedition, or words to that effect. This at or near Deveaux' Neck, on or about the 13th day of December, 1864."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, 2d Lieut. JAMES H. HAROLD, 1st N. Y. Vol. Engineers, as follows:

Of the specification to first charge, "*Guilty,*" but attach no criminality thereto.

Of the first charge, "*Not Guilty.*"
Of the specification, to second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, 2d Lieut. J. H. HAROLD, 1st N. Y. Vol. Engineers, *to be reprimanded in General Orders, by the Commanding General of the Department.*

II. The proceedings, findings and sentences in the cases of Corporals DAZELL, BRADLY, SMITH, and Private HAMM, all of the 144th N. Y. Vols., are approved and confirmed, and the sentences will be carried into effect. The record in the case of Private HAMM, discloses a negligence in the instruction and posting of sentinels in the highest degree disgraceful, and which deserves and meets the severest censure of the Commanding General. The Commander of the District will hold all commissioned and non-commissioned officers of guards strictly accountable, that a duty so vitally essential to the safety of this post, is properly and exactly performed.

The proceedings and findings in the case of Private MILLER, 32d U. S. C. T., are approved. The sentence is confirmed, though the Commanding General considers the punishment too light for the offence charged and proved. The Provost Marshal General is charged with the execution of this order.

The proceedings, findings and sentence in the case of Lt. HAROLD, 1st N. Y. Vol. Engineers, are approved. Lieutenant HAROLD, is hereby reprimanded for his petulant language, so ill-according with the example of subordination and self-restraint, that a Commissioned Officer should set to the men of his command. He is released from arrest and restored to duty.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE.

W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., March 6, 1865.

GENEARL ORDERS, No. 29.

I. Before a Military Commission, which convened at Hilton Head, S. C., pursuant to Special Orders No. 14, Par. IV, dated Headquarters Department of the South, Hilton Head, S. C., January 17th, 1865, and of which Major FRANK PLACE, 157th New York Volunteers, is President, were arraigned and tried ;

1st. T. P. RAYMOND, Civilian.

CHARGE :

"*Theft.*"

SPECIFICATION : "In this, that he, T. P. RAYMOND, civilian, did steal from a box of clothing, the property of the United States, a pair of pants. All this at Hilton Head, S. C., at or near the U. S. Government Storehouse, on or about the evening of January 2d, 1865."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING :

The Commission, having maturely considered the evidence adduced, find the accused, T. P. RAYMOND, civilian :

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE :

And they do therefore sentence him, T. P. RAYMOND, civilian, *to be confined at Fort Marion, St. Augustine, Florida, at hard labor, for the period of sixty* (60) *days.*

2d. AMOS VANDROSS, civilian, (colored.)

CHARGE :

"*Murder.*"

SPECIFICATION : "In this, that the said AMOS VANDROSS, civilian, (colored) did, with malice aforethought kill and murder Gallant Morris, a colored boy, by beating and striking said Morris with a leather strap or other weapon, in such a manner as to cause death. This at Mitchelville, Hilton Head Island, S. C., on or about the night of December 15th, 1864."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING :

The Commission, having maturely considered the evidence adduced, find the accused, AMOS VANDROSS, (colored,)

Of the specification, "*Guilty,*" except the words "with malice aforethought" and "murder."

Of the charge, "*Not Guilty.*" but guilty of manslaughter.

SENTENCE :

And the Commission do therefore sentence him, AMOS VANDROSS, (colored,) *to be confined at hard labor, during the period of his natural life at the Albany penitentiary, State of New York, or such other penitentiary as the Commanding General may direct.*

3d. JOHN WASHINGTON, alias BONEY SINGLETON, (colored) civilian.

CHARGE FIRST:

"*Burglary.*"

SPECIFICATION: "In this, that the said JOHN WASHINGTON, did in the night time, burglariously enter the store of Peabody & Morgan, in the town of Hilton Head, S. C., on or about the 1st day of December, 1864, for the purpose of abstracting goods feloniously, and was captured, while escaping from said store."

CHARGE SECOND:

"*Larceny.*"

SPECIFICATION: "In this, that the said JOHN WASHINGTON, did steal from the store of Peabody & Morgan in Hilton Head, S. C., various articles of Merchandise, to wit, one piece of calico, one pair of shoes and other articles. This on or about Dec. 1st, 1864."

To which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING:

The Commission, having maturely considered the evidence adduced, find the accused, JOHN WASHINGTON alias BONEY SINGLETON,

Of the specification to first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification to second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Commission do therefore sentence him, JOHN WASHINGTON alias BONEY SINGLETON, *to be confined at hard labor for the period of six (6) years, at such place as the Commanding General may direct.*

II. The findings and sentence in the case of T. P. RAYMOND, are approved. The sentence will be executed under charge of the Provost Marshal General.

The proceedings, findings and sentence in the case of AMOS VANDROSS, are approved. The prisoner will be retained in charge of the Provost Marshal General, until permission is received from the Secretary of War, to send him to the penitentiary at Albany, New York, which is designated as the place of confinement.

In the case of JOHN WASHINGTON, the findings on the first charge and it's specification are disapproved, the specification not alleging, that the offence was committed in a dwelling house, which is a necessary element of the crime of burglary. The findings on the second charge and it's specification are approved. The sentence is mitigated to two years confinement at hard labor at Fort Marion, St. Augustine, Florida, and will be executed under direction of the Provost Marshal General.

The Military Commission, of which Major FRANK PLACE, 157th N. Y. Vols., is President, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,
Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 7, 1865.

GENERAL ORDERS, No. 30.

I. Before a General Court Martial, which convened at Jacksonville, Florida, pursuant to Special Order No. 270, Par. II, dated Headquarters District of Florida, Fourth Separate Brigade, D. S., Jacksonville, Fla., Dec. 9th, 1864, and of which Col. B. C. TILGHMAN, 3d U. S. C. T., was President, was arraigned and tried :

Capt. ALEXANDER S. TOPLANYI, 3d U. S. C. T.

CHARGE FIRST :

" *Conduct prejudicial to good order and military discipline.*"

SPECIFICATION FIRST : " In this, that he, Captain A. S. TOPLANYI, Co. F, 3d U. S. C. T., when halted by a sentinel on duty in front of the Provost Guard House, approached him in a violent manner, using at the same time abusive language toward the sentinel, and also toward the sergeant of the guard, the said Captain A. S. TOPLANYI, not being on duty and having no authority whatever to give any directions to the sentinel on post. This at about the hour of one o'clock in the early morning at Jacksonville, Fla., on or about the 28th day of January, 1865."

SPECIFICATION SECOND : " In this, that he, Captain A. S. TOPLANYI, Co. F, 3d U. S. C. T., approached a sentinel, stationed in front of the Provost Marshal's Office in a quarrelsome manner, using abusive language and striking and kicking the sentinel while on post in performance of his duty, the said Captain TOPLANYI, not being on duty and not having authority to give any directions to the sentinel or interfere with him in any way. This at about the hour of one o'clock, A. M., on or about the 28th day of January, 1865, at Jacksonville, Florida."

CHARGE SECOND :

" *Conduct unbecoming an officer and a gentleman.*"

SPECIFICATION : " In this, that he, Captain A. S. TOPLANYI, Co F, 3d U. S. C. T., approached a sentinel stationed in front of the Provost Marshal's Office in a quarrelsome manner, using abusive language and striking and kicking the sentinel while on post in performance of his duty, the said Captain TOPLANYI, not being on duty, and not having authority to give any directions to the sentinel, or interfere with him in any way. This at about the hour of one o'clock, A. M., on or about the 28th day of January, 1865, at Jacksonville, Florida."

To which charges and specifications the accused pleaded, " *Not Guilty.*"

FINDING :

The Court, having maturely considered the evidence adduced, find the accused, Capt. A. S TOPLANYI, 3d U. S. C. T., as follows :

Of the first specification, first charge. " *Guilty.*"

Of the second specification, first charge, " *Guilty.*"

Of the first charge, " *Guilty.*"

Of the specification, second charge, "*Guilty.*"

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Capt. A. S. TOPLANYI, 3d U. S. C. T., *to be dismissed the service of the United States.*

II. The proceedings, findings and sentence in the foregoing case have been approved by the officer ordering the Court and submitted to the Major-General Commanding the Department, for his action thereon.

The Army Regulations require, that all persons of whatever rank in the service observe respect towards sentinels. Capt. TOPLANYI's conduct is aggravated by the fact, that he had no authority over the sentinels, and that the language he employed was such as no provocation could excuse in an officer and gentleman. In consideration, however, of the zeal which Capt. TOPLANYI has shown in maintaining the discipline of his command, the Commanding General allows him an opportunity to retrieve his reputation, and mitigates the sentence to forfeiture for six months of all pay and allowances, except the allowance for one ration.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 9, 1865.

GENERAL ORDERS, No. 32.

I. Before a General Court Martial, which convened at Hilton Head, S. C., pursuant to Special Order No. 7, dated Headquarters, Department of the South, Hilton Head, S. C., January 8th, 1865, and of which Major FRANK PLACE, 157th N. Y. Vols., was President, were arraigned and tried:

1st. CHARLES BENSON, private 56th N. Y. Vols.

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION FIRST: "In this, that Private CHARLES BENSON, 56th N. Y. V. Infantry, did wantonly and cruelly refuse permission to Private Edwin H. Smith, Co. D, 56th N. Y. V. I., to procure water and empty night pails in the room, in which said Smith with others was confined. This at Beaufort, S. C., on or about August 15th, 1864."

SPECIFICATION SECOND: "In this, that Private CHARLES BENSON, 56th N. Y. V. I., did cruelly and without sufficient cause or authority, torture Private Robert H. Corey, 56th Regt. New York Vol. Infantry, by confining him in an iron collar for several hours. This at Beaufort, S. C., on or about the 17th of August, 1864."

SPECIFICATION THIRD: "In this that Private CHARLES BENSON, 56th N. Y. V., did cruelly, wantonly and with curses, refuse to Private Robert Cooper, Co. B, 56th N. Y. V., permission to go to the sink, said Cooper being at that time in an iron collar, thereby inflicting great suffering and inconvenience on said Cooper. This at Beaufort, S. C., on or about the 3d of September, 1864."

To which charge and specifications the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, CHARLES BENSON, private Co. L, 56th N. Y. Vols., as follows:

Of the first specification, "*Not Guilty.*"

Of the second specification, "*Not Guilty.*"

Of the third specification, "*Guilty,*" of the facts as set forth, but the Court attach no criminality thereto.

Of the charge, "*Not Guilty.*"

And the Court do therefore *acquit the accused.*

2d. Sergeant FREDERICK ALBERTS, Co. L, 56th N. Y. V.

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION FIRST: "In this, that Sergt. FREDERICK ALBERTS, Co L, 56th N. Y. V., did inflict a cruel punishment on Private Wm, A. Garrett, Co. D, 56th N. Y. V., by confining said Garrett in an iron collar for a long space of time, to wit, thirty-three hours. This at Beaufort, S. C., on or about the 4th or 5th day of July, 1864."

SPECIFICATION SECOND: "In this, that Sergt. FREDERICK ALBERTS, Co. L, 56th N. Y. V. I., did wrongfully and without authority confine in an iron collar, Private Edwin H. Smith, Co. D, 56th Regt. N. Y. Vols., for writing a letter to Capt. L. W. Metcalf, Provost Marshal of the District of Beaufort, complaining of cruelties in Jail. This at Beaufort, S. C., on or about the 16th of August, 1864."

SPECIFICATION THIRD: "In this, that Sergt. FREDERICK ALBERTS, Co. L, 56th N. Y. V., did confine in an iron collar a negro named Toot, now a member of Co. B, 21st Regt. U. S. C. T., for the purpose of forcing him by torture, to enlist in the military service of the United States. This at Beaufort, S. C., on or about the 1st day of September, 1864."

SPECIFICATION FOURTH: "In this, that Sergt. FREDERICK ALBERTS, Co. L, 56th N. Y. V., did cruelly, wantonly and with curses revile and threaten to shoot Private Robert Cooper, Co. B, 56th N. Y. V., while said Cooper was confined in an iron collar. This at Beaufort, S. C., on or about the 3d day of September, 1864."

SPECIFICATION FIFTH: "In this, that Sergt. FREDERICK ALBERTS, Co. L, 56th N. Y. V., did cruelly, wantonly and with curses, refuse to Private Robert Cooper, Co. B, 56th N. Y. V., permission to go to the sink, said Cooper being at that time confined in an iron collar, thereby inflicting great suffering and inconvenience on said Cooper. This at Beaufort, S. C., on or about the 3d of September, 1864."

To which charge and specifications the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, Sergt. FREDERICK ALBERTS, 56th N. Y. Vols., as follows:

Of the first specification, "*Not Guilty.*"

Of the second specification, "*Not Guilty.*"

Of the third specification, "*Not Guilty.*"

Of the fourth specification, "*Guilty.*" except the words "wantonly" and "did threaten to shoot," but the Court attaches no criminality thereto.

Of the fifth specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, the accused, Sergeant FREDERICK ALBERTS, 56th N. Y. Vols., *to be reduced to the ranks as a private soldier.*

3d. 2d Lieut H. A. HAWKES, 56th N. Y. V.

CHARGE FIRST:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION FIRST: "In this, that 2d Lieut. H. A. HAWKES, 56th N. Y. V. Infantry, did keep Private Robert Cooper, Co. B, 56th Regt. N. Y. V. Infantry, confined in jail, without delivering him to his commanding officer, in violation of General Orders No. 22, series of 1864, Headquarters, Dept. of the South, for a long space of time, to wit, twenty-six days. This at Beaufort, S. C., in the month of September, 1864."

SPECIFICATION SECOND. "In this, that 2d Lieut. H. A. HAWKES, 56th Regt N. Y. V. Infantry, did inflict a cruel and unusual punishment on Private Robert Cooper, Co. B, 56th Regt. New York Vol. Infantry, by confining said Cooper in an iron collar for a long space of time, to wit, twenty-eight hours, to the physical injury of said Cooper, and to the injury of the service. This at Beaufort, S. C., on or about the 3d and 4th of September, 1864."

SPECIFICATION THIRD: "In this, that 2d Lieut H. A HAWKES, 56th Regiment N. Y. Vol. Infantry, did torture Private Robert Cooper, Co. B, 56th Regt. N. Y. V. Infantry, in order to make him confess, where he had obtained liquor, by placing him in an iron collar and keeping him there for a long space of time, to wit, twenty-eight hours. This at Beaufort, S. C., on or about the 3d and 4th of September, 1864."

SPECIFICATION FOURTH: "In this, that 2d Lt. H. A. HAWKES, 56th Regt. N. Y. Vol. Infantry, did wantonly curse and revile Private Robert Cooper, Co. B, 56th N. Y. Infantry, when said Cooper was confined in an iron collar as aforesaid. This at Beaufort, S. C., on or about the 3d of September, 1864."

CHARGE SECOND:

"*Conduct unbecoming an officer and a gentleman.*"

SPECIFICATION: "In this, that 2d Lieut. H. A. HAWKES, 56th N. Y. V. Infantry, did corruptly and scandalously offer to Thomas Rhodes (Boatman) then in confinement in jail, that if he the said Rhodes would pay him one hundred dollars, he would let him said Rhodes go. This at Beaufort, S. C., on or about the 8th of October, 1864."

To which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, 2d Lieut. H. A. HAWKES, 56th N. Y. V. Infantry, as follows:

Of the first specification, first charge, "*Guilty,*" after substituting 21 days for 26.

Of the sceond specification, first charge, "*Not Guilty.*"

Of the third specification, first charge, "*Not Guilty.*"

Of the fourth specification, first charge, "*Not Guilty.*"

Of the first charge, "*Guilty.*"

Of the specification, second charge, "*Not Guilty*"

Of the second charge, "*Not Guilty.*"

SENTENCE:

And the Court do therefore sentence him, 2d Lieut. H. A. HAWKES, 56th N. Y. Vols., *to be reprimanded in General Orders by the Commanding General of the Department.* The Court is thus lenient, in view of the uniform good character of the accused, and the conflicting testimony of the witnesses for the prosecution.

II. The findings in the case of Private BENSON, are approved. Private BENSON, will be released from arrest and restored to duty.

In the case of Sergeant ALPERTS, the finding on the fourth specification is disapproved. The findings on all the other specifications and the charge are approved. The sentence is confirmed and will be executed.

In the case of Lieut. HAWKES, the findings on the first charge and its first specification, and on the second charge and its specification are approved. The findings on the second, third and fourth specifications of the first charge are disapproved. The Commanding General cannot but think, that the Court has been unduly influenced by the degraded character of the offenders, who have been placed in the iron collar at Beaufort jail, and has not sufficiently considered, that it concerns the honor of the service, that no wantof sympathy for the sufferers should cause the introduction of such ill practices to be overlooked.

All punishments, particularly those inflicted without judicial sanction should be strictly confined to those authorized by the customs of the service. It need not be said, that the punishment inflicted at Beaufort jail is not among these, and is more suited to the old use of the jail as a slave pen, than to a military prison of the United States. Besides no officer ordering a punishment should, by his abusive language or conduct, give reason to suppose, that personal feeling influences his proceeding. If he does, the punishment loses all good effect and becomes a source of positive evil. But there is a graver circumstance yet in this case. By the concurrent testimony of Cooper, the man confined, of his fellow prisoners and of the jailor, the iron collar was used to extort a disclosure from Cooper of the party, who furnished him with liquor. However desirable it may have been to ascertain this person, the employment of such means, by whatever name called, is in fact *torture* and a disgrace to the service and the country. The Commanding General trusts, that he will never again have to notice such a flagrant abuse of power by an Officer of the army. Lieutenant HAWKES, is released from arrest and restored to duty.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 17, 1865.

GENERAL ORDERS, No. 36.

I. Before a General Court Martial, which convened at Savannah, Ga., in pursuance of Special Order No. 9, Par. I, dated Headquarters 2d Division, 19th A. C., Savannah, Ga., January 25th, 1865, and of which Major JOHN R. POLK, 8th Ind. Vols., was President, was arraigned and tried :

Capt. JAMES EUTWISTLE, 176th Regiment New York Vols.

CHARGE :

"*Conduct unbecoming an officer and a gentleman.*"

SPECIFICATION : "In this, that he, Captain JAMES EUTWISTLE, 176th Regiment New York Vols., was on or about the 27th day of January, 1865, beastly intoxicated, and in that condition was found by the Provost Guard, in a public square or park, in the city of Savannah, Georgia , wholly unable to take care of himself."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING :

The Court having maturely considered the evidence adduced, find the accused, Capt. JAMES EUTWISTLE, 176th N. Y. Vols., as follows :

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE :

And the Court does therefore sentence him, Capt. JAMES EUTWISTLE, 176th Regiment New York Volunteers, *to be dismissed the service of the United States.*

II. The proceedings, findings and sentence in the foregoing case have been approved by the proper commanders, and the record forwarded for the action of the Major-General Commanding the Department, who, upon the recommendation of the Brigadier General Commanding the second Division Nineteenth Army Corps, directs that the sentence be remitted. Captain EUTWISTLE is released from arrest and restored to duty.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., March 29, 1865.

GENERAL ORDERS, No. 39.

I. Before a General Court Martial, which convened at Beaufort, S. C., in pursuance of Special Order No. 63, Par. I, dated Headquarters Department of the South, Hilton Head, S. C., March 12th, 1865, and of which Captain WILLIAM H. HAMNER, Battery A, 3d R. I. Arty was President, were arraigned and tried :

1st. Corporal SAMUEL THOMPSON, Co. F, 26th U. S. C. Troops.

CHARGE FIRST :

"*Neglect of duty.*"

SPECIFICATION : "In this ; that he, the said Corporal SAMUEL THOMPSON, Co. F, 26th U. S. C. T., being in charge of the guard at the Cattle Ranch, so called, did permit the sentinel before the guard to quit his post, without urgent necessity, and without replacing him ; and being asked by C. G. Dyer, Capt. 26th U. S. C. T., and General Field Officer of the Day, why he did so, replied, that it was rather cold, and he allowed the sentinel to come to the fire to warm his hands, or words to that effect. This at the Cattle Ranch picket post between the hours of 11 P. M., Feb. 1st, 1865, and Feb. 2d, 1865."

CHARGE SECOND :

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION : "In this ; that he, the said Corporal THOMPSON, Co. F, 26th U. S. C. T., being in charge of the guard at the Cattle Ranch, so called, did allow the sentinel before the guard to quit his post, deposit his musket and go to the fire to warm himself. This at the Cattle Ranch picket post between the hours of 11 P. M., Feb. 1st, 1865, and Feb. 2d, 1865."

To which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING :

The Court, having maturely considered the evidence adduced, find the accused, Corporal SAMUEL THOMPSON, Co. F, 26th U. S. C. T., as follows :

Of the specification to the first charge, "*Not Guilty.*"

Of the first charge, "*Not Guilty.*"

Of the specification to the second charge, "*Not Guilty.*"

Of the second charge, "*Not Guilty.*"

And the Court do therefore *acquit the accused.*

2d. Private ROBERT BRANDO, Co G, 26th U. S C. T.

CHARGE :

"*Sleeping on post.*"

SPECIFICATION : "That Private ROBERT BRANDO, Co. G, 26th U. S. C. T., having been duly posted as a sentinel was found asleep on his post between the hours of 5 A. M. and 6 A. M. This at Fort Duane, S. C., on or about the 9th of March, 1865."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, ROBERT BRANDO, private Co. G, 26th U. S. C. Troops, as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, ROBERT BRANDO, private Co. G, 26th U. S. C. T., *to be confined at hard labor for six calendar months at such place as the Commanding General may direct, and to forfeit to the United States, ten dollars* ($10) *per month, pay for the same time.*

II. The findings in the case of Corporal THOMPSON are confirmed. He will be released from arrest and restored to duty. The findings and sentence in the case of Private BRANDO are approved and confirmed. Fort Marion, St. Augustine, Florida, is designated as the place of confinement. The Provost Marshal General is charged with the execution of this order.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,

Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., April 20, 1865.

GENERAL ORDERS, No. 47.

I. Before a General Court Martial, which convened at Hilton Head, S. C., in pursuance of Special Order No. 7, dated Headquarters, Department of the South, Hilton Head, S. C., January 8th, 1865, and of which Major FRANK PLACE, 157th N. Y. Vols., was President, was arraigned and tried :

Private ARMSTEAD HOLMES, Co. C, 32d U. S. C. T.

CHARGE FIRST :

" *Threatening his Superior Officer.*"

SPECIFICATION : " In this ; that the said Private ARMSTEAD HOLMES, Co. C, 32d U. S. C. T., did say ' I will be God damned, if I don't shoot him,' meaning Sergeant John A. Brown, Co. C, 32d U. S. C. T. This at camp of 32d U. S. C. T., near Deveaux' Neck, S. C., on the 12th day of January, 1865."

CHARGE SECOND :

" *Striking his Superior Officer.*"

SPECIFICATION : " In this ; that said Private ARMSTEAD HOLMES, Co. C, 32d U. S. C. T., did seize a billet of wood and strike Sergeant John A. Brown, Co. C, 32d U. S. C. T., upon the head. This at camp of 32d U. S. C. T., near Deveaux' Neck, S. C., on the 12th day of January, 1865."

CHARGE THIRD :

" *Lifting up a weapon upon his Superior Officer.*"

SPECIFICATION : " In this ; that said Private ARMSTEAD HOLMES, Co. C, 32d U. S. C. T., did lift up a gun and put a charge therein for the purpose of shooting his superior officer, Sergeant John A. Brown, Co. C, 32d U. S. C. T. This at camp 32d U. S. C. T., near Deveaux Neck, S. C., on the 12th day of January, 1865."

To all of which charges and specifications the accused pleaded, "*Guilty.*"

FINDING :

The Court having maturely considered the evidence adduced, confirm the plea of the accused

SENTENCE :

And they do therefore sentence him, Private ARMSTEAD HOLMES, Co. C, 32d U. S. C. T., *to be dishonorably discharged the service of the United States, and then to be confined at hard labor at Fort Marion, St. Augustine, Florida, for the period of two years, and to wear a 24 pound ball attached to his right leg, by a chain eight feet long, fifteen days out of each month during the term of his confinement.*

II. The proceedings, findings and sentence in the foregoing case are disapproved. There has been much difference of opinion, whether the

words "Superior Officer" in the 9th Article of War, apply to a non-commissioned officer, but the Judge Advocate General has finally decided that they do not. According to this opinion, the offence should have been charged under the 99th Article. Private HOLMES will be released from confinement and restored to duty.

The General Court Martial of which Major FRANK PLACE, 157th N. Y. Vols., was President, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., May 18, 1865.

GENERAL ORDERS, No. 64.

The Judge Advocate General having decided that the sentences in the cases of Privates *Creed Calaway* and *Wm. H. Washington*, Co. D. 102d United States Colored Troops, which were promulgated in General Orders No. 40. dated Headquarters District of Beaufort, Dec. 3d. 1864 are inoperative. Privates *Calaway* and *Washington*, will be released from confinement and returned to duty, and the forfeitures of pay in their cases are declared void.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

T. D. Hodges

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., May 27, 1865.

GENERAL ORDERS, No. 78.

Fort Marion, St. Augustine, Fla., is designated as the place of confinement for the following-named prisoners, Corporal *Christopher Sisco*, Co. A, 32d U. S. C. T., Privates *Peter Thompson*, Co. K, *Doctor Thomas*, Co. I, *John Humphrey*, Co. D, 26th U. S. C. T., *Dick Haywood*, Battery G, 2d U. S. C. Arty., *John Butcher* and *James Henry Wright*, Co. A, 32d U. S. C. T., whose sentences by General Court Martial were approved and published in General Orders No. 12, current series, from the Headquarters of Beaufort District.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE.
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South.
HILTON HEAD, S. C., June 7, 1865.

GENERAL ORDERS, No. 84.

I. Before a Military Commission, which convened at Summerville, S. C., in pursuance of Special Orders No. 99, Par. III, dated Headquarters, Northern District, Department of the South, 1st Separate Brigade, Charleston, S. C., May 9th, 1865, and of which Lieut.-Col. N. HAUGHTON, 25th Ohio Vols., is President, was arraigned and tried:

Private JOHN SHAW, Co. K, 55th Mass. Vols.

CHARGE:

"Murder."

SPECIFICATION: "In this; that the said JOHN SHAW, private in Co. K, 55th Regiment of Massachusetts Volunteer Infantry, without warning, without immediate provocation and with malice aforethought, did strike Lewis Dickinson, a Private in Co. K, 55th Regiment of Massachusetts Volunteer Infantry, upon the head with a club, causing his death." This in bivouac about four miles from Bacon's Bridge, S. C., on or about the 7th day of May, 1865, between the hours of seven and ten, P. M.

To which charge and specification the accused pleaded, "Not Guilty."

FINDING;

The Commission, having maturely considered the evidence adduced, find the accused, Private JOHN SHAW, Co. K, 55th Mass. Vols., as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Commission do therefore sentence him, Private JOHN SHAW, Co, K, 55th Mass. Vols., *to be shot to death with musketry, at such time and place as the Commanding General may direct, two-thirds of the members of the Commission concurring therein.*

II. The proceedings, finding and sentence in the foregoing case, having been disapproved by the Officer ordering the Commission, on account of irregularities in the proceedings, subject to the approval of the Major-General Commanding the Department, this disapproval is confirmed, and Private SHAW will be released from arrest and restored to duty.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges
Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 11, 1865.

GENERAL ORDERS, No. 89.

The action of Brevet Major-General HATCH, commanding Northern District, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *James Hall*, Co. K, 21st U. S. C. T., and *William McNeil*, Co. I, 32d U. S. C. T., whose sentences by General Court Martial, were published in General Orders, No. 45, dated Headquarters, Northern District, June 1st, 1865, are approved.

The execution of the sentence of Private *Amasa A. Hammond*, 3d R. I. V. A., published in the same order, is suspended under Par. 899, Army Regulations, for the orders of the President.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

W. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South.

HILTON HEAD, S. C., June 14, 1865.

GENERAL ORDERS, No. 92.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 64, Par. I, dated Headquarters Northern District, D. S., 1st Separate Brigade, Charleston, S. C., March 29th, 1865, and of which Col. JAMES C. BEECHER, 35th U. S. C. Troops, is President, was arraigned and tried:

Private SIMON GRANT, Co. H, 21st U. S. C. Troops.

CHARGE:

"Murder."

SPECIFICATION: "In this; that he, the said Private SIMON GRANT, Co. H, 21st U. S. C. T., did with malice aforethought and without provocation, wilfully shoot Private Cuffy Wright, 21st U. S. C. T., causing his instant death." This at the Camp of the 21st U. S. C. T., Mount Pleasant, S. C., on or about the 10th day of April, 1865.

To which charge and specification the accused pleaded, "Not Guilty."

FINDING:

The Court, having maturely considered the evidence adduced, find the accused, Private SIMON GRANT, Co. H, 21st U. S. C. T., as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court do therefore sentence him, Private SIMON GRANT, Company H, 21st Regiment United States Colored Troops, *to be hanged by the neck until he be dead, at such time and place as the proper authority may direct, and to be confined in irons until such sentence be carried into effect, two-thirds of the members concurring therein.*

II. The proceedings, findings and sentence in the foregoing case, having been approved by the officer ordering the Court and submitted to the Major-General Commanding the Department, for his action thereon, the same are hereby approved and confirmed. The sentence will be carried into execution under direction of the General Commanding the Northern District, at such place and at such time within one week after the receipt of this order, as he may see fit.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

T. D. Hodges.

Capt. 35th U. S. C. T.,

Act. Asst. Adjt. Gen.

HEADQUARTERS, Department of the South,

HILTON HEAD, S. C., June 20, 1865.

GENERAL ORDERS, No. 96.

The action of Brigadier-General E. E. POTTER, Commanding Beaufort District, in designating Fort Marion, St. Augustine, Florida, as the place of confinement for Privates *Deboice Halleck*, Co. D, 26th U. S. C. T., and *Adam Shattuck*, Battery A, 2d U. S. C. Art'y., sentenced by General Court Martial, is approved.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,

W. L. M. BURGER,

Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen'l.

HEADQUARTERS, Department of the South,
HILTON HEAD, S. C., June 21, 1865.

GENERAL ORDERS, No. 97.

~~I. The following General Order from the War Department, is hereby published for the information of this command~~:

~~GENERAL ORDERS, No. 114.~~

~~WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, Washington, June 15, 1865.~~

~~Soldiers honorably discharged will be permitted to retain, without charge, their knapsacks, haversacks, and canteens.~~

~~By order of the Secretary of War~~:

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

II. The action of Brevet Major-General JOHN P. HATCH, in designating Fort Marion, St. Augustine, Fla., as the place of confinement for Privates *Alfred E. Pellette*, Co. C, 55th Mass. Vol. Infantry, and *Samuel Zehnder*, Co. D, 56th New York Vet. Vol. Infantry, whose sentences by General Court Martial were published in General Orders No. 54, Headquarters Northern District, dated June 10th, 1865, and Privates *Joseph Brown*, Co. I, and *Jesse E. Green*, Co. E, 55th Mass. Vol. Infantry, whose sentences by General Court Martial were published in General Orders No. 57, Headquarters Northern District, dated June 12th, 1865, is approved.

BY COMMAND OF MAJOR-GENERAL Q. A. GILLMORE,
W. L. M. BURGER,
Assistant Adjutant General.

OFFICIAL:

T. D. Hodges,

Capt. 35th U. S. C. T.,
Act. Asst. Adjt. Gen.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH,

MACON, GA., *June 21st*, 1866.

GENERAL ORDERS, No. 4.

I.—The following General Court Martial order of the War Department, is re-published :

GENERAL COURT MARTIAL ORDERS, No. 153.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, June 8th, 1866.

I.—Before a Military Commission which convened at Savannah, Georgia March 26th, 1866, pursuant to Special Orders No. 21, dated February 26th, 1866, and No. 27, dated March 14th, 1866, Headquarters, Department of Georgia, Augusta, Georgia, and of which Brevet Lieutenant Colonel *H. A. Darling*, U. S. Volunteers, is President, was arraigned and tried :

James W. Duncan, late of the so-called Confederate States Army.

CHARGE I.—"Murder, in violation of the Laws of War."

Specification—"In this ; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Georgia, and while serving as such in the commissary department of said prison, when a certain one of said prisoners, who belonged to a Tennessee regiment in the United States military service, but whose name as well as the name or number of whose regiment is unknown, picked up, when suffering from hunger, a crust of bread which fell from a wagon containing loaves of bread for the rations of said prisoners, did wilfully, feloniously, and with malice aforethought, fiercely assault the said prisoner, and did knock him down, and after he was down did kick him several times upon his body with great violence, thereby inflicting upon him mortal injuries, by reason of which said kicking, violence and injuries, the said prisoner, (whose name is unknown,) in a

few days thereafter, to wit: on or about the 13th day of June, 1864, at Andersonville, aforesaid, did die This at Andersonville, Georgia, on or about the 10th day of June, 1864."

CHARGE II.—"Robbery, in violation of the Laws of War."

Specification—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Ga., and while serving as such in the commissary department of said prison, did, after having wrongfully, cruelly, and in violation of the Laws of War, confine the body of a certain one of said prisoners named James Armstrong, a member of an Ohio volunteer regiment, (the number or name of which is unknown,) in certain stocks or instruments of punishment and torture at said prison, known as the "Spread Eagle Stocks," did wilfully, feloniously, and by force and violence, and in violation of the Laws of War, seize and take away from the said Armstrong, while so confined, and from his body, and against the will of said Armstrong, certain personal property of said Armstrong, to wit: a sum of money in United States Treasury notes of the value of eight dollars, and a likeness or picture of the mother or sister of said Armstrong, of the value of one dollar, and did retain and did not return the said property to said Armstrong, nor any part thereof. This at Andersonville, Georgia, early in the month of October, 1864."

CHARGE III.—"Violation of the Laws of War."

Specification 1st—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Georgia, and while serving as such in the commissary department of said prison, did wrongfully, and without just cause or provocation, and in violation of the Laws of War, knock down and violently and cruelly kick one of said prisoners at said prison, whose name is unknown, and when the said prisoner thereupon got up did again violently knock him down, thereby inflicting serious hurt and injury upon him, and this, though said prisoner was an idiotic or half-witted person, and utterly inoffensive and helpless. This at Andersonville, Georgia, on or about June 15th, 1864."

Specification 2d—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville,

Georgia, and while serving in the commissary department of said prison, did wrongfully, cruelly, and in violation of the Laws of War, place and confine in certain stocks or instruments of punishment and torture at said prison, known as the "Spread Eagle Stocks," a certain one of said prisoners named James Armstrong, a member of an Ohio regiment in the United States service, and thereupon take away by force from said Armstrong, and against his will, certain property of said Armstrong, to wit: a sum of money amounting to about eight dollars in United States Treasury notes, and a likeness or picture of the mother or sister of said Armstrong, and did not return to him the said picture or money or any part thereof, and this though he, the said Armstrong, earnestly pleaded with him, the said Duncan, to be allowed to retain the said picture. This at Andersonville, Georgia, on or about the early part of the month of October, 1864."

Specification 3d—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Georgia, and while serving as such in the commissary department of said prison, and having charge of the rations of said prisoners from the time they were delivered from the commissary of said prison to the time when they were issued to said prisoners, as well as charge of the cook-house of said prison, did wrongfully, and in violation of the Laws of War, deprive said prisoners of vast amounts of said rations, to wit: very large quantities of bacon, beef, bread, meal, rice, peas, syrup, whiskey, and other rations, (some of which, especially the said whiskey, were intended for the sick of said prison,) by subsisting himself and his private mess upon the same, by selling and speculating in the same, by giving them away, by feeding them to his hogs, and by otherwise appropriating the same to his own private use and benefit; and further, did even extract the grease from the rations of bacon furnished for said prisoners by boiling down and straining said bacon, and did appropriate the said grease, to the amount at least of twenty barrels, to his own use and benefit; by reason of all which said deprivations and appropriations of rations and supplies by him, the said Duncan, the rations actually issued to said prisoners were so diminished as often not to exceed one-half the amount actually furnished for them by the commissary of said prison, and this though the said prisoners were then and there, as he, the said Duncan, well knew, in a state of extreme suffering and wretchedness for the want of sufficient food and the necessaries of life, and were, most of them, in a starving condition. All this at Andersonville, Georgia, at divers times continuously during the year 1864."

Specification 4th—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Georgia, and while serving as such in the commissary department of said prison, did wrongfully, cruelly, and in violation of the Laws of War, habitually seize and confine in the stocks at said prison, or otherwise restrain and punish numbers of said prisoners, not only in the day time, but often in the night, and others of said prisoners did assault, strike, knock down, and otherwise grievously maltreat and abuse and this merely in gratification of his personal resentments, or in order to intimidate and constrain the said prisoners, so that he might the more easily rob or extort money or valuables from them, or otherwise take advantage of them to his own profit, and this while he, the said Duncan, well knew that the said prisoners were in a poor, destitute and helpless condition, as well as enfeebled by disease and by extreme want, privation and suffering. All this at Andersonville, Georgia, continuously during the year 1864."

Specification 5th—"In this; that *James W. Duncan*, an employee of the rebel government or military authorities in the rebel military service, at the prison established and used by said government or authorities for the confinement of federal prisoners of war, at Andersonville, Georgia, and while serving as such in the commissary department of said prison, did wrongfully, cruelly, and in violation of the Laws of War, habitually take into his possession the boxes and packages which were duly forwarded to said prison for said prisoners from their families and friends, and did open the same and take therefrom, without the consent of said prisoners, large quantities of the personal property of said prisoners, including clothing, cigars, coffee, sugar, cheese, and other supplies and provisions, and appropriate the same to his own use and benefit, and this though he, the said Duncan, well knew that said prisoners were then and there in a condition of extreme suffering, for the want of clothing and the necessaries of life, and in immediate and constant need of the supplies and articles forwarded to and belonging to them, as aforesaid, and so seized and appropriated by him, the said Duncan. This at Andersonville, Georgia, continuously during the year 1864."

To which charges and specifications the accused, James W. Duncan, late of the so-called Confederate States Army, pleaded "Not Guilty."

FINDING.

The Commission, having maturely considered the evidence adduced, finds the accused, James W. Duncan, late of the so-called Confederate States Army, as follows :—

CHARGE I.

Of the Specification,—"Guilty," except the words "with malice aforethought."

Of the CHARGE,—"Not Guilty," but "guilty of manslaughter, in violation of the Laws of War."

CHARGE II.

Of the Specification,—"Not Guilty."

Of the CHARGE,—"Not Guilty."

CHARGE III.

Of the 1st Specification,—"Guilty."

Of the 2d Specification,—"Not Guilty."

Of the 3d Specification,—"Not Guilty."

Of the 4th Specification,—"Guilty," except the words "habitually seize and confine in the stocks at said prison or otherwise," and "not only in the day time, but often in the night," and also the words "and this merely in gratification of his personal resentments, or in order to intimidate and constrain the said prisoners, so that he might the more easily rob or extort money or valuables from them, or otherwise take advantage of them to his own profit."

Of the 5th Specification,—"Guilty," except the words "wrongfully, cruelly, and in violation of the Laws of War," "large;" also the word "clothing," (as first used,) "cheese and other supplies and provisions," inserting after the word coffee, the word "and."

Of the CHARGE,—"Guilty."

SENTENCE.

And the Commission does therefore sentence him, James W. Duncan, late of the so-called Confederate States Army, "To be confined at hard labor at such place as the Commanding General may direct for the period of fifteen (15) years."

II.—The proceedings, findings and sentence of the Commission in the foregoing case of James W. Duncan, late of the so-called Confederate States Army, were approved by the Commanding General, Department of Georgia, and the record forwarded for the action of the President of the United States.

The proceedings, findings and sentence are approved.

Fort Pulaski, Georgia, is designated as the place of confinement, to which the prisoner will be sent, in charge of a suitable guard, under

the orders of the Commanding General, Department of the South, for the execution of his sentence.

By order of the President of the United States:

W. A. NICHOLS,
Assistant Adjutant General.

II.—In compliance with the foregoing instructions of the President of the United States, the Commanding Officer Post of Savannah, is charged with the execution of this order.

By order of Brevet Major General Chas. R. Woods.

A. RAMSEY NININGER,
Assistant Adjutant General.

Official:
Chas A Breckinridge
~~Assistant Adjutant General.~~
1st Lieut 8th Infty

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

MACON, GA., *July 27th*, 1866.

GENERAL ORDERS, No. 14.

I.—Before a General Court Martial, which convened at Fort Gaines, Alabama, pursuant to Special Orders No. 15, current series from these Headquarters, and of which Major *John D. Wilkins*, 15th U. S. Infantry, is President, was arraigned and tried :

1st—Thomas Dooley, Private Co. "A," 1st Batt. 15th U. S. Infantry, on the following Charge and Specification :

CHARGE.—Desertion.

Specification—In this ; that Private Thomas Dooley, Co. "A," 1st Batt. 15th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same, on or about the 1st day of February, 1866, and did remain absent, without proper authority, until apprehended and brought back to the camp of the 15th U. S Infantry, on or about the 14th day of February, 1866. All this, at or near Mobile, Alabama.

FINDING.

After mature deliberation of the testimony adduced, the Court finds the prisoner, Thomas Dooley, Private Co. "A," 1st Batt. 15th U. S. Infantry, as follows :

Of the Specification—"Guilty."

Of the Charge—"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private Thomas Dooley, Co. "A," 1st Batt. 15th U. S. Infantry, "To forfeit to the U. S., all pay and allowances now due, or that may become due him, except the just dues of Laundress and Sutler, to be dishonorably discharged from the service of the United States, and to be confined at hard labor in such Military Prison or Penitentiary, as the Commanding General of the Department may direct, for the period of one year."

2nd—Charles H. Parker, Private Co. "A," 1st Batt. 15th U. S. Infantry.

CHARGE—Conduct prejudicial to good order and military discipline

Specification—In this ; that Private Charles H. Parker, Co. "A," 1st Batt. 15th U. S. Infantry, while a member of the Camp Guard of the detachment 15th U. S. Infantry, at Mobile, Ala., having been ordered to take two (2) prisoners, confined in the guard-house to the rear, did take them outside the limits of said camp, and did allow them to procure whiskey, thereby causing drunkenness on said prisoners, and did remain absent from the guard-house with said prisoners, from about 9 o'clock A. M., until about 11½ A. M. All this, on or about the 5th day of May, 1866.

FINDING.

After mature deliberation of the testimony adduced, the Court finds the accused, Private Charles H. Parker, Co. "A," 1st Batt 15th U. S. Infantry, as follows :

Of the Specification—"Guilty."
Of the Charge—"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private Charles H. Parker, Co "A," 1st Batt. 15th U. S. Infantry. "To forfeit to the United States, Five ($5) Dollars of his monthly pay, per month, for twelve months, and to be confined at hard labor in charge of the Camp Guard, for sixty (60) days."

3rd—Richard Yates, Private Co. "A," 1st Batt. 15th U. S. Infantry, on the following Charge and Specification:

CHARGE—Desertion.

Specification—In this; that Private Richard Yates, Co. "A," 1st Batt. 15th U. S. Infantry, having been duly enlisted in the service of the United States, did absent himself without leave from proper authority, and desert the said service, at, or near Mobile, Ala., on or about the 4th day of January, 1866 and remained absent therefrom, without proper authority, until the 28th day of February, 1866, when he returned of his own accord. All this, at or near Mobile, Ala.

FINDING.

Of the Specification—"Guilty."
Of the Charge—"Guilty."

SENTENCE.

And the Court does therefore sentence him Private Richard Yates, Co. "A," 1st Batt. 15th U. S. Infantry, "To make good the time lost by desertion, and to forfeit to the United States, Twelve ($12) Dollars, per month, of his monthly pay, for the period of six (6) months, and to be confined at hard labor in charge of the guard for the same period."

II.—The proceedings, findings and sentence of the General Court Martial, in the case of Private Thomas Dooley, Co. "A," 1st Batt. 15th U. S. Infantry are approved and confirmed and the sentence will be carried into effect by his Commanding Officer. The penitentiary at Nashville, Tenn., is designated as the place of confinement.

III.—The proceedings, findings and sentences of the General Court Martial, in the cases of Charles H. Parker and Richard Yates, Privates Co. "A," 1st Batt. 15th U. S. Infantry, are approved and confirmed, and the sentences will be carried into effect by their Commanding Officer.

By order of Brevet Major General CHAS. R. WOODS.

A. RAMSEY NININGER,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

MACON, GA., *July 30th*, 1866.

GENERAL ORDERS, No. 15.

In compliance with General Orders No. 46, dated War Department, Adjutant General's Office, Washington, D. C., July 13th, 1866, the following named citizens and persons belonging to the Military service of the United States, now undergoing sentences by Military Courts at Fort Pulaski, Georgia, and who have been in confinement for six months, are released from imprisonment, and the remainder of their sentences remitted:

1.—Joseph Hunter, colored citizen,—charged with attempt to commit rape; sentenced to two years confinement, and imprisoned January 10th, 1866.

2.—A. Monroe Stark, colored citizen, charged with attempt to commit rape; sentenced to five years confinement, and imprisoned October 20th, 1865

3.—Charles Mahoney, colored citizen, charged with larceny; sentenced to two years confinement, and imprisoned October 30th, 1865.

4.—John Mores, white citizen, charged with passing counterfeit money; sentenced to three years confinement, and imprisoned November 20th, 1865.

5.—Henry S. Williams, colored citizen, charged with stealing lumber from the U. S. Government; sentenced to two years confinement, and imprisoned December 9th, 1865.

6.—Eleazar Bright, colored citizen, charged with robbery; sentenced to five years confinement and imprisoned December 9th, 1865.

7th.—Adam Bright, colored citizen, charged with robbery; sentenced to five years confinement, and imprisoned December 9th, 1865.

8th.—Edward Brisbane, colored citizen, charged with robbery; sentenced to five years confinement, and imprisoned December 9th, 1865.

9th.—William Murran, colored citizen, charged with robbery; sentenced to five years confinement, and imprisoned December 9th, 1865.

10th.—Center Bull, colored citizen, charged with robbery; sentenced to five years confinement, and imprisoned December 9th, 1865.

11th.—Peter Johnson, colored citizen, charged with robbery; sentenced to five years confinement, and imprisoned December 9th, 1865.

12th.—Charles Costlebury, white citizen, charged with shooting, with intent to kill; sentenced to one years confinement, and imprisoned January 15th, 1866

13th.—Thomas Holmes, Private, Co. "B," 16th U. S. Infantry, charged with robbery; sentenced to one years confinement, and imprisoned February 1st, 1866.

The above named prisoners, will be furnished transportation in compliance with the following circular:

CIRCULAR, No. 19.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, July 16 h, 1866.

Under the provisions of General Orders No. 46, current series, from this office, the following instructions have been issued :—

Citizens and enlisted men who have been discharged the service, and are released by General Orders No. 46, will be furnished transportation to their homes.

Enlisted men of the volunteer forces, not yet discharged, whose regiments have been mustered out of service, will be furnished transportation to enable them to report to the Chief Mustering Officer of their respective States, who will furnish them with a discharge with the facts of the case endorsed thereon, and such other papers as they may be entitled to, and transportation to their homes.

Enlisted men of the regular army, and of volunteer regiments still in service, released on condition of their serving out their full term of service, will be sent, under suitable guard, to the places designated, to be forwarded to their regiments.

E. D. TOWNSEND,
Assistant Adjutant General.

By order of Brevet Major General CHAS. R. WOODS.

A. RAMSEY NININGER,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

MACON, GA., *August 14th*, 1866.

GENERAL ORDERS, No. 17.

I.—Before a General Court Martial, which convened at Fort Gaines, Alabama, pursuant to Special Orders No. 15, current series from these Headquarters, and of which Major *John D. Wilkins*, 15th U. S. Infantry, is President, was arraigned and tried :

1st—James Wade, Private Co. "H," 1st Batt. 15th U. S. Infantry.

CHARGE—Desertion.

Specification—In this : that Private James Wade, Co. "H," 1st Batt. 15th U. S. Infantry, being duly enlisted as a soldier in the service of the United States, did absent himself without proper authority from, and did desert the said service, on or about the 1st day of March, 1866, at, or near, Jersey City, N. J., whilst en route with his company from Fort Adams, R. I., to Nashville, Tenn., and did remain thus absent, until apprehended as a deserter, on the date before mentioned, at, or near the city of New York. Thirty ($30) Dollars paid for his apprehension.

FINDING.

Of the Specification—"Guilty," except the words, "and did desert the said service."

Of the Charge—"Not Guilty;" but guilty of absence without leave.

SENTENCE.

And the Court does therefore sentence him, Private James Wade, Co. "H," 1st Batt. 15th U. S. Infantry, "To forfeit to the U. S. Five ($5) Dollars of his monthly pay per month, for three months, and to make good to the U. S. all expenses incurred in his apprehension.

2d—Private Daniel Stevens, Co. "A," 1st Batt. 15th U. S. Infantry.

CHARGE—Desertion.

Specification—In this : that Private Daniel Stevens, Co. "A," 1st Batt. 15th U. S. Infantry, having been duly enlisted in the service of the United States, did absent himself from his command without leave from proper authority, and did desert the said service, at, or near Mobile, Ala., on or about the 20th day of February, 1866, and remained absent therefrom without proper authority, until apprehended at, or near Mobile, Ala., on or about the 21st day of February, 1866.

FINDING.

Of the Specification—"Guilty," except the words "and did desert the said service."

Of the Charge—"Not Guilty ;" but guilty of Absence without Leave.

SENTENCE.

And the Court does therefore sentence him, Private Daniel Stevens, Co. "A," 1st Batt. 15th U. S. Infantry, "To forfeit to the United States, Five ($5) Dollars of his monthly pay, per month, for three months, and to make good to the U. S. all expenses incurred in his apprehension."

3d—Michael McArdle, Private Co. "A," 1st Batt. 15th U. S. Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of the Specification—"Guilty."

Of the Charge—"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private Michael McArdle, Co. "A," 1st Batt. 15th U. S. Infantry, "To forfeit Ten ($10) Dollars of his pay, per month, for the remainder of the term of his enlistment, and to be confined at hard labor in charge of the guard during the same time."

4th—James Connors, Private Co. "H," 1st Batt. 15th U. S. Infantry, and Whitfield Streets, Private Co. "A," 1st Batt. 15th U. S. Infantry.

CHARGE.—Conduct prejudicial to good order and military discipline.

Specification 1st—In this ; that Privates James Connors, Co. "H," 1st Batt. 15th U. S. Infantry, and Whitfield Streets, Co. "A," 1st Batt. 15th U. S. Infantry, did offer violence to, and attempt to commit a rape on the person of one "Eliza," a colored woman. This, on Dauphine Island, and near Fort Gaines, Ala., on or about the 20th day of June, 1866.

Specification 2nd—In this ; that Privates James Connors, Co. "H," 1st Batt. 15th U. S. Infantry, and Whitfield Streets, Co. "A," 1st Batt. 15th U. S. Infantry, did, on or about the 20th day of June, 1866, enter the house of one "Eliza," a colored woman, and pillage, or attempt to pillage, the same, by throwing the bed covering around the floors, and appropriating a quantity of sugar, some needles and thread and other articles unknown, and did force the said woman, to leave her premises and go for protection to the house of a neighbor.

FINDING.

Private James Connors, Co. "H," 1st Batt. 15th U. S. Infantry.

Of the 1st Specification"—Guilty," except the words "and attempt to commit a rape on."

Of the 2d Specification—"Guilty," except the words "and pillage, or attempt to pillage the same, by throwing the bed covering around the floors, and appropriating a quantity of sugar, some needles and thread and other articles unknown, and did force the said woman to leave her premises and go for protection to the house of a neighbor."

Of the Charge—"Guilty."

Private Whitfield Streets, Co. "A," 1st Batt. 15th U. S. Infantry,

Of the 1st Specification—"Guilty," except the words "and attempt to commit a rape on."

Of the 2d Specification—"Not Guilty."

Of the Charge—"Guilty." SENTENCE.

And the Court does therefore sentence them, Private James Connors, Co H, 1st Batt. 15th U. S. Infantry, and Private Whitfield Streets, Co. A, 1st Batt. 15th U. S. Infantry, as follows:

Private James Connors, Co. H, 1st Batt. 15th U. S. Infantry,

"To be confined at hard labor in charge of the guard for thirty (30) days, and to forfeit Ten ($10) Dollars of his pay per month, for six months."

Private Whitfield Streets, Co. A, 1st Batt. 15th U. S. Infantry,

"To be confined at hard labor in charge of the guard for thirty (30) days, and to forfeit Ten ($10) Dollars of his pay per month, for three months."

II.—Before a General Court Martial, which convened at Mobile, Ala. pursuant to Special Orders No. 15, and 19, current series from these Headquarters, and of which Major *John D. Wilkins*, 15th U. S. Infantry, is President, was arraigned and tried:

1st—George Cavanaugh, Private Co. F, 1st Batt 15th U. S. Infantry.

CHARGE.—Desertion.

FINDING.

Of the Specification—"Guilty."

Of the Charge—"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private George Cavanaugh, Co. F, 1st Batt. 15th U. S. Infantry, "To forfeit all pay and allowances now due or to become due him, except the just dues of Laundress and Sutler, to be discharged the service of the United States, and then to be confined in such Military Prison or Penitentiary as the Commanding General may designate, for the period of three years."

2d—John Frei, Corporal Co A, 3d Batt. 15th U S. Infantry.

CHARGE.—Conduct prejudicial to good order and military discipline.

FINDING.

Of the 1st Specification—"Guilty."

Of the 2d Specification—"Guilty."

Of the Charge—"Guilty." SENTENCE.

And the Court does therefore sentence him, Corpl. John Frei, Co. A, 3d Batt. 15th U. S. Infantry, "To be reduced to the ranks, to have his chevrons and stripes ripped from his uniform in front of the Parade of the command to which he belongs, to forfeit to the U. S. Twelve ($12)

Dollars of his monthly pay per month for the period of twelve months, and to be confined at hard labor in such military prison as the General Commanding may direct, for the same period."

III.—The proceedings, findings and sentences of the General Court Martial in the cases of Privates James Wade, Co. H, 1st Batt. 15th U. S. Infantry, Daniel Stevens, Co A, 1st Batt. 15th U. S. Infantry, Jas. Connors, Co. H, 1st Batt. 15th U. S. Infantry, and Whitfield Streets, Co. A, 1st Batt. 15th U. S. Infantry, are approved and confirmed. Their sentences will be carried into effect by their Commanding Officers.

IV.—The proceedings and findings of the General Court Martial in the case of Private Michael McArdle, Co. A, 1st Batt. 15th U. S. Infantry, are approved, but in consideration of the recommendation of the majority of the Court, the sentence is so far commuted as to work a forfeiture of Ten ($10) Dollars per month for four months, and the imprisonment is remitted. The sentence as commuted will be carried into effect by his Commanding Officer.

V.—The proceedings, findings and sentence of the General Court Martial in the case of Private George Cavannaugh, Co. F, 1st Batt. 15th U. S. Infantry, are approved and confirmed. The sentence will be carried into effect by his Commanding Officer, and the Penitentiary at Nashville, Tenn., is designated as the place of his confinement.

VI.—The proceedings, findings and sentence of the General Court Martial in the case of Corpl. John Frei, Co. A, 3d Batt. 15th U. S. Infantry, are approved, but the imprisonment clause of the sentence, is commuted to confinement at hard labor in the Camp or Garrison where his company be stationed. The sentence as commuted will be carried into effect by his Commanding Officer.

By order of Brevet Major General Chas. R. Woods.

A RAMSEY NININGER,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

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DEPARTMENT OF THE SOUTH,

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General Orders. No. 2.

Headquarters, Department of the South,
Charleston, S. C., August 21st, 1866.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 13, Headquarters Department of the Carolinas, dated Columbia, S. C., June 19th, 1866, and of which Bvt. Brig. Gen. *W. W. Burns*, Major and Commissary of Subsistence U. S. A., is President, was tried :—

Capt. *Montgomery Bryant*, 6th U. S. Infantry.

Charge.

"*Conduct unbecoming an officer and gentleman.*"

(3 Specifications.)

Plea.—"*Not Guilty.*"

Finding.

"*Not Guilty,*" but "*Guilty of unofficerlike conduct to the prejudice of good order and military discipline.*"

Sentence.

"*To be deprived of his sword for one* (1) *month, and to be reprimanded by the Commanding General.*" "The Court is thus lenient in consideration of the aggravating circumstances, the tendency of which was to provoke the accused into the perpetration of the offence; and in consideration of Capt. *Bryant's* previous proven loyalty on fields of battle."

II. In this case it appears that on the evening of the 8th of April last, Capt. *M. Bryant*, 6th U. S. Infantry, then commanding the Post of Orangeburg, S. C., invited to his quarters several guests, among whom were included 1st Lieut. *Thomas Britton*, of the same Regiment; one *Harley*, an officer in the late rebel army, residing at Orangeburg; *Joseph Bryant*, employed in the Sutler's establishment of the 6th U. S. Infantry, and *George L. Keach*, a clerk at Post Headquarters. The party having taken a convivial turn, *Keach* furnished some liquor at the request of the accused. During the evening, the health of *Jefferson Davis* was proposed; but whether proposed by the accused or *Harley*, or both, is left in some doubt by the testimony. Lieut. *Britton*

protested against the toast, and when the party proceeded to drink it, this officer dashed the glasses from the hands of all of them, except *Keach*, who states that he stood aside and drank the toast. During the evening toasts were proposed to "*A. Sidney Johnson, Joseph E. Johnston, George B. McClellan,*" and "*Andrew Johnson and Jefferson Davis.*"

The Court acquits the accused of the charge of "*conduct unbecoming an officer and a gentleman;*" but finds him guilty of "*unofficerlike conduct, to the prejudice of good order and military discipline.*" It is not easy to discover the meaning of "*unofficerlike conduct,*" if it be not "*conduct unbecoming an officer*" and however described, whether as unofficerlike, or unbecoming an officer, the behaviour of the accused was disgraceful to his rank and command in the service of the United States. The change of phraseology in the words of the charge as modified by the Court, was not required by any lack of testimony to establish the original charge; nevertheless the Court were thereby relieved from the necessity of pronouncing the proper sentence of dismissal from the service, prescribed by the 83d Article of War for "*conduct unbecoming an officer and gentleman.*" The Charge as modified by the Court, brought the case within the terms of the 99th Article of War, which leaves to the discretion of the Court the sentence to be imposed. And for the grave offence of which the accused is convicted, the Court proceeds to sentence him "*to be deprived of his sword for one (1) month, and to be reprimanded by the Commanding General.*"

The Court suggests as a reason for its lenency the "aggravating circumstances, the tendency of which was to provoke the accused into the perpetration of the offence." These circumstances of aggravation are not stated. It does not appear that Capt. *Bryant* found anything aggravating in the conduct of *Harley*, who proposed that Capt. *Bryant*, 6th U. S. Infantry, Commanding a Military Post in South Carolina, and the other guests, all of whom were in the service, should join in honors to the leading character in a rebellion which had brought unmeasured woe upon the land. The Court seem to be of the opinion, that the rebuke administered by Lieut. *Britton* to the insolence of *Harley*, was too much for the discretion of Capt. *Bryant*, who, having failed himself to notice *Harley's* conduct, was provoked to drink the health of *Jefferson Davis*, a prisoner awaiting trial for treason, and for sanctioning the most infamous cruelties to our troops while prisoners of war—because Lieut. *Brit-*

tion violently objected to the shameful proceeding, and rudely interrupted the ceremony.

The Court suggests another and better ground for lenity, in Capt. *Bryant's* "previous proven loyalty on fields of battle." Unfortunately the record in this case affords no evidence of the military services of the accused, while it does present abundant testimony to show that in the affair in question he failed to appreciate the requirements of his rank and command. In view of the probability that the disreputable scene disclosed by the testimony occurred while the party was more or less intoxicated, it is at once an occasion for surprise and regret that the defence read to the Court by the accused and appended to this record does not contain a single expression of contrition or of apology for his offence. The findings and sentence of the Court are disapproved.

In transmitting this record, the Major General Commanding respectfully requests that it be submitted to the President of the United States, with the recommendation of the Major General Commanding, that Capt. *Montgomery Bryant*, 6th U. S. Infantry, be dismissed the service of the United States.

III. The record in this case as above endorsed, having been submitted to the President, the following is his order thereupon:—"The President" is of opinion that the conflict of testimony is such as does not warrant the overruling of the findings of the Court, and the summary dismissal of Capt. *Bryant* from the United States service. But he is also of opinion that the conduct of Capt. *Bryant* in the matters alleged, was so reprehensible as to require the full enforcement of the sentence pronounced against him by the Court. The President, therefore, directs that the sentence pronounced against *Montgomery Bryant*, Captain 6th United States Infantry, be carried into effect by the Major General Commanding the Department, to wit:—that the said Captain *Montgomery Bryant* 6th U. S. Infantry, *be deprived of his sword for one month, and be reprimanded by the Commanding General*."

IV. In the execution of the order of the President, it is unnecessary to allude to the testimony further than has been done already in the foregoing comments upon the findings and sentence of the Court. To have been procured guilty of "unofficerlike conduct to the prejudice of good order and military discipline," by a General Court Martial, after a fair and impartial trial, in which the benefit of every mitigating circumstance has been considerately extended to the accused, cannot fail to be regarded in the estimation of an officer of proper sensibility, as a disgrace, which it should

be his constant aim to remove by the most exemplary demeanour in future. The President, while according to the accused the benefit of a doubt suggested by conflicting testimony, nevertheless pronounces the conduct of Capt. *Bryant* to be so reprehensible as to require the full enforcement of the sentence of the Court. The censure of the Chief Magistrate of the Nation is so grave a reproof, that to communicate it to Capt. *Bryant*, and likewise to promulgate it to the troops serving in this Department, is the most impressive reprimand that can be addressed to the accused by the Major General Commanding, in compliance with the sentence of the Court.

V. Capt. *Montgomery Bryant*, 6th U. S. Infantry, is hereby, in obedience to the above orders, deprived of his sword for one month from the date of this order.

VI. The General Court Martial of which Bvt Brig Gen. *W. W. Burns*, Commisary Subsistence, is President, is hereby dissolved.

By Command of Major General D. E. SICKLES,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. & Act. Asst. Adjt. Gen.

OFFICIAL:—

Aide-de camp.

General Orders.
No. 3.

Headquarters, Department of the South,
Charleston, S. C., August 27th, 1866.

I. The designation by the Commanding Officer of the State of South Carolina, of Castle Pinckney, Charleston Harbor, S. C., as the place of confinement of Privates *Michael McLaughlin*, Co. "K," *Joseph Clark*, and *Samuel Edwards*, Co. "D," *Patrick Glinn*, Co. "F," and *John Ellis*, Co. "H" 6th U. S. Infantry, and Private *Francis Lloyd*, Co. "H" 5th U. S. Cavalry, is disapproved, the term of confinement being too short to warrant the designation.

II. The Regimental Guard House of the 6th U. S. Infantry, is designated as the place of confinement of the above named prisoners, excepting Privates *Patrick Glinn*, Co. "F" and *John Ellis*, Co. "H" 6th U. S. Infantry, who will be sent under suitable guards to the Headquarters of their respective Companies.

By Command of Major General D. E. SICKLES,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.
Act. Asst. Adjt. Gen.

Official:—

Aide de camp.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., AUGUST 27th, 1866.

GENERAL ORDERS. No. 4.

I. The designation by the Commanding Officer, Disct. of North Carolina, 2d Separate Brigade, Department of the South, of Fort Macon, N. C., as the place of confinement of Privates *Hugh Kearney*, Co. "H", *Benjamin McCormick*, Co. "F" and *James Davis*, Co. "K" 8th U. S. Infantry, is hereby approved; and the prisoners will be forwarded under a suitable guard, and turned over to the Commanding Officer of that Post.

II. The Commanding Officer of the Disct. of North Carolina, is charged with the prompt execution of this order.

By Command of Major General D. E. SICKLES.
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.
Act. Asst. Adjt. Gen.

OFFICIAL:—

Alexander Moore

Aide-de camp.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., SEP. 6th, 1866.

GENERAL ORDERS.
No. 9.

The designation by Bvt. Major General R. K. Scott, Commanding the State of South Carolina, First Separate Brigade, of Fort Macon, N. C., as the place of confinement of Private Frederick W. Cook, Co. "G" 6th U. S. Infantry, is hereby approved.

By Command of Major General D. E. SICKLES.
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.
Act. Asst. Adjt. Gen.

OFFICIAL:—

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., SEP. 10th, 1866.

GENERAL ORDERS.
No. 10.

The designation by Bvt. Major General R. K. Scott, Commanding Military District of South Carolina, of Fort Macon, N. C., as the place of confinement of Privates *Prince Hamilton*, Co. "H" and *Edward Green*, Co. "D" 128th U. S. C. T., (published in General Orders No. 17, Headquarters State of South Carolina, First Separate Brigade, dated Charleston, S. C., Sep. 4th. 1866,) is hereby approved.

By Command of Major General D. E. SICKLES,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.
Act. Asst. Adjt. Gen.

OFFICIAL:—

J W Clous

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

General Orders.
No. 12.

Headquarters, Department of the South,
Charleston, S. C., Sep. 19th, 1866.

I. Before a General Court Martial, convened at Charleston, S. C., by virtue of Special Orders No. 29, Headquarters, State of South Carolina, First Separate Brigade, dated Charleston, S. C., August 7th, 1866, and of which Major W. H. Panilson, 128th U. S. C. T., was President, was tried:

Private *James Clark*, Co. "G" 128th U. S. C. T.

Charge.

"*Mutiny.*"

Specification 1st.—In this that he, Private *James Clark*, 128th U. S. C. T., did begin, excite, cause and lead in a mutiny among the enlisted men of his company, and did with fixed bayonet charge upon his commanding officer, 1st Lieut. *Lester Hall*, 128th U. S. C. T., demanding in a loud and angry tone the release of Private *Nelson Hicks*, of the same company and regiment, who was tied up: and while his commanding officer 1st Lieut. *Lester Hall*, 128th U. S. C. T., was trying to quell the mutiny, did exclaim, "Run him through" or words to that effect; meaning his commanding officer, 1st Lieut. *Lester Hall*, 128th U. S. C. T.

All this at Folly Island, S. C., on or about July 18th, 1866.

Specification 2d.—In this that he, the said Private *James Clark*, Co. "G" 128th U. S. C. T., did, upon his commanding officer, 1st Lieut. *Lester Hall*, 128th U. S. C. T., entering his company street, fire at him with a shot gun, and did pursue him with the evident intent of killing him.

All this at Folly Island, S. C., on or about July 18th, 1866.

Plea—"*Not Guilty.*"

Finding.

Of the 1st Specification, "*Guilty*," except the words "*with fixed bayonet.*"

Of the 2d Specification, "*Guilty*," except the words "*entering his company*," and substituting therefor the words "*leaving his company.*"

Of the Charge,—"*Guilty.*"

SENTENCE.

And the Court do therefore sentence him, Private *James Clark*, Co. "G" 128th U. S. C. T., "*To*" (Suffer) *Death by hanging, at such time and place as the Commanding General may direct,*"—two thirds of the members concurring therein.

II. The record in the above case has received the approval of the officer convening the Court, and been forwarded to these Headquarters.

III. The proceedings and findings in the above case are approved. The sentence is confirmed and will be carried into effect under the direction of the Commanding Officer Post of *Charleston*, at *Castle Pinkney*, Charleston Harbor S. C., on Friday September 28th 1866, *between the hours of* 10 *A. M.*, *and* 4 *P. M.*

By Command of Major General D. E. SICKLES.
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.
Act. Asst. Adjt. Gen.

OFFICIAL: —

Charles L. Pyne

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adujtant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., SEP. 24th, 1866.

GENERAL ORDERS, }
No. 13. }

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 3, Headquarters Department of the Carolinas, dated Columbia, S. C., June 7th, 1866, and of which Major *W. H. Danilson*, 128th U. S. C. T., was President, was tried:

Private *John Simmons*, Co. "C" 128th U. S. C. T.

CHARGE.

"*Assault and Battery with intent to kill.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty,*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, and to be confined at hard labor for the period of two years at such place as the proper authority may direct, and to forfeit all pay now due or which may become due.*"

II. The proceedings in the above case are disapproved. The Court erred in making itself a party to an agreement with the prisoner that he should be released on testifying against his accomplices. Having made such an agreement, the Court was not justified in trying and convicting the prisoner on his own testimony. When the Judge Advocate deemes it necessary, in the prosecution of several offenders, to call one of them as a witness, it is competent for the authority convening the Court, on the application of the Judge Advocate, to release the prisoner so admitted to testify. The course pursued in this case was irregular and improper; and Private *John Simmons*, Co. "C" 128th U. S. C. T., will be released and restored to duty.

By Command of Major General D. E. SICKLES.

J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Act. Asst. Adjt. Gen.

OFFICIAL:—

J W Clous

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., SEP. 25th, 1866.

GENERAL ORDERS, No. 14.

I. Before a Military Commission convened at Raleigh, N. C., by virtue of Special Orders No. 39, Headquarters Military Command of North Carolina, dated Raleigh, N. C., August 8th, 1866, and of which Bvt. Col. *E. A. Carr*, (Major 5th U. S. Cavalry,) is President, was arraigned and tried:—

Corporal *John Parker*, Co. "A" 5th U. S. Cavalry.

CHARGE.

"*Rape.*"

Specification.—In this, that he, the said Corporal *John Parker*, Co. "A" 5th U. S. Cavalry, did feloniously, and against her will, violently assault, ravish and carnally know one *Frances Morrow*, (colored,) aged under or about ten years.

All this at or near Sasafras Forks, Granville County, N. C., on or about the 14th day of July, 1866.

Plea.—"*Not Guilty.*"

FINDING.

Of the Specification of the Charge, "*Guilty,*" with the exception of the words "*and against her will, violently assault and ravish,*" and the words "*or about.*"

Of the Charge,—"*Guilty.*"

SENTENCE.

"*To be hanged by the neck until he be dead, at such time and place as the proper authority shall direct.*"

II. The record in the above case has received the approval of the officer convening the Commission, and been forwarded for the action of the Major General Commanding.

Carnally knowing a girl under ten years of age is a Capital offence punishable by death. No question should be made about the consent of the child. The Law presumes her to be incapable of judgment or discretion. Therefore proof of consent is excluded by the legal presumption of force. The finding is inconsistent in affirming a fact which carries with it a legal presumption; and yet, by the terms of the finding the legal presumption is excluded. Besides, the Specification is indefinite in the essential averment of

the age of the child. To affirm that a person is "aged under or about ten years," leaves the question open whether the person is eight years old or twelve. This uncertainty becomes all the more material because the Court expressly disaffirms the allegations in the Specification that the accused did "*against her will, violently assault and ravish*" the girl; unless by the finding it distinctly appear that she had not attained the age of ten years, the prisoner is entitled to the benefit of the doubt. The testimony of *Frances* went to show that both intimidation and force were used. It is to be presumed that the Commission deemed her testimony worthy of credit only so far as it was corroborated by other reliable evidence, and in this estimate of her credibility, the safer rule in this class of cases was followed. The proceedings are confirmed, except the sentence.

Corporal *John Parker*, Co. "A" 5th U. S. Cavalry, is dishonorably discharged the service of the United States, forfeiting all pay and allowances, and will be confined at hard labor for the remainder of his term of enlistment, at Fort Macon, N. C.

The discharge from service is subject to the approval of the President of the United States.

By Command of Major General D. E. SICKLES,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Act. Asst. Adjt. Gen.

OFFICIAL:—

J. W. Clous.

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., OCT. 10th, 1866.

GENERAL ORDERS.)
No. 17.)

I Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 20, Headquarters Department of the South, dated Charleston, S. C., September 18th, 1866, and of which Capt. *M. Bryant*, 6th U. S. Infantry is President, were tried:—

1st Private *James Burns*, Co. "A" 6th U. S. Infantry.

CHARGE.

"*Drunkenness on duty.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for thirty days, and to carry a knapsack weighing thirty* (30) *pounds every alternate day from reveille to retreat, allowing one hour for each meal.*"

2d Private *John Fair*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Leaving his post before being regularly relieved.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States five* ($5) *dollars of his monthly pay per month for two* (2) *months.*"

3d Private *James McDonnell*, Co. "C" 6th U. S. Infantry.

CHARGE.

"*Assault and battery with intent to kill.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty.*"

And the Court do therefore acquit him.

4th Private *Hugh McGuire*, Co. "C" 6th U. S. Infantry.

CHARGE.

"*Assault and battery with intent to kill.*"

Plea,—"*Not Guilty.*"

FINDING.

"*Not Guilty,*"—but guilty of assault and battery.

SENTENCE.

"*To forfeit ten* ($10) *dollars of his monthly pay for one* (1) *month.*"

5th Private *Thomas Kirby*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea,—"*Not Guilty.*"

FINDING.

"*Not Guilty,*"—but guilty of absence without leave.

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay, per month, for* (2) *months.*"

6th Private *James Henderson*, Co. "E" 6th U. S. Infantry.

CHARGE.

"*Selling government rations.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty.*"

And the Court do therefore acquit him.

7th Private *Joseph Clark*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States all pay and allowances due or to become due, except the just dues of the Sutler and Laundress: to be dishonorably discharged the service, and then to be confined at hard labor at such place as the Commanding General may direct for the balance of his term of enlistment.*"

8th Private *Joseph Kenney*, Co. "C" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress; to be dishonorably discharged the service, and then to be confined at hard labor at such place as the Commanding General may direct for the balance of his term of enlistment."

9th Recruit *Owen O'Brien*, Co. "F" 6th U. S. Infantry.

CHARGE 1st.

"Conduct prejudicial to good order and military discipline."

CHARGE 2d.

"Drunkenness and disorderly conduct."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the regimental guard for thirty days, and to forfeit eight ($8) dollars of his monthly pay, per month, for six months."

10th Private *John Law*, Co. "D" 6th U. S. Infantry.

CHARGE 1st.

"Drawing and uplifting weapons, and offering violence against his superior officer."

CHARGE 2d.

"Mutinous conduct."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, to forfeit to the United States all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the proper authority may direct, for the balance of his term of enlistment."

11th Private *John Donohue*, Co. "G" 6th U. S. Infantry.

CHARGE.

"Burglary."

Plea.—*"Not Guilty."*

FINDING.

"Not Guilty."

And the Court do therefore acquit him.

12th Private *Thomas Clark*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" but guilty of absence without leave.

SENTENCE.

"*To forfeit to the United States five* (85) *dollars of his monthly pay for two* (2) *months.*"

13th Private *Samuel McLaughlin*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" but guilty of absence without leave.

SENTENCE.

"*To forfeit to the United States ten* [$10] *dollars of his monthly pay, per month, for two* [2] *months.*"

14th 2d Class Private *William Johnson*, Ordnance Department.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service, with loss of all pay and allowances now due or to become due, except the just dues of the Laundress, and to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

15th 2d Class Private *Charles Cole*, Ordnance Department.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, with loss of all pay and allowances, except the just dues of the Laundress, and then to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

II. The proceedings, findings and sentences in the foregoing

cases of Private *James Burns*, Co. "A" and Recruit *Owen O'Brien*, Co. "F" 6th U. S. Infantry are approved and confirmed. The sentences will be carried into effect under the direction of the Commanding Officer of the 6th U. S. Infantry.

III. The proceedings, findings and sentences in the foregoing cases of Privates *John Fair*, Co. "D," *Hugh McGuire*, Co. "C," *Thomas Kirby*, *Thomas Clark* and *Samuel McLauchlin* of Co. "D" 6th U. S. Infantry are approved. The sentences will be carried into effect, and the prisoners named will be released from confinement.

IV. The proceedings and findings in the forgoing cases of Privates *James McDonnell*, Co. "C," *James Henderson*, Co. "E" and *John Donohue*, Co. "G" 6th U. S. Infantry are approved: The prisoners named will be released from confinement and returned to duty.

V. The proceedings, findings and sentences in the foregoing cases of Privates *Joseph Clark*, Co. "D," *Joseph Kenney*, Co. "C" and *John Law*, Co. "D" 6th U. S. Infantry, are approved and confirmed. The sentences will be carried into effect. Fort Macon, N. C., is designated as the place of confinement.

VI. The proceedings, findings and sentences in the foregoing cases of 2d Class Privates *William Johnson* and *Charles Cole*, of the Ordnance Department are approved. In consequence of the youth of the prisoners, their sentences are commuted to loss of all pay and allowances now due, confinement at hard labor at Fort Macon, N. C., for the period of six [6] months and forfeiture to the United States of twelve [$12] dollars per month of their monthly pay for the same period.

By Command of Major General D. E. SICKLES,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Act. Asst. Adjt. Gen.

OFFICIAL:—

J. W. Clous

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., OCT. 29th, 1866.

GENERAL ORDERS, No. 20.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 20, from these Headquarters, dated Charleston, S. C., September 18th, 1866, and Special Orders No. 32, of October 11th, 1866, and of which Capt. *M. Bryant*, 6th U. S. Infantry was and Capt. *J. McCleary*, 6th U. S. Infantry is now President, were arraigned and tried :—

1st Private *Richard Leaver*, Co. "C" 6th U. S. Infantry.

CHARGE.

"*Sleeping on post.*"

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for thirty days, and to forfeit ten* ($10) *dollars of his monthly pay for one month.*"

2d Private *Francis Armstrong* Co. "D" 6th U. S. Infantry.

CHARGE.

"*Absence without leave.*"

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit five* ($5) *dollars of his pay for one month.*" The Court is thus linient in consideration of the excellent character given the prisoner by his Captain.

3d Private *John Hoey*, Co. "B" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty,*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for the balance of his term of enlistment at such place as the proper authority may direct,.*"

11th Private *John Hunt*, Co. "A" 6th U. S. Infantry,

CHARGE.

"Assault and battery with intent to kill."

Plea,—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" but guilty of assault and battery.

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay for two* (2) *months.*"

5th Private *William Dawson*, Co. "E" 8th U. S. Infantry.

CHARGE.

"*Drunkenness on duty.*"

Plea,—"*Guilty.*"

FINDING.

"*Guilty,*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for one month, carrying a knapsack weighing thirty pounds every alternate day from Reveille to Retreat, allowing one hour for each meal.*"

6th Private *P. Gallagher*, Co. "E" 8th U. S. Infantry.

CHARGE 1st.

"*Conduct prejudicial to good order and military discipline.*"

CHARGE 2d.

"*Disobedience of orders.*"

Plea,—"*Not Guilty.*"

FINDING.

"*Not Guilty.*"

And the Court do therefore acquit him.

7th Private *John McSorley*, Co. "G" 6th U. S. Infantry.

CHARGE.

"*Conduct prejudicial to good order and military discipline.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be confined at hard labor under charge of the guard for one month, and to forfeit to the United States ten* ($10) *dollars of his monthly pay, per month, for two months.*"

8th Private *John B. Swart*, Co. "E" 8th U. S. Infantry.

CHARGE.

"*Conduct to the prejudice of good order and military discipline.*"

Plea.– "*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"To forfeit to the United States five ($5) *dollars of his monthly pay for one* [1] *month."*

9th Private *George Smith*, Co. "E" 6th U. S. Infantry.

CHARGE.

"Desertion."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances due or to become due, except the just dues of the Sutler and Laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor at such place as the proper authority shall direct for the balance of his term of enlistment."

10th Private *James Bennett*, Co. "G" 6th U. S. Infantry.

CHARGE.

"Neglect of duty."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten [$10] *dollars of his monthly pay for one month."* The Court is thus lenient in consideration of the length of time the prisoner has already been confined, and the irregularity of the manner in which the sentinel was posted.

11th Private *H. Butler*, Co. "I" 6th U. S. Infantry.

CHARGE.

"Theft."

Plea.—*"Not Guilty."*

FINDING.

"Not Guilty."

And the Court do therefore acquit him.

5th Private *George H. Brower*, Co. "I" 8th U. S. Infantry.

CHARGE.

"Desertion."

Plea,—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due except the just dues of the Sutler and Laundress; and then to be confined

at hard labor for the remainder o the period for which he enlisted, at such place as the proper authority shall direct."

13th Private *Edward Tuite*, Co. "L" 5th U. S. Cavalry.

CHARGE 1st.

"*Desertion.*"

CHARGE 2d.

"*Theft.*"

Plea,—"*Not Guilty.*"

FINDING.

Of the 1st Charge,—"*Guilty.*"

Of the 2d Charge,—"*Not Guilty.*"

SENTENCE.

"*To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress; to be dishonorably discharged the service, and then to be confined at hard labor at such place as the proper authority shall direct for the remainder of the period for which he enlisted.*"

II. The proceedings findings and sentences in the foregoing cases of Privates *Francis Armstrong* Co. "D," and *James Bennett* Co. "G" 6th U. S. Infantry, and *John B. Swart* Co. "E" 8th U. S. Infantry are approved and confirmed The sentences will be carried into effect, and the prisoners named will be released from confinement.

III. The proceedings and findings in the foregoing case of Private *P. Gallagher* Co. "E" 6th U S. Infantry, are approved and confirmed. He will be released from confinement and returned to duty.

IV The proceedings findings and sentences in the foregoing cases of Privates *William Dawson*, Co. "E" 8th U. S. Infantry, and *John Moroney*, Co. "G" 6th U S Infantry are approved and confirmed The sentences will be carried into effect under the direction of the commanding officers of Posts, where the Companies to which the prisoners belong are stationed.

V. The proceedings, findings and sentences in the foregoing cases of Privates *John Hoey*, Co. "B", and *George Smith*, Co. "E", 6th U. S. Infantry are approved and confirmed. The sentences will be carried into effect. Fort Macon N. C. is designated as the place of their confinement

VI. The proceedings, findings and sentence in the foregoing case of Private *George Brower*, Co. "I" 8th U. S Infantry, are approved. In this case the intent of the prisoner to desert is proven by his confession to his commanding officer It appears that he regretted the act and voluntarily returned and surrendered himself within

two days of his desertion. The sentence of the Court, although not too severe for the crime of desertion, may be mitigated without prejudice to the service in consideration of the conduct of the accused in voluntarily returning after a short absence, and the imprisonment already undergone. The sentence of the court is remitted except the forfeiture of pay and allowances now due.

He will be released from confinement and returned to duty.

VII. The proceedings in the foregoing cases of Privates *H. Butler*, Co. "I" and *John Hunt*, Co. "A" 6th U. S. Infantry, are disapproved.

Jurisdiction of Courts Martial over charges of larceny, robbery, burglary, assaults, and other offences against person or property is confined by the 30th sect. of the Act approved March 3rd 1863, to time of war, insurrection or rebellion. Hereafter all charges and proceedings in cases affecting officers, soldiers and others in the military service of the United States, will be governed by the articles of war.

Privates *H. Butler*, Co. "I" and *John Hunt*, Co. "A" 6th U. S. Infantry, will be released from confinement and returned to duty.

VIII. The specification to the charge of desertion in the foregoing case of Private *Edward Tuite*, Co. "L" 5th U. S. Cavalry, is defective. It does not set forth the time, place and manner of his return to the military service: neither is there any evidence upon these points. The prisoner may have been apprehended or may have surrendered himself voluntarily. General Orders No. 43, current series, War Department, A. G. O., pardons men, who surrendered themselves before the 15th of August 1866. In order to award a just sentence, the court should have been in possession of the facts bearing upon the manner of the prisoners return to the service. The proceedings, findings and sentence in the foregoing case of Private *Edward Tuite*, Co. "L" 5th U. S. Cavalry are disapproved. He will be released from confinement and returned to duty.

The remarks in the case of Private *Henry Butler*, Co. "I", 6th U. S. Infantry, are applicable to the 2d charge in this case.

IX. In the foregoing case of Private *Richard Leaver*, Co. "C", 6th U. S. Infantry, the prisoner was found guilty of "*Sleeping on Post*," the extreme penalty for which is death, according to the 46th Article of War; and yet the Court without assigning any reason for their lenity and in the absence of any mitigating circumstances, sentenced the prisoner to be confined for thirty days at hard labor in charge of the guard, and to forfeit ten dollars, a punishment altogether inadequate to this crime and within the power of a garrison Court for minor offences. When a General Court Martial pronounces an

insufficient sentence for so grave an offence, it fails in its duty and defeats the objects to be attained by a proper administration of justice. The proceedings having been returned for revision, the Court adheres to its action and states that it "took into consideration the "length of time the prisoner has been confined, as appears on the "face of the charges; the fact that the prisoner is a young boy, and "that the punishment to be inflicted should be such as would be to "him a warning, to be wakeful and attentive on his post, while it "should not be such as would make him through ideas of revenge "and vindictiveness become a worthless and useless soldier."

It would have been entirely proper for the Court after having passed a sentence proportioned to the offence of which the accused was found guilty, to have set forth these facts and suggestions for the considerations of the reviewing officer, in support of such mitigation of the sentence as the Court might have determined to recommend. Recommendations so made are always respectfully considered, and seldom disregarded.

This Court, however, seems to be unable or unwilling to discriminate between its own legitimate duties and the prerogatives of the reviewing officer, to whom, subject to the approval of higher authority, belongs the exercise of clemency, and also the responsibility of deciding, whether the sentences of Courts Martial are appropriate to the offences committed. None of the grounds upon which the Court assumed to act appeared on the record, and in the absence of any reason for so mild a punishment, the Court exposed itself to censure for treating inconsiderately, a grave violation of military discipline.

The findings are approved and the sentence is confirmed and will be executed.

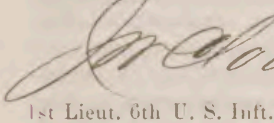
The General Court Martial of which Captain Montgomery Bryant, 6th U. S. Infantry, was President, is hereby dissolved.

By Command of Major General D. E. SICKLES.

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Act. Asst. Adjt. Gen.

OFFICIAL:—



1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., NOV. 5th, 1866.

GENERAL ORDERS,
No. 24.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 20, dated September 18th, No. 32, of October 4th, and No. 45, dated October 19th, 1866, from these Headquarters, and of which Capt. *J. McCleary*, 6th U. S. Infantry was President, were tried:—

1st Private *Frederick Malcom*, Co. "E" 8th U. S. Infantry.

CHARGE.

"*Sleeping on post.*"

Specification.—In this that he, Private *Frederick Malcom* of Co. "E" 8th U. S. Infantry, did after having been duly posted by the Corporal of the Guard, set his gun on one side, and sit down and go to sleep on his post, in which position he was found by the officer of the day, and the Corporal of the Guard.

All this on or about the 1st day of September 1866, at Charleston, S. C., between the hours 3 and 4 o'clock A. M.

Plea.—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *Frederick Malcom* Co. "E" 8th U. S. Inf. "*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month, for the period of six* [6] *months, and to be confined at hard labor for three months under charge of the guard.*"

2d Private *Michael Mack*, Co. "I" 8th U. S. Infantry.

CHARGE 1st.

"*Conduct prejudicial to good order and military discipline.*"

Specification.—In this that he, Private *Michael Mack*, of Co. "I" 8th U. S. Infantry, being a member of a guard which was commanded by Corporal *John Smith*, Co "I" 8th U. S. Infantry, did resist and strike the said Corporal *John Smith*, while he, Corporal *Smith*, was in the discharge of his duty as Corporal of the guard.

This at Anderson Court House, S. C., on or about Sep. 22d, 1866.

CHARGE 2d.

"*Drunkenness on duty.*"

Specification.—In this that he, Private *Michael Mack*, Co. "I" 8th U. S. Infantry, being a member of a guard that was mounted

at Anderson Court House, S. C., was under the influence of intoxicating liquor to such an extent as to unfit him for duty as a sentinel.

This at Anderson Court House, S. C., on or about Sep. 22d, 1866.

Plea,—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *Michael Mack*, Co. "I" 8th U. S. Inft. "*To forfeit to the United States ten* [$10] *dollars per month of his monthly pay for three months, and to be confined under charge of the guard at hard labor for the same period, carrying a knapsack weighing thirty pounds every alternate day from Reveille to Retreat, allowing one hour for each meal.*"

3d Private *Herman Ostheimer*, Co. "E" 8th U. S. Infantry,

CHARGE.

"*Sleeping on post.*"

Specification.—In this that he, Private *Herman Ostheimer*, Co. "E" 8th U. S. Infantry, being a member of the guard, did, after being duly posted by the Corporal of the guard, lie down on his post and go to sleep, in this condition he was found by the officer of the day.

All this at Chester, S. C., on or about August 28th, 1866, between the hours of 4 and 5 o'clock A. M.

Plea,—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *Herman Ostheimer*, Co. "E" 8th U. S. Infantry, "*To forfeit to the United States ten* ($10) *dollars per month of his monthly pay for the period of six months, and to be confined at hard labor for three months under charge of the guard.*"

4th Private *William Woods*, Co. "D" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Specification.—In this that he, Private *William Woods*, Co. "D" 6th U. S. Infantry, having been duly enlisted into the service of the United States as a soldier, did desert the same on or about the 9th day of August 1866, and did remain absent until apprehended at Columbia, S, C., on or about the 28th day of August, 1866.

This at Charleston, S. C., on or about the time above specified.

Plea,—"*Not Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him, Private *William Woods*, Co. "D" 6th U. S. Inf.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the Commanding General may direct for the balance of his term of enlistment.*"

5th Private *Charles H. Adams*, Co. "E" 8th U. S. Infantry.

CHARGE 1st.

"*Conduct to the prejudice of good order and military discipline.*"

Specification.—In this that he, Private *Charles H. Adams*, Co. "I" 8th U. S. Infantry, being a member of the guard, did absent himself from his guard without authority, and did remain absent until brought back by the Sergeant in charge of the guard.

CHARGE 2d.

"*Drunkenness on duty.*"

Specification.—In this that he, Private *Charles H. Adams*, Co. "E" 8th U. S. Infantry, being a member of the guard, did become so intoxicated as to be perfectly helpless, and unable to perform the duties of a sentinel.

All this at Chester, S. C., on or about the 27th day of Aug., 1866.

Plea,—"*Not Guilty.*"

The Court finds the prisoner not guilty as charged and does therefore acquit him.

II. The proceedings and findings in the case of Private *Frederick Malcom*, Co "E" 8th U. S. Infantry, are approved. The sentence is commuted to three months confinement under charge of the guard, at the headquarters of the prisoners company.

III. The proceedings, findings and sentence in the case of Pvt. *Michael Mack*, Co. "I" 8th U. S. Infantry, are approved. The corporal punishment is reduced to carrying a knapsack weighing thirty pounds, for one month, each alternate day, allowing one hour for each meal. As modified the sentence will be carried into effect at the headquarters of the prisoners company.

IV. The proceedings, findings and sentence in the case of Pvt. *Herman Ostheimer*, Co. "E" 8th U. S. Infantry, are approved and confirmed and will be carried into effect at the headquarters of the prisoners company.

V. The proceedings, findings and sentence in the case of Private *William Woods*, Co. "D" 6th U. S. Infantry, are approved and confirmed and will be carried into effect at Fort Macon, N. C.

VI. The proceedings and findings in the case of Private *Charles*

H. Adams, Co. "E" 8th U. S. Infantry, are approved. The prisoner will be released and returned to his company.

By Command of Major General D. E. SICKLES,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Act. Asst. Adjt. Gen.

OFFICIAL:—

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., NOV. 17th, 1866.

GENERAL ORDERS,
No. 27.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 20, dated September 18th, No. 32, dated October 4th, and No. 45, dated October 19th, 1866, from these Headquarters, and of which Capt. *J. McCleary*, 6th U. S. Infantry was President, were tried:—

1st *William Talbot*, (citizen employee of the United States.)

CHARGE.

"*Wilfully and wrongfully disposing of government property.*"

Specification.—In this, that he, *William Talbot*, citizen, employed in the Quartermaster's Department as Assistant Wagonmaster, at Charleston, S. C., did, without proper authority, and with intent to defraud the United States, wilfully and wrongfully transfer, cause or allow to be transferred to the firm of Deighen and Baker, of the city of Charleston, S. C., two grey horses, the property of the United States, said animals then being in good condition, and did receive in their stead, one brown mare and one sorrel horse, from said firm of Deighen and Baker, which said horses were not in good condition, or fit for the use and service of the United States.

All this at Charleston, S. C., on or about the 26th day of May 1866.

Plea.—"*Not Guilty.*"

The Court finds the prisoner not guilty as charged and does therefore acquit him.

2d Corporal *Patrick Welch*, Co. "A" 6th U. S. Infantry.

CHARGE.

"*Violation of the 44th Article of War.*"

Specification—In this, that he, Corporal *Patrick Welch*, Co. "A" 6th U. S. Infantry, being duly detailed for guard on the 13th day of August 1866, did fail to repair at the fixed time to the place of parade appointed by his commanding officer.

This at Charleston, S. C., on or about the time above specified.

Plea.—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does there-

fore sentence him, Corporal *Patrick Welch*, Co. "A" 6th U. S. Inf. "*To be reduced to the ranks.*"

3d Private *James Hailey*, Co. "G" 6th U. S. Infantry.

CHARGE.

"*Sleeping on post.*"

Specification.—In this, that he, the said Private *James Hailey*, Co. "G" 6th U. S. Infantry, having been duly posted as a sentinel, did lay himself down, and fall asleep on his post, and did so remain asleep until awakened by the Sergeant of the guard in the presence of the commanding officer of the Post, who had taken away his (*Hailey's*) musket without his knowledge.

This at Darlington Court House, S. C., between the hours of 9 and 10 P. M., on the night of Thursday October 4th 1866.

Plea.—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *James Hailey*, Co. "G" 6th U. S. Inft., "*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month for six months, and to be confined at hard labor under charge of the guard for three months.*"

4th Private *John Farrell*, Co. "L" 5th U. S. Cavalry.

CHARGE.

"*Violation of the 50th Article of War.*"

Specification.—In this, that he, Private *John Farrell*, Co. "L" 5th U. S. Cavalry, while a member of the guard, did absent himself from the guard and camp without proper authority, and visited a liquor-shop in the village of Mount Pleasant, S. C.

This at or near Mount Pleasant, S. C., on or about the 28th day of September 1866.

Plea.—"*Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *John Farrell*, Co. "L" 5th U. S. Cavalry, "*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month, for the period of two* [2] *months, and to be confined under charge of the guard at hard labor for one month.*"

5th Private *William H. Thompson*, Co. "L" 5th U. S. Cavalry.

CHARGE.

"*Sleeping on post.*"

Specification.—In this, that he, Private *William H. Thompson*, Co. "L" 5th U. S. Cav. being duly posted as a sentinel was found sleeping by the Corporal of the guard on or about the night of the 29th day of September 1866 at 9 o'clock.

All this at or near the camp of Co. "L" 5th U. S. Cavalry at Mount Pleasant, S. C.

Plea.—"*Not Guilty.*"

The Court finds the prisoner not guilty as charged, and does therefore acquit him.

6th Private *James Gahagan*, Co. "A" 6th U. S. Infantry.

CHARGE.

"*Drunkenness on duty.*"

Specification.—In this, that he, Private *James Gahagan*, Co. "A" 6th U. S. Infantry, was found drunk while on duty as a sentry in rear of the right wing of the prison at post No. 8 between 10 and 12 P. M., on the 8th of September 1866.

All this at the Citadel, Charleston, S. C.

Plea.—"*Not Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *James Gahagan*, Co. "A" 6th U. S. Inf. "*To be confined in charge of the guard at hard labor for three months, and to carry a knapsack weighing thirty* (30) *pounds every alternate day for one month from reveille to retreat, allowing one hour for each meal.*"

8th Private *Francis E. Price*, Co. "E" 8th U. S. Infantry.

CHARGE.

"*Desertion.*"

Specification.—In this, that he, the said Private *Francis E. Price*, Co. "C" 8th U. S. Infantry, did desert the service of the United States on or about the 17th day of July 1866, and did remain absent until apprehended and brought back on or about the 17th day of July 1866.

All this at or near Winchester, Va.

Plea.—"*Not Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him, Private *Francis E. Price*, Co. "C" 8th U. S. Inf. "*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Laundress and Sutler, and then to be confined at such place as the proper authority may direct for the balance of his term of enlistment.*"

8th Private *Thomas A. Todd*, Co. "E" 8th U. S. Infantry.

CHARGE.

"*Conduct to the prejudice of good order and military discipline.*"

Specification 1st.—In this, that he, Private *Thomas A. Todd*,

Co. "E" 8th U. S. Infantry, did use abusive and contemptuous language toward 1st Sergt. *William A. G. Cobb*, Co. " E" 8th U. S. Infantry, calling him a thief and other titles of abuse.

This at Chester, S. C., on or about the 20th day of August 1866.

Specification 2d.—In this, that he, Private *Thomas A. Todd*, Co. "E" 8th U. S. Infantry, did falsely accuse 1st Sergt. *William A. G. Cobb*, Co. "E" 8th U. S. Infantry, of showing partiality towards members of the company, and did call Sergt. *Cobb*, a G——d—— Dutchman or words to that effect, and did challenge said 1st Sergt. to fight with him.

All this at Chester, S. C., on or about 20th day of August 1866.

Plea,—"*Not Guilty.*"

The Court finds the prisoner guilty as charged, and does therefore sentence him Private *Thomas A. Todd*, Co "E" 8th U. S. Inf. "*To forfeit to the United States five* ($5) *dollars of his monthly pay for one month.*"

9th Private *George W. Dornan*, Co. "K" 6th U. S. Infantry.

CHARGE 1st.

"*Absence without leave.*"

Specification.—In this, that he, Private *George W Dornan*, Co. "K" 6th U. S. Infantry, did without authority absent himself from his company and quarters from retreat and tattoo roll calls.

All this at Columbia, S. C., on or about September 24th, 1866.

CHARGE 2d.

"*Violation of the 38th Article of War.*

Specification.—In this, that he, Private *George W. Dornan*, Co. "K" 6th U. S. Infantry, did unlawfully dispose of or loose the following articles of clothing regularly issued to him by the government of the United States: viz:—One forage cap, one uniform coat, one blouse, one pair of Infantry pants and one pair of bootees.

This at Columbia, S. C., on or about September 24th, 1866.

Plea.– "*Not Guilty.*"

The Court finds the prisoner:—

Of the Specification of the 1st Charge,—"*Guilty.*"

Of the 1st Charge,—"*Guilty.*"

Of the Specification 2d Charge,—"*Not Guilty.*"

Of the 2d Charge,—"*Not Guilty.*"

And the Court does therefore sentence him, Private, *George W. Dornan*, Co. "K" 6th U. S. Infantry, "*To forfeit to the the United States five* ($5) *dollars of his monthly pay for one month.*"

II. The proceedings and findings in the foregoing case of *William Talbot*, (citizen employee of the United States) are approved. He is hereby released from his recognizances.

III. The proceedings, findings and sentences in the above cases are approved and confirmed, and will be carried into effect.

IV. Corporal *Patrick Welch*, Co. "A" 6th U. S. Infantry, will be released from arrest and returned to duty in the ranks.

V. Privates *Thomas A. Todd*, Co. "E" 8th U. S. Infantry, *George W. Dorman*, Co. "K" 6th U. S. Infantry, and *William H. Thompson*, Co. "L" 5th U. S. Cavalry, will be released from confinement and returned to their respective companies.

VI. Fort Macon, N. C., is designated as the place of confinement of Private *Francis E. Price*, Co. "C" 8th U. S. Infantry. The remaining sentences will be carried into effect at the stations of the companies to which the prisoners respectively belong.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

A. D. C. & A. A. A. G.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., NOV. 22d, 1866.

GENERAL ORDERS,
No. 29.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 20, from these Headquarters, dated September 21st 1866, and of which Capt. *John McCleary*, 6th U. S. Infantry was President, was tried:—

Private *Thomas Berry*, Co. "I" 8th U. S. Infantry.

CHARGE.

"*Murder.*"

Specification.—In this, that he, Private *Thomas Berry*, Co. "I" 8th U. S. Infantry, did with malice aforethought, on or about the 13th day of August 1866, kill or assist in killing Private *Charles Kelly*, Co. "I 8th U. S. Infantry, by cutting said Private *Charles Kelly's* throat with some sharp instrument.

This at or near Anderson Court House, S. C.

Plea,—"*Not Guilty.*"

The Court finds the prisoner not guilty as charged and does therefore acquit him.

II. The proceedings and findings in the above case are approved: but inasmuch as, there is sufficient evidence to justify the belief that is shared by his company and the community of Anderson, in the prisoners guilt, though not to justify the Court in finding otherwise than it did, application was made to the Adjutant General of the Army for the dishonorable discharge of the prisoner from the service; it not being deemed proper to send him again among his comrades: and this application has been approved.

III. Private *Thomas Berry*, Co. "I" 8th U. S. Infantry, is hereby dishonorably discharged the service with loss of all pay and allowances. He will be immediately released from confinement, and his discharge given him.

By Command of Bvt. Major General J. C. ROBINSON.

J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

D. L. Mills,
1st Lieut. 8th U. S. Inft. Bvt. Maj. U. S. A.,
A. D. C.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., Nov. 28th, 1866.

GENERAL ORDERS, No. 31.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 53, from these Headquarters, dated October 31st, 1866, and of which Capt. *John McCleary*, 6th U. S. Infantry is President, were tried:—

1st Private *John Colligan*, Co. "E" 8th U. S. Infantry.

CHARGE.

"Conduct prejudicial to good order and military discipline."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten [$10] *dollars of his monthly pay per month for four months, and to be confined at hard labor under charge of the guard for two months."*

2d Private *John Byrne*, Co. "E" 8th U. S. Infantry.

CHARGE.

"Conduct prejudicial to good order and military discipline."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States five ($5) *dollars of his monthly pay for one* [1] *month."*

3d Private *Francis Donnelly*, Co. "E" 8th U. S. Infantry.

CHARGE.

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

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten ($10) *dollars of his monthly pay per month for three months, and to be confined at hard labor under charge of the guard for two months."*

4th Private *James Ellis*, Co. "E" 8th U. S. Infantry.

CHARGE.

"Conduct prejudicial to good order and military discipline."

Plea.—*"Not Guilty."*

FINDING.

"Guilty,"

SENTENCE.

"To forfeit to the United States ten [$10] *dollars of his monthly pay per month, for three months."*

5th Private *Jonathan Brown*, Co. "C" 6th U. S. Infantry.

CHARGE 1st.

"Absence without leave."

CHARGE 2d.

"Selling the clothing issued to him."

Plea.—*"Not Guilty."*

FINDING.

Of Charge 1st, *"Guilty."*

Of Charge 2d, *"Not Guilty."*

SENTENCE.

"To forfeit to the United States five ($5) *dollars of his monthly pay for one month."*

6th Private *Frederick Thompson*, Co. "K" 6th U. S. Infantry.

CHARGE 1st.

"Willful neglect of duty."

CHARGE 2d.

"Conduct prejudicial to good order and military discipline."

Plea.—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States twelve ($12) *dollars of his monthly pay per month for two months."*

The Court is thus lenient on account of the length of time the prisoner has been confined: and the inexperience of the soldier of his duties: he having been in the service but two months when these acts took place.

7th 2d Class Private *Charles Kennedy*, Ordnance Department.

CHARGE.

"Desertion."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Laundress, and then to be confined at hard labor at such place as the Commanding General may direct for the balance of his term of enlistment."

8th Private *James Henderson*, Co. "E" 6th U. S. Infantry.

CHARGE.

"Conduct prejudicial to good order and military discipline.

Plea—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten ($10) dollars of his monthly pay per month for three month, and to be confined at hard labor under charge of the guard for one month."

9th Private *James Butler*, Co. "G" 8th U. S. Infantry.

CHARGE.

"Desertion."

Plea.—*"Not Guilty."*

FINDING

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due except the just dues of the Sutler and Laundress; and then to be confined at such place as the proper authority may direct for the balance of his term of enlistment."

10th Private *John Deiseroth*, Co. "G" 8th U. S. Infantry.

CHARGE.

"Desertion."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Laundress and Sutler, and then to be confined at hard labor at such place as the proper authority may direct for the balance of his term of enlistment."

11th Private *A. M. Johnson*, Co. "G" 8th U. S. Infantry.

CHARGE 1st.

"*Disobedience of orders.*"

CHARGE 2d.

"*Conduct prejudicial to good order and military discipline.*"

Plea,—"*Not Guilty.*"

FINDING

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay per month for three months.*

II. The proceedings, findings and sentences in the cases of Privates *John Colligan* and *Francis Donnely*, Co. "E" 8th U. S. Inft., are approved and confirmed, and will be carried into effect at the Headquarters of the prisoners company.

III. The proceedings, findings and sentences in the cases of Privates *John Byrne*, Co. "E," *James Ellis*, Co. "E," *A. M. Johnson*. Co. "G" 8th U. S. Infantry, and *Jonathan Brown*, Co. "C" 6th U. S. Infantry, are approved and confirmed and will be carried into effect. The prisoners will be released and sent to their companies.

IV. The proceedings, findings and sentences in the cases of 2d Class Private *Charles Kennedy*, Ordnance Department, and Pvt. *James Butler*, Co. "G" 8th U. S. Infantry, are approved and confirmed and will be carried into effect at Fort Macon, N. C.

V. The proceedings, findings and sentence in the case of Pvt. *Frederick Thompson*, Co. "K" 6th U. S. Infantry, are approved and confirmed, and will be carried into effect. The prisoner will be released and returned to his company. The Bvt. Maj. General Commanding can but consider that the Court has decidedly erred on the side of lenity in treating so serious a breach of discipline. The inexperience of the prisoner is not any excuse for doing what he knows is wrong, and a violation of trust and duty: and soldiers in this command are expected not to regard the punishment in this case as a precedent that will be followed in the treatment of like offences.

VI. The findings and sentence in the case of Private *James Henderson*, Co. "E" 6th U. S. Infantry, are disapproved, as in the opinion of the Bvt. Major General Commanding such of the evidence as is not hearsay is insufficient to convict the prisoner.

VII. The proceedings, findings and sentence in the case of Pvt. *John Deiseroth*, Co. "G" 8th U. S. Infantry, are disapproved. The Court refused to permit the prisoner to introduce testimony tending to show that he was ejected from the company; whether or not he could have proved this fact cannot be ascertained. The defence however would have been a good one had the fact been proven, and the Court erred in shutting out the testimony. Having done so they deprived the prisoner of his defence and the trial of the appearance of impartiality it should have had. The prisoner will be released and returned to his company.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

A. D. C., & A. A. A. G.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 8th, 1866.

GENERAL ORDERS, }
No. 33. }

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 53, from these Headquarters, dated October 31st, 1866, and of which Capt. *John McCleary*, 6th U. S. Infantry is President, were arraigned and tried:—

1st Private *John Finen*, Co. "H" 6th U. S. Infantry.

CHARGE 1st.

"*Drunkenness on duty.*"

CHARGE 2d.

"*Mutinous Conduct.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundresses, and then to be confined at hard labor at such place as the Commanding General may direct for the balance of his term of enlistment.*"

2d Private *Michael Hurley*, Co. "G" 6th U. S. Infantry.

CHARGE.

"*Drunkenness on duty.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" and the Court does therefore acquit him.

3d Private *Thomas Hurley*, Co. "G" 6th U. S. Infantry.

CHARGE 1st.

"*Drunkenness on duty.*"

CHARGE 2d.

"*Conduct to the prejudice of good order and military discipline.*"

CHARGE 3d.

"*Absence without leave.*"

Plea,—to Charge 1st and 2d, "*Not Guilty.*"

Plea.—to Charge 3d, "*Guilty.*"

FINDING.

Of the 1st Charge, "*Not Guilty.*"

Of the 2d and 3d Charge, "*Guilty.*"

SENTENCE.

"To forfeit to the United States ten ($10) dollars of his monthly pay per month for two months.

4th Private *Frederick Deihl*, Co. "I" 8th U. S. Infantry.

CHARGE.

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

Plea.—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten [$10] dollars of his monthly pay per month, for one month."

5th Private *August Staats*, Co. "I" 8th U. S. Infantry.

CHARGE.

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

Plea.—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To forfeit to the United States ten ($10) dollars of his monthly pay per month for one month."

6th Private *Thomas McGovern*, Co. "C" 6th U. S. Infantry.

CHARGE.

"Drunkenness on duty."

Plea,—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the guard for the period of one month."

7th Sergeant *John Collins*, Co. "A" 6th U. S. Infantry.

CHARGE.

"Drunkenness on duty."

Plea.—*"Not Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be reduced to the ranks as a private soldier, and to be confined at hard labor under charge of the guard for thirty days."

8th Private *Henry Perine*, Co. "H" 5th U. S. Cavalry.

CHARGE.

"Desertion."

Plea,—*"Not Guilty."*

FINDING.

Of the Charge *"Not Guilty,"* but guilty of absence without leave.

SENTENCE.

"To forfeit to the United States twelve ($12) dollars of his monthly pay per month for one month."

9th Private *Peter Seymour*, Co. "C" 6th U. S. Infantry.

CHARGE.

"Conduct prejudicial to good order and military discipline.

Plea,—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"To be confined in charge of the guard for thirty days, carrying a knapsack weighing thirty (30) pounds, every alternate day, from Reveille to Retreat, allowing one hour for each meal, and to forfeit to the United States, ten ($10) dollars of his monthly pay per month for three months."

10th Private *John Harding*, Co. "H" 6th U. S. Infantry,

CHARGE.

"*Desertion.*"

Plea,—"*Not Guilty.*"

FINDING

"*Guilty.*"

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the proper authority may direct for the balance of his term of enlistment."

11th Private *Reubin Meir*, Co. "H" 6th U. S. Infantry.

CHARGE.

"*Desertion.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress; and then to be confined at hard labor at such place as the proper authority may direct for the balance of his term of enlistment."

12th Private *John Coakley*, Co. "C" 8th U. S. Infantry.

CHARGE 1st.

"*Disobedience of orders.*"

CHARGE 2d.

"Striking and otherwise offering violence against 1st Sergeant Robert Harris, Co. "C" 8th U. S. Infantry."

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay per month for three month.*"

The Court is thus lenient in consideration of the length of time the prisoner has been confined.

13th Private *John Crowley*, Co. "G" 6th U. S. Infantry.

CHARGE 1st.

"*Absence without leave.*"

CHARGE 2d.

"*Conduct to the prejudice of good order and military discipline.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month for four months.*"

14th Private *Thomas Shanley*, Co. "G" 6th U. S. Infantry.

CHARGE.

"*Drunkenness on duty.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" and the Court does therefore acquit him.

15th Private *Thomas Welch*, Co. "K" 8th U. S. Infantry.

CHARGE.

"*Conduct prejudicial to good order and military discipline.*"

Plea.—"*Not Guilty.*"

FINDING.

"*Not Guilty,*" and the Court does therefore acquit him.

16th Recruit *William Duckett*, 40th U. S. Infantry.

CHARGE 1st.

"*Conduct to the prejudice of good order and military discipline.*"

CHARGE 2d.

"*Violation 38th Article of War.*"

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"To forfeit to the United States ten ($10) *dollars of his monthly pay per month for three months, and to be confined under charge of the guard for one month, carrying a knapsack weighing thirty* (30) *pounds every alternate day from Reveille until Retreat, allowing one hour for each meal."*

17th *William R. Hoyt*, (citizen employee of the United States.)

CHARGE.

"Willfully and wrongfully disposing of government property."

Plea.—*"Not Guilty."*

FINDING.

"Not Guilty," and the Court does therefore acquit him.

18th Private *Peter Howard*, Co. "F" 6th U. S. Infantry.

CHARGE.

"Desertion."

Plea.—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at such place as the proper authority may direct for the balance of his term of enlistment."

II. The proceedings and findings in the cases of Privates *Michael Hurley* and *Thomas Shanley*, Co. "G" 6th U. S. Infantry, *Thomas Welch* Co. "K" 8th U. S. Infantry, and (citizen employee) *William R. Hoyt*, are approved. The prisoners will be released from confinement. Privates *Hurley*, *Shanley* and *Welch* will be returned to their companies for duty.

III. In the cases of Privates *Frederick Deihl* and *August Staats*, Co. "I" 8th U. S. Infantry, the records were returned to the Court with the following endorcement: "It is suggested to the Court that as the offence of which the prisoners have been found guilty is a serious one, and one that seems to be decidedly on the increase among the enlisted men of the Army, a more effectual example than a mere forfeiture of pay is necessary to put a stop to it."

The Court after matured consideration adheres to their former decision, "on account of the long confinement of the prisoners, they having been in confinement since August 6th, 1866; and also from the fact that the articles of clothing disposed of, were not set forth, and may not have been of any real value."

The proceedings, findings and sentences in the case of Privates *Deihl* and *Staats* are approved and confirmed,—the forfeitures will be entered on the company rolls, the prisoners released from confinement and returned to duty with their company.

IV. The proceedings and finding in the case of Recruit *William Duckett*, 40th U. S. Infantry, are approved and confirmed.

The Commanding General cannot understand, why the Court after finding the accused guilty under the 1st charge should proceed to award him so light a sentence, the punishment is totally inadequate to the offence, which was actually theft.

The Court having adjourned *sine die* the case cannot be returned to it, for reconsideration, the sentence is therefore confirmed and will be carried into effect. Castle Pinckney, Charleston Harbor, is designated as the place of confinement.

V. The proceedings, findings and sentences in the cases of Pvts. *John Crowley* and *Thomas Hurley*, Co. "G" 6th U. S. Infantry, *John Coakley*, Co. "C" 8th U. S. Infantry, and *Henry Perine*, Co. "H" 5th U. S. Cavalry, are approved and confirmed. The forfeitures will be entered upon their company rolls, and the prisoners will be released from confinement and returned to their companies for duty.

VI. The proceedings, finding and sentences in the cases of Sergeant *John Collins*, Co. "A" and Private *Thomas McGovern*, Co. "C" 6th U. S. Infantry, are approved and confirmed. The sentences will be executed under the direction of the Commanding Officer of the Post at which the prisoners companies are serving.

VII. The proceedings, findings and sentence in the case of Pvt. *Peter Seymour*, Co. "C" 6th U. S. Infantry, are approved and confirmed. The forfeitures will be entered upon the company rolls and the portion of the sentence relating to confinement will be executed under the direction of the Commanding Officer of the Post at which the prisoner's company is serving.

VIII. The proceedings, findings and sentences in the cases of Pvts. *Reubin Meir*, *John Harding* and *John Finen*, Co. "H" and *Peter Howard*, Co. "F" 6th U. S. Infantry, are approved and confirmed. Castle Pinckney, Charleston Harbor, is designated as the place of confinement.

IX. The attention of Judge Advocates in this Department is called to the impropriety of asking witnesses leading questions:

witnesses should be allowed to give their testimony without any such assistance from the Judge Advocate as appears upon the records in the cases of Privates *Meir* and *Harding*.

X. The General Court Martial of which Capt. *John McCleary*, 6th U. S. Infantry, was President is hereby dissolved.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. Albright

2d Lieut. 8th U. S. Infantry,

A. D. C.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 11th, 1866.

GENERAL ORDERS, No. 34.

I. Before a Garrison Court Martial which convened at Columbia, S. C., on the 19th day of November 1866, pursuant to Special Order No. 147, of that date from Headquarters Post of Columbia, were arraigned and tried:—

1st Private *James P. O. Lewis*, Co. "B" 6th U. S. Infantry.

CHARGE 1st.

"*Neglect of duty.*"

CHARGE 2d.

"*Positive and willful disobedience of orders.*"

CHARGE 3d.

"*Absence without leave.*"

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be confined for thirty days and to forfeit to the United States ten* [$10] *dollars of his monthly pay per month for one month.*"

2d Private *Michael Casey*, Co. "K" 6th U. S. Infantry.

CHARGE.

"*Conduct prejudicial to good order and military discipline.*"

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for the space of one month, and to forfeit to the United States ten* ($10) *dollars of his monthly pay for one month.*"

3d Private *Thomas B. Bailey*, Co. "K" 6th U. S. Infantry.

CHARGE 1st.

"*Theft.*"

CHARGE 2d.

"*Violation 38th Article of War.*"

Plea,—to Charge 1st, "*Not Guilty.*"

Plea,—to Charge 2d, "*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States eight* ($8) *dollars of his monthly pay for one month, and to be confined at hard labor under charge of the guard for fifteen days.*"

4th Private *Edward Hart*, Co. "K" 6th U. S. Infantry.

CHARGE.

"*Theft.*"

Specification.—In this, that he, *Edward Hart*, a Private of Co. "K" 6th U. S. Infantry, did feloniously take from the office of the Commanding Officer Headquarters Military Post of Columbia, S. C., one silver watch the property of Private *Charles Backer*, Co. "K" 6th U. S. Infantry, and appropriate the same to his own use.

This at Columbia, S. C., on or about the 17th day of Nov. 1866.

Plea to the Specification,—"*Guilty.*"

Plea to the Charge,—"*Not Guilty.*"

FINDING.

Of the Specification.—"*Guilty,*" except the word "feloniously."

Of the Charge, "*Not Guilty,*" and the Court does therefore acquit him.

II. The proceedings, findings and sentences in the foregoing cases, have been approved and confirmed by the reviewing officer, and the sentences ordered to be carried into effect and promulgated in General Orders No. 19, Headquarters Military Post of Columbia, Columbia, S. C., November 29th, 1866.

III. The proceedings in the foregoing cases are defective; the charges and specifications were not embodied in the proceedings of the Court, leaving a doubt as to what the prisoners had been tried for. The record in the cases of *Casey* and *Lewis* does not show that the Court was cleared for *deliberation* previous to the *findings* and *sentences*, nor in any of the foregoing cases that an opportunity was offered the prisoners to introduce testimony or (except in the case of *Hart.*) submit any written defence.—The Court also erred in allowing evidence for the prosecution to be taken in the case of *Hart*, after the prisoner had plead guilty to the specification. It was the duty of the Court to decide whether the specification supported the charge, and the prosecution is allowed to argue only. The charge theft is an improper one and over which, as well as the 2d charge upon which Private *Lewis* was

arraigned, a Garrison Court has no jurisdiction but should have been tried by a General Court Martial. Theft should be charged under the 99th Article of War.

IV. The proceedings and findings in the foregoing cases of Privates *James P. O. Lewis*, Co. "B", *Thomas B. Bailey*, *Michael Casey*, and *Edward Hart*, Co. "K" 6th U. S. Infantry, are hereby declared illegal, and the sentences in the cases of *Lewis*, *Bailey* and *Casey*, inoperative and void, the prisoners will be released from confinement and returned to duty.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 14TH, 1866.

GENERAL ORDERS,
No. 35.

I. Before a General Court Martial convened at Charleston, S. C., by virtue of Special Orders No. 76, from these Headquarters, dated November 28th, 1866, and of which Bvt. Maj. [illegible], Capt. U. S. Ord. Corps is President, were arraigned and tried—

1st Private *William W. White*, Co. "D" 6th U. S. Infantry.

CHARGE 1st.

"*Conduct to the prejudice of good order and military discipline.*"

Specification—"In this, that he, Private *William W. White*, Co. "D" 6th U. S. Infantry, did, on the evening of the 11th day of November, 1866, on being ordered to the guard house by 1st Sergt. *J. Donohue*, of Co "D" 6th U. S. Infantry, refuse to go with the Sergt. in charge of him, and when pushed out of the squad room by 1st Sergt *J. Donohue*, did turn around and say to him, the said *Donohue*, "I wont go to the guard house for you or any other son of a bitch like you, you son of a bitch," or words to that effect, and did also turn around and shake his clinched hand threateningly, saying, "I'll fix you off for this yet, you son of a bitch." "

CHARGE 2d.

"*Drunkenness on duty.*"

Specification—"In this, that he, the said Private *William W. White*, Co. "D" 6th U. S. Infantry, was so much under the influence of intoxicating liquor as to be unable to attend evening parade on the 11th day of November, 1866, and therefore unable to perform the duties of a soldier."

All this at the Citadel, Charleston, S. C., on or about the date above specified.

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month for two months, and to be confined at hard labor, under charge of the guard for thirty days.*"

2d Private *James O'Donnell*, Co. "C" 6th U. S. Infantry.

CHARGE.

"*Conduct prejudicial to good order and military discipline.*"

Specification 1st—"In this, that he, Private *James O'Donnell*, Co. "C" 6th U. S. Infantry, did assault Private *Michael Hogan*, Co. "C" 6th U. S. Infantry, and knock said *Michael Hogan* down and place his knee upon him."

Specification 2d—"In this, that he, Private *James O'Donnell*, Co. "C" 6th U. S. Infantry, did feloniously steal, take and carry away with him, from Private *Michael Hogan*, Co. "C" 6th U. S. Inft., a sum of money amounting to twenty [$28] dollars, more or less."

All this at Charleston, S. C., on or about the 10th day of Nov. 1866.

Plea,—"*Not Guilty.*"

FINDING.

Of the 1st specification to the charge, "*Guilty,*" except the words, "and knock said *Michael Hogan* down and place his knee upon him."

Of the 2d specification to the charge, "*Guilty*"

Of the charge, "*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the proper authority may direct for the balance of his term of enlistment.*"

3d Private *John Hunt*, Co. "A" 6th U. S. Infantry.

CHARGE.

"*Conduct prejudicial to good order and military discipline.*

Specification 1st—"In this, that he, Private *John Hunt*, Co. "A" 6th U. S. Infantry, did threaten to stab Private *Patrick Dillon*, Co. "A" 6th U. S. Inft., and did seize a bayonet for that purpose."

Specification 2d—"In this, that he, Private *John Hunt*, Co. "A" 6th U. S. Infantry, did, when ordered to go to his bunk by Sergt. *Hugh McGuire*, Co. "A" 6th U. S. Infantry, refuse to obey said order, and did say to said Sergt. *Hugh McGuire*, Co. "A" 6th U. S. Infantry, "you son of a bitch, I'll fix you for this," or words to that effect."

All this at Charleston, S. C., on the evening of Nov. 15th, 1866.

Plea.—

To the 1st specification of the charge.—"*Not Guilty.*"

To the 2d specification of the charge,—"*Guilty*" of the words, "you son of a bitch," to the remainder of the Specification, "*Not Guilty.*"

To the Charge,—"*Not Guilty.*"

FINDING.

Of the 1st Specification to the Charge,—"*Not Guilty.*"

Of the 2d Specification to the Charge,—"*Guilty.*"

Of the Charge,—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay per month for three months.*"

II. The proceedings, findings and sentences in the foregoing cases are approved and confirmed. In the cases of Privates *William W. White*, Co. "D" and *John Hunt*, Co. "A" 6th U. S. Infantry, the forfeitures will be entered upon the company rolls. So much of the sentence in the case of Private *White*, as relates to confinement at hard labor will be executed under direction of the Commanding Officer of the Post at which the prisoner's company is serving. Private *Hunt* will be released from confinement and returned to duty with his company. In the case of Private *James O'Donnell*, Co. "C" 6th U. S. Infantry, Castle Pinckney, Charleston Harbor, is designated as the place of confinement.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.
CHARLESTON, S. C., DEC. 19th, 1866.

GENERAL ORDERS, No. 37.

I, Before a General Court Mart'al, which convened at Charleston, S. C., by virtue of S. O. No. 76, current series, from these Headquarters and of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ord. Corps is President, were arraigned and tried. :—

1st Private *Michael Byrd*, Co. "I" 8th U. S. Infantry.

CHARGE 1st.

"Drunkenness on duty."

Specification—"In this, that he, Private *Michael Byrd*, Co. "I" 8th U. S. Infantry, being a member of the guard which was mounted at Anderson Court House, S. C., on or about the 9th day of October, 1866, was so much under the influence of intoxicating liquor, as to be unable to perform the duties of a sentinel."

CHARGE 2d.

"Conduct to the prejudice of good order and military discipline"

Specification 1st—"In this, that he, Private *Michael Byrd*, Co. "I" 8th U. S. Infantry, being a member of a guard which was mounted at Anderson Court House, S. C., on or about the 9th day of October, 1866, and having received permission from the Corporal of the guard, "to go to the rear," did go into the Company quarters, and, after removing his belts, did lie down and go to sleep upon his bed, and did remain in the quarters until after he had been absent from his guard for over one hour and thirty minutes, when the Corporal of the guard removed him to the guard house."

Specification 2d—"In this, that he, Private *Michael Byrd*, Co. "I" 8th U. S. Infantry, being a prisoner in charge of the guard, did rush past the sentinel and did violently assault Corporal *Samuel B. Remley*, of Co. "I" 8th U. S. Infantry, who was in charge of the guard, and who at the time of the assault was in the discharge of his duty as Corporal of the guard."

This at Anderson Court House, S. C., on or about the 10th day of October, 1866.

Plea.—*"Guilty."*

FINDING.

"Guilty."

SENTENCE.

"*To forfeit ten* ($10) *dollars of his pay and to be confined at hard labor under charge of the guard for six months.*"

2d Private *Charles Morgan*, Co. "I" 8th U. S. Infantry.

CHARGE.

"*Conduct to the prejudice of good order and military discipline.*"

Specification—"In this, that he, Private *Charles Morgan*, Co. "I" 8th U. S. Infantry, did, on or about the night of the 15th of October, 1866, use threatening language towards and violently assault and beat Corporal *Styles J. French*, Co. "I" 8th U. S. Infantry, in the quarters of Co. "I" 8th U. S. Infantry, said Corporal *Styles J. French* being in the discharge of his duty."

This at Anderson Court House, S. C.

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month for three months, and to be confined at hard labor under charge of the guard for the same period.*"

3d Private *John Murphy*, Co. "C" 8th U. S. Infantry.

CHARGE.

"*Conduct to the prejudice of good order and military discipline.*"

Specification—"In this, that he, Private *John Murphy*, Co. "C" 8th U. S. Infantry, having been duly posted as a sentinel in charge of prisoners, did sit down near his post, and play cards with another man, between the hours of 9 and 11 o'clock, P. M."

This at Georgetown, S. C., on or about the 20th day of Nov. 1866.

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit ten* ($10) *dollars of his monthly pay per month for two months, and to carry a knapsack weighing thirty pounds, from Reveille to Retreat every alternate day for twenty days, allowing half an hour for each meal.*"

4th Private *Thomas Grimes*, Co. "C" 8th U. S. Infantry.

CHARGE 1st.

"*Absence without leave.*"

Specification—"In this, that he, Private *Thomas Grimes*, Co. "C" 8th U. S. Infantry, did, without permission from proper authority, absent himself from his company and quarters, from about

10 o'clock. A. M., on the 22d day of November; 1866, and did remain absent until brought back at or about 10 o'clock. A. M., on the 23d day of November, 1866."

CHARGE 2d.

"Selling or losing his clothes."

Specification—"In this, that he, Private *Thomas Grimes*, Co. "C" 8th U. S. Infantry, having had government clothing issued to him, did sell, barter, trade or lose, through neglect, two new knit shirts and one pair of Infantry bootees."

All this at or near Georgetown, S. C., on or about the 22d day of November, 1866.

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit ten* [$10] *dollars of his monthly pay per month, for two months, and to be confined at hard labor under charge of the guard for thirty days.*"

5th Musician *Charles Venalstein*, Co. "C" 8th U. S, Infantry.

CHARGE.

"Selling or losing his clothes."

Specification—"In this, that he, Musician *Charles Venalstein*, Co. "C" 8th U. S. Infantry, having had government clothing issued to him, did sell, barter, trade or lose through neglect, two new fannel shirts and two pairs of drawers."

This at or near Jawleps Island, S. C., on or about the 15th day of October, 1866.

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To forfeit to the United States six* [$6] *dollars of his pay and to be confined at hard labor under charge of the guard for thirty days.*"

6th Private *Joseph Daunis*, Co. "K" 6th U. S. Infantry.

CHARGE.

"Desertion."

Specification—"In this, that he, Private *Joseph Daunis*, Co. "K" 6th U. S. Infantry, did desert the service of the United States at Columbia, S. C., on or about the 18th day of June, 1866, and re-

main absent until he surrendered himself at Augusta, Georgia, August 31st, 1866.'

This at the places and dates above specified."

Plea.—"*Guilty.*"

FINDING.

"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress; and then to be confined at hard labor at such place as the proper authority may direct for one year.*"

The Court are thus lenient in consideration of the fact, that the accused surrendered himself.

II. The proceedings, findings and sentences in the foregoing cases are approved and confirmed; the forfeitures will be entered on the company rolls. In the cases of Privates *Dauris*, Co. "K" 6th U. S. Infantry and *Byrd*, Co. "I" 8th U. S. Infantry, Castle Pinckney, Charleston Harbor, is designated as the place of confinement. So much of the sentences, as relate to confinement, in the cases of Privates *Charles Morgan*, Co. "I," *John Murphy*, *Thomas Grimes* and Musician *Charles Vondstein*, Co. "C" 8th U. S. Infantry, will be executed under direction of the Commanding Officers of the Posts at which the prisoners companies are serving.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. Albertini

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 20th, 1866.

GENERAL ORDERS,
No. 38.

I. Before a General Court Martial, which convened at Charleston, S. C,, by virtue of Special Orders, No. 76 from these Headquarters, dated November 28th, 1866, and of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ord. Corps, is President, was arraigned and tried :—

Private *Basley F. Mansfield*, Lt. Co "E" 3d Art.

CHARGE.

"*Desertion.*"

Specification—"In this, that he, Private *Basley F. Mansfield*, of Lt. Co. "E" 3d Art., did desert the service of the United States, on or about the 3d day of June, 1866."

This at Raleigh, N. C.

Plea,—"*Guilty.*"

FINDING

"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due him, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the proper authority may direct for the balance of his term of enlistment.*"

II. The proceedings, finding and sentence in the foregoing case are approved and confirmed. Castle Pinckney, Charleston Harbor, is designated as the place of confinement.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 22d, 186.

GENERAL ORDERS, No. 40.

I. Before a General Court Martial, which convened at Charleston, S. C., by virtue of Special Orders No. 76, from these Headquarters, dated November 28th, 1866, and of which Bvt. Maj. *F. H. Parker*, Capt U. S. Ord. Corps, is President, were arraigned and tried :—

1st Private *Charles Young*, Co. "G" 6th U. S. Infantry.

CHARGE,—"Desertion."

Specification—"In this, that he, Private *Charles Young*, Co. "G" 6th U. S. Infantry, did desert the service of the United States at Hilton Head, S. C., on the 8th day of September, 1865, and did remain absent from his company and post without proper authority, until arrested at Charlotte, N. C., on or about the 8th day of November, 1866. This at Hilton Head, S. C. and Charlotte, N. C., on or about the dates above mentioned."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Laundress and Sutler, and then to be confined at hard labor at such place, as the proper authoity may direct, for one year.*"

2d. Private *Joseph Farroll*, Co. "F" 6th U. S. Infantry.

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

Specification 1st—"In this, that he, Private *Joseph Farroll*, Co. "F" 6th U. S. Infantry, did sell, or attempt to sell, clothing that had been issued to him, by the United States Government, to wit : one pair of drawers for his use as a soldier. This at or near Charleston, S. C., on or about the 18th of October, 1866."

Specification 2d—"In this, that he, Private *Joseph Farroll*, C. "F" 6th U. S. Infantry, did feloniously steal, take and carry away from one *Edward Revires* (colored), money to the amount of ($2,25) two dollars and twenty five cents, more or less. This at or near Charleston, S. C., on or about the 18th of October, 1866."

Plea,—"*Not Guilty.*"

FINDING,—"*Guilty*"

SENTENCE.

"*To be confined at hard labor under charge of the guard for six months, and to forfeit fourteen* ($14) *dollars per month of his pay for the same period.*"

II. The proceedings, findings and sentences, in the foregoing cases are approved and confirmed. Castle Pinckney, Charleston Harbor, is designated as the place of confinement, where the prisoners will be sent under proper guard.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., DEC. 26th, 1866.

GENERAL ORDERS,
No. 41.

I. Before a General Court Martial, which convened at Raleigh, N. C., by virtue of Special Orders No. 76, from these Headquarters, dated November 28th, 1866, and of which Bvt Maj. General *E. A. Carr*, Major 5th Cavalry is President, were arraigned and tried:—

1st Private *Charles McMullen*, Co. "F" 8th U. S. Infantry.

CHARGE,—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *Charles McMullen*, Co "F" 8th U. S. Infantry, did feloniously take and carry away from the residence of Mrs. *A. Baer*, in the City of New Berne, N. C., one gold watch and chain, the property of Mrs. *A. Baer*, and did retain the said watch and chain, until he, the aforesaid *McMullen* was placed under guard and required to give up the same. This in the City of New Berne, N. C., on or about the 16th day of September, 1866."

Specification 2d—"In this, that he, the said Private *Charles McMullen*, Co. "F" 8th U. S. Infantry, did feloniously take and carry away from the residence of Mrs. *A. Baer*, in the City of New Berne, N. C., and appropriate to his own use, the sum of twelve [$12] dollars, more or less, in gold and silver coin, belonging to the said Mrs. *A. Baer*. This in the City of New Berne, N. C., on or about the 16th day of September, 1866."

Plea.—"*Guilty*."

FINDING,—"*Guilty*."

SENTENCE.

"*To forfeit ten* [$10] *dollars of his monthly pay per month for the remainder of his term of enlistment, and to be confined at hard labor in charge of the guard, for the same period, at such place as the proper authority may direct, and then to be dishonorably discharged the service.*"

2d Private *Dennis Tehan*, Co. "K" 8th U. S. Infantry.

CHARGE 1st,—"Neglect of duty."

Specification—"In this, that he, Private *Dennis Tehan*, Co. "K" 8th U. S. Infantry did, after having been detailed, and after entering upon duty as a member of the Post guard, leave said guard and absent himself without permission from proper authority. This at Raleigh, N. C., on or about the 7th of November, 1866."

CHARGE 2d,—"Absence without leave,"

Specification—"In this, that he, the said Private *Dennis Tehan*, Co. "K" 8th U. S. Infantry, did, without permission from proper authority, absent himself from his guard party, and did remain absent until the tour of duty of said guard had been performed. This at Raleigh, N. C., on or about the 7th day of November, 1866."

Plea.—"*Not Guilty.*"

FINDING.—"*Not Guilty.*"

And the Court does therefore aquit him.

3d Private *Henry F. Goetien*, Co. "D" 8th U. S. Infantry.

CHARGE,—"Desertion."

Specification—"In this, that he, the said Private *Henry F. Goetien*, Co. "D" 8th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 28th day of July, 1866, and did remain absent until apprehended and delivered to the Commanding Officer, Post of Wilmington, N. C., on or about the 6th day of September, 1866. All this at Wilmington, N. C., on or about the dates above specified."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances, that are or may become due him, except necessary clothing and two dollars per month; to be confined at hard labor at such place as the reviewing authority may direct, for two years, and then to be dishonorably discharged the service.*

4th Private *George Caswell*, Co. "D" 8th U. S. Infantry.

CHARGE,—"Drunk on duty."

Specification—"In this, that he, the said Private *George Caswell*, Co. "D" 8th U. S. Infantry, being a member of the guard, duly mounted at Wilmington, N. C., on or about the 30th day of August, 1866, did, while a member of said guard, become so drunk, as to be unable to perform his duty as a sentinel. All this at Wilmington, N. C., on or about the time above specified."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for six months, at such place as the reviewing authority may direct.*"

5th Private *Henry Nolte*, Co. "K" 8th U. S. Infantry.

CHARGE,—"Sleeping on Post."

Specification.—"In this, that he, Private *Henry Nolte*, Co. "K" 8th U. S. Infantry, after having been duly posted as a sentinel, to guard property and funds in the Paymasters Office, did fall asleep and remain so, until awakened by 2d Lieut. *B. F. Bell*, 37th U. S. C. T., & A. A. Q. M. This at Headquarters, Military Command of N. C., Raleigh, N. C., about one o'clock on the morning of the 18th of November, 1866."

Plea.—"*Guilty.*"

FINDING.—"*Guilty.*"

SENTENCE.

"*To forfeit ten* ($10) *dollars of his monthly pay for six months and to be confined at hard labor in charge of the guard, for the same period, at such place as the reviewing authority may direct.*"

II. The proceedings, finding and sentence in the case of Private *Dennis Tehan*, Co. "K" 8th U. S. Infantry, are approved and confirmed. The prisoner will be released from confinement and returned to duty with his company.

III. The proceedings, findings and sentences in the cases of Privates *Charles McMullen*, Co. "F" and *Henry Cotten*, Co. "D" 8th U. S. Infantry, are approved and confirmed, except so much of the sentence, as relates to confinement at hard labor, exceeding six months, which is the full term of confinement allowed by Genl Orders No. 95, current series, from the War Department. The sentences, as modified, will be carried into effect at Fort Macon, N. C.

IV. The proceedings, finding and sentence in the case of Private *Henry Nolte*, Co. "K" 8th U. S. Infantry, are approved and confirmed.

Upon the recommendation of the Court, in consideration of the good character of the accused, the informal manner, in which he was "posted," as well as his evident ill health at the time, the sentence in the foregoing case is hereby remitted; the prisoner will be released from confinement and returned to duty.

V. The proceedings, finding and sentence in the case of Private *George Caswell*, Co. "I" 8th U. S. Infantry, are approved and confirmed. Upon the recommendation of the Court, in consideration of the previous confinement of the prisoner for three months, so much of the sentence, as relates to confinement, exceeding three months, is hereby remitted, the sentence, as modified, will be caried out under direction of the Commanding Officer of the Post, at which the prisoners company is serving.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. Allwhitney

2d Lieut. 8th U. S. Infantry,

A. D. C.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 4th, 1867.

GENERAL ORDERS, No. 1.

I. Before a General Court Martial, which convened at Raleigh, N. C., pursuant to Special Orders, No. 76, from these Headquarters, dated November 28th, 1866, and of which Bvt. Maj. General *E. A. Carr*, Maj. 5th U. S. Cavalry, is President, were arraigned and tried:

1st Private *William Forney*, Co. "I" 5th U. S. Cavalry.

CHARGE,—"Desertion."

Specification—"In this, that he, the said Private *William Forney*, Co. "I" 5th U. S. Cavalry being a regulary enlisted soldier in theArmy of the United States, and while on duty with a detachment from his Regiment, did desert from the said detachment, and from the service of the United States, on or about the 15th day of August, 1866, taking with him his horse, arms, and equipments, the property of the United States, and did remain absent until arrested at or near Nashville, Nash County, N. C, on or about the 16th day of August, 1866. All this on the line of march from Tarboro', N. C., to Raleigh, N. C."

Plea,—"*Not Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances, that are or may become due him, except necessary clothing and two dollars per month; to be confined at hard labor at such place as the reviewing authority may direct for three years, and then to be dishonorably discharged the service,*"

2d Private *John F. Johnson*, Co. "I" 5th U. S. Cavalry.

CHARGE 1st— "Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *John F. Johnson*, Co. "I" 5th U. S. Cavalry, did feloniously steal and carry

away from the quarters of Corporal *Ryan*, Co. "I" 5th U. S. Cavalry, one "Sharps Carbine," the property of the United States, which had been issued to said Corporal *Ryan*. This at Camp Sweet, Raleigh, N. C., on or about August 17th, 1866."

CHARGE 2d—"Desertion."

Specification—"In this, that he, Private *John F. Johnson*, Co. "I" 5th U. S. Cavalry, being a regularly enlisted soldier in the service of the United States, did desert his regiment and company, and the service of the United States, at Camp Sweet, Raleigh, N. C., on or about the 17th day of August, 1866, taking with him, one carbine, sabre, belt, capbox, slingbelt and sword, the property of the United States, and did remain absent until apprehended in Raleigh, N. C., on or about the 24th day of August, 1866. Certificate for thirty dollars reward given for his apprehension."

PLEA,—"*Not Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances that are or may become due him, except necessary clothing and two dollars per month; to be confined at hard labor at such place as the reviewing authority may direct, for three years, and then be dishonorably discharged the service of the United States.*"

3d Private *William St. Clair*, Co. "A" 5th U. S. Cavalry.

CHARGE 1st—"Desertion.

Specification—"In this, that he, Private *William St. Clair*, Co. "A" 5th U. S. Cavalry, a duly enlisted soldier, did desert the service of the United States at Raleigh, N. C., on or about the 15th day of November, 1866, and did remain absent until apprehended at or near Hillsboro, N. C., on or about the 22d day of November, 1866. Thirty dollars being paid for his apprehension."

CHARGE 2d—"Abandoning his Post."

Specification—"In this, that he, Private *William St. Clair*, Co "A" 5th U. S. Cavalry, having been duly detailed, and posted on guard duty, at the office of the Freedmens Bureau, Raleigh, N. C., on the 15th day of November, 1866, did abandon his post and duty without permission or authority."

CHARGE 3d—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *William St. Clair*, Co. "A" 5th U. S. Cavalry, did on or about the 15th day of November, 1865, feloniously take, steal and carry away with him, from the post of Raleigh, N. C., one sorrel horse, equipments and accoutrements, the property of the United States, being of the value of two hundred and fifty dollars, or thereabout."

CHARGE 4th—"Unlawfully disposing of government property."

Specification—"In this, that he, the said Private *William St. Clair*, 5th U. S. Cavalry, did sell or dispose of, to one *Robert F. Laws*, a citizen of New Colwell, N. C., or of that vicinity, one sorrel horse, and equipments, valued at the sum of two hundred and fifty dollars, or thereabout, being the property of the United States, and which he had no right to sell or dispose of. All this at or near New Colwell, N. C., on or about the 18th day of November, 1865."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States all pay and allowances that are now due him, and all pay and allowances, that may become due him, except the just dues of the Sutler and Laundress, and two dollars per month of his monthly pay, and the necessary clothing, and to be confined at hard labor under charge of the guard, at such place as the proper authority may direct, for the period of four years, and then to have the left side of his head shaved and to be drummed out of the service.*"

4th Private *James Branning*, Co. "B" 8th U. S. Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *James Branning*, Co. "B" 8th U. S. Infantry, did break into the Commissary and Quarter-Master Storehouse, and did steal therefrom a pistol belonging to Sergeant *John Lucas*, Co. "B" 8th U. S. Infantry, valued at twenty dollars. All this at or near the Camp of the 8th U. S. Infantry, at Salisbury, N. C., on or about the 21st day of November, 1865."

Plea.—"*Not Guilty.*"

FINDING.—"*Not Guilty.*"

And the Court does therefore aquit him.

II. The proceedings, and finding in the foregoing case of Private *John Brannay*, Co. "B" 8th U. S. Infantry are approved. The prisoner will be released from confinement and returned to duty with his company.

III. The proceedings, finding and sentence in the case of Private *William St. Clair*, Co. "A" 5th U. S. Cavalry, are approved and confirmed, except so much of the sentence as relates to confinement exceeding one year, and directs the shaving of the left side of the prisoners head, which is hereby remitted; the sentence as modified will be carried out at Fort Macon, N. C.

IV. The proceedings findings and sentences, in the cases of Private *William Forney* and *John F. Johnson*, Co. "I" 5th U. S. Cavalry, are approved and confirmed, except so much of the sentences, as relates to confinement exceeding one year; the sentences as modified will be carried into effect at Fort Macon, N. C.

V. The General Court Martial, of which Bvt. Maj. General *E. A. Carr*, Maj. 5th U. S. Cavalry, was President, is hereby dissolved.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 8th, 1867.

GENERAL ORDERS,
No. 2.

I. Before a General Court Martial, which convened at the Citadel, Charleston, S. C., pursuant to Special Orders No. 76, from these Headquarters, dated November 28th, 1866, and of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ord. Corps is President, were arraigned and tried:

1st. 2d class Private *Thomas Jinks*, U. S. Ord. Corps.

CHARGE 1st—"Absence without leave."

Specification 1st—"In this, that he, *Thomas Jinks*, 2d class Private of the company of enlisted men of Ordnance, did without leave, on the 10th day of December, 1866, absent himself from his post, company, and duty, from 2 o'clock until 9 o'clock P. M. This at Charleston, S. C."

Specification 2d—"In this, that he, *Thomas Jinks*, 2d class Private of Ordnance of the Charleston Arsenal company, did without leave, on the 11th day of December, 1866, absent himself from his post, company, and duty, from 9 o'clock A. M. till 9 o'clock P. M.. This at Charleston, S. C."

CHARGE 2d—"Violation of the 44th Article of War."

Specification—"In this, that he, *Thomas Jinks*, 2d class Private of Ordnance, of the Charleston Arsenal company, did fail to appear at guard mounting and to march on as a member of the guard, after having been duly and regularly detailed as such. This at Charleston Arsenal, S. C., on the 11th day of December, 1866."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"To be confined at hard labor in charge of the guard for one month, and to forfeit fourteen dollars of his monthly pay for three months."

2d Private *James Hannigan*, Co. "C" 6th U. S. Infantry.

CHARGE 1st—"Disobedience of orders."

Specification—"In this, that he, *James Hannigan*, Private Co. "C" 6th U. S. Infantry, being drunk and disorderly on the street, was ordered to his quarters by his superior officer, 2d Lieut. *C. D, Lyon*, 6th U. S, Infantry, and upon receiving said orders, did disobey the same by attempting to escape. This at Charleston, S. C., on or about the 4th day of December, 1866."

CHARGE 2d—"Contemptuous and disrespectful conduct towards his superior Officer."

Specification 1st—"In this, that he, Private *James Hannigan*, Co. "C" 6th U. S. Infantry, having been apprehended in his attempt to escape, by his superior officer, 2d Lieut. *C. D. Lyon*, 6th U. S. Infantry, did endeavour to break away, saying, "let me go," or words to that effect. This at Charleston, S. C., on or about the 4th day of December, 1866."

Specification 2d—"In this, that he, the said *James Hannigan*, Pvt. Co. "C" 6th U. S. Infantry, having been turned over to the guard for confinement, by 2d Lieut. *C. D. Lyon*, 6th U. S. Infantry, did use violent and abusive language towards this officer, calling him "a damned red mouthed son of a bitch," or words to that effect. This at Charleston, S. C., on or about the 4th day of December, 1866."

Plea.—"*Not Guilty*."

FINDING,—"*Guilty*."

SENTENCE.

"*To have his head shaved and to be dishonorably discharged, and drummed out of the service of the United States, forfeiting all pay and allowances now due or to become due him, except the just dues of the Laundress and Sutler, and to be confined at hard labor at such place, as the proper authority shall direct for six months*."

3d. Private *William Clark*, Co. "C" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *William Clark*, Co. "C" 6th U. S. Infantry, did take two shirts outside the garrison, with intent to sell the said shirts, and was only prevented

from doing so, by Sergeant *George H. Brown*, Co. "C" 6th U. S. Infantry. This at Charleston, S. C., on or about the 20th day of November, 1866."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for twenty days, carrying a knapsack, weighing thirty pounds, from 8 A. M. till 12 M., and from 1 till 5 o'clock P. M. daily during the same period.*"

4th Private *George W. Fisher*, Co. "L" 5th U. S. Cavalry.

CHARGE 1st—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Geo. W. Fisher*, Co. "L" 5th U. S. Cavalry, did, after being duly posted as a sentinel, between the hours of 12½ and 5½ A. M. on the 27th of November, 1866, allow Private *Michael Woods*, Co. "L" 5th U. S. Cavalry, to take one horse and horse equipments, the property of the United States from the picket line, and desert the service of the United States. This at Camp near Edgefield, S. C., on or about the 27th day of November, 1866."

Specification 2d—"In this, that he, Private *George W. Fisher*, Co. "L" 5th U. S. Cavalry, being duly posted as a sentinel by Corporal *Thomas Clarke*, Co. "L" 5th U. S. Cavalry, did desert his post, between the hours of 4½ and 5½ o'clock A. M. This at Camp near Edgefield, S. C., on or about the 27th day of November, 1866."

CHARGE 2d—"*Desertion.*"

Specification—"In this, that he, Private *George W. Fisher*, Co. "L" 5th U. S. Cavalry, did desert from his Company, at Camp near Edgefield, S. C., on or about the 27th day of November, 1866, and did not return until apprehended and brought back on the 29th of November, 1866. All this at Camp near Edgefield, S. C.

Plea.—To the 1st Specification of the 1st Charge, "*Not Guilty.*"
To the 2d Specification of the 1st Charge, "*Guilty.*"
To the 1st Charge, "*Not Guilty,*"
To the Specification of the 2d Charge, "*Not Guilty.*"
To the 2d Charge, "*Not Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged, forfeiting all pay and allowances due or to become due, except the just dues of the Laundress and Sutler, to have his head shaved and to be drummed out of the service, and then to be confined at hard labor, at such place as the proper authority shall direct, for one year.*"

5th Private *John Burns*, Co. "G" 6th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, *John Burns*, Co. "G" 6th U. S. Infantry, being a member of the guard duly detailed, did absent himself without proper authority from said guard, and did so remain absent from 12 M. on the 13th day of December, 1866, until 6 A. M. on the 14th day of December, 1866, This at Darlington Court House, S. C."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for one month, and to forfeit twelve* ($12) *dollars of his pay per month, for three months.*"

II. The proceedings, findings, and sentences in the foregoing cases of Privates *John Burns*, Co. "G" and *William Clark*, Co. "C" 6th U. S. Infantry, and 2d class Private *Thomas Jinks*, of the company of enlisted men of Ordnance, are approved and confirmed. The forfeitures will be entered on the company rolls. So much of the sentences as relate to confinement, will be carried out under direction of the Commanding Officers of the Posts, at which the prisoners companies are serving.

III. The proceedings and finding in the case of Private *James Hannigan*, Co. "C" 6th U. S. Infantry, are approved. The sentence is commuted to confinement at Castle Pinckney, Charleston Harbor, for six months and forfeiture of all pay and allowances for the same period.

IV. The proceedings, finding, and sentence in the case of Private *George W. Fisher*, Co. "L" 5th U. S. Cavalry, are approved and confirmed, with the exception of that part of the sentence, which

relates to having his head shaved. Castle Pinckney, Charleston Harbor, is designated as the place of confinement.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen

OFFICIAL:—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 12th, 1867.

GENERAL ORDERS,
No. 4.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 76, dated November 28th, 1866, from these Headquarters, and of which Bvt. Major *F. H. Parker*, Capt. U. S. Ord. Corps is President, were arraigned and tried:

1st Private *Richard Maxwell*, Co. "C" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Richard Maxwell*, Co. "C" 6th U. S. Infantry, did feloniously steal, take and carry away, from Corporal *James Garrod* of Co. "C" 6th U. S. Infantry, one pair of shoes and one blanket. This at Charleston, S. C., on or about the 13th day of November, 1866."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged and drummed out of the service of the United States, forfeiting all pay and allowances, that are now due him, or may become due him, except the just dues of the Laundress and Sutler, and then to be confined at hard labor at such place, as the proper authority shall direct, for six months.*"

2d Private *Patrick F. Nealon*, Co. "I" 8th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Pvt. *Patrick F. Nealon*, Co. "I" 8th U. S. Infantry, being in the public square at Anderson Court House, S. C., making an unnecessary disturbance, did, when ordered by Act. Asst. Surg. *Jno. M. Pillsbury*, U. S. A., to go to camp, refuse to obey the order, and reply, "go to hell God damn you, I will go when I get ready," or words to that

effect, and did lift a stick, and challenge any man to make him go. This at Anderson Court House, S. C., on or about the 24th of November, 1866."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit twelve* ($12) *dollars per month, for three months.*"

3d Private *Peter Walker*, Co. "A" 6th U. S. Infantry.

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

Specification 1st—"In this, that Private *Peter Walker*, Co "A" 6th U. S. Infantry, did enter the room of 1st Sergeant *M. Henry*, Co. "A" 6th U. S. Infantry, and did use abusive language to said Sergeant *Henry*, and on being ordered by him to the guard house, did refuse to go with the Sergeant, calling him "a son of a bitch" adding the words, "I'll flog you. God damn you, I'll kick the s—t out of you," or words to that effect. All this at Charleston, S. C., on the 18th day of December, 1866."

Specification 2d—"In this, that he, Private *Peter Walker*, Co. "A" 6th U. S. Infantry, while being brought to the guard house, by Corporal *H. Volmer*, Co. "A" 6th U. S. Infantry, did call him, Corporal *Volmer*, a "son of a bitch," threatening, that he would kill Sergeant *Henry* as soon as he came out of the guard house, or words to that effect. All this at Charleston, S. C., on the 18th day of December, 1866."

Plea—To the 1st Specification of the charge, of the words, "I'll kick the s—t out of you." "*Guilty*," of the remainder of the Specification, "*Not Guilty.*"

To the 2d Specification of the Charge, "*Not Guilty.*"

To the Charge. "*Not Guilty.*"

FINDING,—"*Guilty*"

SENTENCE.

"*To forfeit ten* ($10) *dollars per month of his pay, for six months, and to be confined at hard labor at such place, as the proper authority shall direct, for the same period.*"

4th Sergeant *Michael Howard*, Co. "F" 6th U. S. Infantry.

CHARGE—1st "Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Sergeant *Michael Howard*, Co, "F" 6th U. S. Infantry, did on or about the 15th of December, 1866, pass a blanket through one of the windows of "F" company quarters, intending to sell the same. This at Charleston, S. C., on or about the 15th of December, 1866."

CHARGE 2d—"Absence without leave."

Specification—"In this, that he, Sergeant *Michael Howard*, Co. "F" 6th U. S. Infantry, was, without permission from proper authority, absent from his company quarters, between the hours of tattoo and reveille, on the evening of the 15th of December, 1866. This at Charleston, S. C."

Plea—To Charge first, "*Not Guilty.*"
To Charge second, "*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be reduced to the ranks.*"

5th Private *John Donohue*, Co, "G" 6th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Private *John Donohue*, Co. "G" 6th U. S. Infantry, being a member of the guard duly detailed, did absent himself without authority from said guard, and did so remain absent from 12 M., on the 13th day of December, 1866, until 6 A. M., on the 14th day of December, 1866. This at Darlington Court House, S. C."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit fourteen* ($14) *dollars per month for two months, and to be confined in charge of the guard at hard labor, for the same period.*"

6th 2d class Private *George Marshall*, of the Charleston Arsenal Company, U. S. Ordnance Corps.

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

Specification— "In this, that he, 2d class Private *George Marshall*, of the Charleston Arsenal Company, U. S. Ord. Corps, did feloniously steal, take, and carry away with him, from 2d class Private *Henry Edebohls*, of the aforesaid company and

corps, one citizens coat and one pair of citizens pantaloons, the property of the said *Edelbohls*. This at Charleston Arsenal, S. C. on or about the 16th day of December, 1866."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged and drummed out of the United States service, forfeiting all pay and allowances now due or to become due him, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place, as the proper authority shall direct, for six months.*"

7th 1st class Private *James Reif*, U. S. Ordnance Corps.

CHARGE 1st—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, *James Reif*, 1st class Private of Ordnance, of the Charleston Arsenal Company, being a member of the guard, mounted at the Charleston Arsenal, Charleston, S. C., on the 25th day of December, 1866, having received permission from the Act. Sergeant of the guard to go to his quarters to dinner, did remove his belts, and go beyond the limits of the Arsenal, and did remain absent from his guard for about one hour.

CHARGE 2d—"Drunkenness on duty."

Specification—"In this, that he, *James Reif*, 1st class Private of Ordnance, of the Charleston Arsenal Company, being a member of the guard, which was mounted at the Arsenal, Charleston, S. C., on the 25th day of December, 1866, was so much under the influence of intoxicating drink, as to be unable to perform the duties of a sentinel. All this at Charleston, S. C., on the 25th day of December, 1866."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor, in charge of the guard, for six months, at such place, as the proper authority may direct, and to be reduced to the grade of 2d class Private.*"

II The proceedings, finding and sentence, in the case of Sergeant *M. Howard*, Co. "F" 6th U. S. Infantry, are approved and confir-

med, he will be released from arrest and returned to duty with his company.

III. The proceedings, findings and sentences in the cases of Privates *Peter Walker*, Co. "A" and *Richard Maxwell*, Co. "C" 6th U. S. Infantry, and 2d class Private *George Marshall*, of the Charleston Arsenal Company, U. S. Ord. Corps are approved and confirmed. The forfeitures will be entered on the company rolls, and Castle Pinckney, Charleston Harbor, S. C. is designated as the place of confinement.

IV. The proceedings, finding and sentence in the case of Private *Patrick F. Nealon*, Co. "I" 8th U. S. Infantry, are approved and confirmed. The forfeiture will be entered on the company rolls, and the prisoner released from confinement, and returned to duty.

V. The proceedings, finding and sentence, in the case of 1st class Private *James Reif*, U. S. Ord. Corps, are approved and confirmed. Castle Pinckney, Charleston Harbor, S. C., is designated as the place of confinement.

VI. The proceedings, finding and sentence in the case of Private *John Donohue*, Co. "G" 6th U. S. Infantry, are approved and confirmed. The forfeiture will be entered on the company rolls. The portion of the sentence relating to confinement, will be carried into effect under direction of the Commanding Officer of the post, at which the prisoners Company is serving.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen

OFFICIAL:—

F. A. Whiting

2d Lieut 8th U. S. Infantry,

A. D. C.

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HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 14th, 1867

GENERAL ORDERS,
No. 5.

That portion of the sentences in the cases of *John Finen*, *John Harding*, and *Reuben Meir*, late Privates of Co. "H" and *Peter Howard*, late Private of Co. "F" 6th U. S. Infantry, promulgated in General Orders No. 33, series of 1866, from these Headquarters, which requires them to be confined at Castle Pinckney, Charleston Harbor, until the expiration of their term of enlistment, is hereby mitigated to confinement for six months, from date of promulgation of their sentences.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen

OFFICIAL:—

F. A. Whiting
2d Lieut. 8th U. S. Infantry,
A. P. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 16th, 1867.

GENERAL ORDERS, }
No. 6. }

I. Before a General Court Martial, which convened at the Citadel, Charleston, S. C., pursuant to Special Orders No. 76, of November 28th, 1866, from these Headquarters, and of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ord. Corps is President, were arraigned and tried:

1st. Private *Daniel Hassett*, Co. "F" 6th U. S. Infantry.

CHARGE— "Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Daniel Hassett*, Co. "F" 6th U. S. Infantry, being drunk and disorderly in the streets of Charleston, S. C., did refuse to obey the order of the guard, and did forcibly resist the said guard, which was sent for his arrest. This at Charleston, S. C., on or about the 21st of December, 1866."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit ten* ($10) *dollars of his pay.*"

2d. Private *Samuel Gossett*, Co. "G" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Samuel Gossett*, Co. "G" 8th U. S. Infantry, did desert the service of the United States, and from his company and regiment at Unionville, S. C., on the 10th day of December, 1866, and did remain absent until arrested near Spartanburg, S. C., on the 19th December, 1866."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances now due him, to be confined at hard labor at such place, as the proper authority shall direct, for six*

months, and to forfeit all pay and allowances, during his term of confinement."

3d Private *Edward Tuite*, Co. "L" 5th U. S. Cavalry.

CHARGE—"Violation of the 22d Article of War."

Specification—"In this, that he, Private *Edward Tuite*, Co. "L" 5th U. S. Cavalry, did enlist himself in the 6th regiment of Infantry, without having been discharged from the company and regiment to which he then belonged. This at Charleston, S. C., on or about the 5th day of July, 1866."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances, that are now due him, to be confined at hard labor at such place, as the proper authority shall direct, for six months, and to forfeit all pay and allowances, that may become due him, during his term of confinement.*"

4th Private *Patrick Gaffey*, Co. "C" 6th U. S. Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Private *Patrick Gaffey*, Co. "C" 6th U. S. Infantry, being a member of the guard, and a sentinel in charge of prisoners sent to the rear, did allow Pvt. *James O'Donnell*, Co. "C" 6th U. S. Infantry, one of said prisoners, to escape. This at the "Citadel," Charleston, S. C., on or about the 24th day of December, 1866."

Plea.—"*Not Guilty.*"

FINDING,—"*Not Guilty.*"

And the Court does therefore aquit him.

5th Private *John Donlon*, Co. "C" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *John Donlon*, Co. "C" 6th U. S. Infantry, did violently assault and cut with a bayonet, or other deadly weapon, one *Francis Lucas*, a colored citizen of Charleston, S. C. This at Charleston, S. C., on or about the 21st day of December, 1866."

Specification 2d—"In this, that he, Private *John Donlon*, Co. "C" 6th U. S. Infantry, upon being apprehended by the guard,

sent for his arrest, did forcibly resist said guard in the execution of its orders, and make his escape therefrom. This at Charleston, S. C., on or about the 21st day of December, 1866."

Plea—To the 1st Specification of the Charge, "*Not Guilty*"

To the 2d Specification of the Charge, "*Guilty*," except the words "forcibly resist said guard in the execution of its orders."

To the Charge, "*Not Guilty*."

FINDING,—"*Not Guilty*."

And the Court does therefore aquit him.

II. The proceedings, and findings in the foregoing cases of Privates *Patrick Gaffey* and *John Donlon*, Co. "C" 6th U. S. Infantry are approved. The prisoners will be released from confinement and returned to duty.

III. The proceedings, findings, and sentences in the cases of Privates *Samuel Gossett*, Co. "G" 8th U. S. Infantry and *Edward Tuite*, Co. "L" 5th U. S. Cavalry, are approved and confirmed. The forfeitures will be entered on the company rolls. Castle Pinckney, Charleston Harbor, S. C., is designated as the place of confinement.

IV. The proceedings, finding and sentence in the case of Private *Daniel Hassett*, Co. "F" 6th U. S. Infantry, are approved and confirmed. The forfeiture will be entered on the company rolls, and the prisoner will be released from confinement and returned to duty.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL: —

F. Allshiting

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 18th, 1867.

GENERAL ORDERS, No. 7.

I. Before a General Court Martial, which convened at the Citadel, Charleston, S. C., pursuant to Special Orders No. 76, of November 28th, 1866, from these Headquarters, and of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ord. Corps is President, were arraigned and tried:

1st Private *George W. Dornan*, Co. "K" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *George W. Dornan*, of Co. "K" 6th U. S. Infantry, did feloniously steal, take, and carry away from the knapsack of Private *Henry L. Barron*, Co. "K" 6th U. S. Infantry, two flannel shirts, and appropriate the same to his own use. This at Columbia, S. C,, on or about the 3d day of December, 1866."

Specification 2d—"In this, that he, Private *George W. Dornan*, Co. "K" 6th U. S. Infantry, did take two flannel shirts and sell the same to *Joseph Martin*, Private of Co. "B" 6th U. S. Infantry, the same being military clothing, issued by the government of the United States. This at Columbia, S. C., on or about the 3d day of December, 1866."

Plea.—"*Not Guilty*.,'

FINDING—"*Guilty*."

SENTENCE.

"*To forfeit all pay and allowances now due him, to be confined at hard labor at such place, as the proper authority shall direct, for six months, and to forfeit all pay and allowances that may become due him, during the same period.*"

2d Private *James Williams*, Co. "G" 8th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *James Williams*, Co. "G" 8th U. S. Infantry, after having received from the

United States government an Infantry great coat, as part of his uniform, did sell the same to a Freedman for the sum of 40 cts. This at Unionville, S. C., on or about the 13th of December, 1866."

Specification 2d—"In this, that he, Private *James Williams*, Co. "G" 8th U. S. Infantry, did enter the tent of Private *John Quicke*, Co. "G" 8th U. S. Infantry, and feloniously steal therefrom, take and carry away, one pair of Infantry bootees, the property of said Private *John Quicke*, Co. "G" 8th U. S. Infantry. All this at Unionville, S. C., on or about the 13th day of December, 1866."

Plea—"*Not Guilty.*"

FINDING—Of the 1st Specification to the Charge, "*Guilty.*"
Of the 2d Specification to the Charge, "*Not Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE.

"*To forfeit of his pay seven dollars per month, for two months, and to be confined at hard labor, in charge of the guard, for thirty days.*"

3d Private *James Beaton*, Co. "A" 6th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, Private *James Beaton*, Co. "A" 6th U. S. Infantay, while a member of the guard, was so drunk, as to be unable to perform his duty. This at Charleston S. C., on or about the 3d day of January, 1867."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for thirty days, carrying a knapsack weighing thirty* (30) *pounds from Reveille to Retreat each alternate day, allowing half an hour for each meal.*"

II. The proceedings, findings and sentences in the cases of Private *James Williams*, Co. "G" 8th U. S. Infantry, and Private *James Beaton*, Co. "A" 6th U. S. Infantry, are approved and confirmed. The sentences will be executed under the direction of the Commanding Officers of the Posts at which the prisoners companies are stationed.

III. The proceedings, finding and sentence in the case of Private *George W. Dornan*, Co. "K" 6th U. S. Infantry are approved and

confirmed. Castle Pinckney is designated as the place of confinement.

IV. The General Court Martial, of which Bvt. Maj. *F. H. Parker*, Capt. U. S. Ordnance Corps is President, is hereby dissolved.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL :—

F. A. Whitney

2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., JAN. 23d, 1867.

GENERAL ORDERS. }
No. 8. }

So much of General Orders No. 22, series of 1866, Headquarters, Mil. District of South Carolina, as relates to the revocation of the order promulgating the proceedings, finding and sentence in the case of Private *Frederick W. Cook*, Co "G" 6th U. S. Infantry is hereby revoked, the proceedings in this case having taken place prior to the proclamation of the President of August the 20th, 1866.

The proceedings, finding and sentence in the case of Private *Frederick W. Cook*, of Co. "G" 6th U. S. Infantry, as promulgated in General Orders No. 15, series of 1866, from Headquarters, State of South Carolina, (First Separate Brigade,) are hereby approved and confirmed. That portion of the sentence, which relates to confinement at hard labor during the unexpired portion of the enlistment, is mitigated to confinement at hard labor for six months, from date of promulgation of the proceedings in this case.

Castle Pinkney, Charleston Harbor, is designated as the place of confinement.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL :—

F. Allwhitney
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.
CHARLESTON, S. C., JAN. 25th, 1867.

GENERAL ORDERS,
No. 9.

I. Before a General Court Martial, which convened at Raleigh, N. C., pursuant to Special Orders No. 1, dated January 2d, 1867, from these Headquarters, and of which Bvt. Maj. General *E. A. Carr*, Major 5th U. S. Cavalry is President, were arraigned and tried:

1st Corporal *James F. Lloyd*, Co "H" 8th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that the said Corporal *James F. Lloyd*, Co. "H" 8th U. S. Infantry, did, while Corporal of the guard at the Storehouse of the Commissary and Quartermaster's Departments, Post of Charlotte, N. C., become so much under the influence of liquor, as to unfit him for the duties of a soldier. This on or about the 15th of November, 1866."

Plea.—"*Guilty.*,'

FINDING—"*Guilty.*"

SENTENCE.

"*To be reduced to the ranks, and to be confined at hard labor for the period of four* (4) *months.*"

2d Private *John N. Ackley*, Co. "H" 8th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, the said Private *John N. Ackley*, Co. "H" 8th U. S. Infantry, did, while a member of the guard, and after having been detailed as orderly to Bvt. Maj. Norton of the Freedmen's Bureau, become so much under the influence of liquor, as to unfit him for the duties of a soldier. This at Charlotte, N. C., on or about the 15th day of November, 1866."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"To be confined at hard labor for the period of four (4) months."

3d Private *Neil Lamont*, Company "A" 8th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that the said Private *Neil Lamont*, Co. "A" 8th U. S. Infantry, having been regularly detailed and placed on patrol duty, did become so drunk as to unfit him to perform the duties of a soldier. This at Raleigh, N. C., on the 12th day of November, 1866."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"To be confined at hard labor for the period of four (4) month."

4th Private *Philip Reit*, Co. "I" 5th U. S. Cavalry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Philip Reit*, Co. "I" 5th U. S. Cavalry, having been duly mounted as a member of the guard and placed over the Freedmen's Bureau Storehouse, did become so much under the influence of liquor, as to unfit him for the duties of a soldier This at Raleigh, N. C., on or about the 26th day of December, 1866."

Plea.– "*Not Guilty.*"

FINDING,—"*Not Guilty.*"

And the Court does therefore aquit him.

II. The proceedings, finding and sentence in the case of Corporal *James F. Lloyd*, Co. "H" 8th U. S. Infantry are approved and confirmed. Fort Macon, N. C., is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *John N. Ackley*, Co. "H" 8th U. S. Infantry, and *Neil Lamont*, Co. "A" 8th U. S. Infantry are approved, but upon the recommendation of the Court, the term of confinement in each case, is commuted to two months, and will be carried into effect under the direction of the Commanding Officer of the Post, at which the prisoners companies are serving.

IV. The proceedings and findings in the case of Private *Philip*

Reil, Co. "I" 5th U. S. Cavalry are approved and confirmed. He will be released from confinement and returned to duty.

By Command of Bvt. Major General J. C. ROBINSON,
J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Bvt. Capt U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL :—

F. Albhiting
2d Lieut. 8th U. S. Infantry.
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.
CHARLESTON, S. C., JAN. 30th, 1867.

GENERAL ORDERS, No. 10.

I. Before a General Court Martial, which convened at Raleigh, N. C., pursuant to Special Orders No. 1, dated January 2d, 1867, from these Headquarters, and of which Bvt. Maj. General *E. A. Carr*, Maj. 5th U. S. Cavalry, is President, were arraigned and tried:

1st Private *Patrick Battle*, Co "I" 5th U. S. Cavalry.

CHARGE—"Neglect of duty."

Specification—"In this, that the said Private *Patrick Battle*, Co. "I" 5th U. S. Cavalry, being a member of the Camp guard and as such placed as a sentinel over one *Flear*, a Private of Co. "I" 5th U. S. Cavalry, (who was accused of murder) did permit the said *Flear* to make his escape and desert from the service of the United States. This at Camp Sweet, Raleigh, N. C., on or about the morning of the 23d of December, 1866."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for three* (3) *months, and to forfeit fourteen* ($14) *dollars per month for the same period.*"

2d Private *James Shea*, Co "I" 5th U. S. Cavalry.

CHARGE 1st—"Violation of the 50th Article of War."

Specification—"In this, that he, the said Private *James Shea*, Co. "I" 5th U. S. Cavalry, having been duly mounted as a member of the guard, and placed on duty over the Freedmen's Bureau Storehouse, did, without authority quit his guard and duty and return to his camp, a distance of nearly two [2] miles from the station of his guard and place of duty. This at Raleigh, N. C., on or about the 26th of December, 1866."

CHARGE 2d—"Drunkenness on duty."

Specification—"In this, that he, the said Private *James Shea*, Co. "I" 5th U. S. Cavalry, having been duly mounted as a member of the guard, did become so drunk as to be unable to perform the duties of a soldier."

CHARGE 3d — "Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *James Shea*, Co. "I" 5th U. S. Cavalry, did, when ordered to be confined in the camp guard house by proper authority, resist the authority of the non commissioned officer, detailed to carry into effect the said order, compelling the said non commissioned officer to have him carried by force to the guard house."

Specification 2d—"In this, that he, the said Private *James Shea*, C "I" 5th U. S. Cavallery, being at the time absent from his detachment and camp without proper authority, did visit the City of Raleigh, N. C., and in company with other persons, enter the restaurant of a citizen, named *A. W. Traps*, partake of refreshments, and then defraud the said *Traps* of the value of said refreshments, by refusing to pay for them. This at Raleigh, N. C., on or about the 24th day of December, 1866."

CHARGE 4th—"Absence without leave."

Specification—"In this, that he, the said Private *James Shea*, Co. "I" 5th U. S. Cavalry, did absent himself from his detachment and camp without proper authority, and visit the City of Raleigh, N. C. This at Camp Sweet, Raleigh, N. C., on or about the 24th of December, 1866."

Plea—To the	1st Specification 1st Charge,	"*Guilty.*"
"	1st Charge,	"*Guilty.*"
"	Specification 2d Charge,	"*Guilty.*"
"	1st Specification 3d Charge,	"*Not Guilty.*"
"	2d Specification 3d Charge,	"*Not Guilty.*"
"	3d Charge,	"*Not Guilty.*"
"	Specification 4th Charge,	"*Not Guilty.*"
"	4th Charge,	"*Not Guilty.*"
FINDING—Of the	Specification 1st Charge,	"*Guilty.*"
"	1st Charge,	"*Guilty.*"
"	Specification 2d Charge,	"*Guilty.*"
"	2d Charge,	"*Guilty.*"
"	1st Specification 3d Charge,	"*Guilty.*"
"	2d Specification 3d Charge,	"*Not Guilty.*"
"	3d Charge,	"*Guilty.*"
"	Specification 4th Charge,	"*Not Guilty.*"
"	4th Charge,	"*Not Guilty.*"

SENTENCE.

"Six months confinement at hard labor in charge of the guard, at such place as the proper authority may direct."

3d Corporal *Theodore F. Beane*, Co. "D" 8th U. S. Infantry.

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

Specification—"In this, that he, the said Corporal *Theodore F. Beane*, Co. "D" 8th U. S. Infantry, being stationed at the time at or near the City of Wilmington, N. C., and being at the time at a house of ill fame, kept by one *Anni Kennedy* in said City, did, while there and with malice aforethought, inflict with a dirk knife, by stabbin, a severe and dangerous wound, with intent to kill, upon the back and person of one *Sarah Waldon*, an inmate of said house. All this at Wilmington, N. C., on or about tne 7th day of December, 1866."

Plea.—"*Guilty.*,'

FINDING—"*Guilty.*"

SENTENCE.

"To be reduced to the ranks, to forfeit all pay and allowance that are due or may become due him, except the just dues of the Sutler and Laundress, necessary clothing and one ($1) *dollar per month ; to be confined at hard labor for six* (6) *months at such place as the reviewing authority may direct and to be dishonorably discharged the service."*

4th Private *Ransom Shaw*, Light Co. "E" 3d U. S. Artillery.

CHARGE 1st—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *Ransom Shaw*, Light Co. "E" 3d U. S. Artillery, did, while a prisoner undergoing sentence of a General Court Martial, make his escape from Fort Macon, N. C., on or about the 19th day of October, 1866, and did remain absent until apprehended at New Berne, N. C., on or about the 12th day of November 1866."

CHARGE 2d—"Violation of the 22d Article of War."

Specification—"In this, that he, the said Private *Ransom Shaw*, Light Co. "E" 3d U. S. Artillery, did, while a Private in

said company and while undergoing sentence of a General Court Martial at Fort Macon, N. C., make his escape from said Fort and enlist as a Private under the alias of *Charles Davis*, in the 8th U. S. Infantry. This at New Berne, N. C., on or about the 28th day of October, 1866."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances that are or may become due him, except the just dues of the Sutler and Laundress, necessary clothing and one* ($1) *per month, to be confined at hard labor for six* (6) *months, at such place as the reviewing authority may direct, and to be dishonorably discharged the service.*"

II. The proceedings, findings and sentence in the case of Private *Patrick Battle*, Co. "I" 5th U. S. Cavalry, are approved, but on the recommendation of members of the Court, the sentence is remitted.

III. The proceedings, findings and sentence in the case of Private *James Shea*, Co. "I" 5th U. S. Cavalry are approved and confirmed. Fort Macon, N. C., is designated as the place of confinement.

IV. The proceedings, findings and sentences in the cases of Corporal *Theodore F. Beane*, Co. "D" 8th U. S. Infantry, and Private *Ransom Shaw*, Light Co. "E" 3d U. S. Artillery, are approved and confirmed. Fort Macon, N. C., is designated as the place of confinement, and the forfeitures will be entered on the company rolls.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL :—

F. A. Whiting

2d Lieut. 8th U. S. Infantry,

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., FEB. 4th, 1867.

GENERAL ORDERS,
No. 11.

I. Before a General Court Martial, which convened at Raleigh, N. C., pursuant to Special Orders No. 1, dated January 2d, 1867, from these Headquarters, and of which Bvt. Maj. General, *E. A. Carr*, Major 5th U. S. Cavalry is President, were arraigned and tried:

1st Private *Frederick Pettigrew*, Co. "B" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Frederick Pettigrew*, Co. „B" 8th U. S. Infantry, a duly enlisted soldier, did desert the service of the United States, on the 21st day of July, 1866, and did remain absent until captured by a guard on the 25th day of July, 1866. This at or near Salisbury, N. C.,

Plea.—"*Not Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"To forfeit all pay and allowances that are, or may become due him, except the just dues of the Sutler, and Laundress, necessary clothing, and one ($1) dollar per month; to be confined at hard labor for six (6) months at such place as the reviewing authority may direct, and to be dishonorably discharged the service."

2d Private *John McCann*, Co. "B" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *John McCann*, Co. "B" 8th U. S. Infantry, a duly enlisted soldier, did desert the service of the United States, on the 21st day of July, 1866, and did remain absent until captured by a guard, on the 25th day of July, 1866. This at or near Salisbury, N. C.

Plea—"*Not Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"To forfeit all pay and allowances that are, or may become due him, except the just dues of the Sutler, and Laundress, necessary clothing, and one ($1) dollar per month; to be confined at hard labor for six (6) months, at such place as the reviewing authority may direct, and to be dishonorably discharged the service."

II. The proceedings, findings, and sentences in the cases of Privates *Frederick Pettigrew* and *John McCann*, Co. "B" 8th U. S. Infantry are approved and confirmed. The forfeitures will be entered on the company rolls, and Fort Macon, N. C., is designated as the place of confinement.

By Command of Bvt. Major General J. C. ROBINSON,

J. W. CLOUS,

1st Lieut. 6th U. S. Inft. Bvt. Capt. U. S. A.,

Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

F. A. Whiting

2d Lieut. 8th U. S. Infantry

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.
CHARLESTON, S. C., FEB. 12th, 1867

GENERAL ORDERS,
No. 13.

I. Before a General Court Martial, which convened at Raleigh, N. C., January 25th, 1867, pursuant to Special Orders No. 56, dated November 3d, 1866, and No. 61, dated November 9th, 1866, from these Headquarters, and of which Bvt. Brig. General *N. Goff*, Colonel 37th U. S. C. Troops, is President, was arraigned and tried:

Henry Haynes, late 1st Lieut. and Regimental Quartermaster, 54th New York Veteran Volunteers and Act. Asst. Quartermaster, Post of Charleston, S. C.

CHARGE 1st—"Violation of Sect. 8. Act of Congress approved March 2d, 1863, entitled an Act to prevent and punish frauds upon the the government of the United States."

Specification 1st—"In this, that he, *Henry Haynes*, late 1st Lieut. and Regimental Quartermaster, 54th Regiment New York Veteran Volunteers, and Act. Asst. Quartermaster, Post of Charleston, S. C., while in the service of the United States, as Lieut. and Actg. Asst. Quartermaster aforsaid, being both directly, and indirectly, interested in the pecuniary profits and contracts of a corporation, or firm, composed of *Virginius Freeman, Augustus Pandt, John M. Pandt*, and others, doing business under the style and name of the firm of *Freeman Pandt & Co.*, of Charleston, S. C., did, knowingly and with intention to defraud the United States, act as agent for the United States for the transaction of business with said corporation or firm (in the pecuniary profits of which he was both directly and indirectly interested) for repairs on government vessels, and other work for the United States. All this at Charleston, S. C., on or about the 5th, 10th, 15th, 21st and 31st days of October, A. D., 1865, and the 1st and 5th days of November, A. D., 1865.

Specification 2d—"In this, that he, *Henry Haynes*, late 1st Lieut. and Regimental Quartermaster, 54th Regiment New York Veteran Volunteers, and Act. Asst. Quartermaster, Post of

Charleston, S. C., did, while in the service of the United States as Lieut. and Actg. Asst. Quartermaster aforesaid, enter into, and join, a copartnership with *Virginius Freeman, Augustus Pandt, John M. Pandt* and others, and establish a corporation or firm, doing business in Charleston S. C., under the style and name of *Freman, Pandt & Co.*, and being thus a member of and both directly and indirectly interested in the pecuniary profits of said corporation, or firm, did, with intention to defraud the United States, act as agent for the United States for the transaction of business with said firm. All this at Charleston, S. C., on or about October 4th, A. D., 1866."

CHARGE 2d—"Knowingly and wilfully misappropriating property of the United States, furnished and to be used for the military service of the United States, in violation of sect. 1, chapter 67, Act of Congress, approved March 2d, 1863, entitled an act to prevent and punish frauds upon the government of the United States."

Specification—"In this, that he, *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th Regiment New York Veteran Volunteers, and Actg. Asst. Quartermaster, Post of Charleston, S. C., while in the service of the United States as Lieut. and Actg. Asst. Quartermaster aforesaid, being both directly and indirectly interested in the pecuniary profits and contracts of a corporation, or firm, composed of *Virginius Freeman, Augustus Pandt, John M. Pandt*, and others, doing business under the style and name of the firm of *Freeman, Pandt & Co.*, of Charleston, S. C., did, knowingly and wilfully, lend to the said firm of *Freeman, Pandt & Co.* ninety six hundred (9600) pounds of boiler iron, the same being property of the United States, furnished, and to be used for the military service thereof. This at Charleston, S. C., on or about the 1st day of October, A. D., 1865."

CHARGE 3d.—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th Regiment New York Veteran Volunteers, and Actg. Asst. Quartermaster, Post of Charleston, S. C., while in the service of the United States as Lieut. and Actg. Asst. Quartermaster aforesaid, being a

member of, and both directly, and indirectly, interested in the pecuniary profits, and contracts of a corporation, or firm, composed of *Virginius Freeman, Augustus Pundt, John M. Pundt*, and others, doing business under the style and name of the firm of *Freeman, Pundt & Co.*, Charleston, S. C., did authorize said firm to assume and consent to said firm's assuming the payment of a debt to the amount of three hundred and eigthy seven ($387.65) dollars and sixty five cts. due him from Capt. *D. R. Hart*, 25th Regiment Ohio Veteran Volunteers and Actg. Asst. Quartermaster, Post of Charleston, S. C., and in charge of government repairs, done by *Freeman, Pundt & Co.*, he the said *Hagens* well knowing that said firm assumed said debt without compensation therefor from said *Hart*, but that it was a gift to the said *Hart*. This at Charleston, S. C., on or about the 19th day of May, A. D., 1866."

To which Charges and Specifications the accused, *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th New York Veteran Volunteers, and Actg. Asst. Quartermaster, Post of Charleston, S. C., pleaded as follows:

CHARGE 1st.

To the 1st Specification of the Charge, "*Not Guilty.*"
To the 2d Specification of the Charge, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

CHARGE 2d.

To the Specification of the Charge, "*Not Guilty*"
To the Charge, "*Not Guilty.*"

CHARGE 3d

To the Specification of the Charge, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the accused *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th New York Veteran Volunteers, and Actg. Asst. Quartermaster, Post of Charleston, S. C., as follows:

CHARGE 1st.

Of the 1st Specification to the Charge, "*Guilty.*"
Of the 2d Specification to the Charge, "*Guilty.*"
Of the Charge, "*Guilty.*"

CHARGE 2d.

Of the Specification to the Charge, "*Guilty.*"

Of the Charge, *"Guilty."*

CHARGE 3d.

Of the Specification to the Charge, *"Not Guilty."*
Of the Charge, *"Not Guilty."*

SENTENCE.

And the Court does therefore sentence him, the said *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th Regiment New York Veteran Volunteers, and Actg. Asst. Quartermaster, Post of Charleston, S. C., *"to be imprisoned one month; to pay a fine of five hundred ($500) dollars to the United States, and to be further imprisoned until the fine be paid, provided, that such further imprisonment shall not exceed one year, and that he be forever disqualified to hold any office of profit, or trust, under the government of the United States; that the crime, time, place of abode of the criminal, and the sentence of this Court, be published in the Newspapers of the States of New York and of South Carolina."*

II. The proceedings, findings, and sentence in this case are approved and will be carried into effect. The accused, *Henry Hagens*, late 1st Lieut. and Regimental Quartermaster, 54th New York Veteran Volunteers, will be confined at Castle Pinckney, Charleston Harbor, for one month, and in default of payment of the fine imposed will be retained in confinement the further period of one year.

The Commanding Officer of the Post of Charleston, S. C., is charged with the execution of this order.

By Command of Brt. Major General J. C. ROBINSON.

J. W. CLOUS,
1st Lieut. 6th U. S. Inft. Brt. Capt. U. S. A.,
Aide-de-Camp & Act. Asst. Adjt. Gen.

OFFICIAL:—

R. Allhiting
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH.
CHARLESTON, S. C., FEB. 19th, 1867.

GENERAL ORDERS,
No. 16.

I. Before a General Court Martial which convened at Raleigh, N. C., pursuant to Special Orders No. 1, dated January 2d, 1867, from these Headquarters, and of which Bvt. Major General *E. A. Carr*, Major 5th U. S. Cavalry is President, were arraigned and tried:

1st Private *John Conners*, Co. "K" 8th U. S. Infantry.

CHARGE — "Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *John Conners*, Co. "K" 8th U. S. Infantry, did strike his non commissioned officer, Corporal *Walter J. Tucker*, Co. "K" 8th U. S. Infantry. All this at Raleigh, N. C., on or about the 19th day of January 1867."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined for two months at hard labor, and to forfeit [illegible] dollars per month for the same period.*"

2d Private *Daniel Holmes*, Co. "K" 8th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Daniel Holmes*, Co. "K" 8th U. S. Infantry, having been duly mounted as a member of the Post guard, did become so much under the influence of liquor, as to unfit him to perform the duties of a soldier. This at Raleigh, N. C., on or about the 19th of January, 1867."

CHARGE 2d—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Daniel Holmes*, Co. "K" 8th U. S. Infantry, having been duly mounted as a member

of the post guard, and placed on guard duty over a prisoner (Private *Shea*, Co. "I" 5th U. S. Cavalry,) did allow said prisoner to become intoxicated while under his charge. This at Raleigh, N. C., on or about the 19th of January, 1867."

Plea—To the Specification of the 1st Charge, "*Not Guilty.*"
" 1st Charge, "*Not Guilty.*"
" Specification of the 2d Charge, "*Guilty.*"
" 2d Charge, "*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for six months, and to forfeit ten* ($10) *dollars per month of his pay for the same period.*"

3d Sergeant *Henry Sanford*, Co. "F" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Sergeant *Henry Sanford*, Co. "F" 8th U. S. Infantry, having been duly enlisted in the military service of the United States, did desert the same at or near Fort Tuge, Texas, on or about the 28th day of March, 1859, and remained absent until on or about the 11th day of December, 1866, when he was apprehended in New York City, by Detective *J. Depew*."

Plea,—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be reduced to the ranks, to forfeit all pay and allowances, that are or may become due him, except necessary clothing and two dollars per month, to be confined at hard labor for six months at such place, as the reviewing authority may direct, and to be dishonorably discharged the service.*"

4th Private *William Morrow*, Co. "F" 8th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *William Morrow*, Co. "F" 8th U. S. Infantry, being at the time in a state of intoxication, did, when ordered under guard by Lieut. *A. W. McKillip*, V. R. C., make use of the following language, to wit: "buck and gag me you son of a bitch." All this at Trent River Settlement, N. C., near New Berne, N. C., on or about the 3d day of December, 1866."

Plea—"*Not Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor at such place as the Commanding General may direct for two months, and to forfeit his pay proper for the same period.*"

5th Private *Michael Fitzsimmons*, Co. "A" 8th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, Private *Michael Fitzsimmons*, Co. "A" 8th U. S. Infantry, having been duly mounted as a member of the post guard, did become so much under the influence of liquor, as to unfit him to perform the duties of a soldier. This at Raleigh, N. C., on or about the 19th of January, 1867."

CHARGE 2d—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *Michael Fitzsimmons*, Co. "A" 8th U. S. Infantry, having been duly mounted as a member of the post guard, and placed on guard duty over two prisoners, did allow said two prisoners to become intoxicated while under his charge. This at Raleigh, N. C., on or about the 19th of January, 1867."

Plea.—"*Not Guilty.*"

FINDING—"Of the 1st Charge and Specification, "*Not Guilty.*"
" 2d Charge and Specification, "*Guilty.*"

SENTENCE.

"*To be confined at hard labor for one month, and to forfeit his pay proper for the same period.*"

II. The proceedings, findings, and sentences, in the cases of Sergeant *Henry Sanford*, Privates *William Morrow*, Co. "F" and *Daniel Holmes*, Co. "K" 8th U. S. Infantry are approved. The forfeitures will be entered on the company rolls. Fort Macon, N. C., is designated as the place of confinement.

III. The proceedings, findings, and sentence in the case of Private *John Connors*, Co. "K" 8th U. S. Infantry, are approved.

Upon the recommendation of the Court, in consideration of the former good conduct of the prisoner, the sentence is hereby remitted.

IV. The proceedings, findings, and sentence in the case of Private *Michael Fitzsimmons*, Co. "A" 8th U. S. Infantry, are approved.

Upon the recommendation of the Court, in consideration of the previous confinement of the prisoner, the sentence is hereby remitted.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL: –

R. A. Whitney

2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., FEB. 23d, 1867.

GENERAL ORDERS,
No. 19.

I. Before a General Court Martial, convened at Charlerton, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated Feb. 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th U. S. Infantry is President, were arraigned and tried.

1st Private *Michael Kearney*, Co. "A" 6th U. S Infantry.

CHARGE 1st—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Michael Kearney*, Co. "A" 6th U. S. Infantry being ordered by Corporal *H. Volmer*, Co. "A" 6th U. S. Infantry, to go with him to the guard house, said Corporal *Volmer* being in the execution of his duty, he Private *Michael Kearney* did refuse to obey, calling said Corporal *Volmer* a "damned son of a bitch," squared off to fight said Corporal, clinched his fist, saying that he would not be arrested by a Corporal, or words to that effect. This at Charleston, S. C., on or about the 19th of January, 1867."

CHARGE 2d—"Disobedience of orders."

Specification—"In this, that Private *Michael Kearney*, Co. "A" 6th U. S. Infantry, on the evening of the 19th January, 1867, being ordered by Corporal *H. Volmer*, Co. "A" 6th U. S. Infantry, to go with him to the guard house, refused to obey said order, calling said Corporal, who was in the execution of his duty, a "damned son of a bitch" and declared that he would not be arrested by a Corporal. This at Charleston, S. C., on or about the 19th January, 1867."

Plea—"*Not Guilty*."

FINDING—Of the Specification to the 1st Charge, "*Guilty*," with the the exception of the word "damned."

Of the 1st Charge, "*Guilty*"

Of the Specification to the 2d Charge, "*Guilty*," with the exception of the word "damned."

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

SENTENCE.

"To forfeit to the United States ten dollars of his monthly pay for one month, and to be confined in charge of the guard for thirty days."

2d Private *William Clarke*, Co. "C" 6th U. S. Infantry.

CHARGE—"Habitual drunkenness, worthlessness and disorderly conduct to the prejudice of good order and military discipline."

3 *Specifications.*

Plea—To the 1st Specification,		*"Guilty."*
"	2d Specification,	*"Not Guilty."*
"	3d Specification,	*"Not Guilty."*
"	the Charge,	*"Not Guilty."*

FINDING—*"Guilty."*

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him, except the just dues of the Sutler and Laundress, to be drummed out of the United States Army, carrying a board with the word "worthless" printed on it in large letters and to be confined at hard labor for one year at such place as the Commanding General may direct."

3d Private *Daniel Wade*, Co. "B" 6th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, *Daniel Wade*, Co. "B" 6th U. S. Infantry, being a member of the guard mounted at Columbia, S. C., and after being duly posted as a sentinel, did become so drunk as to incapacitate him to perform the duties of a sentinel."

CHARGE 2d—"Leaving his post."

Specification—"In this, that he, *Daniel Wade*, Private Co. "B" 6th U. S. Infantry, being regularly and duly posted as a sentinel, at the Post Commissary, between the hours of 7,30 and 9,30, P. M., did leave his post without proper authority and remain absent until arrested by the Sergeant of the guard. This at Columbia, S. C., on or about the 15th day of January, 1867."

Plea,—*"Guilty."*

FINDING,—*"Guilty."*

SENTENCE.

"To forfeit to the United States ten ($10) *dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period, carrying a weight of forty pounds every alternate day between Reveille and Retreat, allowing half an hour for each meal."*

4th Private *Michael Hogan*, Co. "C" 6th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Michael Hogan*, Co. "C" 6th U. S. Infantry, did become so drunk while a member of the guard, as to be unable to perform his duty."

CHARGE 2d—"Leaving his post before being regularly relieved."

Specification—"In this, that the said Private *Michael Hogan*, Co. "C" 6th U. S. Infantry, after being duly posted as a sentinel, did leave his post without proper authority. All this at Charleston, S. C. on or about the 11th day of January, 1867."

Plea.—"*Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"To forfeit to the United States ten ($10) *dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period, carrying a weight of forty* (40) *pounds every alternate day, between Reveille and Retreat, allowing half an hour for each meal."*

5th Private *George L. Prew*, Co "I" 6th U. S. Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Private *George L. Prew*, Co. "I" 6th U. S. Infantry, having been duly detailed for guard at Retreat roll call, January 28th 1867, by the 1st Sergeant of his company, Sergeant *W. Ferguson*, did fail to appear at guard mount on the morning of the 29th of January, 1867. All this at the Citadel, Charleston, S. C., on or about the date above specified."

Plea —"*Guilty.*"
FINDING —"*Guilty.*"

SENTENCE.

"*To forfeit to the United States* ten ($10) *dollars of his monthly pay for one month.*"

6th Corporal *William Wright*, Co. "A" 6th U. S. Infantry.

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

Specification—"In this, that he, Corporal *William Wright*, Co. "A" 6th U. S. Infantry, did assault and beat a Freedman on the Streets of Charleston, S. C., without just cause or provocation. All this at Charleston, S. C., on or about January 21st, 1867."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be reduced to the ranks.*"

7th Corporal *Henry Griffin*, Co. "I" 6th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, Corporal *Henry Griffin*, Co. "I" 6th U. S. Infantry, was so much under the influence of intoxicating liquor, as to be unable to perform the duties of a soldier or to march on dress parade with his company. All this at the Citadel, Charleston, S. C., on the 23d day of January, 1867."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be reduced to the ranks and to be confined at hard labor for thirty* (30) *days.*"

II. The proceedings, finding and sentence in the case of Corp. *William Wright*, Co. "A" 6th U. S. Infantry, are approved and will be carried into effect.

III. The proceedings, findings and sentences in the cases of Privates *Daniel Wade*, Co. "B," *Michael Kearney*, Co. "A," and *Michael Hogan*, Co. "C" 6th U. S. Infantry are approved. The forfeitures will be entered upon the company rolls. So much of the sentences, as relate to confinement will be carried out under direction of the Commanding Officer of the post, at which the prisoners Company may be serving.

IV. The proceedings finding and sentence in the case of Private *George L. Prew*, Co. "I" 6th U. S. Infantry, are approved; the forfeitures will be entered upon the company rolls and the prsoner released from confinement and returned to duty.

V. The proceedings, finding and sentence in the case of Corp'l. *Henry Griffin*, Co. "I" 6th U. S. Infantry, are approved, and will be carried into effect under direction of the commanding officer of the post at which the prisoners company is serving.

VI. In the case of private *William Clarke*, Co. "C" 6th U. S. Infantry, the charge is an improper one, and having been inadvertently sent to the Court without the knowledge of the Bvt. Maj. General Commanding, the proceedings are disapproved. The prisoner will be released from confinement and returned to duty.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

F. Albertson
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., FEB. 27th, 1867.

GENERAL ORDERS,
No. 20,

I. Before a General Court Martial which convened at Raleigh, N. C., pursuant to Special Orders No. 1, from these Headquarters, dated January 2d, 1867, and of which Bvt. Maj. Gen'l *E. A. Carr*, Maj 5th U. S. Cavalry is President, were arraigned and tried:

1st Private *Patrick Foy*, Co "I" 5th Cavalry.

CHARGE 1st—"Absence without leave."

Specification—"In this, that he, the said Private *Patrick Foy*, Co. "I" 5th Cavalry, did absent himself from his Camp without proper authority and visit the City of Raleigh, N. C., This at Camp Sweet, Raleigh, N. C., on or about the evening of the 24th of December, 1866."

CHARGE 2d—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *Patrick Foy*, Co. "I" 5th Cavalry, being at the time absent from his camp without proper authority, did visit the City of Raleigh, N. C., and in company with some comrades enter the restaurant of one *A. W. Fraps*, and partake of refreshments and defraud the said *A. W. Fraps* of the value of said refreshments, by refusing to pay for them. This at Raleigh, N. C., on or about the evening of December 24th 1866.

Specification 2d—"In this, that he, the said Private *Patrick Foy*, Co. "I" 5th Cavalry, did, while being taken from the City of Raleigh, N. C., to the guard house of the Post of Raleigh, N. C., under charge of a sentinel, assault and knock him, the said sentinel down and make his escape. All this at or near Raleigh, N. C. on or about January 1st, 1867."

Plea—To the 1st Charge and Specification. "*Guilty.*"
" 2d Charge and Specifications, "*Not Guilty.*"

FINNDING—Of the Specification to the 1st Charge, "*Guilty.*"
" 1st Charge, "*Guilty.*"
" 1st Specification to the 2d Charge, "*Guilty.*"
" 2d Specification to the 2d Charge, "*Not Guilty.*"
" 2d Charge, "*Guilty.*"

SENTENCE.

"*To be confined at hard labor for two* (2) *weeks and to forfeit eight* ($8) *dollars.*"

2d Private *James McGinnis*, Co. "A" 8th U. S. Infantry."

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *James McGinnis*, Co. "A" 8th U. S. Infantry, did feloniously take, steal, and carry away with him one pair of boots of the value of five ($5) dollars, the property of *G. B. Baywull*, a citizen of Raleigh, N. C. All this at Raleigh, N. C., on or about the 23d day of January, 1857."

Plea.—"*Guilty.*"

FINDING,—"*Guilty*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, to forfeit all pay and allowances, that are now due or that may become due him, and to be confined at hard labor for two years at such place, as the proper authority may direct.*"

II. The proceedings, finding and sentence in the foregoing case of Private *James McGinnis*, Co. "A" 8th U S. Infantry are approved, except so much of the sentence as relates to confinement exceeding six months, which is hereby remitted. The sentence as modified will be carried into effect at Fort Macon, N. C.

III. The proceedings, finding and sentence in the case of Pvt. *Patrick Foy*, Co. "I" 5th Cavalry, are approved. The forfeitures will be entered on the company rolls, and that portion of the sentence, which relates to confinement will be carried out under direction of the Commanding Officer of the Post of Raleigh, N. C.,

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

R. A. Whiting

2d Lieut. 8th U. S. Infantry,
A. D. C

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 1st, 1867.

GENERAL ORDERS,
No. 21,

I. Before a General Court Martial which convened at Raleigh, N. C, pursuant to Special Orders No. 1, from these Headquarters, dated January 2d, 1867, and of which Bvt. Maj. Gen'l *E. A. Carr*, Maj 5th U. S. Cavalry is President, was arraigned and tried:

Private *John O'Connor*, Co. "K." 8th U. S. Infantry.

CHARGE 1st— "Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *John O'Connor*, Co. "K" 8th U. S. Infantry, did go to the house of Mrs. *Mary Reid*, and attempt to break open her door and threaten her with bodily harm and injury to her person, accompanying said threat with vile, obscene, and profane language. All this at Raleigh, N. C., between the 17th December, 1866, and the 25th December, 1866."

Specification 2d—"In this, that he, the said Private *John O'Connor*, Co. "K" 8th U. S. Infantry, did enter the house of Mrs. *Mary Reid*, and then and there with malice aforethought did present a pistol against the person of Miss *Annie Reid*, an inmate of said house, and threaten to shoot her and did assault her [Miss *Annie Reid*,] in a violent manner, accompanying said threat and assault with vile, obscene, and profane language. All this at Raleigh, N. C., on or about the 17th of January, 1867."

CHARGE 2d—"Absence without leave."

Specification—"In this, that he, the said Private *John O'Connor*, Co. "K" 8th U. S. Infantry, did absent himself from his Command and Regiment without proper authority and did not return until arrested by the police for drunkenness and disorderly conduct on the Streets of Raleigh, N. C. This on or about the 17th of January, 1867."

Plea—To the 1st Specification of the 1st Charge, "*Not Guilty.*"
" 2d Specification of the 1st Charge, "*Not Guilty.*"
" 1st Charge, "*Not Guilty.*"
" Specification of the 2d Charge, "*Not Guilty.*"
" 2d Charge, "*Guilty.*"

FINDING—Of the 1st Specification to the 1st Charge, "*Guilty*" except the word "*obscene.*"
Of the 2d Specification to the 1st Charge, "*Guilty.*"
" 1st Charge, "*Guilty.*"
" Specification to the 2d Charge, "*Guilty.*"
" 2d charge, "*Guilty.*"

SENTENCE.

"*To forfeit his pay proper for six months, and to be confined at hard labor for the same period.*"

II. The proceedings, finding and sentence in the foregoing case are approved. Fort Macon, N. C., is designated as the place of confinement, where the prisoner will be sent under guard with his Descriptive List.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL :—

F. Albhitting
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 5th, 1867.

GENERAL ORDERS, No. 22.

I. Before a General Court Martial which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated February 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th U. S. Infantry is President, were arraigned and tried:

1st Private *Patrick Conners*, Co. "C" 6th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Patrick Conners*, Co. "C" 6th U. S. Infantry, did, while a member of the guard and on duty as a sentinel in charge of certain prisoners, become so drunk as to be unable to perform his duties."

CHARGE 2d—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *Patrick Conners*, Co. "C" 6th U. S. Infantry, when placed in charge of certain prisoners for the purpose of making them work, did allow said prisoners to get drunk. All this at Charleston,, S. C., on or about the 11th of January 1867."

Plea—"*Not Guilty.*"

FINDING.—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for six calendar months, and to forfeit ten ($10) dollars of his monthly pay per month for the same period.*"

2d Private *Edward Bryant*, Co. "D" 6th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Edward Bryant*, Co. "D" 6th U. S. Infantry, being a duly enlisted soldier of the United States, did desert the service of the United States from the Post Hospital, Charleston, S. C., on or about the evening

of December 8th, 1866, and did remain absent until December 24th, 1866, when he surrendered himself to Bvt. Major *L. Walker*, 5th U. S. Cavalry, commanding Post of Aiken, S C., as a deserter from Co. "D" 6th U. S. Infantry. All this on or about the time and dates above specified."

Plea.—*Not "Guilty."*

FINDING—Of the Specification to the Charge, "*Guilty,*" except the words "when he surrendered himself to Bvt. Maj. *L. Walker*, 5th U. S. Cavalry, commanding military post of Aiken, S. C., as a deserter from Co. "D" 6th U. S. Infantry."

Of the Charge, "*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the Commanding General may direct, for the period af six* (6) *calendar months.*"

3d Private *Thomas Connorton*, Co. "D" 6th U. S. Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Thomas Connorton*, Co. "D" 6th U. S. Infantry, did become so drunk while a member of the guard as to be unable to perform his duties."

CHARGE 2d—"Quitting his guard without leave."

Specification—"In this, that he, the said Private *Thomas Connorton*, Co. "D" 6th U. S. Infantry. did absent himself from his guard without leave from proper authority, from 9 o'clock P. M. on the 10th until 4 o'clock A. M. on the 11th inst. All this at Charleston, S. C., on or about January 11th, 1867."

Plea—To the 1st Charge and Specification, "*Not Guilty.*"
" 2d Charge and Specification, "*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period, carrying a weight of forty pounds every alternate day, between Reveille and Retreat, allowing half an hour for each meal.*"

4th Private *Frederick Force*, Co. "F" 6th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Frederick Force*, Co. "F" 6th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same at Charleston, S. C., on or about the 28th day of February, 1866, and did remain so absent until he surrendered himself at New York on the 9th day of November, 1866."

Plea—"*Not Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due, or to become due, except the just dues of the Sutler and Laundress,, and then to be confined at hard labor at such place as the Commanding General shall direct for six calendar months.*"

5th Private *Patrick J. Murray*, Co. "F" 6th U. S. Infantry

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Patrick J. Murray*, Co. "F" 6th U. S. Infantry, did, on the 12th day of February, 1867, call Corporal *Patrick Burke*, Co. "F" 6th U. S. Infantry, "a stinking, dirty son of a bitch of a Corporal," or words to that effect. This at Charleston, S. C."

Specification 2d—"In this, that Private *Patrick J. Murray*, Co. "F" 6th U. S. Infantry, did, on the 12th day of February, 1867, draw a knife and rush on Corporal Burke, Co. "F" 6th U. S. Infantry, and did stick him the said Corporal *Patrick Burke* in the shoulder, inflicting a severe wound therein. All this at Charleston, S. C."

Plea,—"*Not Guilty.*"

FINDING—Of the 1st Specification to the Charge, "*Guilty,*" except the words "of a Corporal."

Of the 2d Specification to the Charge, "*Guilty,*" except the word "severe."

Of the Charge, "*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for thirty days, carrying a knapsack weighing thirty* (30) *pounds, every alternate day for the same period, allowing half an hour for each meal.*"

6th Private *James McDavitt*, Co. "F" 6th U. S. Infantry.

CHARGE 1st—"Selling or losing his clothing."

Specification 1st—"In this, that Private *James McDavitt*, Co. "F" 6th U. S. Infantry, did, through neglect lose certain articles of clothing, viz: one forage cap, one flannel sack-coat, one pair of trowsers, two flannel shirts, two pair of drawers, one pair bootees, two pairs of stockings, one woolen blanket, and one overcoat, which were issued to him for his use on the 12th day of February, 1867. This at Charleston, S. C., on or about the 12th day of February, 1867."

Specification 2d—"In this, that Private *James McDavitt*, Co. "F" 6th U. S. Infantry, having borrowed two overcoats from Privates *Thomas Taylor* and *Daniel Hussell*, of Co. "F" 6th U. S. Infantry, did take the same out of the quarters and garrison, and did not return the same. This on or about the 10th day of February, 1867, at Charleston, S. C.

CHARGE 2d—"Absence without leave."

Specification—"In this that Private *James McDavitt*, Co. "F" 6th U. S. Infantry, did absent himself from his Company and Regiment without permission from proper authority from Retreat of the 12th day of February, 1867, until Tattoo of the 14th day of February, 1867. All this at Charleston, S. C., on or about the dates above specified."

Plea—To the 1st Specification 1st Charge, "*Not Guilty*"
" 2d Specification 1st Charge, "*Guilty.*"
" 1st Charge, "*Not Guilty.*"
" Specification 2d Charge, "*Guilty*"
" 2d Charge, "*Guilty.*"

FINDING—Of the 1st Specification 1st Charge, "*Guilty*" except the word "trowsers."

Of the 2d Specification 1st Charge, "*Guilty.*"
" 1st Charge, "*Guilty.*"
" Specification to the 2d Charge, "*Guilty.*"
" 2d Charge, "*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for two months, and to forfeit to the United States eight* ($8) *dollars per month of his monthly pay for five months.*"

7th Private *Thomas Meade*, Co. "G" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *Thomas Meade*, Co. "G" 6th U. S. Infantry, while on extra duty at the government stables, as a laborer in the Quartermasters Department, at a per diem of 20 cts, did sell two sacks of oats, the property of the government, to one *William Newden*, freedman, for the sum of eight ($8) dollars or thereabouts, and did receive and appropriate to his own use the said money, in pay for said property. This at Darlington Court House, S. C., on or about the 20th day of December, 1866."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten ($10) dollars of his monthly pay per month for two months, and to be confined at hard labor in charge of the guard for thirty days.*"

The Court is thus lenient in view of the good character given the prisoner by the Act. Asst. Quartermaster, who employed him in the Quartermasters Department.

8th Private *George Turner*, Co. "G" 6th U. S. Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, the said *George Turner*, Co. "G" 6th U. S. Infantry, being a member of the guard and on duty as a sentinel over the guard house, in which were confined certain prisoners, members of the same company, did allow or fail to prevent the escape of said prisoners or a number of them. This at Darlington Court House, S. C., on the 21st day of December, 1866."

Plea.—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard at hard labor for three calendar months.*"

9th Private *Michael Kelly*, Co. "G" 6th U. S. Infantry.

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

Specification 1st—"In this, that he, the said Private *Michael Kelly*, of Co. "G" 6th U. S. Infantry, having been ordered to the guard house in confinement by his Commanding Officer, Capt. *H. S. Hawkins*, 6th U. S. Infantry, did fail to obey said order and did leave the limits of his camp. This at Darlington Court House, S. C., on the 20th day of December, 1865."

Specification 2d—"In this, that he, the said Private *Michael Kelly*, Co. "G" 6th U. S. Infantry, did disturb the peace and quiet of the town, by assaulting the person of one *Jack Howard*, alias *Jack Williamson*, freedman. This at Darlington Court House, S. C., on the 20th December, 1865."

Specification 3d—"In this, that he, the said Private *Michael Kelly*, of Co. "G" 6th U. S. Infantry, having been ordered to the guard house in confinement by his Commanding Officer, Capt. *H. S. Hawkins*, 6th U. S. Infantry, instead of obeying said order, did arm himself with a loaded musket, and did leave the limits of his camp and go into the streets of the village, in the direction of the shop of one *Jack Howard* alias *Jack Williamson*, freedman, armed with said loaded musket. This at Darlington Court House, S. C., on the 20th of December, 1865."

Specification 4th "In this, that he, the said Private *Michael Kelly*, Co. "G" 6th U. S. Inf., having been ordered a second time to the guard house in confinement by his Commanding Officer, Capt. *H. S. Hawkins*, 6th U. S. Infantry, did fail to instantly obey said order, and did attempt in the presence of his said Commanding Officer, to assault a freedman without provocation or cause whatever. This at Darlington Court House, S. C., on the 20th day of December, 1865.

Specification 5th —"In this, that he, the said Private *Michael Kelly*, Co. "G" 6th U. S. Infantry, did without proper authority, leave the guard house, where he was held in confinement, and did go into the village and did there assault and beat one *Jack Howard* alias *Jack Williamson*, freedman. This at Darlington Court House, S. C., on the 21st day of December, 1865."

Plea—"*Not Guilty*."

FINDING—Of the 1st Specification, "*Guilty*"
" 2d Specification, "*Guilty*."

Of the 3d Specification, *"Guilty,"* with the exception of the words "in the direction of the shop of one *Jack Howard* alias *Jack Williamson*, freedman."

Of the 4th Specification, *"Guilty."*

" 5th Specification, *"Not Guilty."*

" Charge, *"Guilty."*

SENTENCE.

"To be confined at hard labor for six (6) *calendar months, at such place as the proper authority may direct, and to forfeit ten* [$10] *dollars per month of his monthly pay for the same period."*

10th Private *John Reilly*, Co. "G" 6th U. S. Infantry.

CHARGE 1st—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *John Reilly*, Co. "G" 6th U. S Infantry, did unlawfully retain possession of a watch, the property of one *Ephriam Alexander*, freedman, which watch was taken from said *Ephriam Alexander* against his will. This at Darlington Court House, S. C., on or about Tuesday evening, the 18th of December, 1866."

CHARGE 2d—"Selling and bartering government clothing."

Specification—"In this, that he, the said Private *John Reilly*, Co. "G" 6th U. S. Infantry, having been called upon by one *Joe Jordan*, freedman, to restore a watch unlawfully taken from one *Ephriam Alexander*, freedman, did give, sell or barter to said *Joe Jordan* one pair of shoes in exchange for said watch, said shoes having been regularly issued to said Pvt. *John Reilly*, Co. "G" 6th U. S. Infantry. This at Darlington Court House, S. C., on or about Wednesday the 19th of December, 1866."

CHARGE 3d—"Desertion."

Specification—"In this, that he, Private *John Reilly* of "G" Co. 6th U. S. Infantry, a duly enlisted soldier in the service of the United States, did, while a prisoner under general charges, awaiting trial, and while under medical treatment in the U. S. A. Post Hospital, Charleston, S. C., desert the said service on the evening of the 16th January, 1867, and did remain absent from the said Hospital without proper authority, until arrested at Kingstree, S. C., on the morning of

the 18th January, 1867. This at the U. S. A. Post Hospital, Charleston, S. C., and at Kingstree, S. C., on the dates above mentioned."

Plea.—"*Not Guilty.*"

FINDING—Of the Specification 1st Charge, "*Guilty.*"
" 1st Charge, "*Guilty.*"
" Specification 2d Charge, "*Not Guilty.*"
" 2d Charge, "*Not Guilty,*"
" Specification 3d Charge, "*Guilty.*"
" 3d Charge, "*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for six (6) calendar months, at such place as the proper authority may direct.*"

11th Private *Daniel Manning*, Co. "H" 6th U. S. Infantry.

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

Specification—"In this, that he, Private *Daniel Manning*, Co "H" 6th U. S. Infantry, did, on the 25th of December, 1866, in the town of Greenville, S. C., steal one pocket book containing about one hundred dollars, the property of Private *Christopher Miller*, Co. "H" 6th U. S. Infantry, by snatching it from the hands of Private *William Palmer*, Co. "H" 6th U. S. Infantry, and did make way with said money in such a manner that the owner has not been able to recover the same."

Plea,—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be drummed out of the United States service, wearing a placard on his back bearing the word "THIEF." To forfeit all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for two years at such place as the proper authority may direct.*"

12th Private *Matthew Tool*, Co. "I" 6th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Matthew Toole*, Co. "I" 6th U. S. Infantry, being a member of the guard and a sentinel on post No. 8, did sleep on his post and was so found by the Sergeant of the guard. All this at the Citadel, Charleston, S. C., on or about the night of February 1st, 1867."

Plea,—"*Not Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay per month for six months, and to be confined at hard labor in charge of the guard for three months.*"

13th Private *John Scott*, Co. "G" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that the said Private *John Scott*, Co. "G" 8th U. S. Infantry, did desert the service of the United States and from said company and regiment, at Unionville, S. C., on the 15th day of August, 1866, and did remain absent until arrested on the 18th day of November, 1866."

Plea.—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for the period of six* [6] *calendar months, at such place as the proper authority may direct.*"

14th Private *James W. Smith*, Co. "F" 40th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *James W Smith*, Co "F" 40th Infantry, having been duly posted as a sentinel, was found asleep on his post between the hours of 1 and 2 o'clock A. M., when visited by the Sergeant of the guard. This at Castle Pinckney, Charleston Harbor, on or about the night February 1st, 1867."

Plea—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars per month of his*

monthly pay for six months, and to be confined at hard labor in charge of the guard for three calendar months."

15th Private *James Dickinson*, Co. "F" 40th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *James Dickinson*, Co. "F" 40th U. S. Infantry having been duly posted as a sentinel, was found asleep on his post, between the hours of 8 and 10 o'clock, P. M., when visited by the Sergeant of the guard. This at Castle Pinckney, Charleston Harbor, S. C., on or about the 26th day of January, 1867."

Plea—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit ten* ($10) *dollars of his monthly pay per month for six months and to be confined at hard labor in charge of the guard for three calendar months.*"

II. The proceedings, findings and sentences in the foregoing cases of Privates *James W. Smith*, and *James Dickinson*, Co. "F" 40th U. S. Infantry are approved.

Upon the recommendation of the Court in consideration of the previous good conduct of the prisoners, that portion of the sentences relating to confinement is hereby remitted. The forfeitures will be entered on the company rolls and Privates *Smith* and *Dickinson* released from confinement and returned to duty.

III. In the case of Private *Patrick Connors*, Co. "C" 6th U. S. Infantry, the proceedings are approved. The finding of the 2d Charge and its Specification, not being warranted by the evidence, is disapproved. As it is impossible to decide, how much of the sentence was based upon the first charge, it is hereby remitted. The prisoner will be released from confinement and returned to duty.

IV. The proceedings, finding, and sentence in the case of Pvt. *Daniel Manning*, Co. "H" 6th U. S. Infantry are approved, except so much of the sentence as relates to confinement, exceeding six months, which is hereby remitted. Castle Pinckney, Charleston Harbor is designated as the place of confinement, where the prisoner will be sent under guard with his Descriptive List and a copy of this order.

V. The proceedings, findings and sentences in the cases of Privates *Edward Bryant*, Co. "D" *Frederick Force*, Co. "F" *John Reilly* and *Michael Kelly*, Co. "G" 6th U. S. Infantry. and Private *John Scott*, Co. "G" 8th U. S. Infantry are approved. The forfeitures will be entered on the company rolls. Castle Pinckney, Charleston Harbor is designated as the place of confinement, where the prisoners will be sent under guard with their Descriptive Lists and a copy of this order.

VI. The proceedings, findings and sentences in the cases of Pvts. *Thomas Connorton*, Co ,,D" *James McDavitt*, Co. "F" *Thomas Meade*, Co. "G" and *Matthew Toole*, Co. "I" 6th U. S. Infantry are approved. The forfeitures will be entered on the company rolls. That portion of the sentences, relating to confinement will be executed under direction of the Commanding Officer of the post, at which the prisoners company may be serving.

VII The proceedings, findings and sentences in the cases of Privates *Patrick J. Murray*, Co. "F" and *George Turner*, Co. "G" 6th U. S. Infantry are approved and will be carried into effect under direction of the Commanding Officer of the Post at which the prisoners company may be serving.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

F. A. Whiting
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 6th, 1867.

GENERAL ORDERS,
No. 23.

I. Before a General Court Martial, which convened at Raleigh, N. C., pursuant to Special Orders, No. 1, from these Headquarters, dated January 2d, 1867, and of which Bvt. Maj. Genl. E. A. *Carr*, Major 5th U. S. Cavalry is President, were arraigned and tried:

1st Private *Charles H. Adams*, Co. "E" 8th U. S. Infantry.

CHARGE 1st—"Leaving his guard without permission."

Specification—"In this, that he, the said Private *Charles H. Adams*, Co. "E" 8th U. S. Infantry, being a member of the guard duly mounted at Chester, S. C., did, without permission from proper authority, quit said guard about 8,30 P. M., of the evening of the 9th of December, 1866 and did remain absent until about 11 P. M., of the same day."

CHARGE 2d—"Drunkenness on duty."

Specification—"In this, that he, the said Private *Charles H. Adams*, Co. "E" 8th U. S. Infantry, being a member of the guard duly mounted at Chester, S. C., on the 9th day of December, 1866, did become so much under the influence of intoxicating liquor, as to be utterly unable to perform his duties as a member of the guard."

Plea,—"*Not Guilty.*"
FINDING,—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for six months, and to forfeit his pay proper for the same period.*"

2d Private *George W. Cleaveland*, Co. "E" 8th U. S. Infantry.

CHARGE—"Violation of the 44th Article of War."

Specification—"In this, that he, the said Private *George W. Cleaveland*, Co. "E" 8th U. S. Infantry, having been duly detailed at Retreat of December 11th, 1866, for guard duty December 12th, 1866, did fail to appear to the proper place of guard mounting at the time specified. This at Chester, S. C."

PLEA—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor for three months, and to forfeit his pay proper for the same period.*"

3d Private *Amasa Hornsby*, Co. "D" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Amasa Hornsby*, Co. "D" 8th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert from his company and said service at Wilmington, N. C., on or about the 8th of September, 1866, and did remain absent until apprehended at Raleigh, N. C., on or about the 5th day of November, 1866."

PLEA—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit all pay and allowances that are or may become due him, except two ($2) dollars per month and necessary clothing during the term of his confinement, to be confined at hard labor for six months and to be dishonorably discharged the service.*"

4th Private *Nicholas Ackerman*, Co. "A" 8th U. S. Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, the said Private *Nicholas Ackerman*, Co. "A" 8th U. S. Infantry, being regularly detailed and duly mounted as a member of the post guard, did, while in charge of prisoners, fall asleep and remain so until awakened by 1st Lieut. *Geo. F. Price*, 5th U. S. Cavalry, Post Adjutant." This at Raleigh, N. C., on or about 3 o'clock P. M., February 6th, 1867."

PLEA—"*Not Guilty.*"

FINDING—"*Not Guilty.*"

And the Court does therefore aquit him.

5th Private *John O'Connor*, Co. "K" 8th U. S. Infantry.

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

Specification 1st—"In this, that he, the said Private *John O'Con-*

nor, Co "K" 8th U. S. Infantry, did, feloniously steal, take and carry away with him, one pair of boots, the property of Private *Patrick Sullivan*, Co. "A" 8th U. S. Infantry. All this at or near Raleigh, N. C., on or about the 14th day of January, 1867."

Specification 2d—"In this, that he, the said Private *John O'Connor*, Co. "K" 8th U. S. Infantry, while sick and an inmate of the Post Hospital of Raleigh, N. C., did attempt to steal one clock and one bed spread, the property of the United States and in use in said Hospital, and did only return the same when detected with said property in his possession by Private *Patrick Sullivan*, Co. "A" 8th U. S. Infantry, a nurse in said Hospital." All this at or near Raleigh, N. C., on or about the 15th day of January, 1867."

Plea.—"*Not Guilty.*"

FINDING—"*Not Guilty.*"

And the Court does therefore acquit him.

II. The proceedings, findings and acquittals in the foregoing cases of Privates *Nicholas Ackerman*, Co. "A" and *John O'Connor*, Co. "K" 8th U. S. Infantry are approved. The prisoners will be released from confinement and returned to duty.

III. The proceedings, findings and sentences in the foregoing cases of Privates *Charles H. Adams*, and *George W. Cleaveland*, Co. "E" and *Auguste Homberg*, Co. "D" 8th U. S. Infantry, are approved. The forfeitures will be entered on the company rolls; Fort Macon, N. C., is designated as the place of confinement, where the prisoners will be sent under guard, with a copy of this order and their Descriptive Lists.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

A. A. Whiting
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 6th, 1867.

GENERAL ORDERS, }
No. 24. }

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters dated February 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th U. S. Infantry is President, were arraigned and tried:

1st Private *Charles Bohn*, Co. "B" 6th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *Charles Bohn*, a Private in Company "B" 6th U. S. Infantry, did fraudulently and without authority sign the name of *G. Shaar*, Q. M. Sergeant Co. "B" 6th U. S. Infantry, to an order on the firm of *Calhan & Kreuder*, and did obtain from said *Calhan & Kreuder* on said order, sundry articles of groceries, to the amount of five dollars. This to the prejudice of good order and military discipline. All this at Columbia, S. C., on or about the 30th of January, 1867."

PLEA.—"*Guilty*."

FINDING—"*Guilty*."

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor at one's place as the proper authority may direct for two years.*"

2d Musician *Frederick Coffeen*, Co. "F" 8th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Musician *Frederick Coffeen*, Co. "F" 8th U. S. Infantry, did desert the service of the United States and from his Company and Regiment, on or about the 28th day of January, 1867, and did remain absent until apprehended on the 1st day of February, 1867. This at Anderson Court House, S. C., on or about the time above specified."

Plea.—"*Not Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor for six calendar months, at such place as the proper authority may direct.*"

3d Private *James Ellis*, Co. "I" 8th U. S. Infantry.

CHARGE 1st—"Desertion."

Specification—"In this, that he, Private *James Ellis*, Co. "I" 8th U. S. Infantry, did on or about the 28th day of January, 1867, desert the service of the United States and from his Company and Regiment, and did remain absent until apprehended on the 1st day of February, 1867. This at Anderson Court House, S. C., on or about the dates above specified."

CHARGE 2d—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Ellis*, Co. "I" 8th U. S. Infantry, being a member of the guard, which was mounted at Anderson Court House, S. C., on the 28th day of January, 1867, and having been placed in charge of three enlisted men of Co. "I" 8th U. S. Infantry, who were confined in charge of the guard, did allow two of the prisoners under his charge, namely: Musician *Frederick Coffeen* and Private *Patrick Weadon*, to desert the service of the United States, and did himself desert the service of the United States in company with said prisoners. This at Anderson Court House, S. C., on or about the 28th day of January, 1867."

Plea—"*Guilty.*"
FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances, now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor for six calendar months at such place as the proper authority may direct.*"

4th Private *James McKee*, Co "G" 8th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that the said Private *James McKee*, Co. "G" 8th U. S. Infantry, did on the night of January 1st, 1867, feloniously steal and carry away from Private *Alonzo P. Leonard* Co. "G" 8th U. S. Infantry, a Revolver, and did trade the same with a Freedman for a silver watch. All this at Unionville, S. C., on or about the 1st and 18th days of January, 1867."

PLEA—"*Not Guilty*."

FINDING—"*Guilty*."

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor for six calendar months at such place as the proper authority may direct.*"

5th Private *John Carney*, Co "G" 8th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that on the night of January 19, 1867, the said Private *John Carney*, "G" Co. 8th U. S Infantry, while in a Saloon, kept by *Robert Grier* of Unionville, S. C., did steal a silver watch from freedman *Levi Farr*. All this at Unionville, S. C., on the night of January 19th, 1867."

PLEA—"*Not Guilty*."

FINDING—"*Guilty*."

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress and to be confined at hard labor for six calendar months at such place as the proper authority may direct.*"

6th Private *Simeon Right*, Co. "F" 40th U. S. Infantry.

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

Specification 1st—"In this, that Private *Simeon Right* 40th U. S. In-

fantry, did, in company with another man of the same company and regiment, enter the house of Mrs. *Mary Ryan*, Sullivans Island S. C., armed and equipped and represent that he was sent by his Commanding Officer, Maj. *W. H. Daniels*, to arrest her for selling Whiskey to soldiers, and that for making the arrest he was to receive five dollars, all of which representation was false, and did load and cap his musket, and demand that she should go with him to his Commanding Officer, or as a compensation for not making the arrest, she should pay him three dollars, which was paid, and did threaten to put her to death if she reported him. All this at Sullivans Island, S. C., on or about the 4th day of February, 1867."

Specification 2d—"In this, that Private *Simeon Right*, Co. "F" 40th U. S. Infantry, did enter the house of Mrs. *Mary Ryan*, Sullivans Island, S. C., and while she was absent, break open her bureau drawers, and steal therefrom a shirt or other garments. This at Sullivans Island, S. C., on or about the 4th day of February, 1867."

Specification 3d—"In this, that Private *Simeon Right*, Co. "F" 40th U. S. Infantry, having been detailed to report to Ordnance Sergeant *Edward O'Brien*, Sullivans Island, S. C., did refuse to obey the orders of said Sergeant and upon being placed in confinement, did break out, and did arm himself with a club or other weapon and threaten to kill the Sergeant, saying, "that he, the Major, nor any one else, had any right, to confine him in a dungeon," or words to that effect, and did at different times show a spirit of insubordination, while in charge of the Sergeant. This at Sullivans Island, S. C., from the 4th to the 10th day of February, 1867."

Plea—"*Not Guilty.*"

FINDING—Of the 1st Specification, "*Guilty,*" with the exception of the words, "and did threaten to put her to death if she reported him."

Of the 2d Specification, "*Guilty.*"
Of the 3d Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances due or to become due,*

except the just dues of the Sutler and Laundress, and to be confined at hard labor at such place as the proper authority may direct for one year."

II. The proceedings, findings and sentences in the foregoing cases of Privates *John Carney* and *James McKee*, Co. "G," *James Ellis*, Co. "I" 8th U. S. Infantry, *Charles Bohn*, Co. "B" 6th U. S. Infantry and *Simeon Right*, Co. "F" 40th Infantry are approved. Castle Pinckney, Charleston Harbor, S. C., is designated as the place of confinement, where the prisoners will be sent under guard with their Descriptive Lists and a copy of this order.

III. The proceedings, finding and sentence in the foregoing case of Musician *Frederick Coffeen*, Co. "I" 8th U. S. Infantry are approved.

Upon the recommendation of the Court, in consideration of the extreme youth of the prisoner, the sentence is hereby remitted; he will be released from confinement and returned to duty.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

D. A. Whitney
2d Lieut 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 7th, 1867.

GENERAL ORDERS,
No. 25.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated February 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th U. S. Infantry is President, were arraigned and tried:

1st Private *Richard Boyst*, Co. "L" 5th U. S. Cavalry.

CHARGE 1st—"Desertion."

Specification—"In this, that he, Private *Richard Boyst*, Co. "L" 5th U. S. Cavalry, having been duly enlisted in the service of the United States, on the 18th day of December, 1865, did desert the same on or about the 24 day of August, 1866, taking one horse and horse equipments, the property of the United States, and dispose of the same, and did remain absent until apprehended at Anderson, S. C., on the 27th day of January, 1867, by Bvt. Lieut. Col. *Alfred T. Smith*, Capt. 8th U. S. Infantry, U. S. A., Commanding military post of Anderson, Anderson, S. C. All this at Chester, S. C."

CHARGE 2d—"Violation of the 22d Article of War."

Specification—"In this, that he, Private *Richard Boyst*, Co. "L" 5th U. S. Cavalry, having been duly enlisted in the service of the United States, on or about the 18th day of December, 1865, and having been assigned to Co. "L" 5th U. S. Cavalry, did leave his Company (L) and Regiment (5th U. S. Cavalry,) at Chester, S. C., on or about the 24 day of August, 1866, and without having been discharged from Co. "L" 5th U. S. Cavalry, did again enlist in the service of the United States, on or about the 10th day of December, 1866, at Poughkeepsie, N. Y."

Plea—To the 1st Charge and Specification, "*Not Guilty.*"
To the 2d Charge and Specification, "*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances, now due or to become due him,*

except the just dues of the Sutler and Laundress, and to be confined, at hard labor for six calendar months, at such place as the proper authority may direct."

2d Private *John Donnelly*, Co. "L" 5th U. S. Cavalry.

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

Specification—"In this, that he, Private *John Donnelly*, Co. "L" 5th U. S. Cavalry, did on or about the 19th day of January, 1867, steal and carry away two sheep skins and cushions the property of Doctor *Lake Smith*, a citizen of Edgefield, District of S. C. This at camp near Edgefield, Distirct of S. C., on or about the 19th day of January, 1867."

Plea—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor, at such place as the proper authority shall direct, for six calendar months.*"

II. The proceedings, findings and sentences in the foregoing cases of Privates *Richard Boyst* and *John Donnelly*, Co. "L" 5th U. S. Cavalry are approved. Castle Pinckney, Charleston Harbor, S. C., is designated as the place of confinement, where the prisoners will be sent with their Descriptive Lists and a copy of this order.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

D. Albritting
2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 14th, 1867.

GENERAL ORDERS, No. 28.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated February 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th U. S. Infantry is President, were arraigned and tried:

1st Private *Robert Ogborn*, Co. "F" 40th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Robert Ogborn*, Co. "F" 40th U. S. Infantry, having been duly posted as a sentinel, was found asleep on his post, when visited by the Sergeant of the guard. This at Castle Pinckney, S. C., on or about the 16th day of February, 1867."

Plea—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for three calendar months, and to forfeit to the United States ten* ($10) *dollars of his monthly pay for three months.*"

2d Private *Julian Gaillard*, Co. "F" 40th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Julian Gaillard*, Co. "F," 40th U. S. Infantry, having been duly posted as a sentinel was found asleep on his post, between the hours of 4 and 6 o'clock A. M., when visited by the Corporal of the guard. This at Castle Pinckney, S. C., on or about the 23d day of February, 1867."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for three calendar months, and to forfeit to the United States ten* ($10) *dollars of his monthly pay per month for six* (6) *months.*"

3d Private *Solomon Holloman*, Co. "F" 40th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Solomon Holloman*, Co. "F" 40th U. S. Infantry, having been duly posted as a sentinel, was found asleep on his post, between the hours of 4 and 6 o'clock, A. M., when visited by the Sergeant of the guard. This at Castle Pinckney, S. C., on or about the 23d day of February. 1867."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined at hard labor in charge of the guard for three calendar months, and to forfeit to the United States ten* ($10) *dollars per month of his monthly pay for six months.*"

4th Private *William Johnson*, Co. "F" 40th U. S. Infantry.

CHERGE—"Sleeping on post."

Specification—"In this, that Private *William Johnson*, Co. "F" 40th U. S. Infantry, being duly posted as a sentinel, was found asleep on his post, when visited by the Corporal of the guard. This at Castle Pinckney, S. C., on or about the 13th of February, 1867."

Plea—"*Guilty.*"

FINDING,—"*Guilty.*"

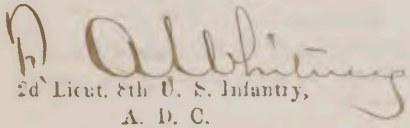
SENTENCE.

"*To be confined at hard labor in charge of the guard for three calendar months, and to forfeit to the United States, ten* ($10) *dollars of his monthly pay per month for six months.*"

II. The proceedings, findings and sentences in the cases of Pvts. *Ogborn, Gaillard, Holloman* and *Johnson*, Co. "F" 40th U. S. Infantry are approved. The forfeitures will be entered on the company rolls, and the prisoners confined at Castle Pinckney, Charleston Harbor, S. C.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—



2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 16th, 1867.

GENERAL ORDERS,
No. 29.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated February 1st, 1867, and of which Bvt. Maj. *M. Bryant*, Capt. 6th Infantry is President, were arraigned and tried:

1st Private *John Watson*, Co. "F" 40th Infantry.

CHARGE 1st—"Desertion."

Specification—"In this, that Private *John Watson*, Co. "F" 40th Infantry, a duly enlisted soldier, did, while on duty as a sentinel, desert his post, company and regiment, and from the service of the United States, and did remain absent until arrested in the City of Charleston, S. C. This at Castle Pinckney, Charleston Harbor, on or about the 25th day of February, 1867."

CHARGE 2d—"Leaving his post before being regularly relieved."

Specification—"In this, that Private *John Watson*, Co. "F" 40th Infantry, did, after having been duly posted as a sentinel, leave his post, without being regularly relieved and did proceed to the City of Charleston, S. C. This at Castle Pinckney, S. C., on or about the 25th day of February, 1867."

Plea—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor for six calendar months, at such place as the proper authority may direct.*"

2d Private *James Gahagan*, Co. "A" 6th Infantry,

CHARGE 1st—"Violation of the 45th Article of War."

Specification—"In this, that Private *James Gahagan*, Co. "A" 6th Infantry, did become so drunk while a member of the guard, as to be unable to properly perform his duty. This at Charleston, S. C., on or about February 19th, 1867."

CHARGE 2d—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Gahagan*, Co. "A" 6th Infantry, did, upon being ordered to take off his belts, refuse so to do, and did resist the efforts of the Corporal of the guard, to remove said belts, and did seize a loaded musket and fire the same at Corporal *Patrick Burke*, Co. "F" 6th Infantry, Corporal of the guard. All this at Charleston, S. C., on or about the 19th day of February, 1867."

Plea—To Charge 1st and Specification, "*Guilty.*"

To Charge 2d and Specification, "*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances due or to become due except the just dues of the Sutler and Laundress, and to be confined at hard labor for one year at such place as the proper authority may direct.*"

3d Private *Michael McCarthy*, Co. "B" 6th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Michael McCarthy*, Co. "B" 6th Infantry, did forcibly enter the house of one *Emma Williams*, (colored) and did scatter fire brands about the floor of said house, using threatening and abusive language towards said *Emma Williams*, as follows: "If you report me, I'll knock your damned head off," or words to that effect. This at Columbia, S. C., on or about the night of January 8th, 1867."

Specification 2d—"In this, that he, Private *Michael McCarthy*, Co. "B" 6th Infantry, did enter the house of one *Patrick Allen*, [citizen] and did forcibly appropriate to his own use certain liquors, the property of said *Patrick Allen*, and after having been ejected from the premises, did throw bricks and stones against the door of said house. This at Columbia, S. C., on or about the 11th day of February, 1867."

Plea—"*Not Guilty.*"

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

Of the 2d Specification, "*Guilty,*" except the words: "did throw bricks and stones against the door of said house."

Of the Charge, "*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* [$10) *dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for one calendar month.*"

4th Private *James Garigan*, Co. "B" 6th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *James Garigan*, Co. "B" 6th Infantry, did enter the house of one *Patrick Allen*, (citizen) and did forcibly appropriate to his own use certain liquors, the property of said *Patrick Allen*, and after having been ejected from the premises, did throw bricks and stones against the said house. This at Columbia, S. C., on or about the 11th day of February, 1867."

Plea,—"*Not Guilty.*"

FINDING—Of the Specification, "*Guilty*," except the words, "did throw stones and bricks against the door of said house."

Of the Charge, "*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* ($10) *dollars of his monthly pay for one month, and to be confined for fifteen days at hard labor in charge of the guard.*"

5th Private *John D. Pearce*, Co. "I" 6th Infantry.

CHARGE 1st—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *John D. Pearce*, Co. "I" 6th Infantry, having been duly detailed for guard at Retreat roll call on the evening of the 28th of February, 1867, by the 1st Sergeant of his company, Sergeant *William Ferguson*, did fail to appear at guard mount on the morning of the 1st of March, 1867. All this at the Citadel, Charleston, S. C."

CHARGE 2d—"Absence without leave."

Specification—"In this, that he, Private *John D. Pearce*, Co. "I" 6th Infantry, did, without proper authority, absent himself from his Company Quarters, from the hours between Retreat and Tattoo, on the evening of the 28th of February 1867, and did remain absent until arrested on the evening of the 1st of March, 1867, by 1st Sergeant *William Ferguson*, Co. "I" 6th Infantry, about one mile from his quarters in Meeting Street Charleston, S. C. All this at Charleston, S. C."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be confined in charge of the guard for one month, carrying a weight weighing forty* [40] *pounds, from Reveille to Retreat every alternate day, allowing half an hour for each meal, and to forfeit to*

the United States ten ($10) *dollars of his monthly pay for one month.*"

6th Private *Peter Cassidy*, Co. "I" 6th Infantry.

CHARGE —"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Peter Cassidy*., Co. "I" 6th Infantry, did attempt to smuggle into the "Citadel" and to give to prisoners in the guard house a bottle of intoxicating liquor. All this at the "Citadel," Charleston. S. C., on or about the 20th of February, 1867."

Plea—"*Not Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten* [$10] *dollars of his monthly pay per month for two months, and to be confined in charge of the guard at hard labor for one month.*"

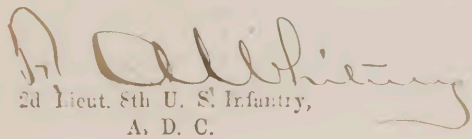
II. The proceedings, findings and sentences in the foregoing cases of Prvts. *Michael McCarthy*, *James Gawgan*, Co. "B" *John P. Pearce* and *Peter Cassidy*, Co. "I" 6th Infantry are approved. The forfeitures will be entered on the company rolls, and the sentences so much as they relate to confinement carried out under direction of the Commanding Officer of the post at which the prisoners companies may be serving.

III. The proceedings, finding and sentence in the foregoing case of Private *James Gahagan*, Co "A" 6th Infantry are *confirmed*. Castle Pinckney, Charleston Harbor is designated as the place of confinement, where the prisoner will be sent under guard with his Descriptive List and a copy of this order.

IV. The proceedings, finding and sentence in the foregoing case of Private *John Watson*, Co. "F" 40th Infantry are approved. Castle Pinckney, Charleston Harbor, S. C., is designated as the place of confinement, where the prisoner will be sent under guard with his Descriptive List and a copy of this order.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL :—



2d Lieut. 8th U. S. Infantry,
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
CHARLESTON, S. C., MARCH 17th, 1867.

GENERAL ORDERS,
No. 30.

I. Before a General Court Martial, which convened at Charleston, S. C., pursuant to Special Orders No. 21, from these Headquarters, dated February 1st, 1867, and of which Bvt. Maj. *M. Byrnd*, Capt. 6th Infantry is President, were arraigned and tried:

1st Private *Edward Watts*, Co. "A" 6th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Edward Watts*, Co. "A" 6th Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 26th of October, 1866, at Charleston, S. C., and did remain absent until he surrendered himself at Charleston, S. C., January 18th, 1867."

Plea—"*Not Guilty*."
FINDING—"*Guilty*."

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due him, except the just dues of the Sutler and Laundress, and then to be confined at hard labor at such place as the proper authority may direct for the period of six months.*"

2d Private *John Collins*, Co. "A" 6th Infantry.

CHARGE 1st—"Drunkenness on duty."

Specification—"In this, that he, Private *John Collins*, Co. "A" 6th Infantry, being a member of the guard mounted at Charleston, S. C., on the 6th day of March, 1867, did become so drunk, while a member of said guard, as to be unable to properly perform his duty."

CHARGE 2d—"Absenting himself from his guard without permission."

Specification—"In this, that he, the said Private *John Collins*, Co. "A" 6th Infantry, having been duly mounted as a member of the guard at the "Citadel," Charleston, S. C., March 6th, 1867, did, between the hours of Tattoo and Reveille, quitt said guard without authority."

Plea—To the 1st Charge and Specification, "*Not Guilty*."
To the 2d Charge and Specification, "*Guilty*."

FINDING—"*Guilty.*"

SENTENCE.

"*To forfeit to the United States ten ($10) dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period, carrying a weight of forty (40) pounds every alternate day from Reveille till Retreat, allowing half an hour for each meal.*"

3d. Corporal *Albert W. Nichols*, Co. "F" 6th Infantry.

CHARGE 1st—"Violation of the 45th Article of War."

Specification—"In this, that he, Corporal *Albert W. Nichols*, Co. "F" 6th Infantry, did fail to appear at drill with his company at the appointed hour on the afternoon of the 5th day of March, 1867. This at Charleston, S. C."

CHARGE 2d—"Absence without leave."

Specification—"In this, that he, Corporal *Albert W. Nichols*, Co. "F" 6th Infantry, did, without permission from proper authority, absent himself from his company and regiment, from 3 o'clock P. M., the 7th day of March 1867, until Retreat of the same day. This at Charleston, S. C."

PLEA.—"*Not Guilty.*"

FINDING.—Of the 1st Charge and Specification, "*Guilty.*"
Of the 2d Charge and Specification, "*Not Guilty.*"

SENTENCE.

"*To be reduced to the ranks.*"

4th Private *Albert Borden*, Co. "H" 6th Infantry.

CHARGE 1st—"Desertion."

Specification—"In this, that he, Private *Albert Borden*, Co. "H" 6th Infantry, an enlisted soldier in the United States Army, did desert the said service at Greenville, S. C., on the 16th of February, 1867, and did remain absent until apprehended the same day, fifteen miles from Greenville, on the White Horse road."

CHARGE 2d—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Albert Borden*, Co. "H" 6th Infantry, did feloniously take and carry away one pair of Trowsers, the property of Private *Dennis Conerly*, Co. "H" 6th Infantry, and did sell the same in the town of Greenville, S. C. All this at Greenville, S. C., on or about the 15th of February, 1867."

Plea.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be drummed out of the service of the United States, wearing a placard on his back bearing the word "THIEF," to forfeit all pay and allowances, now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for one year at such place as the proper authority may direct.*"

5th Private *John Bourgard*, Co. "H" 6th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Bourgard*, Co. "H" 6th Infantry, an enlisted soldier in the United States Army, did desert the said service at Greenville, S. C., on the 15th of February, 1867, and did remain absent until apprehended on the same day, about fifteen miles from Greenville, S. C., on the White Horse Road. All this at Greenville, S. C., on the 15th of February, 1867."

Plea—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for six months, at such place as the proper authority may direct.*"

6th Private *George McHenry*, Co. "H" 6th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *George McHenry*, Co. "H" 6th Infantry, an enlisted soldier in the Army of the United States, did desert said service at Greenville, S. C., on or about the 3d of February, 1867, and did remain absent until apprehended on the 16th of February, 1867, near the Lawrence Road, and about twelve miles from the town of Greenville, S. C."

Plea—"*Guilty.*"

FINDING,—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances, now due or to become due, except the just dues of the Sutler and Laundress, and to be confined at hard labor for six months at such place, as the proper authority may direct.*"

7th Private *James C. Stone*, Co. "G" 8th Infantry."

CHARGE—"Desertion."

Specification— In this, that Pvt. Private *James O. Stone*, Co. "G" 8th Infantry, did desert from his Company and Regiment at Unionville, S. C., on the 8th day of February, 1867, and did remain absent until the 19th day of February, 1867, at which time he surrendered himself at Charlotte, N. C.'

PLEA.—"*Guilty.*"

FINDING—"*Guilty.*"

SENTENCE.

"*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances, now due or to become due, except the just dues of the Sutler and Laundress, and then to be confined at hard labor for six months, at such place as the proper authority may direct.*"

II. The proceedings, findings, and sentences in the foregoing cases of Privates *Edward Watts*, Co. "A," *Albert Bogden*, *John Brennan*, and *George M Hearn*, Co. "H" 6th Infantry, and *James O. Stone*, Co "G" 8th Inf., are approved. Castle Pinckney, Charleston Harbor, is designated as the place of confinement, where the prisoners will be sent under guard with their Descriptive Lists and a copy of this order.

III. The proceedings finding and sentence in the foregoing case of Private *John Collins*, Co. "A" 6th Infantry are approved. The forfeitures will be entered on the company rolls, and the portion of the sentence relating to confinement carried out under direction of the Commanding Officer of the Post, at which the prisoners company is serving.

IV. The proceedings, finding and sentence in the foregoing case of Corporal *Albert W. Nichols*, Co. "F" 6th Infantry, are approved. The prisoner will be released from arrest and returned to duty with his Company.

By Command of Bvt. Major General J. C. ROBINSON,
Jno. R. Myrick,
1st Lieut. 3d U. S. Art., Bvt. Maj. U. S. A.,
Act. Judge Advocate & Act. Asst. Adjt. Gen'l.

OFFICIAL:—

A. D. Whiting
2d Lieut. 8th U. S. Infantry,
A. D. C.

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1. Private DANIEL STUART, Company D, 33d Infantry.
2. Private ANTON REED, Company G, 5th Cavalry.
3. Private JAMES SHEA, Company E, 15th Infantry.
4. { Sergeant FRANK CLARKE, Company C, 15th Infantry.
   Fifer HUMPHRY SMITH, Company D, 15th Infantry.
   Private ALONZO JORDAN, Company, D, 15th Infantry.
   Private LYMAN BURR, Company C, 15th Infantry. }
5. Private PATRICK O'BRIEN, Company C, 15th Infantry.
6. Private GEORGE PHILLIPS, Company B, 33d Infantry.
7. Private WILLIAM A. WATERS, Company G, 15th Infantry.
8. Private FRANK MCGONAGLE, Company D, 15th Infantry.
9. Private JOHN GRANT, Company G, 5th Cavalry.
10. Private EDWARD LAWRENCE, Company G, 15th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 12, 1868.

GENERAL ORDERS
No. 4.

I. Before a General Court Martial, which convened at Montgomery, Alabama, July 2, 1868, pursuant to Special Orders No. 141, dated June 29, 1868, Headquarters Third Military District, Atlanta, Georgia, and of which Brevet Brigadier General JULIUS HAYDEN, Lieutenant Colonel 15th Infantry, is President, were arraigned and tried:

1st. Private *Daniel Stuart*, Company D, 33d Infantry.

CHARGE I.—"Burglary, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Daniel Stuart*, Company D, 33d Infantry, at Jacksonville, Alabama, at 12 o'clock, M., on or about the 30th day of May, 1868, feloniously and burglariously did break and enter the dwelling house of one Mary Vernon, (colored) and then and there of the goods and chattels of the said Mary Vernon, feloniously and burglariously did steal take and carry away with the intent to appropriate to his own use, one pair of shoes of the value of two dollars."

CHARGE 2d.—"Conduct to the prejudice of good order and military discipline."

Specification. "In this: that Private *Daniel Stuart*, Compa-

ny D, 33d Infantry, did break a table, the property of one Mary Vernon, (colored). All this at or near Jacksonville, Alabama, on or about the 30th day of May, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Stuart*, Company D, 33d Infantry, "*To forfeit to the United States all pay and allowances for one year, and to be confined in such military prison as the Commanding General may direct for the same length of time.*"

The proceedings and findings in the case of Private *Daniel Stuart*, Company D, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

2d. Private *Anton Reed*, Company G, 5th Cavalry.

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

Specification.—"In this: that Private *Anton Reed*, Company G, 5th Cavalry, while a prisoner in the guard-house at the camp of his company, did escape from said guard-house and make an assault upon 1st Sergeant Charles E. Hagen, Company G, 5th Cavalry, and did beat and otherwise ill treat said 1st Sergeant Charles E. Hagen, saying at the same time, 'you d——d son of a bitch, have put me in the guard-house, but I will fix you for it now,' or words to that effect. All this at or near Montgomery, Alabama, on or about the 29th day of April, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty," except the words "you God-damned son-of-a-bitch."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Anton Reed*, Company G, 5th Cavalry, "*To forfeit all pay and allowances for sixty days, and to be confined at hard labor for the same period.* The court is thus lenient in consideration of his long confinement previous to trial."

The proceedings and findings in the case of Private *Anton Reed*, Company G, 5th Cavalry, are approved, except so much of the finding upon the specification as excepts the word "God," which not being originally embodied in the specification cannot properly be excepted in the finding.

The sentence is confirmed and will be carried into effect.

3d. Private *James Shea*, Company E, 15th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *James Shea*, Company E, 15th Infantry, did desert the service of the United States, on or about the 9th day of December, 1867, and did remain absent until apprehended at or near Mobile, Alabama, on or about the 9th day of March, 1868. Thirty dollars reward paid for his apprehension. All this at or near Mount Vernon, Alabama, on or about the 9th day of December, 1868."

CHARGE II.—"Violation of the 23d Article of War."

Specification.—"In this: that Private *James Shea*, Company E, 15th Infantry, did advise or persuade Private Samuel Cornell, Company E, 15th Infantry, to desert the service of the United States. All this at or near Mount Vernon, Alabama, on or about the 2d day of December, 1867."

To which charges and specifications the accused pleaded:

To the *Specification* to the 1st CHARGE, "*Not Guilty.*"

To the 1st CHARGE, "*Not Guilty, but Guilty of absence without leave.*"

To the 2d Charge and its *Specification*, "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Shea*, Company E, 15th Infantry, "*To be dishonorably dis-*

charged the service of the United States, and be indelibly marked on the left hip with the letter D, one and a half inches long; that he be confined at hard labor in such prison as the Commanding General may direct for the period of three years, and to forfeit to the United States, all pay that may now be, or that shall become due him, except the just dues of the laundress."

The proceedings and findings in the case of Private *James Shea*, Company E, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of his confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Sergeant *Frank Clarke*, Company C, Fifer *Humphrey Smith*, Company D, Private *Alonzo Jordan*, Company D, and Private *Lyman Burr*, Company C, 15th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline. (99th Article of War.)"

Specification.—"In this: that Sergeant *Frank Clarke*, Company C, 15th Infantry, Fifer *Humphrey Smith*, Company D, 15th Infantry, Private *Alonzo Jordan*, Company D, 15th Infantry, and Private *Lyman Burr*, Company C, 15th Infantry, and others whose names are unknown, to the number of six or more, did unlawfully assault and beat with sticks, stones and otherwise, one Henry Farley, a colored man. This at or near the camp of the detachment of 15th Infantry, at Montgomery, Alabama, within the limits of the military post of Montgomery, Alabama, on or about June 23, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence them Sergeant *Frank Clarke*, Company C, 15th Infantry, Fifer *Humphrey Smith*, Company D, 15th Infantry, Private *Alonzo Jordan*, Company D, 15th Infantry, and Private *Lyman Burr*, Company C, 15th Infantry, as follows: "Sergeant *Frank Clarke*, Company C, 15th Infantry, "*To be reduced to the ranks, having his*

stripes and chevrons cut off in presence of the Battalion, with which he is serving, and at dress parade on the evening of the day upon which this sentence is promulgated, and that he then together with Fifer Humphrey Smith, Company D, 15th Inf'y., Private Alonzo Jordan, Company D, 15th Infantry, and Private Lyman Burr, Company C, 15th Infantry, be confined at hard labor in such military prison as the Commanding General may direct for six months, forfeiting to the United States all pay and allowances due or to become due, during the period of their confinement."

The proceedings and findings in the cases of Sergeant *Frank Clarke*, Company C, 15th Infantry, and Fifer *Humphrey Smith*, Company D, 15th Infantry, and Privates *Alonzo Jordan*, Company D, 15th Infantry, and *Lyman Burr*, Company C, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoners will be sent under a suitable guard with a copy of this order.

5th. Private *Patrick O'Brien*, Company C, 15th Infantry.

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

Specification.—"In this: that Private *Patrick O'Brien*, Company C, 15th Infantry, did forcibly enter the house of one Ira Grant, citizen of Montgomery county, Alabama, and did assault and beat the said Ira Grant, citizen. This at Montgomery, Alabama, on or about the 28th day of June, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty,"

SENTENCE.

And the court does therefore sentence him, Private *Patrick O'Brien*, Company C, 15th Infantry, "*To forfeit to the United States all pay and allowances for two months, except the just dues of the laundress, and be confined at hard labor in charge of the guard for the same length of time.*"

The proceedings and findings in the case of Private *Patrick*

O'Brien, Company C, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th. Private *George Phillips*, Company B, 33d Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *George Phillips*, Company B, 33d Infantry, having been posted as a sentinel on post No. 1, in the prison yard, did permit one Doc. Murphy, a citizen prisoner to pass by him and escape. This at or near Selma, Alabama, on or about June 11, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Phillips*, Company B, 33d Infantry, "*To forfeit to the United States ten dollars of his monthly pay for two months, and to be confined at hard labor under charge of the guard for the same period.*"

The proceedings and findings in the case of Private *George Phillips*, Company B, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect."

7th. Private *William A. Waters*, Company G, 15th Infantry.

CHARGE.—"Violation of the 46th Article of War, Sleeping on post."

Specification.—"In this: that Private *William A. Waters*, Company G, 15th Infantry, having been properly detailed as a member of a guard mounted at Barracks 15th U. S. Infantry, Mobile, Alabama, and being duly posted as a sentinel at post No. 3, Commissary store-house, was found sleeping on his post at or about the time of 2 o'clock, A. M., on or about the morning of June 30 1868. All this at or near Barracks 15th U S Infantry, Mobile, Alabama."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William A. Waters*, Company G, 15th Infantry, "*To forfeit to the United States all pay and allowances due or to become due, for six months after promulgation of sentence; to be confined in such military prison as the proper authority may direct for the same period, and to wear a ball and chain attached to his left leg, weighing twenty-four pounds during four months of said confinement.*"

The proceedings and findings in the case of Private *William A. Waters*, Company G, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of his confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

8th. Private *Frank McGonagle*, Company D, 15th Infantry.

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

Specification 1st.—"In this: that Private *Frank McGonagle*, Company D, 15th Infantry, did without any provocation, challenge Private Mark Supplee, Company D, 15th Infantry, to fight with him, saying, "God damn you, I have a great notion to strike you, and I will pelt you anyhow," or words to that effect. This at Montgomery, Alabama, on or about the 5th day of July, 1868."

Specification 2d.—"In this: that Private *Frank McGonagle*, Company D, 15th Infantry, being ordered by Corporal Thomas Mooney, Company D, 15th Infantry, (said Corporal Mooney being in the execution of his duty) to go to his quarters, did positively refuse to obey the said order, and did use insulting and abusive language towards the said Corporal Mooney, in words to this effect: "come out you good for nothing, I will punch you. This at Montgomery, Alabama, on or about the 5th day of July, 1868."

Specification 3d.—"In this: that Private *Frank McGonagle*, Company D, 15th Infantry, having been ordered by

Corporal Thomas Mooney, Company D, 15th Infantry, to remain quiet, did seize hold of, and attack the said Corporal Mooney, tearing the said Corporal's blouse into shreds. All this at Montgomery, Alabama, on or about the 5th day of July, 1865."

To which charge and specifications the accused pleaded:

To the 1st, 2d and 3d *Specifications*, "*Not Guilty.*"

To the CHARGE, "*Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private *Frank McGonagle*, Company D, 15th Infantry, "*To forfeit to the United States all pay and allowances for two months, and to be confined at hard labor in charge of the guard for thirty days.*"

The proceedings and findings in the case of Private *Frank McGonagle*, Company D, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect.

9th. Private *John Grant*, Company G, 5th Cavalry.

CHARGE I.—"Violation of the 6th Article of War."

Specification.—"In this: that Private *John Grant*, Company G, 5th Cavalry, did use contemptuous and disrespectful language toward the commanding officer, Brevet Major JAMES HASTINGS, Captain 5th Cavalry, calling the same repeatedly a 'grey headed old son of a bitch,' 'an old bastard,' and other names. All this at or near Montgomery, Alabama, on or about the 30th day of March, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that he Private *John Grant*, Company G, 5th Cavalry, did threaten the life of his commanding officer Brevet Major JAMES HASTINGS, Captain 5th Cavalry, saying repeatedly, 'I will kill you, you damned old son of a bitch, on the first opportunity,' or words to that effect. All this at or near Montgomery, Alabama, on or about the 30th day of March, 1868."

Specification 2d.—"In this: that he, Private *John Grant*, Company G, 5th Cavalry, did kick 1st Sergeant

Charles E. Hagen, Company G, 5th Cavalry, said 1st Sergeant being in the lawful execution of his duty. All this at or near Mongomery, Alabama, on or about the 30th of March, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and its *Specification*, "*Guilty.*"

To the 2d CHARGE and its *Specifications*, "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Grant*, Company G, 5th Cavalry, "*To be confined at hard labor in such military prison as the Commanding General may direct for one year, and to forfeit to the United States all pay and allowances for the same period except the just dues of the laundress.*"

The proceedings and findings in the case of Private *John Grant*, Company G, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

10th. Private *Edward Lawrence*, Company G, 15th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Edward Lawrence*, Company G, 15th Infantry, did desert the service of the United States at Mobile, Alabama, on or about March 9, 1868, and did remain absent without proper authority, until on or about the 28th of March, 1868, when he was apprehended as a deserter at New Orleans, Louisiana. Thirty dollars paid for his apprehension."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Lawrence*, Company G, 15th Infantry, "*To forfeit all pay and allowances due or to become due, except the just dues of the laundress, to have his head shaved, be branded on the left*

hip with the letter D, two inches in length and drummed out of the service; then to be confined in such military prison as the Commanding General may direct for the period of two years."

The proceedings and findings in the case of Private *Edward Lawrence*, Company G, 15th Infantry, are approved. The sentence is confirmed and will be carried into effect. The letter D, will be marked in India ink. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

By order of Major General Meade:

S. F. BARSTOW,
Acting Assistant Adjutant General.

Official:

Geo. Meade

A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 13, 1868.

GENERAL ORDERS, No. 5.

Before a General Court Martial which convened at Atlanta, Georgia, July 31, 1868, pursuant to Special Orders No. 161, Headquarters, Third Military District, dated Atlanta, Georgia, July 27, 1868, and of which Brevet Colonel T. W. SWEENEY, Major 16th Infantry, is President, were arraigned and tried:

Captain *Irwin W. Potter*, 15th Infantry.

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

Specification.—"In this: that Captain *Irwin W. Potter*, 15th Infantry, did by the intemperate use of intoxicating liquors at or near Montgomery, Alabama, Mobile, Alabama, and Selma, Alabama, at various times between March 1, 1868, and May 17, 1868, bring on and induce an attack of delirium tremens, which was manifest at or near Atlanta, Georgia, on or about May 17, 1868, while he was on duty and in charge of a detachment of recruits per Special Orders No. 62, paragraph 3, from Headquarters sub-District of Alabama, of May 15, 1868, and which wholly incapacitated him from the proper performance of the said duties assigned him to the great detriment of the public service."

The accused entered an objection to trial upon the specification, on the ground of want of sufficiency thereof and that the crime charged is not a military offence to be taken cognizance of by a court martial, which objection was sustained by the court.

By this decision the court has declared that in its opinion an officer who knowingly and voluntarily incapacitates himself by intemperance from the proper performance of duty, does not commit any offence against the rules and articles of War, and that the only remedy is to place him upon the sick report. Such a decision requires no further comment than the disapproval of the Commanding General.

The accused would be again brought to trial, were it not for the fact that his regiment is under marching orders, and that assurances have been given the Commanding General that since the offence was committed by him, he has ceased the practices for the committing of which charges were preferred against him.

Captain *Potter* will be released from arrest and report for duty.

BY ORDER OF MAJOR GENERAL MEADE:

S. F. BARSTOW,
Acting Assistant Adjutant General.

OFFICIAL:

W. Meade

A. D. C.

1. Private JOHN BROWN, Company F, 7th Infantry.
2. Private JOHN CARNEY, Company F, 7th Infantry.
3. Private HENRY J. BENSON, Company F, 7th Infantry.
4. Private JOHN STORMES, Company F, 7th Infantry.
5. Private THOMAS ROBERTS, Company D, 7th Infantry.
6. Private JACOB INGLESBEE, Company C, 7th Infantry.
7. Private ANDY JOHNS, Company C, 7th Infantry.
8. Private PATRICK DOWDALL, Company D, 7th Infantry.
9. Private HUGH MULVEY, Company H, 7th Infantry.
10. Corporal WILLIAM RYAN, Company H, 7th Infantry.
11. Corporal WILLIAM GEORGE, Company G, 7th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 18, 1868.

GENERAL ORDERS No. 10.

I. Before a General Court Martial which convened at Jacksonville, Florida, July 6, 1868, pursuant to Special Orders No. 141, dated June 29, 1868, Special Orders No. 149, da- July 10, 1868, Special Orders No. 150, dated July 11, 1868, and of which Brevet Colonel MATHEW M. BLUNT, Major 7th Infantry, is President, were arraigned and tried:

1st. Private *John Brown*, Company F, 7th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *John Brown*, of Company F, 7th Infantry, having been duly detailed to go on guard, did appear at guard-mounting in a state of drunkenness and was unable to perform duty. This at Lake City, Florida, on or about the 18th day of June, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Brown*, Company F, 7th Infantry, "*To be confined at hard labor under charge of the guard for the period of three months.*"

The proceedings and findings in the case of Private *John*

Brown, Company F, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d. Private *John Carney*, Company F, 7th Infantry.

CHARGE—"Disobedience of orders."

Specification.—"In this: that Private *John Carney*, Company F, 7th Infantry, having been ordered by 2d Lieutenant R. W. Cummins, 7th Infantry, to report himself in arrest to the Sergeant of the guard, did disobey said order. This at Lake City, Florida, on or about the 16th of June, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Carney*, Company F, 7th Infantry, *To forfeit ten dollars per month of his monthly pay for four months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period.*"

The proceedings and findings in the case of Private *John Carney*, Company F, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *Henry J. Benson*, Company F, 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that Private *Henry J. Benson*, of Company F, 7th Infantry, having been regularly detailed for guard duty did become so much under the influence of intoxicating drinks while on guard, as to be unable to perform properly the duties of a soldier. This at Lake City, Florida, on or about the 26th day of May, 1868."

To which charge and specification the accused pleaded *Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry J. Benson*, Company F, 7th Infantry, "*To be confined at hard*

labor in charge of the guard for a period of four months, wearing a twelve pound ball attached to his left leg by a chain three feet long."

The proceedings and findings in the case of Private *Henry J. Benson*, Company F, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *John Stormes*, Company F, 7th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that Private *John Stormes*, Company F, 7th Infantry, having been ordered by his superior officer, 2d Lieutenant R. W. Cummins, 7th Infantry, commanding Company F, 7th Infantry, for fatigue, which order was communicated to the said Private *John Stormes*, Company F, 7th Infantry, through Sergeant Henry E. Edden, Acting 1st Sergeant Company F, 7th Infantry, did refuse to obey said order, and say to Sergeant James Kelly, Company F, 7th Infantry, 'Sergeant Eddin may do it himself, I would sooner go into the guard-house than drive the team,' or words to that effect. This at Lake City Florida, on or about the 19th day of May, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Stormes*, Company F, 7th Infantry, "*To forfeit ten dollars per month of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period.* The court is thus lenient on account of the simple mindedness of the prisoner, and the good character given him by his Company commander."

The proceedings and findings in the case of Private *John Stormes*, Company F, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect."

5th. Private *Thomas Roberts*, Company D, 7th Infantry.

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

Specification 1st.—"In this: that Private *Thomas Roberts*, Com-

pany D, 7th Infantry, was on the streets of Saint Augustine, Florida, being in a drunken condition and creating a disturbance of the public peace. This at Saint Augustine, Florida, on or about the 21st day of April, 1868."

Specification 2d.—"In this: that Private *Thomas Roberts*, Company D, 7th Infantry, did strike Sergeant John R. Smith, Company D, 7th Infantry, he the said Sergeant John R. Smith, being at the time Sergeant of the post guard, and in the discharge of his duty as such. This at Saint Augustine, Florida, on or about the 21st day of April, 1868."

To which charge and specification the accused pleaded:

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

To the 2d *Specification*, "*Not Guilty.*"

To the CHARGE, "*Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Roberts*, Company D, 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for six months, to be confined at hard labor under charge of the guard for the same period, and to have a ball weighing twelve pounds attached to his left leg by a chain three feet in length.*"

The proceedings and findings in the case of Private *Thomas Roberts*, Company D, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th. Private *Jacob Inglesbee*, Company C, 7th Infantry.

CHARGE—"Quitting his Post."

Specification.—"In this: that he Private *Jacob Inglesbee*, Company C, 7th Infantry, being a member of the post guard at Gainesville, Florida, on the 21st May, 1868, and after being properly posted as a sentinel on No. 2 post, did quit his post and was found in the stable yard at 11 o'clock, P. M., by Sergeant Peter Brooks, Company A, 33d Infantry, commanding the guard. This at Gainesville, Florida, on the night of the 21st May, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Jacob Inglesbee*, Company C, 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for four months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Jacob Inglesbee*, Company C, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th. Private *Andy Johns*, Company C, 7th Infantry.

CHARGE I.—"Quitting his post."

Specification.—"In this: that Private *Andy Johns*, of Company C, 7th Infantry, being a member of the guard at Ocala, Florida, on or about the night of the 16th of June, 1868, did quit his post while on duty as a sentinel before being regularly relieved. This at Ocala, Florida, on or about the night of the 16th June, 1868."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Andy Johns*, of Company C, 7th Infantry, while a sentinel in charge of Privates John Sheridan and Charles E. Connell, both of Company E, 7th Infantry, prisoners charged with desertion, did allow them to escape from under his charge. This at Ocala, Florida, on or about the night of the 16th June, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification* to the 1st CHARGE, "Guilty" except the word "regularly."

Of the 1st CHARGE, "Guilty."

Of the 2d CHARGE and its *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Andy*

Johns, Company C, 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for four months and to be confined at hard labor in charge of the post guard for the same period.*

The court is thus lenient on account of the apparent irregularity in the manner of posting and relieving sentinels as practised in the detachment to which the prisoner belonged; as shown by the testimony."

The proceedings and findings in the case of Private *Andy Johns*, Company C, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *Patrick Dowdall*, Company D, 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Patrick Dowdall*, Company D, 7th Infantry, being duly enlisted in the service of the United States, did desert the same at or near Saint Augustine, Florida, on or about the 11th day of April, 1868, and did remain absent until apprehended near Lake City, Florida, on or about the 30th day of April, 1868. Thirty dollars having been paid for his apprehension. All this at Saint Augustine, and Lake City, Florida, on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Dowdall*, Company D, 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be indelibly marked upon the left hip with the letter D, two inches in length and within ten days thereafter to have his head shaved and then to be drummed out of and dishonorably discharged the service of the United States, and then to be confined at hard labor at such military prison as the Commanding General may designate for the period of two years.*"

The proceedings and findings in the case of Private *Patrick Dowdall*, Company D, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pu-

laski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

9th. Private *Hugh Mulvey*, Company H, 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that Private *Hugh Mulvey*, Company H, 7th Infantry, having been duly enlisted in the service of the United States, did desert said service at Saint Augustine, Florida, on or about the 12th day of April, 1868, and did remain absent from said service until on or about the 30th day of April, 1868, when he was apprehended near Lake City, Florida. Thirty dollars apprehension fee paid. All this at Saint Augustine, Florida, on or about the 12th day of April, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Hugh Mulvey*, Company H, 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be indelibly marked upon the left hip with the letter D, two inches in length, and within ten days thereafter to have his head shaved and then to be drummed out of and dishonorably discharged the service of the United States, and then to be confined at hard labor at such military prison as the Commanding General may designate for the period of two years.*"

The proceedings and findings in the case of Private *Hugh Mulvey*, Company H, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

10th. Corporal *William Ryan*, Company H, 7th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st. "In this: that Corporal *William Ryan*,

Company H, 7th Infantry, did on or about the 19th day of March, 1868, enter a house forcibly, and take therefrom a violin the property of a citizen named Victoria Teeya, (a resident of Saint Augustine, Florida,) and did fail to return the said violin. All this at Saint Augustine, Florida, on or about the 19th day of March, 1868."

Specification 2d.—"In this: that he the said Corporal *William Ryan*, Company H, 7th Infantry, did attack and attempt to beat a colored man named Mingo Stevens, without just cause or provocation. All this at Saint Augustine, Florida, on or about March 19, 1868."

To which charge and specifications the accused pleaded:

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

To the 2d *Specification*, "*Not Guilty*."

To the CHARGE, "*Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal (now Private) *William Ryan*, Company H, 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for two months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Corporal (now Private) *William Ryan*, Company H, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect."

11th. Corporal *William George*, Company G, 7th Infantry.

CHARGE I.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that Corporal *William George*, Company G, 7th Infantry, was found drunk while on duty in charge of a guard detailed to preserve order during an execution at the jail in Monticello, Florida, on the forenoon of May 22, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Corporal *William George*, Company G, 7th Infantry, while on duty did brutal-

ly beat, maltreat and wound Private Daniel Bryant, Company G, 7th Infantry. This at Monticello, Florida, on the 22d May, 1868."

Specification 2d.—"In this: that Corporal *William George*, Company G, 7th Infantry, did wilfully discharge his piece at the wooden door of a room in the jail building at Monticello, Florida, which room was known to him to contain several persons at the time he fired, with intention of shooting Randall B. Williams, (Deputy Sheriff of Jefferson county, Florida,) and did thereby seriously wound Lizzie Williams, and John Jordon, who were in the room at the time of the shooting. This at the jail in Monticello, Florida, on the forenoon of May 22, 1868."

To which charges and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the 1st CHARGE and *Specifications*, "Not Guilty."

Of the 1st *Specification* to the 2d CHARGE "Guilty."

Of the 2d *Specification*, to the 2d CHARGE, "Guilty" except the words "which room was known to him to contain several persons at the time he fired—with the intention of shooting Randall B. Williams, (Deputy sheriff of Jefferson county, Florida,) and did thereby seriously wound Lizzie Williams, and John Jordon," substituting for the last sentence excepted the words "and did thereby seriously wound Elizabeth Williams and slightly wound John W. Jordon."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *William George*, Company G, 7th Infantry, "*To be confined at hard labor in charge of the guard at such place as the Commanding General may designate for the period of one year and to forfeit to the United States ten dollars per month of his monthly pay for the same period.*"

The proceedings and findings in the case of Corporal *William George*, Company G, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

II. The General Court Martial of which Brevet Colonel MATHEW M. BLUNT, Major 7th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

S. F. BARSTOW,
Acting Assistant Adjutant General.

OFFICIAL:

C. D. Emory
A. D. C.

HEADQUARTERS, DEPARTMENT OF THE SOUTH

ATLANTA, GEORGIA, *August* 21, 1868

GENERAL ORDERS
No. 12.

I.—Before a Military Commission, which convened at McPherson Barracks, Atlanta, Georgia, June 29, 1868, pursuant to Special Orders No. 136, dated June 23, 1868, Headquarters, Third Military District, Atlanta, Georgia, and of which Brevet Brigadier General C. C. SIBLEY, Colonel 16th Infantry, is President, were arraigned and tried:

Elisha J. Kirkseey, Columbus C. Bedell, James W. Barber, William A. Duke, Robert Hudson, William D. Chipley, Alva C. Roper, James L. Wiggins and Robert A. Wood.

CHARGE.—"Murder."

Specification.—"In this: that the said *Elisha J. Kirkseey, Columbus C. Bedell, James W. Barber, William A. Duke, Robert Hudson, William D. Chipley, Alva C. Roper, James L. Wiggins, Robert A. Wood, Henry Hennis, Herbert W. Blair*, and *Milton Malone*, on the 31st day of March 1868, in the City of Columbus, in the county of Muscogee, State of Georgia, in and upon one GEORGE W. ASHBURN, then and there being in the peace of the said State, feloniously and wilfully did make an assault; and did then and there feloniously, unlawfully, wilfully and with malice aforethought discharge pistols loaded with powder and leaden balls at the said GEORGE W. ASHBURN; and with the said balls, discharged as aforesaid, did wound the said GEORGE W. ASHBURN in the left leg, above and near the ankle joint; and with the said balls, discharged as aforesaid, did wound the said GEORGE W. ASHBURN in the lower part of the nates; and with the said balls, discharged as aforesaid, did wound the said GEORGE W. ASHBURN in the forehead, which said wound, inflicted in the forehead as aforesaid, was mortal, and of which said mortal wound, inflicted in the manner and form aforesaid, the said GEORGE W. ASHBURN, then and there died; and the said *Elisha J. Kirkseey, Columbus C. Bedell, James W. Barber, William A. Duke, Robert Hudson, William D. Chipley, Alva C. Roper, James L. Wiggins, Robert A. Wood, Henry Hennis, Herbert W. Blair* and *Milton*

Malone, the said GEORGE W. ASHBURN, in the manner and form aforesaid feloniously, unlawfully, wilfully and of their malice aforethought, did then and there kill and murder, contrary to the laws of said State, the good order, peace, and dignity thereof."

On the 24th day of the sessions of the Commission in the foregoing case (the testimony not being concluded) the following letter was submitted:

"HEADQUARTERS, THIRD MILITARY DISTRICT,
(Department of Georgia, Florida & Alabama,)
Atlanta, Georgia, *July* 21, 1868.

Brevet Brigadier Gen'l. C. C. Sibley, U. S. A.,
President of Military Commission.

Gen'l.

In view of the action of the Legislature to day, and the probable immediate admission of the State of Georgia, and consequent cessation of military authority, the Commanding General directs that the Commission of which you are President, will suspend all further proceedings in the trial of the prisoners charged with the murder of ASHBURN. The prisoners however will be retained in custody until further orders.

Very Respectfully
Your obd't. sev't.,
(Signed) R. C. DRUM,
A. A. G."

whereupon all further proceedings ceased.

The proceedings of the Commission are approved.

Directions having been given (July 24, 1868,) that the prisoners be released upon bond to answer any demands of the civil or Military authorities, no further orders regarding their disposition are necessary.

II. The Military Commission of which Brevet Brigadier General C. C. SIBLEY, Colonel 16th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:
R. C. DRUM,
Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

1. Private WILLIAM STIMMLER, Company C, 8th Infantry.
2. Private JOHN O'BRIEN, Company H, 8th Infantry.
3. Private ALEXANDER M. JOHNSON, Company G, 8th Infantry.
4. Private THOMAS MCTAGUE, Company G, 8th Infantry.
5. Private WINFIELD S. MCABBEE, Company G, 8th Infantry.
6. Private THOMAS CAREY, Company H, 5th Cavalry.
7. Private CHARLES H. ROGERS, Light Battery E, 3d Artillery.
8. Private GEORGE W. MCCABE, Light Battery E, 3d Artillery.
9. Private STEPHEN J. KEMP Company H, 5th Artillery.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 24, 1868

GENERAL ORDERS
No. 14.

I. Before a General Court Martial which convened at Columbia, South Carolina, July 17, 1868, pursuant to Special Orders No. 161, Headquarters, Second Military District, dated Charleston, South Carolina, July 15, 1868, and of which Brevet Lieutenant Colonel A. C. WILDRICK, Captain 3d Artillery, is President, were arraigned and tried:

1st. Private *William Stimmler*, Company C, 8th Infantry.

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

Specification 1st. "In this: that he, Private *William Stimmler*, of Company C, 8th Infantry, when ordered by Sergeant Laurie Marcus, of Company C, 8th Infantry, to take his bedsack and empty the straw out of it, did fail to do so; said Sergeant Marcus being at the time in the discharge of his duty. This at Columbia, South Carolina, on or about the 6th day of July, 1868."

Specification 2d.—"In this: that he, Private *William Stimmler*, of Company C, 8th Infantry, did become so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier. This at Columbia, South Carolina, on or about the 6th day of July, 1868."

Specification 3d.—"In this: that he, Private *William Stimmler*, of Company C, 8th Infantry, did when confined under charge of the Post guard use the following threatening words towards Sergeant Laurie Marcus, of Company C, 8th Infantry, viz: 'God damn you, I will burst your head when I get released,' or words to

that effect; meaning the said Sergeant Marcus, who was at the time in the discharge of his duty. This at Columbia, South Carolina, on or about the 6th day of July, 1868."

Specification 4th "In this: that he, Private *William Stimmler*, of Company C, 8th Infantry, has been in confinement for different causes at the Post Guard House, Military Post of Columbia as follows: from January 20, 1868, to January 23, 1868; from January 28, 1868, to January 30, 1868; from February 13, 1868, to February 15, 1868; from March 9, 1868, to March 14, 1868; from April 6, 1868, to April 28, 1868; from May 21, 1868, to May 24, 1868; from July 4, 1868, to July 5, 1868; and confined again July 6, 1868."

To which charge and specifications the accused pleaded:

To the 1st, 2d and 3d *Specifications*, "*Not Guilty.*"

To the 4th *Specification*, "*Guilty.*"

To the CHARGE, "*Not Guilty.*"

FINDINGS.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Stimmler*, Company C, 8th Infantry, "*To be confined at hard labor at such place as the Commanding General may direct, for six callendar months, and to forfeit twelve dollars of his monthly pay per month, for the same period.*"

2d. Private *John O'Brien*, Company H, 8th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st.—"In this: that he, Private *John O'Brien*, of Company H, 8th Infantry, being a member of the guard, and having been duly posted as a sentinel over prisoners in the Post Guard House, did carelessly allow one of the said prisoners to escape. All this at Columbia, South Carolina, on or about the night of the 14th of June, 1868."

Specification 2d.—"In this: that he, the said Private *John O'Brien*, of Company H, 8th Infantry, being a member of the guard, and having been duly posted as a sentinel, did fail to challenge the relief on its approach to his post. All this at Columbia, South Carolina, on or about the night of the 14th of June 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "*Not Guilty.*"
Of the 2d *Specification*, " *Guilty.*"
Of the CHARGE, "*Guilty.*'

SENTENCE.

And the court does therefore sentence him, Private *John O'Brien*, of Company H, 8th Infantry, "*To forfeit five dollars of his pay.*"

3d. Private *Alexander M. Johnson*, Company G, 8th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—" In this: that he, *Alexander M. Johnson*, a Private of Company G, 8th U. S. Infantry, did stab John Kilkelly, a Private of Company G, 8th U. S. Infantry with a dirk, thereby inflicting a severe wound. This at Laurensville, South Carolina, on or about the 30th day of June, 1868."

Specification 2d.—" In this: that he, *Alexander M. Johnson*, a Pvt. of Company G, 8th U. S. Infantry, having been ordered by his superior officer 2d Lieutenant C. T. Speer, 8th Infantry, to deliver the dirk he held in his hand, the said Lieutenant Speer being in the discharge of his duty as officer of the day, did reply to the said Lieutenant C. T. Speer, ' I'll be damned if I have got one', or words to that effect. This at Laurensville, South Carolina, on or about the 30th day of June, 1868."

To which charge and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty,"

SENTENCE.

And the court does therefore sentence him, Private *Alexander M. Johnson*, of Company G, 8th Infantry, " *To be confined at hard labor in charge of the guard, for one callendar month.*"

4th. Private *Thomas McTague*, Company G, 8th Infantry,

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

Specification 1st.—" In this that he Private *Thomas McTague*, of Company G, 8th Infantry, did, without provocation, violently assault and beat Private Henry J. Ackley, Company I, 8th Infantry, and Mrs. Adelia Ackley. All this at Laurensville, South Carolina, on or about the 6th day of July, 1868."

Specification 2d.—"In this: that he, Private *Thomas McTague*, of Company G, 8th Infantry, did become so much under the influence of intoxicating liquor as to be unable to properly perform the duties of a soldier. All this at Laurensville, South Carolina, on or about the 6th day of July, 1868."

To which charge and specifications the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas McTague*, of Company G, 8th Infantry, "*To forfeit five dollars of his pay per month for three months, and be confined at hard labor in charge of the guard for the same period.*"

5. Private *Winfield S. McAbbee*, Company G, 8th Infantry.

CHARGE.—"Desertion."

Specification.—In this: that he, Private *Winfield S. McAbbee*, of Company G, 8th Infantry, having been duly enlisted in the Military service of the United States on the 25th day of October, 1866, did desert from his Company and Regiment at Unionville, South Carolina, on the 10th day of December, 1866, and did remain absent until arrested near Spartensburg, South Carolina, on the 9th day of July, 1868."

To which charge and specification the accused pleaded: "*Not Guilty*."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Winfield S. McAbbee*, of Company G, 8th Infantry, "*To be dishonora. bly discharged the service of the United States.*

The court is thus lenient believing that the accused was driven to desertion by the harsh treatment of 1st Sergeant James Kennedy, and that the evident inferiority of his men-

tal capacity prevented him from adopting the proper measures to obtain redress."

6th. Private *Thomas Carey*, Company H, 5th Cavalry.

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

Specification 1st.—"In this: that he, Private *Thomas Carey*, of Company H, 5th U. S. Cavalry, having been ordered by his superior non-commissioned officer, Sergeant James W. Poteet, Company H, 5th U. S. Cavalry, to fall in for fatigue duty (the said Sergeant Poteet being in the execution of his office), did wilfully refuse to obey said order saying, 'I will not go,' or words to that effect. This at Military Post of Aiken, S. C., on or about the 9th day of July, 1868."

Specification 2d.—In this: that he, Private *Thomas Carey*, of Company H, 5th U. S. Cavalry, having been ordered to be confined by Sergeant J. W. Poteet, Company H, 5th Cavalry, did strike said Sergeant J. W. Poteet, he being in the execution of his office, and did continue his violence and refusal to obey orders, until overpowered and taken to the Post guard house. This at Aiken, South Carolina, on or about the 9th day of July, 1868."

Specification 3d.—In this: that he, Private *Thomas Carey*, of Company H, 5th U. S. Cavalry, having been ordered to be confined by 1st Sergeant George Scherer, Company H, 5th Cavalry, did attempt to strike and kick said 1st Sergeant George Scherer, he being in the execution of his duty, and did call him a 'damned Dutch son of a bitch,' and continue his violence and refusal to obey orders, until overpowered, and taken to the Post guard house. This at the Military Post of Aiken, South Carolina, on or about the 9th day of July. 1868."

To which charge and specifications the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Carey*, of Company H, 5th Cavalry, "*To be confined at hard labor at such place as the Commanding General may direct*,

for six calendar months, and to forfeit twelve dollars of his monthly pay per month for the same period."

7th. Private *Charles H. Rogers*, Light Battery E, 3d Artillery.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *Charles H. Rogers*, Light Battery E, 3d Artillery, having been duly enlisted in the service of the United States on the fourth day of January, 1867, did desert the same on the twelfth day of February, 1868, at Columbia, South Carolina, and remain absent until apprehended as a deserter at Military Post of Raleigh, North Carolina, on the thirteenth day of June, 1868. All this at or near the places, and on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles H. Rogers*, of Light Battery E, 3d Artillery, "*To forfeit all pay and allowances due, or to become due; to be dishonorably discharged the service of the United States, and then to be confined at such place as the Commanding General may direct at hard labor, wearing a twenty-four pounder ball attached to his leg by a chain twenty-four inches long, for the period of two years.*"

8th. Private *George W, McCabe*, Light Battery E, 3d Artillery.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *George W. McCabe*, of Light Battery E, 3d Artillery, having been duly enlisted in the service of the United States on the nineteenth day of October, 1867, to serve for the period of three years, did desert the same on or about the ninth day of April, 1868, at Columbia, South Carolina, and remain absent until apprehended at the same place on or about the 22d day of May, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *George W. McCabe*,

of Light Battery E, 3d Artillery, having been apprehended at Columbia, South Carolina, and confined in the Post guard house on the 22d day of May, 1868, under charge of 'desertion,' did make his escape therefrom on or about June 15, 1868, and remain absent until apprehended at Raleigh, North Carolina, on or about the ninth day of July, 1868."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George W. McCabe*, of Light Battery E, 3d Artillery, "*To forfeit all pay and allowances due, or to become due; to be dishonorably discharged the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct, wearing a twenty-four pounder ball attached to his leg by a chain twenty-four inches in length, for the period of two years.*"

9th. Private *Stephen J. Kemp*, Company H, 5th Artillery.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Stephen J. Kemp*, Company H, 5th Artillery, having been duly enlisted in the service of the United States, on the 19th day of July, 1866; did desert the same, on the 18th day of March, 1868, at Columbia, South Carolina; and remained absent until surrendered to the Military Authorities, by the Civil Authorities, at Huntsville, Alabama, on the 2d day of June, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Stephen J. Kemp*, of Company H, 5th Artillery, "*To forfeit all pay and allowances due or to become due; to be dishonorably discharged the service of the United States, and then to be confiined at hard labor, at such place as the Commanding General may direct, wearing a twenty-four pounder ball attached to*

his leg by a chain twenty-four inches in length, for the period of two years."

II. The proceedings, findings and sentence in the case of Private *John O'Brien*, Company H, 8th Infantry, are approved, but upon the recommendation of the court based upon the length of confinement suffered by the prisoner previous to trial, the sentence is remitted.

III. The proceedings and findings in the cases of
Private *William Stimmler*, Company C, 8th Infantry.
" *Alexander M. Johnson*, Company G, 8th Infantry.
" *Thomas McTague*, Company G, 8th Infantry.
" *Winfield S. McAbbee*, Company G, 8th Infantry.
are approved. The sentences are confirmed and will be carried into effect.

IV. The proceedings and findings in the cases of
Private *Thomas Carey*, Company H, 5th Cavalry.
" *Charles H. Rogers*, Light Battery E, 3d Artillery.
" *George W. McCabe*, Light Battery E, 3d Artillery.
" *Stephen J. Kemp*, Company H, 5th Artillery,
are approved. The sentences are confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoners will be sent under a suitable guard, with a copy of this order.

V. The General Court Martial of which Brevet Lieutenant Colonel A. C. WILDRICK, Captain 3d Artillery, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:
R. C. DRUM,
Assistant Adjutant General.

OFFICIAL:

S F Basslee

A. D. C.

1. Private WILLIAM KEENAN, Company C, 12th Infantry.
2. Private WILLIAM FILON, Company E, 8th Infantry.
3. Private PATRICK GALLAGHER, Company E. 8th Infantry.
4. Private WILLIAM DAWSON, Company E, 8th Infantry.
5. Private CHARLES WILSON, Company D, 40th Infantry.
6. Private WILLIAM WHITE, Company F, 8th Infantry.
7. Second Class Private CHARLES COLE, Ordnance Corps.
8. Private GEORGE SIMMONS, Company F, 40th Infantry.
9. Private GEORGE BECKER, Company K, 12th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 25, 1868.

GENERAL ORDERS No. 15.

I. Before a General Court Martial, which convened at Summerville, South Carolina, July 27, 1868, pursuant to Special Orders No. 167, dated July 24, 1868, Headquarters Second Military District, Charleston, South Carolina, and of which Brevet Major J. J. VAN HORN, Captain 8th Infantry, is President, were arraigned and tried:

1st. Private *William Keenan*, Company C, 12th Infantry.

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

Specification.—"In this: that he, Private *William Keenan*, Company C, 12th Infantry, did wantonly and maliciously bite off the lower portion of the left ear of Private Hynes, Company B, 8th Infantry. All this in the guard house, at the Citadel, Charleston, South Carolina, on or about the 22d day of May, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Keenan*, Company C, 12th Infantry, "*To forfeit ten dollars per month of his monthly pay for the remainder of his term of enlistment; to be confined at hard labor at such place as the proper authority may direct for the same period, and then to be dishonorably discharged the service of the United States.*"

2d. Private *William Filon*, Company E, 8th Infantry.

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

Specification.—"In this: that he, Private *William Filon*, Company E, 8th Infantry, did, on or about the 9th day of July, 1868, wilfully and without provocation, call Sergeant John Hosey, of Company E, 8th Infantry, while in the proper discharge of his (Sergeant Hosey's) duty, 'a dirty puking son of a bitch,' or words to that effect. All this at the Citadel, Charleston, South Carolina, on or about the date above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Filon*, Company E, 8th Infantry, "*To forfeit ten dollars per month of his monthly pay for three months, and to be confined in charge of the guard for ten days, carrying a log of wood weighing thirty pounds, every alternate hour from reveille until retreat.*"

3d. Private *Patrick Gallagher*, Company E, 8th Infantry.

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

Specification 1st.—"In this: that he, Private *Patrick Gallagher*, Company E, 8th Infantry, did, on the evening of the 9th day of July, 1868, when ordered to the guard house by Sergeant John Hosey, of Company E, 8th Infantry, wilfully and without provocation, call the said Sergeant John Hosey, Company E, 8th Infantry, 'a damned thief, rogue, robber and son of a bitch,' or words to that effect, and said that he, the said Private *Patrick Gallagher*, Company E, 8th Infantry, would have revenge, dead or alive, on the said Sergeant John Hosey, Company E, 8th Infantry. All this at the Citadel, Charleston, South Carolina, between the hours of 7 o'clock P. M., and 8 o'clock P. M., on the date above specified."

Specification 2d.—"In this: that he, Private *Patrick Gallagher*, Company E, 8th infantry, did, between the hours of 7 o'clock P. M., and 8 o'clock P. M., on the evening of the 9th day of July, 1868, wilfully and deliberately, without provocation, assault and otherwise maltreat Sergeant John Hosey, Company E, 8th Infantry, while he, the said Sergeant John Hosey, Company E, 8th Infantry, was in the proper execution of his duty, in bringing the said Private *Patrick Gallagher*, Company E, 8th Infantry, to the guard house. This at the Citadel, Charleston, South Carolina, on or about the date above specified,"

To which charge and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the 1st *Specification*, "Guilty," except the words "rogue, robber and son of a bitch, or words to that effect, and said that he, (that) the said Private *Patrick Gallagher*, Company E, 8th Infantry, would have revenge, dead or alive."

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Gallagher*, Company E, 8th Infantry, "*To forfeit ten dollars of his monthly pay for one month.*"

The court is thus lenient on account of the prisoner's lengthened confinement and his term of service having expired since his confinement.

4th. Private *William Dawson*, Company E, 8th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that he, Private *William Dawson*, Company E, 8th Infantry, did absent himself from his company and garrison without proper authority, on the 9th day of July, 1868, and did remain absent until about half-past 9 o'clock, on the morning of the 11th day of July, 1868, thereby missing retreat and tattoo roll calls on the 9th, and reveille, retreat and tattoo roll calls on the 10th, and reveille roll call on the 11th days of July, 1868. All this at the Citadel, Charleston, South Carolina, on or about the dates specified."

CHARGE II.—"Violation of the 44th Article of War."

Specification.—"In this: that he, the said Private *William Dawson*, Company E, 8th Infantry, did fail to appear at the time fixed, with his company at drill, on the 9th and 10th days of July, 1868, he having no permission to absent himself therefrom. All this at Charleston, South Carolina, on about the dates above specified."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Dawson*, Company E, 8th Infantry, "*To forfeit eleven dollars per month of his monthly pay for two months.*"

5th. Private *Charles Wilson*, Company D, 40th Infantry.

CHARGE.—"Absence without leave."

Specification.—In this: that he, *Charles Wilson*, a private of Company D, 40th U. S. Infantry, having received a pass from 9 A. M. to 3 P. M., June 30, 1868, for the purpose of visiting the city of Charleston, did fail to return to his company, at Castle Pinckney, South Carolina, at the expiration of said pass, and did remain absent without permission from proper authority, until about 7 o'clock P. M., July 5, 1868. This at or near Charleston, South Carolina, on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Wilson*, Company D, 40th Infantry, "*To forfeit eight dollars per month of his monthly pay for two months, and to be confined at hard labor in charge of the guard for two weeks.*"

6th. Private *William White*, Company F, 8th Infantry.

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

Specification 1st.—In this: that he, Private *William White*, Company F, 8th U. S. Infantry, did, at the dinner table and in the presence of the enlisted men of Company F, 8th U. S. Infantry, use abusive and insulting language towards Corporal Levi Armstrong, Company F, 8th U. S. Infantry, saying that he, the said Corporal Levi Armstrong, Company F, 8th U. S. Infantry, was 'a damned sucker and a damned bastard, a disgrace to the Company,' or words to that effect. All this at Charleston, South Carolina, on or about the 19th day June, 1868."

Specification 2d.—"In this: that he, the said Private *William White*, Company F, 8th U. S. Infantry, did, when ordered to halt by 1st Sergeant Charles Hull, Company F, 8th U. S. Infantry, refuse to obey said order, and escaped from said 1st Sergeant Charles Hull, Company F, 8th U. S. Infantry, by running; said 1st Sergeant Charles Hull, being in the execution of orders received from Lieutenant Thomas Wilhelm, 8th Infantry, Post Adjutant. All this at Charleston, South Carolina, on or about the 19th day of June, 1868."

To which charge and specifications the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William White*, Company F, 8th Infantry, "*To forfeit ten dollars per month of his monthly pay for three months.*"

7th. 2d class Private *Charles Cole*, Ordnance Corps.

CHARGE I.—"Absence without leave."

Specification.—" In this: that he, 2d class Private *Charles Cole*, of the company of enlisted men of Ordnance, at the Charleston Arsenal, South Carolina, did, without leave, absent himself from his post, company and duty, from tattoo roll call, on or about the 8th day of July, 1868, and did remain absent until arrested and brought back by Sergeant Daniel Hearne, on the 10th day of July, 1868, about 8 o'clock P. M. This at Char-

leston Arsenal, South Carolina, on or about the time specified."

CHARGE II.—"Disobedience of orders, and resisting a non-commissioned officer, to the prejudice of good order and military discipline."

Specification.—In this: that he, 2d class Private *Charles Cole*, of the company of enlisted men of Ordnance, at Charleston Arsenal, on being discovered in a house of ill-fame by Corporal Connors, of his company, commanding a patrol sent out to arrest him, the said 2d class Private *Charles Cole*, and on being ordered by said Corporal Connors to come with him as his prisoner, did break away and escape from the said Corporal Connors, and on being pursued, did throw a stick of wood at the said Corporal; he, Corporal Connors, being then and there in the execution of his duty. This in the city of Charleston, South Carolina, on the 10th day of July, 1868, at or about 5 o'clock in the afternoon."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Guilty.*"

To the 2d CHARGE and *Specification*, "*Not Guilty.*"

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty," except the words "of ill-fame."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, 2d class Private *Charles Cole*, Ordnance Corps, "*To forfeit fifteen dollars per month of his monthly pay for five months, and to be confined at hard labor at such place as the proper authority may direct for the same period.*"

8th. Private *George Simmons*, Company F, 40th Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this: that he, Private *George Simmons*, Company F, 40th U. S. Infantry, having been duly posted as a sentinel, did go to sleep on his post. This at Walterboro, South Carolina, on or about the 18th day of April, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Simmons*, Company F, 40th Infantry, "*To forfeit ten dollars per month of his monthly pay for three months.*" The court is thus lenient on account of the prisoner's having already been confined for three months.

9th. Private *George Becker*, Company K, 12th Infantry.

CHARGE.—"Desertion."

Specification..—"In this: that he, the said Private *George Becker*, Company K, 12th Infantry, having been duly enlisted into the service of the United States, on the 1st day of May 1867, did desert the same from his company and regiment, at Charleston, South Carolina, on or about the 22d day of May, 1868; and did remain absent until apprehended at Wilmington, North Carolina, on or about the 30th day of May, 1868. All this at Charleston, South Carolina and Wilmington, North Carolina, on or about the dates above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification* "Guilty" except the words "did desert the same," substituting therefor "did absent himself without proper authority."

Of the CHARGE, "Not Guilty, but Guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *George Becker*, Company K, 12th Infantry, "*To forfeit eight dollars per month of his monthly pay for five months.*"

II. The proceedings and findings in the cases of Private *William Keenan*, Company C, 12th Infantry, and 2nd class Private *Charles Cole*, Ordnance Corps, are approved. The sentences are confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to

which point the prisoners will be sent under a suitable guard, with their Descriptive Lists and a copy of this order.

III. The proceedings and findings in the cases of
Private *William Filon*, Company E, 8th Infantry.
" *Patrick Gallagher*, Company E, 8th Infantry.
" *William Dawson*, Company E, 8th Infantry.
" *Charles Wilson*, Company D, 40th Infantry.
" *William White*, Company F, 8th Infantry.
" *George Simmons*, Company F, 40th Infantry,
are approved. The sentences are confirmed and will be carried into effect.

IV. The proceedings, findings and sentence in the case of Private *George Becker*, Company K, 12th Infantry, are disapproved, inasmuch as the record does not show that one of the witnesses was sworn. (*See Holt's Digest, edition of* 1866, *Record IV*, 15.) Private *Becker* will be released from confinement and restored to duty.

V. The General Court Martial, of which Brevet Major J. J. VAN HORN, Captain 8th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:
R. C. DRUM,
Assistant Adjutant General.

OFFICIAL:

C. D. Emory.
A. D. C.

1. Corporal WILLIAM DONNELLY, Company G, 6th Infantry.
2. Private JAMES L. SAUNDERS, Company H, 40th Infantry.
3. Principal Musician SAMUEL LINDENBERGER, 40th Infantry.
4. Private GRIFFIN COLLINS, Company E, 40th Infantry.
5. Private FRANK PICKETT, Company G, 40th Infantry.
6. Corporal JOHN C. TOFT, Company G, 6th Infantry.
7. Corporal CHARLES CHASE, Company B, 40th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 26, 1868

GENERAL ORDERS
No. 16.

I. Before a General Court Martial, which convened at Goldsboro, North Carolina, July 15, 1868, pursuant to Special Orders No. 155, dated July 8, 1868, Headquarters Second Military District, Charleston, South Carolina, and of which Brevet Lieutenant Colonel C. E. COMPTON, MAJOR 40th Infantry, is President, were arraigned and tried:

1st. Corporal *William Donnelly*, Company G, 6th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that he, Corporal *William Donnelly*, Company G, 6th Infantry, did appear in a grossly intoxicated condition at retreat roll call on the evening of July 6, 1868. All this at Camp Russell, Raleigh, North Carolina, July 6, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Corporal *William Donnelly*, Company G, 6th Infantry, are approved. Corporal *Donnelly* having been acquitted by the court, will be released from arrest and restored to duty.

2d. Private *James L. Saunders*, Company H, 40th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *James L. Saunders*, Company H, 40th Infantry, having been duly enlisted

in the service of the United States, December 12, 1866, at Washington, District of Columbia, to serve for three years, did desert said service at Goldsboro, North Carolina, on or about the twenty-eighth day of May, A. D. 1867, and did remain so absent until he voluntarily surrendered himself at Norfolk, Virginia, on or about the twelfth day of June, A. D. 1868. All this at Goldsboro, North Carolina, on or about the date specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James L. Saunders*, Company H, 40th Infantry, "*To forfeit to the United States all pay now due or which may become due him; to be dishonorably discharged and drummed out of the service, and then to be confined at hard labor under charge of a guard, at such place as the Commanding General may direct, for the period of one year.*"

The proceedings and findings in the case of Private *James L. Saunders*, Company H, 40th Infantry are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

3d. Principal Musician *Samuel Lindenberger*, 40th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Samuel Lindenberger*, Principal Musician 40th Infantry, did feloniously take, steal and carry away one watch of the value of ten dollars, the property of one John Davis, a citizen of Goldsboro, North Carolina. This at Goldsboro, North Carolina, on or about July 11, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Principal Musician *Samuel Lindenberger*, 40th Infantry, "*To be reduced to the ranks; to forfeit to the United States all pay now due, or which may become due him; to be dishonorably discharged and drummed out of the service, and then to be confined at hard labor under charge of a guard, at such place as the Commanding General may direct, for the period of one year.*"

The proceed ngs and findings in the case of Principal Musician *Samuel Lindenberger*, 40th Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Private *Griffin Collins*, Company E, 40th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification 1st.—"In this: that he, Private *Griffin Collins*, Company E, 40th Infantry, a member of the garrison guard, having been duly posted as a sentinel at the Headquarters of the Post of Goldsboro, North Carolina, did leave his post before being regularly relieved. This at Goldsboro, North Carolina, on or about the fifth day of July, 1868."

Specification 2d —"In this: that he, Private *Griffin Collins*, Company E, 40th Infantry, a member of the garrison guard, having been duly posted as a sentinel at Post Headquarters, did sit down and go to sleep upon his post. This at Goldsboro, North Carolina, on or about the fifth day of July, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*,	"Not Guilty."
Of the 2d *Specification*,	"Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Griffin Collins*, Company E, 40th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor under charge of the garrison guard for the same period.*"

The proceedings and findings in the case of Private *Griffin Collins*, Company E, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *Frank Pickett*, Company G, 40th Infantry.

CHARGE—"Violation of the 50th Article of War."

Specification. "In this: that he, Private *Frank Pickett*, Company G, 40th Infantry, a member of the guard duly mounted, did quit the said guard, without urgent necessity and without the leave of his superior officer. This at Goldsboro, North Carolina, on or about the 19th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Pickett*, Company G, 40th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for four months, and to be confined at hard labor under charge of a guard for the same period.*"

The proceedings and findings in the case of Private *Frank Pickett*, Company G, 40th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

6th. Corporal *John C. Toft*, Company G, 6th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification 1st.—"In this: that he, the said Corporal *John C. Toft*, Company G, 6th Infantry, was so much under the influence of liquor, or other intoxicating drink, as to be unable to stand steadily in the ranks at retreat roll call of his company. This at Raleigh, North Carolina, on or about Sunday, the nineteenth day of July, 1868."

Specification 2d.—"In this: that he, the said Corporal *John C. Toft*, Company G, 6th Infantry, having been ordered to attend the funeral ceremonies of a non-commissioned officer, was so much under the influence of liquor, or other intoxicating drink, as to be unable to stand steadily in the ranks. This at Raleigh, North Carolina, on or about Sunday, July 19, 1868."

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

Specification.—"In this: that he, the said Corporal *John C. Toft*, Company G, 6th Infantry, having been ordered to turn out in uniform coat and side arms, to attend the funeral ceremonies of a non-commissioned officer, did present himself at roll call without said prescribed uniform. This at Raleigh, North Carolina, on or about Sunday, July 19, 1868."

CHARGE III.—"Disobedience of orders."

Specification.—"In this: that he, the said Corporal *John C. Toft*, of Company G, 6th Infantry, having been ordered to his quarters in confinement by his commanding officer, Captain H. S. Hawkins, 6th Infantry, did fail to remain in his quarters, though ordered to do so by his said commanding officer, for which reason he, the said Corporal *Toft*, was then confined under charge of the guard. This at Raleigh, North Carolina, on or about Sunday, the nineteenth day of July, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDINGS.

Of the 1st CHARGE and *Specifications*, "Not Guilty."

Of the 2d and 3d CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *John C. Toft*, Company G, 6th Infantry, "*To be reduced to the ranks, and to forfeit to the United States his monthly pay, except the just dues of the laundress, for the period of three months.*"

The proceedings and findings in the case of Corporal *John C. Toft*, Company G, 6th Infantry, upon the 1st and 2nd charges and their specifications are approved. The finding upon the 3d charge and its specification is disapproved on account of insufficiency of evidence. The sentence is confirmed, but so much of it as prescribes forfeiture of pay is remitted.

7th. Corporal *Charles Chase*, Company B, 40th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Corporal *Charles Chase*,

Company B, 40th Infantry, having been duly enlisted in the service of the United States, on the twenty-sixth day of October, 1866, to serve for three years, and having been duly detailed and placed in charge of the garrison guard, did desert his guard and the service of the United States on the seventh day of July, 1868, and did remain absent until the evening of the fifteenth day of July, 1868, at which time he surrendered himself at Fort Macon, North Carolina. All this at Fort Macon, North Carolina, on and between the days above mentioned."

CHARGE II.—"Quitting his guard without leave of his superior officer, in violation of the fiftieth Article of War."

Specification.—"In this: that he, Corporal *Charles Chase*, Company D, 40th Infantry, after having been duly mounted as commandant of the Post Guard at Fort Macon, North Carolina, did absent himself from his guard and from the limits of Fort Macon, North Carolina, without proper authority. All this at Fort Macon, North Carolina, about 1 A. M., on the seventh day of July, 1868."

To which charges and specifications the accused pleaded:

To the *Specification* of the 1st CHARGE, "Guilty," except the words "did desert the service of the United States."

To the 1st CHARGE, "*Not Guilty.*"

To the 2d CHARGE and *Specification*, "Guilty."

FINDING.

Of the CHARGES and *Specifications*, "Guilty,"

SENTENCE.

And the court does therefore sentence him, Corporal *Charles Chase*, Company B, 40th Infantry, "*To be reduced to the ranks; to forfeit all pay and allowances now due, or which may become due him, except the just dues of the laundress; to be dishonorably discharged and drummed out of the service, and then to be confined at hard labor under charge of a guard, at such place as the Commanding General may direct, for the period of one year.*"

The proceedings and findings in the case of Corporal *Charles Chase*, Company B, 40th Infantry, upon the 2nd charge and its specification are approved. The finding on the 1st charge and its specification is disapproved. The accused pleaded

guilty to absence without leave, but not guilty to desertion. The court, without any evidence being introduced by the prosecution, convict of the latter offence. It should either have confirmed the precise plea of the accused, or have acquitted him altogether of the charge. (*See Holt's Digest, Finding, par.* 26.) The sentence is confirmed, but mitigated "*To reduction to the ranks; to forfeiture of twelve dollars per month of his pay for three months, and to confinement at hard labor under charge of the guard for the same period.*"

II. The General Court Martial of which Brevet Lieutenant Colonel C. E. COMPTON, Major 40th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

S. F. Baxlee

A. D. C.

1. Private CHARLES LAMPHERE, Company K, 33d Infantry.
2. Private LORENZO H. BROWN, Company C, 16th Infantry.
3. Private JAMES MURRY, Company D, 16th Infantry.
4. Private FREDERICK JAHN, Company G, 16th Infantry.
5. Private PATRICK HICKEY, Company K, 16th Infantry.
6. Private ALBERT COFFIN, Company K, 16th Infantry.
7. Private MICHAEL HALPIN, 3d Class Musician, Post Band, Atlanta, Georgia.
8. Private MORRIS IVERS, Company K, 16th Infantry.
9. Private MOSES BLAIR, Company E, 16th Infantry.
10. Private GEORGE STEWART, Company K, 33d Infantry.
11. Private ROBERT B. HARLOW, Company E, 16th Infantry.
12. Sergeant DENNIS O'BRIEN, Company E, 16th Infantry.
13. Private JOHN MOONEY, Company E, 16th Infantry.
14. Private EBENEZER CULVERS, Company D, 16th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *August* 31, 1868.

GENERAL ORDERS No. 17.

Before a General Court Martial which convened at McPherson Barracks, Atlanta, Georgia, July 30, 1868, pursuant to Special Order No. 161, dated July 27, 1868, Headquarters Third Military District, Atlanta, Georgia, and of which Brevet Brigadier General ELISHA G. MARSHALL, Colonel U. S. Army, is President, were arraigned and tried:

1st. Private *Charles Lamphere*, Company K, 33d Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this: that Private *Charles Lamphere*, Company K, 33d Infantry, having been duly posted as a sentinel at Barracks, detachment 33d Infantry, at or near Rome, Georgia, on or about July 19, 1868, was found sleeping on his post."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Lamphere*, Company K, 33d Infantry, "*To be confined under charge of his post guard at hard labor for the period of six*

months, and to forfeit to the United States ten dollars of his monthly pay per month for the some period."

The proceedings and findings in the case of Private *Charles Lamphere*, Company K, 33d Infantry are approved. The sentence is confirmed and will be carried into effect.

2nd. Private *Lorenzo H. Brown*, Company C, 16th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Lorenzo H. Brown*, Company C, 16th Infantry, being duly detailed on guard at McPherson Barracks, Atlanta, Georgia, and having been placed as a sentinel in charge of Private William Linthicum, Company C, 5th Cavalry a prisoner awaiting sentence of a General Court Martial, did allow said prisoner to escape. This at or near McPherson Barracks, Atlanta, Georgia, on or about July 11, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *Lorenzo H. Brown*, Company C, 16th Infantry, are approved. Private *Brown*, having been acquitted by the court, will be released from confinement and restored to duty.

3d. Private *James Murry*, Company D, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Murry*, Company D, 16th Infantry, did desert the service of the United States on or about May 29, 1868, and was absent without leave until apprehended by Private Charles Turner, Company D, 16th Infantry, at or near McPherson Barracks, Atlanta, Georgia, on or about the second of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Murry*, Company D, 16th Infantry, "*To forfeit to the United*

States all pay and allowances due or to become due, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D, two and one half inches in length; to be dishonorably discharged the service, and then to be confined at hard labor at such military prison as the Commanding General may direct for six months."

The proceedings and findings in the case of Private *James Murry*, Company D, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Private *Frederick Jahn*, Company G, 16th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Frederick Jahn*, Company G, 16th Infantry, being a member of the post guard at Columbus, Georgia, and having had Private Thomas Dixon, of Company G, 16th Infantry, a prisoner turned over to him by the Acting Sergeant of the guard, did allow the said prisoner Dixon to escape from his custody. This at Columbus, Georgia, on or about the sixteenth July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frederick Jahn*, Company G, 16th Infantry, "*To be confined at hard labor in charge of the guard of his post for the period of three months, and to forfeit to the United States ten dollars of his monthly pay per month for the same period.*"

The proceedings and findings in the case of Private *Frederick Jahn*, Company G, 16th Infantry, are approved. The sen- is confirmed, and will be carried into effect.

5th. Private *Patrick Hickey*, Company K, 16th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"That Private *Patrick Hickey*, Company K, 16th Infantry, and member of detachment of United States troops serving as guard for the party making sur-

vey of the battle fields of Atlanta campaign, did leave the camp of said detachment without permission, and remained absent until arrested by a patrol when about one and a half miles from said camp. This near Buck Head, Fulton County, Georgia, and on or about the eighth day of July, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"That Private *Patrick Hickey*, Company K, 16th Infantry, having his musket and equipments, did, in company with Private Ebenezer Culver, Company D, 16th Infantry, proceed to the house of Mr. A. B. Grady, at Buck Head, Georgia, induced him to open his store and give him, or them, a canteen of whiskey, and when asked by said Grady to pay for it, did refuse to do so, saying 'the Captain sent us to get the shoes,' (meaning shoes that had been recently pawned there by some soldiers for whiskey); on Grady's persisting in his attempts to get pay for his whiskey, he, *Hickey*, presented his musket to him, when he gave it up, and *Hickey*, with the said Culver, withdrew without paying for the whiskey, and were soon after arrested by a patrol. This after 7 o'clock P. M., July 8, 1868, near Buck Head, Georgia."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Hickey*, Company K, 16th Infantry, "*To be confined at hard labor in charge of the guard at McPherson Barracks, Atlanta, Georgia, for the period of thirty days, and to forfeit twelve dollars per month of his monthly pay three months.*"

The proceedings and findings in the case of Private *Patrick Hickey*, Company K, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

6th. Private *Albert Coffin*, Company K, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Albert Coffin*, Company K, 16th Infantry, U. S. A., did desert the service of the

United States on or about the 27th day of May, 1868, and was absent without leave from his company and post, until he surrendered himself at Atlanta, Georgia, on or about June 8, 1868. All this at or near Atlanta, Georgia, on or about the 27th of May, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification* "Guilty," except the words "did desert the service of the United States."

Of the CHARGE, "Not Guilty, but Guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *Albert Coffin*, Company K, 16th Infantry, "*To make good to the United States the time lost by his absence without leave; to be confined at hard labor in charge of the guard for one month, and to forfeit to the United States ten dollars per month of his monthly pay for the same period.*"

The proceedings and findings in the case of Private *Albert Coffin*, Company K, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th. Private *Michael Halpin*, 3d Class Musician, Post Band, Atlanta, Georgia.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Private *Michael Halpin*, 3d Class Musician, of Post Band, at Atlanta, Georgia, was found drunk at Band practice, on the afternoon of the 11th of July, 1868, and unable to perform his duties. All this at Atlanta, Georgia, on the date above mentioned."

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

Specification.—"In this: that he, Private *Michael Halpin*, 3d Class Musician, of Post Band, Atlanta, Georgia, did on or about the afternoon of July 11, 1868, maliciously destroy his instrument, (one 'E' flat alto) the property of the United States Government, valued at thirty eight dollars. All this at Atlanta, Georgia, on or about July 11, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty," except the word "maliciously."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Halpin*, 3d Class Musician, Post Band, Atlanta, Georgia, "*To make good to the United States the value of his instrument when destroyed (twenty-five dollars); to be confined in the quarters of the Band, turning out to play and practise with the Band, and doing all police duty for one month, and to forfeit to the United States fourteen dollars of his pay, for the same period.*"

The proceedings and findings in the case of *Michael Halpin*, 3d Class Musician, of Post Band, Atlanta, Georgia, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *Morris Ivers*, Company K, 16th Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this: that Private *Morris Ivers*, Company K, 16th Infantry, a sentinel, was found sleeping upon his post. This at McPherson Barracks, Atlanta, Georgia, on or about the 18th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Morris Ivers*, Company K, 16th Infantry, "*To be confined under charge of the post guard, at hard labor, for the period of six months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.*"

The proceedings and findings in the case of Private *Morris Ivers*, Company K, 16th Infantry are approved. The sentence is confirmed and will be carried into effect.

9th Private *Moses Blair*, Company E, 16th Infantry.

CHARGE.—"Desertion."

Specification. –"In this: that Private *Moses Blair*, Company

E, 16th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the fifteenth of April, 1868, and did remain absent until arrested at Augusta, Georgia, on or about the thirtieth day of April, 1868. This at Macon, Georgia."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Moses Blair*, Company E, 16th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due to him; to be indelibly marked on the left hip with the letter D, two inches in length; to be dishonorably discharged the service of the United States, and then to be confined, at such military prison as the Commanding General may direct for the period of six months.*"

The proceedings and findings in the case of Private *Moses Blair*, Company E, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

10th. Private *George Stewart*, Company K, 33d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *George Stewart*, Company K, 33d Infantry, deserted the service of the United States on or about the twenty-first of February, 1867, and was absent without leave from about February 21, 1867, until he surrendered himself at Lexington, Kentucky, on or about the second June, 1868. This at or near Macon, Georgia, on or about the twenty-first of February, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George*

Stewart, Company K, 33d Infantry, "*To forfeit to the United States all pay and allowances due, and to become due him; to be indelibly marked on the left hip with the letter D, two inches in length; to be dishonorably discharged the service, and then to be confined, to [at] such military prison as the Commanding General may direct, for the period of six months.*"

The proceedings and findings in the case of Private *George Stewart*, Company K, 33d Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard, with a copy of this order.

11th. Private *Robert B. Harlow*, Company E, 16th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that Private *Robert B. Harlow*, Company E, 16th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the eighth June, 1868, at or near Macon, Georgia, and was absent without leave until he surrendered himself at Americus, Georgia, on or about June 30, 1868."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty*," except the word "desert."

To the CHARGE, "*Not Guilty*," but "*Guilty*" of "Absence without leave."

FINDING.

Of the *Specification*, "Guilty," except the word "desert," substituting therefor the words "absent himself from."

Of the CHARGE, "Not Guilty" of desertion, but "Guilty" of "Absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *Robert B. Harlow*, Company E, 16th Infantry, "*To make good the time of his absence to the United States, and to forfeit to the United States ten dollars per month of his monthly pay for three months.*"

The proceedings and findings in the case of Private *Robert B. Harlow*, Company E, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

12th. Sergeant *Dennis O'Brien*, Company E, 16th Infantry.

CHARGE.—"Breach of arrest, to the prejudice of good order and military discipline."

Specification 1st.—"In this: that Sergeant *Dennis O'Brien*, Company E, 16th Infantry, having been placed in arrest by the commanding officer of his company, 2d Lieutenant A. McIntyre, 16th U. S. Infantry, did break said arrest by leaving the quarters of his company and limits of the Laboratory Buildings between the hours of one and three P. M., on the twenty-seventh of July, 1868."

Specification 2d.—"In this: that Sergeant *Dennis O'Brien*, Company E, 16th U. S. Infantry, having been placed in arrest by the commanding officer of his company, 2d Lieutenant A. McIntyre, 16th U. S. Infantry, did break said arrest by going to the city of Macon, Georgia, on the evening of the twenty-seventh of July, 1868, where he remained until arrested and brought back under guard, on the morning of the twenty-eighth of July, 1868. All this at the Laboratory Buildings, near Macon, Georgia, on or about the times specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty," except the words "on the evening of the twenty-seventh July, 1868."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Dennis O'Brien*, Company E, 16th Infantry, "*To forfeit to the United States one month's pay.*" The court is thus lenient on account of the previous good character of the accused as shown in the evidence.

The proceedings and findings in the case of Sergeant *Dennis O'Brien*, Company E, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

13th. Private *John Mooney*, Company E, 16th Infantry.

CHARGE I.—"Quitting his guard, in violation of the 50th Article of War."

Specification.—"In this: that Private *John Mooney*, Company E, 16th Infantry, having been duly mounted as a member of the guard, on the 4th of June, 1868, did leave the same, without permission from his superior officer, or urgent necessity, about 3 o'clock A. M., on the 5th of June, 1868; and remained absent until arrested and brought back under guard, on the 6th of June, 1868. This at or near Macon, Georgia, June 6, 1868."

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

Specification 1st.—"In this: that Private *John Mooney*, Company E, 16th Infantry, did strike with his fist, Corporal John Hickey, Company E, 16th Infantry, while in the execution of his office as Corporal of the guard. This at or near Macon, Georgia, June 6th, 1868."

Specification 2d.—"In this: that Private *John Mooney*, Company E, 16th Infantry, did use the following contemptuous and disrespectful language to Corporal John Hickey, Company E, 16th Infantry, while in the execution of his office as Corporal of the guard, and bringing the said *Mooney* to the guard-house:—'God damn you, you are no man at all,—I can lick you, God damn you,—I will lick you, before you put me into the guard-house,' or words to that effect. All this at or near Macon, Georgia, on or about the 6th day of June, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Mooney*, Company E, 16th Infantry, "*To forfeit to the United States twelve dollars per month, of his monthly pay, for six months, and to be confined at hard labor in charge of the guard, at the Post where his company may be serving, for the period of three months.*"

The proceedings and findings in the case of Private *John Mooney*, Company E, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

14th. Private *Ebenezer Culvers*, Company D, 16th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"That Private *Ebenezer Culvers*, Company D, 16th Infantry, and member of a detachment of U. S. Troops, serving as guard for the party making survey of the battle fields of the late Atlanta campaigns, did leave the camp of said detachment, without permission, and remain absent until arrested by a patrol, when about one and a half miles from said camp. This near Buck Head, Fulton County, Georgia, and on or about the 8th day of July, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"That Private *Ebenezer Culvers*, Company D, 16th Infantry, having his musket and equipments, did, in company with Private Patrick Hickey, Company K, 16th Infantry, proceed to the house of Mr. A. B. Grady, at Buck Head, Georgia; induced him to open his store, and give him or them, whiskey, and when asked by said Grady to pay for it, did refuse to do so, saying, 'the Captain sent us to get the shoes,' or words to that effect; on Grady's persisting in his attempts to get his pay, he presented his musket, with Private Hickey also, when Grady gave it up and they left. This at Buck Head, Fulton County, Georgia, after 7 o'clock, P. M., July 8, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Guilty.*"

To the 2d CHARGE and *Specification*, "*Not Guilty.*"

FINDING.

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

Of the 2d CHARGE and *Specification*, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Ebenezer Culvers*, Company D, 16th Infantry, "*To forfeit six dollars of his monthly pay for one month.*"

The proceedings and finding in the case of Private *Ebenezer Culvers*, Company D, 16th Infantry, on the first charge and its specification, are approved. The sentence is confirmed, and will be carried into effect. The

finding on the second charge and its specification is disapproved. The evidence in this case clearly shows that the accused was present, aiding and abetting Private Hickey in the offence, of which the court, in the fifth case of these orders, finds the latter guilty. An aider and abettor in a crime is one of the principals, and, though commonly termed of the second degree, may be indicted, excepting where a distinction in punishment is made by statute, in the same manner as the principal of the first degree, and is equally guilty of whatever the latter is found guilty. It is not material which one of these parties actually committed the injury charged; for the injury of any one of those present, is, in the contemplation of the law, the injury of each and every one of them.

By order of Major General Meade:

R. C. DRUM,

Assistant Adjutant General.

Official:

A. D. C.

1. Private THOMAS MCDONOUGH, Company I, 16th Infantry.
2. Private WILLIAM B. FALLOON, Company B, 16th Infantry.
3. Private ROLLIN T. MORSE, Company B, 16th Infantry.
4. Private JOHN MCELROY, Company B, 16th Infantry.
5. Private CHRISTOPHER COFFEY, Company B, 16th Infantry.
6. Sergeant ANTHONY COOK, Company B, 16th Infantry.
7. Private MICHAEL RYAN, Company C, 5th Cavalry.
8. Private HUGH HALE, Company I, 16th Infantry.
9. Private GEORGE NASH, Company B, 16th Infantry.
10. Private MARTIN TENNISON, Company B, 16th Infantry.
11. Private CHRISTOPHER KEEGAN, Company B, 16th Infantry.
12. Private JOHN GRANT, Company G, 5th Cavalry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *September* 8, 1868

GENERAL ORDERS
No. 18.

Before a General Court Martial which convened at McPherson Barracks, Atlanta, Georgia, July 30, 1868, pursuant to Special Order No. 161, Headquarters Third Military District, dated Atlanta, Georgia, July 27, 1868, and of which Brevet Brigadier General ELISHA G. MARSHALL, Colonel U. S. Army, is President, were arraigned and tried:

1st. Private *Thomas McDonough*, Company I, 16th Infantry.

CHARGE I.—"Offering violence to his superior officer, being in the execution of his office."

Specification.—"In this: that Private *Thomas McDonough*, Company I, 16th Infantry, did strike 1st Lieutenant Theodore Kendall, 33d Infantry, being in the execution of his office as Officer of the Day. All this at McPherson Barracks, Atlanta, Georgia, on or about the 23d day of June, 1868."

CHARGE II.—"Disobedience of orders."

Specification. "In this; that Private *Thomas McDonough*, Company I, 16th Infantry, being a prisoner in the guard house, and being ordered by 1st Lieutenant Theodore Kendall, 33d Infantry, who was in the execution of his office as Officer of the Day, to carry a log, did refuse to obey said order in the following language, viz: 'I can't do it; I will be God-damned if I will do

it for you or any other officer; you are a God-damned son of a bitch,' or words of similar import."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty," except the words, "I will be God-damned if I will do it for you or any other officer."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas McDonough*, Company I, 16th Infantry, "*To forfeit to the United States all pay and allowances that are due him, or may become due him, excepting the sum of two dollars per month for laundress fees and tobacco; to be confined at hard labor in charge of the guard, wearing a twenty-four pound ball attached to his leg by a chain, at such military prison as the Commanding General may direct, for the period of fifteen calendar months, every alternate fourteen days of the first part of said period, amounting in all to eighty-four days, to be spent in solitary confinement in dark cells on bread and water, and then to be dishonorably discharged the service of the United States.*"

The proceedings and findings in the case of Private *Thomas McDonough*, Company I, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard, with a copy of this order.

2d. Private *William B. Falloon*, Company B, 16th Infantry.

CHARGE.—"Drunkenness on guard."

Specification.—"In this: that Private *William B. Falloon*, Company B, 16th Infantry, was found drunk on his guard. This at Albany, Georgia, on or about July 4, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William B. Falloon*, Company B, 16th Infantry, "*To be confined at hard labor in charge of the guard for the period of three months.*"

The proceedings and findings in the case of Private *William B. Falloon*, Company B, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

3d. Private *Rollin T. Morse*, Company B, 16th Infantry.

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

Specification 1st. –"In this: that Private *Rollin T. Morse*, Company B, 16th Infantry, did, when told to be quiet, strike at, and kick at Corporal James Barcomb, Company B, 16th Infantry. This at Albany, Georgia, on or about June 16th, 1868."

Specification 2d.—"In this: that Private *Rollin T. Morse*, Company B, 16th Infantry, was drunk and disorderly in the streets of Albany, Georgia. All of this on or about the 16th day of June, 1868."

Specification 3d—"In this: that Private *Rollin T. Morse*, Company B, 16th Infantry, did when arrested by the guard, kick and strike at it, and apply to it various opprobrious epithets. This at Albany, Georgia, on or about the 16th day of June, 1868."

CHARGE II.—" Drunkenness on duty."

Specification.—"In this: that Private *Rollin T. Morse*, Company B, 16th Infantry, was found drunk on his guard. This at Atlanta, Georgia, on or about the 3d day of August, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st and 2d *Specifications* to the 1st CHARGE, "Guilty."

Of the 3d *Specification*, "Not Guilty."

Of the 1st CHARGE, "Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *Rollin*

T. Morse, Company B, 16th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Rollin T. Morse*, Company B, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *John McElroy*, Company B, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *John McElroy*, of Company B, 16th Infantry, did desert the service of the United States, at or near Perry, Houston county, Georgia, on or about the 18th day of June, 1868, and was absent without leave from June 18, 1868, until apprehended on or about the 20th of June, 1868, at or near Eufaula, Alabama."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty*," except the words "did desert" substituting therefor the words, "did absent himself from."

To the CHARGE "*Not Guilty*," but "Guilty of absence without leave."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John McElroy*, Company B, 16th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due him; to be indelibly marked with the letter D, two inches long; to be dishonorably discharged the service, and then to be confined at hard labor in charge of the guard, at such military prison as the Commanding General may direct, for the period of six months.*"

The proceedings and findings in the case of Private *John McElroy*, Company B, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

5th. Private *Christopher Coffey*, Company B, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Christopher C ffey*, Company B, 16th Infantry, did desert the service of the United States at or near Perry, Houston county, Georgia, on or about the 18th day of June, 1868, and was absent without leave from June 18, 1868, until apprehended on or about the 20th day of June, 1868, at or near Eufaula, Alabama."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty*," except the word "did desert," substituting therefor the words, "did absent himself from."

To the CHARGE, "*Not Guilty*," but "Guilty of absence without leave."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Christopher Coffey*, Company B, 16th Infantry, "*To forfeit to the United States all pay and allowances that are now due, or may become due him; to be indelibly marked on the left hip with the letter D, two inches long, to be dishonorably discharged the service of the United States, and then to be confined at hard labor in charge of the guard, at such military prison as the Commanding General may direct, for the period of six months.*"

The proceedings and findings in the case of Private *Christopher Coffey*, Company B, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent, under a suitable guard, with a copy of this order.

6th. Sergeant *Anthony Cook*, Company B, 16th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that Sergeant *Anthony Cook*, Company B, 16th Infantry, after having been refused permission by his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, to be absent from the company, did so absent himself, thereby disobeying the lawful order of his superior officer. This at

Albany, Georgia, on or about the 13th day of June, 1868."

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

Specification.—"In this: that Sergeant *Anthony Cook*, Company B, 16th Infantry, while in arrest did leave the warehouse occupied as quarters by his company and himself, thereby committing a breach of the said arrest. This at Albany, Georgia, on or about the 14th day of June, 1868."

CHARGE III.—"Behaving himself with contempt or disrespect toward his commanding officer."

Specification.—"In this: that Sergeant *Anthony Cook*, Company B, 16th Infantry, when ordered by his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, to his quarters, in arrest, did not go; and did, while in charge of the Corporal of the guard, on the way to and while at the guard house, make threats, and continued talking in a loud and insolent tone of voice in the hearing of the said Major Cochran; and when ordered by his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, to keep quiet, did still continue talking in a loud and threatening voice, and did use the following insolent and contemptuous language, with gestures, to his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, to wit: 'I wish my time was out—'somebody would suffer—I can whip the best man in 'Albany—I would rather die than serve another year 'in this company—Major Cochran, you are a dirty son 'of a bitch—God damn you, I can lick the shit out of 'you—I will kill you, God damn you, before my time 'is out,' or words to that effect; 'I have beat several 'officers of the 16th on Court Martials, and I will beat 'you—I can whip any officer in the 16th Infantry,' and many other words to the same effect. All this at Albany, Georgia, on or about the 4th day of July, 1868."

CHARGE IV.– "Offering violence against his superior officer, he being in the execution of his office."

Specification.—"In this: that Sergeant *Anthony Cook*, Company B, 16th Infantry, did strike at and seize hold of,

in a violent manner, and attempt to throw down his superior officer, Brevet Major M. A. Cochran, Captain 16th Infantry, while he, the said Brevet Major M. A. Cochran, Captain 16th Infantry, was in the execution of his office. All this at Albany, Georgia, on or about the 4th day of July, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st, 2d and 3d CHARGES and *Specifications*, "Guilty."

Of the 4th CHARGE and *Specification*, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Anthony Cook*, Company B, 16th Infantry, "*To be reduced to the ranks as a private soldier; to forfeit to the United States fourteen dollars per month of his monthly pay for one year, and to be confined at hard labor under charge of the guard, at such military prison as the Commanding General may direct, for the same period.*"

The proceedings and findings in the case of Sergeant *Anthony Cook*, Company B, 16th Infantry, are approved. The sentence is confirmed, but in consideration of the previous good character of the prisoner as testified to by his company commander and other officers of his regiment, his previous gallant services while in the Army of the Potomac, and his recommendation by the court to the clemency of the reviewing authority, the sentence is mitigated, "*To reduction to the ranks as a private soldier, and to forfeiture of ten dollars per month of his monthly pay for the period of five months.*"

7th. Private *Michael Ryan*, Company C, 5th Cavalry.

CHARGE I.—"Behaving himself with contempt or disrespect toward his commanding officer."

Specification.—In this: that Private *Michael Ryan*, Company C, 5th Cavalry, did request his commanding officer, 1st Lieutenant E. R. Doherty, to sign a sutler's order, and after said order having been signed, he, the said *Ryan*, did tear up the order, and when asked why he did so, did say to his commanding officer that that was his business, or words to that effect. This at the camp of C Company, 5th Cavalry, July 28, 1868."

CHARGE II.—"Disobedience of orders."

Specification.—In this: that Private *Michael Ryan*, Company C, 5th Cavalry, after having been ordered by his commanding officer, 1st Lieutenant E. R. Doherty, to remain in camp, did leave camp without authority, and proceed to Post Headquarters. This at Atlanta, Georgia, on the 28th day of July, 1868."

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

Specification.—"In this: that Private *Michael Ryan*, Company C 5th Cavalry, after having been ordered by his commanding officer to remain in camp, did go to the Sergeant of the guard, and represent that he had an order from Post Headquarters to take his horse, and did, under false pretences, take his horse, and when ordered by his commanding officer to halt, as he was leaving camp, and when ordered to halt by the guard, did run his horse and did escape, notwithstanding he was fired upon by the guard. All this at the camp of Company C, 5th Cavalry, on the date specified."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification* to the 1st CHARGE, "Guilty," except the words "commanding officer," occurring the second time in the specification, substituting therefor the words "superior officer."

Of the 1st CHARGE, "Not Guilty," but "Guilty" of "Behaving himself with contempt or disrespect to his superior officer, to the prejudice of good order and military discipline."

Of the *Specification* to the 2d CHARGE, "Guilty," except the words "commanding officer," substituting therefor the words "superior officer."

Of the 2d CHARGE, "Guilty,"

Of the *Specification* to the 3d CHARGE, "Guilty," except the words "did go to the Sergeant of the guard and represent that he had an order from Post Headquarters to take his horse," and "under false pretences," and the words "commanding officer," substituting therefor the words "superior officer."

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael*

Ryan, Company C, 5th Cavalry, "*To forfeit to the United States twelve dollars of his monthly pay for two months.*"

The proceedings and findings in the case of Private *Michael Ryan*, Company C, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *Hugh Hale*, Company I, 16th Infantry.

CHARGE.—"Disobedience of orders, to the prejudice of good order and military discipline."

Spedification.—" In this: that he, Private *Hugh Hale*, Company I, 16th Infantry, being detailed on daily duty in the Quartermaster's Department, when ordered by Sergeant Joseph Nye, 16th Infantry, in charge of post corral, to take a bale of straw to the quarters of Company C, 16th Infantry, did refuse to obey said order. This at McPherson Barracks, near Atlanta, Georgia, on or about the 4th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Hugh Hale*, Company I, 16th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Hugh Hale*, Company I, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

9th. Private *George Nash*, Company B, 16th Infantry.

CHARGE.—"Drunkenness on guard."

Specification.—" In this: that Private *George Nash*, Company B, 16th Infantry, was found drunk on his guard. This at Albany, Georgia, on or about the 1st day of August, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *George Nash*, Company I, 16th Infantry, are approved. Private *Nash* having been acquitted by the court, will be released from confinement and restored to duty.

10th. Private *Martin Tennison*, Company B, 16th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Martin Tennison*, of Company B, 16th Infantry, having been posted as a sentry in front of the guard house, with instructions from the Sergeant of the guard to allow no prisoners to leave the guard house, did permit a prisoner to escape from said guard house. This at Albany, Georgia, on or about the 1st day of August, 1868.

To which charge and specification the accused pleaded "*Not Guilty.*"

"A motion was here made by a member, that the court do not proceed to the trial on the above, on account of want of specification in the specification to the charge, and because said specification was too general," which motion was sustained by the court.

The proceedings in the case of Private *Martin Tennison*, Company B, 16th Infantry, are disapproved. The motion of a member, adopted by the court, fails to show in what the "want of specification" consisted, or in what particular the "specification was too general." The averments of the specification, that the accused, at a certain time and place, permitted a prisoner entrusted to his charge to escape, sets forth a substantial offence, and as the accused, by his plea of not guilty, was precluded from afterwards objecting to the Specification as indefinite, it was improper for the court upon these grounds, to refuse to try him after he had thus pleaded.

11th. Private *Christopher Keegan*, Company B, 16th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Christopher Keegan*, Company B, 16th Infantry, did steal, take and carry away, with intent to appropriate to his own use and benefit, the following named articles of clothing: one

pair of trowsers and one pair of shoes, the property of Private Ole Gilbertson, Company B, 16th Infantry. This at the quarters of Company B, 16th Infantry, at Albany, Georgia, on or about the 16th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Christopher Keegan*, Company B, 16th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due him; to be indelibly marked with the letter T, two inches long, on the left hip; to be confined in charge of the guard for ten days, and then to be drummed out of the service, with a placard attached to his back, with the word "Thief" printed thereon in large letters.*

The proceedings and findings in the case of Private *Christopher Keegan*, Company B, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

II. The General Court Martial, of which Brevet Brigadier General ELISHA G. MARSHALL, Colonel U. S. Army, is President, is hereby dissolved.

III. The sentence of Private *John Grant*, Company G, 5th Cavalry, published in General Orders No. 4, current series, from these Headquarters, will be carried into effect at Fort Jefferson, Dry Tortugas, Florida, which is designated as the place of his confinement, to which point the prisoner will be sent under a suitable guard, with a copy of this order, and of General Orders No. 4, current series, from these Headquarters. The period of confinement in the foregoing case, will be computed from the 12th day of August, 1868.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

1. Private WILLIAM HACKING, Company I, 33d Infantry.
2. Private JOHN LEARY, Company I, 33d Infantry.
3. Private MICHAEL CORCORAN, Company I, 33d Infantry.
4. Private PHILLIP JONES, Company E, 33d Infantry.
5. Private HENRY C. MCCARTY, Company E, 33d Infantry.
6. Private ROBERT H. BINGHAM, Company I, 33d Infantry.
7. Corporal THOMAS J. ROONEY, Company I, 33d Infantry.
8. Private ELEAZER GRACE, Company B, 33d Infantry.
9. Musician BENJAMIN G. GRANT, Company B, 33d Infantry.
10. Private CHARLES DALEY, Company G, 33d Infantry.
11. Private MATTHEW DALEY, Company G, 33d Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *September* 9, 1868

GENERAL ORDERS
No. 19.

Before a General Court Martial, which convened at Huntsville, Alabama, August 24, 1868, pursuant to Special Orders No. 19, Headquarters Department of the South, dated Atlanta, Georgia, August 20, 1868, and of which Brevet Lieutenant Colonel JOHN F. RITTER, Captain 33d Infantry, is President, were arraigned and tried:

1st. Private *William Hacking*, Company I, 33d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline. (99th Article of War.)"

Specification 1st.—"In this: that Private *William Hacking*, Company I, 33d U. S. Infantry, did, in the absence of the occupants, enter the room of Private Cornelius Whelton, Company I, 33d Infantry, and feloniously take, steal and carry away therefrom, one bottle of hair-oil, the property of the said Private Cornelius Whelton, Company I, 33d Infantry. This at Milledgeville, Georgia, on or about the 27th day of May, 1868."

Specification 2d.—"In this: that Private *William Hacking*, Company I, 33d Infantry, did feloniously take, steal and carry away one blacking brush and two bottles of oil, the property of Artificer Calvin Guyer. This at Milledgeville, Georgia, on or about the 20th day of May, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Hacking*, Company I, 33d Infantry, "*To be confined at hard labor under charge of the guard for the period of two months.*" The court is thus lenient in view of the confinement of two months and twenty-five days already suffered by the prisoner.

The proceedings and findings in the case of Private *William Hacking*, Company I, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d. Private *John Leary*, Company I, 33d Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Private *John Leary*, Company I, 33d Infantry, was found drunk on his guard. This at Milledgeville, Georgia, on or about the 22d day of July, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *John Leary*, Company I, 33d Infantry, a member of the guard of Company I, 33d Infantry, and posted as a sentry did, upon being told by Corporal Charles Walders, Company I, 33d Infantry, Corporal of the guard, to stop talking, make use of the following language: 'you have no right to interfere with me; if you don't let me alone I will put my bayonet through you,' or words to that effect, at the same time bringing his piece to a charge bayonet. This at Milledgeville, Georgia, on or about the 22d day of July, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty," except the words, "if you don't let me alone I will put my bayonet through you."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Leary*, Company I, 33d Infantry, "*To forfeit ten dollars per month of his pay for four months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *John Leary*, Company I, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *Michael Corcoran*, Company I, 33d Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Private *Michael Corcoran*, Company I, 33d Infantry, was found drunk on his guard. This at Milledgeville, Georgia, on or about the 27th day of May, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Michael Corcoran*, Company I, 33d Infantry, did, on being asked by Sergeant M. F. Cole, Company I, 33d Infantry, (Sergeant of the Guard) whether he would lie down and sleep, if he would have him relieved, make use of the following disrespectful and provoking language, 'suck my ass, and go to hell,' or words to that effect, meaning the Sergeant of the Guard. This at Milledgeville, Georgia, on or about the 27th day of May, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st CHARGE and *Specification*, "Not Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Corcoran*, Company I, 33d Infantry, "*To forfeit ten dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Michael Corcoran*, Company I, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *Phillip Jones*, Company E, 33d Infantry.

CHARGE.—"Quitting his guard, without urgent necessity or without the leave of his superior officer."

Specification.—"In this: that Private *Phillip Jones*, of Company E, 33d Infantry, did quit his guard without urgent necessity, or the leave of his superior officer. This at Eufala, Alabama, on or about the night of the 13th of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Phillip Jones*, Company E, 33d Infantry, "*To forfeit ten dollars of his monthly pay for four months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Phillip Jones*, Company E, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *Henry C. McCarty*, Company E, 33d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Private *Henry C. McCarty*, Company E, 33d Infantry, did approach the quarters of Quartermaster Sergeant E. L. Hobart, Company I, 33d Infantry, and make use of the following insulting and disrespectful language, 'I'm drunk? you son of a bitch,' meaning Sergeant Hobart. This at Milledgeville, Georgia, on or about the 8th day of July, 1868."

Specification 2d.—"In this: that Private *Henry C. McCarty*, Company E, 33d Infantry, did approach 1st Sergeant Samuel Slaymaker, Company I, 33d Infantry, and accost him as follows: 'Is this you Slaymaker? Are you a better man than I am? If you think you are, come into the street and I'll show you whether you are or not?' (at the same time pulling off his coat) or words to that effect. This at Milledgeville, Georgia, on or about the 8th day of July, 1868."

Specification 3d.—"In this: that he, Private *Henry C. McCarty*, Company E, 33d Infantry, did strike at, and hit

with his coat Corporal C. M. Fitzgerald, (Corporal of the guard) he being in the execution of the duties of his office, using the words: 'I don't belong to your damned company, and you have nothing to do with me; I am under Captain Knapp,' or words to this effect. This at Milledgeville, Georgia, on or about the 8th day of July, 1868."

Specification 4th.—"In this: that Private *Henry C. McCarty*, Company E, 33d Infantry, on being ordered into confinement by Sergeant Jones, (Sergeant of the guard) did use the following words: 'Jones you can't arrest me without orders from Captain Knapp,' and did approach him, Sergeant Jones, (Sergeant of the guard) and striking at, and seizing hold of him, use the following words: 'You son of a bitch,' meaning Sergeant Jones. This at Milledgeville, Georgia, on or about the 8th day of July, 1868."

To which charge and specifications the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry C. McCarty*, Company E, 33d Infantry, "*To forfeit ten dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Henry C. McCarty*, Company E, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based on the prisoner's inexperience, and previous faithful discharge of his duties, it is hereby mitigated *to forfeiture of ten dollars of his monthly pay for three months.*

6th. Private *Robert H. Bingham*, Company I, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Robert H. Bingham*, Company I, 33d Infantry, deserted the service of the United States, and was absent without leave from the 21st day of May, 1867, until he surrendered himself at Philadelphia, Pennsylvania, March 13, 1868. This at Atlanta, Georgia, on or about the 21st day of May, 1867."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty*" except the words, "deserted the service of the United States, and"

To the CHARGE, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert H. Bingham*, Company I, 33d Infantry, "*To forfeit to the United States all pay and allowances now due, and to be confined at hard labor at such military prison as the General Commanding may direct for the period of one year, and to forfeit twelve dollars of his monthly pay for the same period.*"

The proceedings and findings in the case of Private *Robert H. Bingham*, Company I, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, in consideration of the fact of the prisoner having surrendered himself, it is hereby mitigated *to forfeiture of all pay and allowances now due; to confinement at hard labor under charge of the guard for the period of four months, and to the forfeiture of twelve dollars of his monthly pay for the same period.*

7th. Corporal *Thomas J. Rooney*, Company I, 33d Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Corporal *Thomas J. Rooney*, Company I, 33d Infantry, while in charge of Edward Minors, a prisoner *en-route* from Milledgeville, Georgia, to Savannah, Georgia, for confinement at Fort Pulaski, did permit said prisoner to escape from his custody at or near station Number nine on the Central Rail Road in the State of Georgia. This on or about the 4th day of June, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification* "Guilty, (but under the circumstances attach no criminality thereto.)"

Of the CHARGE, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Corporal *Thomas J. Rooney*, Company I, 33d Infantry, are approved. Corporal *Rooney* having been acquitted by the court will be released from arrest and restored to duty.

8th. Private *Eleazer Grace*, Company B, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Eleazer Grace*, Company B, 33d Infantry, being duly enlisted in the service of the United States, did desert the same at or near Selma, Alabama, on or about the 26th day of July, 1868, and did remain absent until apprehended at or near Vicksburg, Mississippi, on or about the 9th day of August, 1868."

To which charge and specification the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Eleazer Grace*, Company B, 33d Infantry, "*To forfeit to the United States all pay and allowances that are or may become due, to be indelibly marked on the right hip with a letter D, two inches in length, and ten days thereafter to have his head shaved and to be drummed out of the service.*"

The proceedings and findings in the case of Private *Eleazer Grace*, Company B, 33d Infantry, are approved. The sentence, though inadequate to the offence, is confirmed and will be carried into effect.

9th. Musician *Benjamin G. Grant*, Company B, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Musician *Benjamin G. Grant*, Company B, 33d Infantry, being duly enlisted in the service of the United States, did desert the same at or near Selma, Alabama, on or about the 26th day of July, 1868, and did remain absent until apprehended at or near Vicksburg, Mississippi, on or about the 3d day of August, 1868."

To which charge and specification the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *Benjamin G. Grant*, Company B, 33d Infantry, "*To forfeit all pay and allowances due or to become due him; to be indelibly marked on the right hip with a letter D, two inches in length, and ten days thereafter to have his head shaved and to be drummed out of the service.*"

The proceedings and findings in the case of Musician *Benjamin G. Grant*, Company B, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based upon the prisoner's extreme youth and inexperience, it is hereby commuted *to forfeiture of all pay and allowances now due him, and of all pay that may become due him for the period of two months, and to be confined at hard labor under charge of the guard for the same period.*

10th Private *Charles Daley*, Company G, 33d Infantry.

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

Specification 1st.—"In this: that Private *Charles Daley*, Company G, 33d Infantry, did, after being repeatedly ordered by 1st Sergeant John McRae, he being in the execution of his duty, make use of the following language, to wit: 'I will not do it, and I will be damned if you can make me do it,' or words to that effect. This at McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

Specification 2d.—In this: that Private *Charles Daley*, Company G, 33d Infantry, did, when ordered by 1st Sergeant John McRea, Company G, 33d Infantry, to proceed to the post guard house in charge of Corporals William Savage and Michael B. Mullen, both of Company G, 33d Infantry, refuse to do so, picking up a brick, and with it endeavoring to strike said 1st Sergeant John McRae, Company G, 33d Infantry, he being in the execution of his duty, making use of the following language, to wit: 'I'll be God damned if I do for you, you big headed Scotch son of a bitch,' or words to that effect. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

Specification 3d.—"In this: that Private *Charles Daley*, Company G, 33d Infantry, did abuse and threaten the life of 1st Sergeant John McRae, Company G, 33d Infantry, by saying 'I will shoot you the first chance I get, you God damned son of a bitch,' or words to tnat effect. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

Specification 4th.—"In this: that he, Private *Charles Daley*, Company G, 33d Infantry, did abuse and threaten to whip Corporal John Cornell, Company G, 33d Infantry, making use of the following language, to wit: 'You dare not come out here you damned son of a bitch,' or words to that effect. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

To which charge and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Charles Daley*, Company G, 33d Infantry, "*To forfeit all pay and allowances that are now due him, and to be confined at hard labor in such military prison as the Commanding General may designate, for six months; forfeiting twelve dollars per month of his pay during the period of this confinement.*"

The proceedings and findings in the case of Private *Charles Daley*, Company G, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of his confinement, to which point the prisoner will be sent under a suitable guard, with a copy of this order.

11th. Private *Matthew Daley*, Company G, 33d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Private *Matthew Daley*, Company G, 33d Infantry, did try to rescue a prisoner, Private Charles Daley, Company G, 33d Infantry, from the hands of 1st Sergeant John McRae, Company G, 33d Infantry, and did pick up stones or missiles and throw them at 1st Sergeant John

McRae, Company G, 33d Infantry, while the said 1st Sergeant was in the proper execution of his duty. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

Spedification 2d.—"In this: that Private *Matthew Daley*, Company G, 33d Infantry, did entice one prisoner, Private Charles Daley, Company G, 33d Infantry, to to resist the authority of 1st Sergeant John McRae, Company G, 33d Infantry, he the said 1st Sergeant being in the proper execution of his duty, making use of the following language, to wit: 'kick him again' and 'if you do not quit and let him, (the said prisoner) alone, I will burst your head open'; or words to that effect. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 2d day of August, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Matthew Daley*, Company G, 33d Infantry, "*To forfeit all pay and allowances that are now due him, except just dues of laundress, and to be confined in such military prison as the Commanding General may designate for the period of six months, two consecutive weeks of each month being solitary confinement, and to forfeit twelve dollars per month of his pay during the period of his confinement.*

The proceedings and findings in the case of Private *Matthew Daley*, Company G, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of his confinement, to which point the prisoner will be sent under a suitable guard, with a copy of this order.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

1. Private ROBERT BROWNING, Company A, 7th Infantry.
2. Private CHARLES MILLER, Company D, 7th Infantry.
3. Private JAMES BOHEN, Company D, 7th Infantry.
4. Private JOHN T. JONES, Company H, 7th Infantry.
5. Corporal JAMES H. MCCLELLAN, Company G, 5th Cavalry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *September* 10, 1868.

GENERAL ORDERS
No. 20.

I. Before a General Court Martial which convened at Saint Augustine, Florida, August 29, 1868, pursuant to Special Orders No. 19, Headquarters, Department of the South, dated Atlanta, Georgia, August 20, 1868, and of which Brevet Colonel M. M. BLUNT, Major 7th Infantry, is President, were arraigned and tried:

1st. Private *Robert Browning*, Company A, 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Robert Browning*, Company A, 7th Infantry, did desert the service of the United States, on or about the 30th day of January, 1868, and was absent without leave from about January 30, 1868, until apprehended at or near Orange Springs, Florida, on or about the 3d day of June, 1868. This at Saint Augustine, Florida, and near Orange Springs, Florida, on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Robert Browning*, Company A, 7th Infantry, "*To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to have his head shaved, and to be indelibly marked on the left hip with the letter D, two and a half inches long, and ten days thereafter to be dishonorably discharged and drummed out of the service, and to be confined for the period of one year at such place as the Commanding General of the Department may direct.*"

The proceedings and findings in the case of Private *Robert Browning*, Company A, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place

of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

2d. Private *Charles Miller*, Company D, 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Charles Miller*, of Company D, 7th Infantry, did desert the service of the United States at or near Saint Augustine, Florida, on or about the 31st day of March, 1868, and was absent without leave from about March 31, 1868, until apprehended at or near Fort Mackey, Florida, on or about the 3d day of June, 1868. This at Saint Augustine, Florida, and near Fort Mackey, Florida, on or about the dates above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Charles Miller*, Company D, 7th Infantry, "*To forfeit all pay and allowances that are or may become due him except the just dues of the laundress; to have his head shaved, and to be indelibly marked on the left hip with the letter D, two and one half inches long, and ten days thereafter to be dishonorably discharged and drummed out of the service, and then to be confined for the period of one year at such place as the Commanding General may designate.*"

The proceedings and findings in the case of Private *Charles Miller*, Company D, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

3d. Private *James Bohen*, Company D, 7th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *James Bohen*, Company D, 7th Infantry, did assault Private Victor Wernert, Company D, 7th Infantry, and did beat, wound and ill treat the said Private Victor Wernert, Company D, 7th Infantry, without any cause and provocation whatever. This at Saint Augustine, Florida, on or about the 12th day of June, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Bohen*, Company D, 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for two months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *James Bohen*, Company D, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *John T. Jones*, Company H, 7th Infantry.

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

Specification 1st.—"In this: that Private *John T. Jones*, Company H, 7th Infantry, did bring into the company quarters of company H, 7th Infantry, a bottle of intoxicating liquor, in direct violation of a company order against such order. This at Saint Augustine, Florida, on or about the 17th day of August, 1868."

Specification 2d.—"In this: that Private *John T. Jones*, of Company H, 7th Infantry, did, when arrested by Sergeant Alfred Frisby, Company H, 7th Infantry, (he being in the execution of his duty) use disrespectful and insulting language to the said Alfred Frisby. This at Saint Augustine, Florida, on or about the 17th day of August, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications* "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John T. Jones*, Company H, 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay, for three months.*"

The proceedings and findings in the case of Private *John T. Jones*, Company H, 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial, of which Brevet Colonel M. M. BLUNT, Major 7th Infantry, is President, is hereby dissolved.

III. Before a General Court Martial, which convened at McPherson Barracks, Atlanta, Georgia, August 21, 1868, pursuant to Special Orders No. 161, Headquarters Third Military

District, dated Atlanta, Georgia, July 27, 1868, and of which Brevet Brigadier General ELISHA G. MARSHALL, Colonel U. S. Army, is President, was arraigned and tried:

Corporal *James H. McClellan*, Company G, 5th Cavalry.

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

Specification 1st.—"In this: that Corporal *James H. McClellan*, Company G, 5th Cavalry, did behave in an insolent manner toward his superior non-commissioned officer, Sergeant M. J. Mernagh, of the same company, and when ordered to cease putting up a tent by said Sergeant Mernagh, did reply 'I do not know if I will or not,' or words to that effect. All this at or near Camp Emory, Atlanta, Georgia, on or about the 14th day of August, 1868."

Specification 2d.—"In this: that Corporal *James H. McClellan*, Company G, 5th Cavalry, did behave in an insolent manner towards his superior officer 2d Lieutenant J. Edwin Leas, 5th U. S. Cavalry, saying 'you are putting on too many airs, and always have been going for me,' or words to that effect. All this at or near Camp Emory, Atlanta, Georgia, on or about the 14th day of August, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification* "Not Guilty."

Of the 2d *Specification*, "Guilty," except the words "are putting on too many airs, and"

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *James H. McClellan*, Company G, 5th Cavalry, "*To be reduced to the ranks.*"

The proceedings and findings in the case of Corporal *James H. McClellan*, Company G, 5th Cavalry, are approved. The sentence is confirmed and will be carried into effect.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

A. D. C.

1. 2d Class Private EDWARD BRYANT, Ordnance Department, U. S. Army.
2. Private JOHN MCKUHN, Company B, 8th Infantry.
3. Private COLIN FORSYTH, Company B, 8th Infantry.
4. Private JOHN W. MCDONALD, Company I, 8th Infantry.
5. Private WALTER S. GRAHAM, Company G, 8th Infantry.
6. Private WILLIAM DRESSELL, Company F, 8th Infantry.
7. Private MARTIN WARDEN, Company A, 8th Infantry.
8. Private JAMES KENNEDY, Company B, 8th Infantry.
9. Private MICHAEL CARROLL, Company C, 8th Infantry.
10. Sergeant JAMES DUNN, Company A, 8th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *October* 9, 1868.

GENERAL ORDERS
No. 28.

I. Before a General Court Martial which convened at Columbia, South Carolina, September, 16th, 1868, pursuant to Special Orders No. 34, Headquarters Department of the South, dated Atlanta, Georgia, September 9, 1868, and of which Brevet Brigadier General E. G. MARSHALL, Colonel U. S. Army, is President, were arraigned and tried:

1st. Second Class Private *Edward Bryant*, Ordnance Department, U. S. Army.

CHARGE.—"Absence without leave."

Specification—"In this: that he, the said *Edward Bryant*, 2d Class Private of Ordnance, was absent without proper authority from his post and quarters, at or near 11 o'clock P. M., on or about the 7th of August, 1868. All this at Augusta Arsenal, Georgia."

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

Specification—"In this: that he, the said *Edward Bryant*, 2d Class Private of Ordnance U. S. Army, did wilfully, maliciously, and after warning to stop, give an assault, by throwing of bricks, stones, or other missles at the house of one ELIZABETH L. DOWNES, near the Augusta Arsenal, Georgia. This at or near 11 o'clock P. M. on or about the 7th August, 1868."

To which charges and specifications the accused pleaded:
To the 1st CHARGE and *Specification*, "*Guilty*."
Of the 2d CHARGE and *Specification*, "*Not Guilty*."

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'and after warning to stop.'"

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, 2d Class Private *Edward Bryant*, Ordnance Department, U. S. Army, "*To forfeit ten dollars of his pay per month for three months, and to carry a log weighing thirty pounds under charge of the guard each alternate hour from reveille to retreat for the same period.*"

The proceedings and findings in the case of 2d Class Private *Edward Bryant*, Ordnance Department, U. S. Army, are approved. The sentence is confirmed and will be carried into effect.

2d. Private *John McKuhn*, Company B, 8th Infantry.

CHARGE.—"Desertion. (20th Article of War.)"

Specification.—"In this: that Private *John McKuhn*, Company B, 8th Infantry, on or about the 1st of August, 1868, did desert the service of the United States, and was absent without leave until apprehended on the 7th of August, 1868. This at Charleston, South Carolina."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John McKuhn*, Company B, 8th Infantry, "*To forfeit to the United States all pay and allowances which are or may become due him, except the just dues of the laundress; to be indelibly marked with India ink on the right hip with the letter D, two inches long; to be drummed out of the garrison in front of his command and dishonorably discharged the service, and then confined to hard labor, at such place as the Commanding General may direct, for the period of two years.*"

The proceedings and findings in the case of Private *John McKuhn*, Company B, 8th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of

confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

3d. Private *Colin Forsyth*, Company B, 8th Infantry.

CHARGE.—"Desertion. (20th Article of War.)"

Specification.—"In this: that Private *Colin Forsyth*, Company B, 8th Infantry, on or about the 1st of August, 1868, did desert the service of the United States, and was absent without leave until apprehended on the 7th of August, 1868. This at or near Charleston, South Carolina."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *Colin Forsyth*, Company B, 8th Infantry, "*To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be indelibly marked in India ink with the letter D, two inches long on the right hip; to be drummed out of the garrison in presence of his command and dishonorably discharged the service, and then confined at hard labor, at such place as the commanding General may direct, for the period of two years.*"

The proceedings and findings in the case of Private *Colin Forsyth*, Company B, 8th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Private *John W. McDonald*, Company I, 8th Infantry.

CHARGE I.—"Sleeping on post. (46th Article of War.)"

Specification.—"In this: that Private *John W. McDonald*, Company I, 8th Infantry, a sentinel, was found sleeping on his post. This at Laurensville, South Carolina, on or about the 19th day of August, 1868."

CHARGE II.—"Leaving his post before being regularly relieved. (46th Article of War.)"

Specification.—"In this: that Private *John W. McDonald*, Company I, 8th Infantry, a sentinel, did leave his post before being regularly relieved. This at Lau-

rensville, South Carolina, on or about the 19th day of August, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *John W. McDonald*, Company I, 8th Infantry, "*To forfeit to the United States ten dollars per month of his pay for three months; and to be confined at hard labor under charge of the guard for two months.*"

The proceedings and findings in the case of Private *John W. McDonald*, Company I, 8th Infantry, are approved. The sentence is confirmed and wiil be carried into efiect.

5th. Private *Walter S. Graham*, Company G, 8th Infantry.

CHARGE.—"Drunkenness on guard. (45th Article of War.)"

Specification.—"In this: that Private *Walter S. Graham*, Company G, 8th Infantry, was found drunk on his guard. This at Laurensville, South Carolina, on or about the 16th day of August, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Walter S. Graham*, Company G, 8th Infantry, "*To be confined in charge of the guard for three months, seventeen days of each month carrying a log of wood weighing thirty pounds, every alternate hour from reveille to retreat; the remainder of the time of each month, to be in solitary confinement on bread and water.*"

The proceedings and findings in the case of Private *Walter S. Graham*, Company G, 8th Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th. Private *William Dressell*, Company F, 8th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline. (99th Article of War.)"

Specification. –"In this: that Private *William Dressell*, Company F, 8th Infantry, when ordered to fall into the

ranks by Sergeant Craig, Company B, 8th Infantry, did resist and draw a weapon, supposed to be a razor, upon the said Sergeant Craig, he, the said Sergeant Craig, being in charge of a patrol at the time. All this at or near Camp Russell, Summerville, South Carolina, on or about the night of the 31st of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words, 'and draw a weapon, supposed to be a razor, upon the said Sergeant Craig.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Dressell*, Company F, 8th Infantry, "*To be confined one month under charge of the guard, fourteen days in solitary confinement on bread and water; the remainder of the time to carry a log of wood weighing thirty pounds, each alternate hour from reveille to retreat, and to forfeit thirteen dollars of his pay.*"

The proceedings and findings in the case of Private *William Dressell*, Company F, 8th Infantry are approved. The sentence is confirmed and will be carried into effect.

7th Private *Martin Warden*, Company A, 8th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline. (99th Article of War.)"

Specification.—"In this: that Private *Martin Warden*, Company A, 8th Infantry, on or about the 23d day of August, 1868, did, feloniously take, steal and carry away from the tent of Private George H. Goreman, Company A, 8th Infantry, one great coat, the property of Private George H. Goreman, Company A, 8th Infantry. This at Summerville, South Carolina."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "The facts as alleged except the words, 'did feloniously——steal.'"

Of the CHARGE, "Not Guilty,"

And the court does therefore acquit him.

The proceedings and findings in the case of Private *Martin Warden*, Company A, 8th Infantry, are approved. Private *Warden* having been acquitted by the court will be released from confinement and restored to duty.

8th. Private *James Kennedy*, Company B, 8th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline. (99th Article of War.)"

Specification 1st.—"In this: that Private *James Kennedy*, Company B, 8th Infantry, whilst First Sergeant of Company G, 8th U. S. Infantry, was instrumental in causing Private Winfield S. McAbbee, Company G, 8th Infantry to desert the service of the United States by failing to provide the said Winfield S. McAbbee, Company G, 8th Infantry, with the necessary allowances of clothing, food and blankets, and by refusing to allow him to sleep in the company quarters, and by other harsh and cruel treatment. All this at or near Unionville, South Carolina, from on or about the 25th of October, 1866, to on or about the 10th day of December, 1866."

Specification 2d.—"In this: that Private *James Kennedy*, Company B, 8th U. S. Infantry, whilst First Sergeant of Company G, 8th Infantry, did tell Private, Winfield S. McAbbee, Company G, 8th Infantry, that he must leave the company, that he Private McAbbee was a 'reb,' or words to that effect, and did by this and other harsh treatment cause Private Winfield S. McAbbee, Company G, 8th Infantry, to desert the service of the United States. All this at or near Unionville, South Carolina, from on or about the 25th of October, 1866, to on or about the 10th day of December, 1866."

To which charge and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *James Kennedy*, Company B, 8th Infantry, are approved. Private *Kennedy* having been acquitted by the court will be released from confinement and restored to duty.

9th. Private *Michael Carroll*, Company C, 8th Infantry

CHARGE.—"Desertion."

Specification.—"In this: that Private *Michael Carroll*, Company C, 8th Infantry, on or about the 18th day of November, 1864, did desert the service of the United States at Fort Richmond, New York Harbor, and was absent without leave until apprehended at Charleston, South Carolina, on or about the 9th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification* "Not Guilty."

And the court does therefore acquit him.

"The court deems it proper to state that its finding in this case are based on the belief that the prisoner before the court is not *Michael Carroll*, Private, Company C, 8th Infantry, who deserted the service in November, 1864."

The proceedings and findings in the foregoing case are approved. The prisoner will be released from confinement.

10th. Sergeant *James Dunn*, Company A, 8th Infantry.

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

Specification 1st.—"In this: that Sergeant *James Dunn*, Company A, 8th Infantry, while temporarily in charge of a detachment, did abuse a prisoner named Private Murray, of Company A, 8th Infantry, by tying him up by the wrists. This at the Citadel, at Charleston, South Carolina, on or about July 31, 1868."

Specification 2d.—"In this: that Sergeant *James Dunn*, Company A, 8th Infantry, when ordered to his quarters by his superior officer, 1st Lieutenant E. H. Parsons, 12th Infantry, did fail to obey said order promptly, but did stand and talk. This at the Citadel, Charleston, South Carolina, on or about July 31, 1868."

CHARGE II.—"Disobedience of orders. (9th Article of War.)"

Specification 1st.—"In this: that Sergeant *James Dunn*, Company A, 8th U. S. Infantry, when ordered by his superior officer, 1st Lieutenant E. H. Parsons, 12th U. S. Infantry, to go to his quarters, did fail to obey said order, and did go to the room used as an engine room, and did remain there until ordered away by 1st

Lieutenant E. H. Parsons, 12th U. S. Infantry. This at Charleston, South Carolina, July 31, 1868."

Specification 2d.—" In this: that Sergeant *James Dunn*, Company A, 8th Infantry, after being sent to his quarters and ordered to remain there during the entire night by his superior officer 1st Lieutenant E. H Parsons, did leave his quarters and go out into the city, and did remain absent from his quarters until arrested and brought in. This at Charleston, South Carolina, on or about July 31, 1868."

To which charges and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the CHARGES and *Specifications*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Sergeant *James Dunn*, Company A, 8th Infantry, are approved. Sergeant *Dunn* having been acquitted by the court, will be released from arrest and restored to duty.

II. The General Court Martial, of which Brevet Brigadier General E. G. MARSHALL, Colonel U. S. Army, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL

A. [illegible]

1. Private George Stanfield, Company K, 33d Infantry.
2. Private Charles Emmeneker, Company G, 33d Infantry.
3. Private William H. Smith, Company I, 33d Infantry.
4. Private Cornelius Clark, Company D, 33d Infantry.
5. Private James H. Rivers, Company G, 33d Infantry.
6. Musician James Cannon, Company K, 33d Infantry.
7. Private Jacob Magly, Company D, 33d Infantry.
8. Private Harry Morrison, Company E, 33d Infantry.
9. Private Francis M. Ball, Company C, 33d Infantry.
10. Private Frank Brown, Company E, 33d Infantry.
11. Private John H. Mee, Company K, 33d Infantry.
12. Private James McGowan, Company I, 33d Infantry.
13. Private Joseph Carroll, Company B, 33d Infantry.
14. Private Mortimer F. Cole, Company I, 33d Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

Atlanta, Georgia, *October* 10, 1868.

General Orders No. 29.

I. Before a General Court Martial which convened at Huntsville, Alabama, September 9, 1868, pursuant to Special Orders No. 19, dated August 20, 1868, and Special Orders No. 22, dated August 24, 1868, Headquarters, Department of the South, Atlanta, Georgia, and of which Brevet Lieutenant Colonel John F. Ritter, Captain 33d Infantry is President, were arraigned and tried:

1st. Private *George Stanfield*, Company K, 33d Infantry.

Charge "Burglary, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *George Stanfield*, Company K, 33d Infantry, on or about the night of the 27th day of March, 1868, feloniously and burglariously, did break and enter the quarters occupied as a dwelling house by Brevet Major G. M. Brayton, Captain 33d Infantry, with the intent, the goods and chattels of the said Brevet Major Brayton, in said dwelling house then and there being, feloniously and burglariously to steal, take and carry away. This at camp detachment, 16th and 33d Infantry, near Atlanta, Georgia."

To which charge and specification the accused pleaded "*Not Guilty.*"

Finding.

Of the Charge and *Specification*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *George Stanfield*, Company K, 33d Infantry, are approved. Private *Stanfield* having been acquitted by the court will be released from confinement and restored to duty.

2d. Private *Charles Emmencker*, Company G, 33d Infantry.

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

Specification 1st.—"In this: Private *Charles Emmeneker*, Company G, 33d Infantry, having received an order from the 1st Sergeant of his Company to report in person to Lieutenant H. Dodt, 33d Infantry, did refuse to obey said order, making use of the following language: 'I'll be damned if I do it; I am not under the orders of Lieutenant Dodt or Captain Lord, I am under the Adjutant's orders,' or words to that effect. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 14th day of July, 1868."

Specification 2d.—"In this: that Private *Charles Emmeneker*, Company G, 33d Infantry, did resist the 1st Sergeant of his company, he being in the execution of his duty, endeavoring to place him in confinement. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 14th day of July, 1868."

To which charge and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Not Guilty.'

And the court does therefore acquit him.

The proceedings and findings in the case of Private *Charles Emmeneker*, Company G, 33d Infantry, are approved. Private *Emmeneker* having been acquitted by the court will be released from confinement and restored to duty.

3d. Private *William H. Smith*, Company I, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *William H. Smith*, Company I, 33d Infantry, being duly enlisted into the service of the United States, did desert the same at Milledgeville, Georgia, on or about the 11th day of July, 1868, and did remain absent until apprehended at Macon, Georgia, on the 20th day of July, 1868, while wearing citizen's clothes. All this at or near Milledgeville, Georgia, on or about the dates specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William H. Smith*, Company I, 33d Infantry, "*To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be indelibly marked on the right hip with a letter D, two inches in length, and ten days thereafter to have his head shaved and be drummed out of the service.*

The proceedings and findings in the case of Private *William H. Smith*, Company I, 33d Infantry, are approved. The sentence is confirmed, and will be carried into effect.

4th. Private *Cornelius Clark*, Company D, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Cornelius Clark*, Company D, 33d Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Selma, Alabama, on or about the 1st day of April, 1868, and did remain absent until apprehended at Columbus, Kentucky, on the 16th day of August, 1868. All this at Selma, Alabama, and Columbus, Kentucky, on or about the dates above specified."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty.*"

To the CHARGE, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Cornelius Clark*, Company D, 33d Infantry, "*To forfeit all pay and allowances that are or may become due him, except just dues of laundress; to be indelibly marked on the right hip with the letter D, two inches in length, and ten days thereafter to have his head shaved and to be drummed out of the service.*"

The proceedings and findings in the case of Private *Cornelius Clark*, Company D, 33d Infantry, are approved. The sentence is confirmed, and will be caried into effect.

5th. Private *James H. Rivers*, Company G, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *James H. Rivers*, Com-

pany G, 33d Infantry, did desert the service of the United States at or near Rome, Georgia, on or about the 18th day of May, 1867, and was absent without leave from May 18, 1867, until apprehended at or near Augusta, Georgia, on or about the 21st day of July, 1868."

To which charge and specification the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James H. Rivers*, Company G, 33d Infantry, "*To forfeit all pay and allowances that are due or may become due him, except just dues to laundress; to be indelibly marked on the right hip with the letter D, two inches in length, and ten days thereafter to have his head shaved and to be drummed out of the service.*"

The proceedings and findings in the case of Private *James H. Rivers* Company G, 33d Infantry, are approved. The sentence is confirmed, and will be carried into effect.

6th. Musician *James Cannon*, Company K, 33d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Musician *James Cannon*, Company K, 33d Infantry, did, without provocation draw a razor and swear he could whip that little son of a bitch belonging to Company I, meaning Corporal Hatfield, Company I, 33d Infantry, Corporal Hatfield being at the time in the execution of his office as Corporal of fatigue. This at Huntsville, Alabama, on or about the 14th day of September, 1868."

Specification 2d.—"In this: that Musician *James Cannon*, Company K, 33d Infantry, did, without provocation assault and strike with his fist, Corporal Hatfield, Company I, 33d Infantry, Corporal Hatfield being at the time in the execution of his office as Corporal of fatigue. This at camp 33d Infantry, at or near Huntsville, Alabama, September 14, 1868."

To which charge and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the CHARGE and *Specifications*, "Not Guilty."

And the court does therefore acquit him,

The proceedings and findings in the case of Musician *James Cannon*, Company K, 33d Infantry, are approved. Musician *Cannon* having been acquitted by the court will be released from confinement and restored to duty.

7th. Private *Jacob Magly*, Company D, 33d Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Jacob Magly*, Company D, 33d Infantry, having been duly detailed for the guard mounted on the 18th day of September, 1868, was found drunk at guard mounting. This at or near Huntsville, Alabama, on or about the 18th day of September, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Jacob Magly*, Company D, 33d Infantry, "*To be confined in charge of the guard for four months, carrying a weight of not less than thirty pounds every alternate two hours between reveille and retreat, each day during the first month of his confinement; the balance of his confinement to be at hard labor.*"

The proceedings and findings in the case of Private *Jacob Magly*, Company D, 33d Infantry are approved. The sentence is confirmed and will be carried into effect.

8th. Private *Harry Morrison*, Company E, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Harry Morrison*, Company E, 33d Infantry, deserted the service of the United States, on or about the 10th day of August, 1867, and was absent without leave until he surrendered himself at Savannah, Georgia, on or about the 14th day of August, 1868. This at or near Selma, Alabama, on or about the 10th day of August, 1867."

To which charge and specification the accused pleaded, "*Guilty*,"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Harry Morrison*, Company E, 33d Infantry, "*To forfeit to the United*

States all pay and allowances now due, and to be confined at hard labor at such military prison as the General Commanding may direct, for the period of one year, and to forfeit twelve dollars of his monthly pay for the same period."

The proceedings and findings in the case of Private *Harry Morrison*, Company E, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based upon the fact of the prisoner having surrendered himself, and other favorable circumstances, it is hereby mitigated *to forfeiture of all pay and allowances now due; to confinement at hard labor under charge of the guard for the period of six months, and to forfeiture of twelve dollars per month of his pay for the same period.*

9th. Private *Francis M. Ball*, Company C, 33d Infantry.

CHARGE.—"Quitting his guard."

Specification.—"In this: that Private *Francis M. Ball*, Company C, 33d Infantry, being a member of the guard in camp of companies C and G, 33d Infantry, at Montgomery, Alabama, did quit his guard without permission or urgent necesity, remaining absent from 2 o'clock P. M., until 3.45 P. M. All this at the Post of Montgomery, Alabama, on or about the 22d day of August, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Francis M. Ball*, Company C, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of four months, and to forfeit ten dollars per month of his pay for the same period.*"

The proceedings and findings in the case of Private *Francis M. Ball*, Company C, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of the court it is mitigated *to confinement at hard labor under charge of the guard for the period of two months.*

10th. Private *Frank Brown*, Company E, 33d Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this: that Private *Frank Brown*, Company E, 33d Infantry, having been duly posted as a

sentinel, was found sleeping upon his post. This at Eufaula, Alabama, on or about the 9th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Brown*, Company E, 33d Infantry, "*To forfeit ten dollars per month of his pay for six months, and to be confined at hard labor in charge of the guard for the same period.*"

The proceedings and findings in the case of Private *Frank Brown*, Company E, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of members of the court is mitigated, *to forfeiture of ten dollars per month of his pay for three months, and to confinement at hard labor in charge of the guard for the same period.*

11th. Private *John H. Mee*, Company K, 33d Infantry.

CHARGE.—"Offering violence to his superior officer. (9th Article of War.)"

Specification 1st.—"In this: that Private *John H. Mee*, of Company K, 33d Infantry, did draw or lift up a pistol upon his superior, 1st Lieutenant John G. S. White, 33d Infantry, he being at the time in the execution of his office. All this at or near Huntsville, Alabama, on or about the 20th day of September, 1868."

Specification 2d.—"In this: that Private *John H. Mee*, Company K, 33d Infantry, did offer violence against his superior officer, 1st Lieutenant John G. S. White, 33d Infantry, he being at the time in the execution of his office, by seizing hold of the left side of his face. All this at or near Huntsville, Alabama, on or about the 20th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *John H. Mee*, Company K, 33d Infantry, are approved. Private *Mee*, having been acquitted by the court will be released from confinement and restored to duty.

12th. Private *James McGowan*, Company I, 33d Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *James McGowan*, Company I, 33d Infantry, was found drunk on his guard. All this at or near Huntsville, Alabama, on or about the 20th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James McGowan*, Company I, 33d Infantry, "*To be confined in charge of the guard for four months, carrying a weight of not less than thirty pounds every alternate two hours between reveille and retreat, each day during the first month of his confinement, the balance of his confinement to be at hard labor.*"

The proceedings and findings in the case of Private *James McGowan*, Company I, 33d Infantry, are approved. The sentence is confirmed and be carried into effect.

13th. Private *Joseph Carroll*, Company B, 33d Infantry.

CHARGE I.—"Striking his superior officer."

Specification.—"In this: that Private *Joseph Carroll*, Company B, 33d Infantry, did strike his superior officer, 1st Lieutenant William Quinton, 33d Infantry, he being in the execution of his office. This at Huntsville, Alabama, on or about the 18th day of September, 1868."

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

Specification.—"In this: that Private *Joseph Carroll*, Company B, 33d Infantry, did feloniously take, [and] carry away with the intent to appropriate to his own use a watermelon, the property of a negro named George Smith. This at Huntsville, Alabama, on or about the 18th day of September, 1868."

CHARGE III.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Joseph Carroll*, Company B, 33d Infantry, upon being requested by a negro man named George Smith, to pay for a water-

melon which he had stolen from the said negro, did assault said negro with a knife. This at Huntsville, Alabama, on or about the 18th day of September, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the 2d and 3d CHARGES and their *Specifications*, "*Not Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *Joseph Carroll*, Company B, 33d Infantry, "*To forfeit ten dollars per month of his pay for twelve months, and to be confined at hard labor in such military prison as the commanding General may designate for the same period.*"

The proceedings and findings in the case of Private *Joseph Carroll*, Company B, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Jefferson, Dry Tortugas, Florida, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

14th. Private (late Sergeant) *Mortimer F. Cole*, Company I, 33d Infantry.

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

Specification 1st.—"In this: that Sergeant *Mortimer F. Cole*, Company I, 33d Infantry, having been duly placed in arrest and confined to the limits of his camp, did break said arrest by leaving and going beyond the limits of his camp. This near Huntsville, [Alabama,] on the 14th day of September, 1868."

Specification 2d.—"In this: that Sergeant *Mortimer F. Cole*, Company I, 33d Infantry, did, upon the public highway, assault, strike, and knock down Musician Bernard Allioine, Company B, 33d Infantry, and when accused of the assault by the said Musician in the presence of two commissioned officers who were investigating the case, he, the said *Cole*, did then and there again violently assault, strike, and knock down the said Musician Bernard Allioine. This near Huntsville, Alabama, on the 14th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the 2d *Specification* "Guilty, excepting the words, 'did upon the public highway, assault, strike, and knock down Musician Bernard Allioine, Company B, 33d Infantry, and'; substituting for the words 'the assault by the said Musician' the words 'an assault by Musician Bernard Allioine, Company B, 33d Infantry,' and excepting the word 'again'."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private (late Sergeant) *Mortimer F. Cole*, Company I, 33d Infantry, "*To forfeit ten dollars per month of his pay for three months, and to be confined in charge of the guard for the same period.*"

The proceedings and findings in the case of Private (late Sergeant) *Mortimer F. Cole*, Company I, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial, of which Brevet Lieutenant Colonel JOHN F. RITTER, Captain 33d Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,
Assistant Adjutant General.

OFFICIAL

C. D. Emory

A. D. C.

1. Private WILLIAM CONNERS, Light Battery E, 3d Artillery.
2. Private BERNHARD CARNEY, Company G, 16th Infantry.
3. Private THOMAS J. ZIMMERMAN, Company H, 16th Infantry.
4. Private CHARLES TURNER, Company D, 16th Infantry.
5. Private AUGUST STENZIL, Company D, 16th Infantry.
6. Private DAVID HAMBLER, Light Battery E 3d Artillery.
7. Private ALVA GIBBS, Company H, 16th Infantry.
8. Private WILLIAM BROWN, Company E, 16th Infantry.
9. Private JAMES GORDON, Company H, 16th Infantry.
10. Private DAVID W. JONES, Company A, 16th Infantry.
11. Private JOHN SMITH, Company F, 16th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *October* 16, 1868

GENERAL ORDERS
No. 30.

I. Before a General Court Martial which convened at McPherson Barracks, Atlanta, Georgia, October 2, 1868, pursuant to Special Orders No. 50, Headquarters Department of the South, dated Atlanta, Georgia, September 29, 1868, and of which Captain WILLIAM MILLS, 16th Infantry, is President, were arraigned and tried:

1st. Private *William Conners*, Light Battery E, 3d Artillery.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification—"In this: that Private *William Conners*, Light Battery E, 3d Artillery, did on or about the night of the 14th of September, 1868, with the intent to appropriate to his own use, feloniously take, steal, and carry away, from the limits of his Company Barracks, one trunk, containing clothing and other valuables, the property of Private Hugh Currie, of Light Battery E, 3d Artillery, valued at twenty dollars more or less. This at Artillery Camp, Post of Atlanta, Georgia, on or about the 14th of September, 1868."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Conners*, Light Battery E, 3d Artillery, "*To forfeit to the United States all pay and allowances now due or that may become due except the just dues of the laundress; to be marked with the letter T, in india ink, on the left hip, two inches in length; to be drummed out of the service of the United States ten days after said marking.*"

The findings in the case of Private *William Conners*, Light Battery E, 3d Artillery, are disapproved. The evidence adduced does not show on the part of the accused that *felonious intent* essential to the crime of larceny, and which distinguishes it from mere trespass, or malicious mischief. The prosecution has also failed to show that the property in question was taken without the consent of the owner. Private *Conners* will be released from confinement and restored to duty.

2d. Private *Bernhard Carney*, Company G, 16th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Bernhard Carney*, Company G, 16th Infantry, having been duly detailed for guard, was found drunk on 'guard mount.' This at Atlanta, Georgia, (McPnerson Barracks,) on the 6th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Bernhard Carney*, Company G, 16th Infantry, "*To be confined at hard labor in charge of the guard for the period of two months, each alternate week of each month in solitary confinement on bread and water diet.*"

The proceedings and findings in the case of Private *Bernhard Carney*, Company G, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *Thomas J. Zimmerman*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Thomas J. Zimmerman*, Company H, 16th U. S. Infantry, did desert the service of the United States, and was absent without leave until apprehended and returned to his company under guard, on or about the 28th day of June, 1868. This at Augusta, Georgia, on or about the 13th day of April, 1867."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas*

J. Zimmerman, Company H, 16th Infantry, "*To forfeit all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be dishonorably discharged the United States service, and then to be confined at hard labor at such military prison as the Commanding General may direct for six months.*"

The proceedings and findings in the case of Private *Thomas J. Zimmerman*, Company H, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Private *Charles Turner*, Company D, 16th Infantry.

CHARGE.—"Quitting his guard. (50th Article of War.)"

Specification—"In this: that Private *Charles Turner*, of Company D, 16th Infantry, being at the time a member of the guard at McPherson Barracks, did without urgent necessity, and without permission absent himself from his guard, between the hours of 1 o'clock A. M., and 4 o'clock A. M. This at McPherson Barracks, Atlanta, Georgia, on or about the 28th day of August, 1868."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty,"

SENTENCE.

And the court does therefore sentence him Private *Charles Turner*, Company D, 16th Infantry, "*To forfeit fifteen dollars of his pay for two months, and be confined in the guard house for one month at hard labor.*"

The proceedings and findings in the case of Private *Charles Turner*, Company D, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *August Stenzil*, Company D, 16th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *August Stenzil*, Company D, 16th Infantry, did absent himself from his company quarters and garrison without proper authority, from tattoo roll call until reveille next morning. This at McPherson Barracks, Atlanta, Georgia, on or about the 21st day of September, 1868."

CHARGE II.—"Assault and battery, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *August Stenzil*, Company D, 16th Infantry, did with a slung-shot or some weapon of like nature, without due provocation, assault and beat about the head, Private George Parkins, Company C, 16th U. S. Infantry, and wound him in a dangerous manner. This at or near McPherson Barracks, Atlanta, Georgia, on or about the 21st day of September, 1868."

To which charges and specifications the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *August Stenzil*, Company D, 16th Infantry, "*To forfeit to the United States fifteen dollars of his monthly pay for four months; to be confined for the same period, fourteen days of each month in solitary confinement on bread and water diet.*"

The proceedings and findings in the case of Private *August Stenzil*, Company D, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect. The guard house at McPherson Barracks, Atlanta, Georgia, is designated as the place of confinement.

6th. Private *David Hambler*, Light Battery E, 3d Artillery.

CHARGE I.—"Drunk on guard. (45th Article of War.)"

Specification.—"In this: that Private *David Hambler*, Light Battery E, 3d Artillery, was found drunk on his guard. This at Artillery Camp, Post of Atlanta, Georgia, on or about the 24th day of September, 1868."

CHARGE II.—"Quitting his guard. (50th Article of War.)"

Specification.—"In this: that Private *David Hambler*, Light Battery E, 3d Artillery, did, without urgent necessity, remain absent from his guard for about the space of one hour after obtaining leave to go to his dinner, and did remain absent until brought back by order of the Sergeant of the guard. This at Artillery Camp, Post of Atlanta, Georgia, on or about the 24th day of September, 1868."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *David Hambler*, Light Battery E, 3d Artillery, "*To be confined in*

charge of the guard for four months, each alternate week to carry a knapsack thirty pounds in weight from reveille to retreat, allowing half an hour for each meal, the remainder of the time at hard labor."

The proceedings and findings in the case of Private *David Hambler*, Light Battery E, 3d Artillery, are approved. The sentence is confirmed and will be carried into effect.

7th. Private *Alva Gibbs*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Alva Gibbs*, Company H, 16th Infantry, did desert the service of the United States, and was absent without leave, until apprehended and returned to his company under guard on or about the 28th day of June, 1868. This at Augusta, Georgia, on or about the 13th day of April, 1867."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alva Gibbs*, Company H, 16th Infantry, "*To forfeit all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be dishonorably discharged the United States service, and then to be confined at hard labor at such military prison as the Commanding General may designate for six months.*"

The proceedings and findings in the case of Private *Alva Gibbs*, Company H, 16th Infantry, are approved. The sentence is confirmed and be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

8th. Private *William Brown*, Company E, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *William Brown*, Company E, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 20th day of September, 1868, and did remain absent until apprehended at Macon, Georgia, on the 25th September, 1868. This at or near McPher-

son Barracks, Atlanta, Georgia, on or about the time above stated."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Brown*, Company E, 16th Infantry, "*To forfeit all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be dishonorably discharged the United States service, and then to be confined at hard labor at such military prison as the Commanding General may designate for six months.*"

The proceedings and findings in the case of Private *William Brown*, Company E, 16th Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based upon the prisoner's previous good character, it is hereby mitigated, *to forfeiture of all pay and allowances now due; to confinement at hard labor under charge of the guard for six months, and to forfeiture of twelve dollars per month of his pay for the same period.*"

9th. Private *James Gordon*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *James Gordon*, Company H, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 18th day of September, 1868, and did remain absent until on or about the 19th of September, 1868, when he was arrested by the civil authorities, dressed in citizen's clothing. All this at or near Atlanta, Georgia, on or about the dates above specified."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty except the words 'did desert the same', and substituting the words 'did absent himself from his company and garrison'."

Of the CHARGE, "Not Guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *James*

Gordon, Company H, 16th Infantry, "*To forfeit ten dollars per month of his pay for two months, and to be confined at hard labor under charge of the guard for the same period.*"

The proceedings and findings in the case of Private *James Gordon* Company H, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

10th. Private *David W. Jones*, Company A, 16th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Private *David W. Jones*, Company A, 16th Infantry, did assault Private Michael Murphy, Company A, 16th Infantry, with a knife, inflicting upon said Michael Murphy, a severe wound. This at McPherson Barracks, Atlanta, Georgia, on or about the 20th day of August, 1868."

Specification 2d.—"In this: that Private *David W. Jones*, Company A, 16th Infantry, did, without just cause, abuse and threaten the life of Private John C. Latter, of Company A, 16th Infantry, by saying: 'You God damned son of bitch, I will cut your heart out,' or words to that effect. This at McPherson Barracks, Atlanta, Georgia, on or about the 5th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "Guilty, but attach no criminality thereto."

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *David W. Jones*, Company A, 16th Infantry, are approved. Private *Jones* having been acquitted by the court will be released from confinement and restored to duty.

11th. Private *John Smith*, Company F, 16th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *John Smith*, Company F, 16th Infantry, did, on or about the 26th day of April, 1868, desert the service of the United States, and remain absent without authority until arrested by Corporal John Murray, Company F, 16th Infantry, at Bainbridge, Georgia, on the 28th day of April, 1868. This while on detached service at or near Thomasville, Georgia, on or about the dates specified."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"In this: that Private *John Smith*, Company F, 16th Infantry, did, on or about the 24th day of April, 1868, sell or otherwise illegally dispose of his uniform clothing. This while on detached service at or near Thomasville, Georgia."

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

Specification.—"In this: that Private *John Smith*, Company F, 16th Infantry, did, on the 24th day of April, 1868, purchase and keep in his possession a suit of citizens clothing, and did wear the same from the night of the 25th day of April, 1868, when he left his command, until he was arrested at Bainbridge, Georgia, April 28, 1868. This while on detached service at or near Thomasville, Georgia, on or about the dates specified."

To which charges and specifications the accused pleaded:

To the 1st and 2d CHARGES and their *Specifications*, "*Not Guilty.*"

To the 3d CHARGE and *Specification*, "Guilty."

FINDING.

Of the 1st and 2d CHARGES and their *Specifications*, "Not Guilty."

Of the *Specification* to the 3d CHARGE, "Guilty, but attach no criminality thereto."

Of the 3d CHARGE, "Not Guilty."

And the court does therefore acquit him,

The proceedings and findings in the case of Private *John Smith*, Company F, 16th Infantry, are approved. Private *Smith* having been acquitted by the court will be released from confinement and restored to duty.

II. The General Court Martial of which Captain WILLIAM MILLS, 16th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,
Assistant Adjutant General.

OFFICIAL

C. O. Emory.

A. D. C.

1. Private THOMAS BAILEY, Company E, 40th Infantry.
2. Private WILLIAM MOY, Company G, 40th Infantry.
3. Private BENJAMIN WOODY, Company K, 40th Infantry.
4. Private CHARLES JOHNSON, Company E, 40th Infantry.
5. Private JOHN MOORE, Company G, 40th Infantry.
6. Private SAMUEL NASH, Company K, 40th Infantry.
7. Private WILLIAM SINGLETON, Company D, 40th Infantry.
8. Private DAVID H. BROWN, Company H, 40th Infantry.
9. Private JOHN A. GILLIARD, Company I, 40th Infantry.
10. Private JOSEPH GROCE, Company C, 40th Infantry.
11. Private JOHN T. BLAKE, Company C, 40th Infantry.
12. Private WASHINGTON LEE, Company C, 40th Infantry.
13. Private THOMAS H. SMITH, Company H 40th Infantry.
14. Private GEORGE JOHNS, Company H, 40th Infantry.
15. Private JOHN A. ANDERSON, Company C, 40th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *October* 20, 1868

GENERAL ORDERS
No. 31.

Before a General Court Martial which convened at Goldsboro, North Carolina, September 22, 1868, pursuant to Special Orders No. 39, Headquarters Department of the South, dated Atlanta, Georgia, September 16, 1868, and of which Brevet Lieutenant Colonel C. E. COMPTON, Major 40th Infantry is President, were arraigned and tried:

1st. Private *Thomas Bailey*, Company E, 40th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Thomas Bailey*, Company E, 40th, Infantry, deserted the service of the United States on or about the 26th day of May, 1868, and was absent without leave until apprehended and returned to his Company under guard, on or about the 11th day of August, 1868. This at camp near Goldsboro, North Carolina.

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Bailey*, Company E, 40th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be indelibly marked with the letter D upon the left hip, two inches in length; to be drummed out of, and dishonorably discharged, the service of the United States, and then to be con-*

fined at hard labor at such place as the Commanding General may direct for one year."

The proceedings and findings in the case of Private *Thomas Bailey*, Company E, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

2d. Private *William Moy*, Company G, 40th Infantry.

CHARGE.—"Sleeping on post. (46th Article of War)."

Specification.—"In this: that Private *William Moy*, Company G, 40th Infantry, a sentinel of the camp guard, was found sleeping on his post. This at Goldsboro, North Carolina, on or about the morning of the 24th of July, 1868."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Moy*, Company G, 40th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for six calendar months, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *William Moy*, Company G, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

3d. Private *Benjamin Woody*, Company K, 40th Infantry.

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

Specification.—"In this: that Private *Benjamin Woody* Company K, 40th Infantry, did shoot at, with a pistol, and inflict a dangerous wound upon Private John Gaddess, Company E, (member of Regimental Band,) 40th Infantry. This at Goldsboro, North Carolina, about 10 o'clock P. M., August 26th, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Woody*, Company K, 40th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such place as the Commanding General may direct for the period of one year and six months.*"

The proceedings and findings in the case of Private *Benjamin Woody*, Company K, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

4th. Private *Charles Johnson*, Company E, 40th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Charles Johnson*, Company E, 40th Infantry, having been duly enlisted in the service of the United States, did desert the same at Goldsboro, North Carolina, on the 19th day of August, 1868, and did remain absent until apprehended near Goldsboro, North Carolina, on the 30th day of August, 1868."

To which charge and specification the accused pleaded:

To the *Specification*, "*Guilty.*"

To the CHARGE, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Johnson*, Company E, 40th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged and drummed out of the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

The proceedings and findings in the case of Private *Charles Johnson*, Company E, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

5th. Private *John Moore*, Company G, 40th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Moore*, Company G, 40th Infantry, did feloniously take, steal and carry away, with the intent to appropriate to his own use, one United States uniform flannel sack coat, the property of Private Andrew J. Freeman, Company G, 40th Infantry. This at Goldsboro, North Carolina, on or about the 30th day of July, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

The proceedings and findings in the case of Private *John Moore*, Company G, 40th Infantry, are approved. Private *Moore* having been acquitted by the court, will be released from confinement and restored to duty.

6th. Private *Samuel Nash*, Company K, 40th Infantry.

CHARGE.—"Quitting his guard. (50th Article of War.)"

Specification.—"In this: that Private *Samuel Nash*, Company K, 40th Infantry, did quit his guard without urgent necessity, or without leave of his superior officer, and remain absent from 10 o'clock P. M. until 2 o'clock A. M. This at the camp near Goldsboro, North Carolina, on or about the 6th day of August, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Samuel Nash*, Company K, 40th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for the period of six calendar months, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *Samuel Nash*, Company K, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

7th. Private *William Singleton*, Company D, 40th Infantry.

CHARGE.—"Sleeping on post. (46th Article of War.)"

Specification.—"In this: that Private *William Singleton*, Company D, 40th Infantry, having been regularly posted as a sentinel was found sleeping upon his post. All this at Castle Pinckney, Charleston Harbor, South Carolina, on or about the morning of July 13, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Singleton*, Company D, 40th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for the period of six calendar months, and to be confined at hard labor, at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *William Singleton*, Company D, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

8th. Private *David H. Brown*, Company H, 40th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *David H. Brown*, Company H, 40th Infantry, did absent himself from the camp of his company without permission from proper authority, and did remain so absent until arrested and brought into camp under guard, being so absent for the space of thirty-six hours, or thereabouts. This at camp near Goldsboro, North Carolina, on or about the 22d and 23d days of July, 1868."

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

Specification 1st.—"In this: that Private *David H. Brown*, Company H, 40th Infantry, did without proper authority, attempt by force to enter the residence of one ——— Tyler, (white citizen,) of Goldsboro, North Carolina, and when asked what he wanted by the inmate, Mrs. Tyler, did say, 'damn you, open the door or I will break it open, I am sent here on business, and I'll be damned if I aint coming in', and when

asked who sent him there, replied, 'none of your damned business; open the door for a gentleman soldier', and did further say he was sent there by an officer; and upon being further interrogated by the inmates of the house, did call the inmate of the house, Mrs. Tyler, 'a damned strumpet and whore'. This in the village of Goldsboro, North Carolina, on or about the evening of July 22d 1868."

Specification 2d.—"In this: that Private *David H. Brown*, Company H, 40th Infantry, did enter the premises of one ——— Tyler, (white citizen,) of Goldsboro, North Carolina, and did behave in a riotous and disorderly manner, and refused to go away when ordered to do so by the occupant of the premises, and then and there did break and destroy one tub, the property of one Cornelia Adams, of the value of two dollars, more or less. This at Goldsboro, North Carolina, on or about the evening of July 22, 1868."

To which charges and specifications the accused pleaded, "*Guilty*."

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *David H. Brown*, Company H, 40th Infantry, "*To be dishonorably discharged and drummed out of the service of the United States; to forfeit all pay and allowances now due or that may become due him, and to to be confined at hard labor at such place as the Commanding General may direct for one year.*"

The proceedings and findings in the case of Private *David H. Brown*, Company H, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

9th. Private *John A. Gilliard*, Company I, 40th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *John A. Gilliard*, Company I, 40th Infantry, did leave the limits of the camp and garrison and visit the town of Goldsboro, North Carolina, without permission from the proper authority, and did remain so absent between the hours of 1 and 3 o'clock P. M. This at Goldsboro, North Carolina, on or about the 28th day of August, 1868."

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

Specification—"In this: that Private *John A. Gilliard*, Company I, 40th Infantry, did enter the store of one Thomas P. Rogers, (citizen,) in company with Joseph Groce, John T. Blake and Julius Brown, all enlisted men in the military service of the United States, and did, without cause or provocation engage in a disturbance and commit an assault upon the person of said Thomas P. Rogers, (citizen,) striking him, said Rogers, (citizen,) with fists, knocking him down, and inflicting upon him, said Rogers, (citizen,) a wound upon the left ear. This at Goldsboro, North Carolina, on the 28th day of August, 1868."

To which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING.

Of the 1st CHARGE and *Specification*, "Not Guilty."

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'striking him, said Rogers, (citizen,) with fists, knocking him down and inflicting upon him, said Rogers, (citizen,) a wound upon the left ear'."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John A. Gilliard*, Company I, 40th Infantry, "*To forfeit to the United States twelve dollars per month of his monthly pay for the period of one year, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and finding in the case of Private *John A. Gilliard*, Company I, 40th Infantry, on the first charge and its specification are approved. The finding on the second charge and its specification is disapproved for insufficiency of evidence. The one witness introduced by the prosecution failed to identify the accused as one of the party making the assault. The Judge Advocate should then have sought further testimony, which he might easily have obtained, as other witnesses were stated on the charges referred for trial, one of whom, at least, there is good reason to believe from the proceedings in the following case tried, could have sufficiently established the identity of the accused. Private *Gilliard* will be released from confinement and restored to duty.

10th. Private *Joseph Groce*, Company C, 40th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *Joseph Groce*, Company C, 40th Infantry, did leave the limits of his camp and the garrison and visit the town of Goldsboro, North Carolina, without permission from the proper authority, and did remain absent between the hours of 1 and 3 o'clock P. M. This at Goldsboro, North Carolina, on the 28th day of August, 1868."

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

Specification.—"In this: that Private *Joseph Groce*, Company C, 40th Infantry, did enter the store of one Thomas P. Rogers, (citizen) in company with John T. Blake, Julius Brown and John A. Gilliard, all enlisted men in the military service of the United States, and did, without cause or provocation, engage in a disturbance, and commit an assault upon the person of said Thomas P. Rogers, (citizen) striking him, the said Rogers, (citizen) with fists, knocking him down, and inflicting upon him, the said Rogers, (citizen) a wound upon the left ear. This at Goldsboro, North Carolina, on the 28th day of August, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "Guilty."

To the 2d CHARGE and *Specification*, "Not Guilty."

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'striking him, the said Rogers, (citizen) with fists, knocking him down, and inflicting upon him, the said Rogers, (citizen) a wound upon the left ear.'"

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Groce*, Company C, 40th Infantry, "*To forfeit to the United States twelve dollars per month of his monthly pay for the period of one year, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *Joseph Groce*, Company C, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confine-

men, to which point the prisoner will be sent under a suitable guard with a copy of this order.

11th. Private *John T. Blake*, Company C, 40th Infantry.

CHARGE I.--"Absence without leave."

Specification.—"In this: that Private *John T. Blake*, Company C, 40th Infantry, did leave the limits of the camp and garrison, and visit the town of Goldsboro, North Carolina, without permission from the proper authority, and did remain so absent between the hours of 1 and 3 o'clock, P. M. This at Goldsboro, North Carolina, on the 28th day of August, 1868."

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

Specification.—"In this: that Private *John T. Blake*, Company C, 40th Infantry, did enter the store of one Thomas P. Rogers, (citizen) in company with Joseph Groce, Julius Brown and John A. Gilliard, all enlisted men in the service of the United States, and did without cause or provocation, engage in a disturbance, and commit an assault upon the person of said Thomas P. Rogers (citizen). This at Goldsboro, North Carolina, on the 28th day of August, 1868."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *John T. Blake*, Company C, 40th Infantry, "*To forfeit to the United States twelve dollars per month of his monthly pay for one year, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *John T. Blake*, Company C, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

12th. Private *Washington Lee*, Company C, 40th Infantry.

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

Specification.—"In this: that Private *Washington Lee*, Company C, 40th Infantry, did strike with his fist 1st Sergeant John C. McKennon, Company C, 40th Infantry,

said Sergeant being in the execution of his duty. This at Goldsboro, North Carolina, on or about the 11th day of September, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Washington Lee*, Company C, 40th Infantry, "*To forfeit to the United States fifteen dollars per month of his monthly pay for three months, and to be confined at hard labor under charge of a guard for the same period.*"

The proceedings and findings in the case of Private *Washington Lee*, Company C, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect.

13th. Private *Thomas H. Smith*, Company H, 40th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *Thomas H. Smith*, Company H, 40th Infantry, did absent himself from his company, camp and quarters, between the hours of 12 M. and 6 P. M., without permission from proper authority. This at Goldsboro, North Carolina, on the 13th day of September, 1868."

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

Specification.—"In this: that Private *Thomas H. Smith*, Company H, 40th Infantry, did enter the African Methodist Church at Goldsboro in a disorderly manner, and did make a violent and unprovoked assault upon one Noble L. Johns, colored preacher, and did there seize and destroy or damage a Bible, lamp and other church property, disturbing the peace and quiet of the community. This at Goldsboro, North Carolina, on the 13th day of September, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "Guilty."

To the 2d CHARGE and *Specification*, "Not Guilty."

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Thomas H. Smith*, Company H, 40th Infantry, "*To be dishonorably discharged and drummed out of the service of the United*

States, and to forfeit to the United States all pay and allowances now due or that may become due him."

The proceedings and findings in the case of Private *Thomas H. Smith*, Company H, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect.

14th. Private *George Johns*, Company H, 40th Infantry.

CHARGE.—"Drunkeness on guard."

Specification.—"In this: that Private *George Johns*, Company H, 40th Infantry, was found drunk on his guard. This at Goldsboro, North Carolina, on or about the 14th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Johns*, Company H, 40th Infantry, "*To be confined at hard labor at such place as the Commanding General may direct for six calendar months.*

The proceedings and findings in the case of Private *George Johns*, Company H, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

15th. Private *John A. Anderson*, Company C, 40th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *John A. Anderson*, Company C, 40th Infantry, did absent himself from the quarters and camp of his Company without permission from proper authority. This at Goldsboro, North Carolina, on or about the night of the 12th and the morning of the 13th of September, 1868."

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

Specification 1st.—"In this: that Private *John A. Anderson*, Company C, 40th Infantry, being apprehended while absent without leave by 1st Sergeant John C. McKennon, Company C, 40th Infantry, did violently resist the authority of, and attempt to beat the said 1st John C. McKennon, Company C, 40th Infantry, he,

the said 1st Sergeant John C. McKennon, Company C, 40th Infantry, being then and there in the discharge of his duty. This at Goldsboro, North Carolina, on or about the 13th day of September, 1868."

Specification 2d.—"In this: that Private *John A. Anderson*, Company C, 40th Infantry, did feloniously take, steal and carry away, with the intent to appropriate to his own use, one pair of bootees, the property of Private John Grey, Company C, 40th Infantry. This at Goldsboro, North Carolina, on or about the 31st day August, 1868."

To which charge and specification the accused pleaded,

To the 1st CHARGE and *Specification*, "*Guilty.*".

To the 2d CHARGE and *Specifications*, "*Not Guilty.*"

FINDING.

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

Of the 1st *Specification* to the 2d CHARGE, "Guilty."

Of the 2d *Specification* to the 2d CHARGE, "Not Guilty."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John A. Anderson*, Company C, 40th Infantry, "*To forfeit to the United States fifteen dollars per month of his monthly pay for the period of six months, and to be confined at hard labor, at such place as the Commmanding General may direct for the same period.*"

The proceedings and findings in the case of Private *John A. Anderson*, Company C, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL

C. D. Emory.

A. D. C.

1. Brevet Lieutenant Colonel DAVID P. HANCOCK, Captain 7th Infantry.
2. Brevet Major ALONZO A. COLE, Captain 7th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *October* 23, 1868.

GENERAL ORDERS
No. 33.

I. Before a General Court Martial which convened at Jacksonville, Florida, September 25, 1868, pursuant to Special Orders No. 42, Headquarters Department of the South, dated Atlanta, Georgia, September 19, 1868, and of which Brevet Brigadier General E. G. MARSHALL, Colonel U. S. Army, is President, were arraigned and tried:

1st. Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry.

CHARGE I.—"Drunkenness on duty. (45th Article of War.)"

Specification 1st.—"In this: tnat Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry, was found drunk whilst on duty in active command of Company A, 7th Infantry, proceeding under orders from Marianna, Florida, to Jacksonville, Florida. This at or near Tallahassee, Florida, and Lake City, Florida, and on the Railroad cars between Tallahassee, Florida, and Jacksonville, Florida, on or about August 17th, 1868."

Specification 2d.—"In this: that Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry, was found drunk whilst on duty as commanding officer post of Jacksonville, Florida. This at or near Jacksonville, Florida, on or about August 18th and 19th, 1868."

CHARGE II.—"Conduct unbecoming an officer and a gentleman. (83d Article of War.)"

Specification.—"In this: that Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry, did exhibit himself in the streets of Jacksonville, Florida, in a

state of beastly intoxication, dressed partially in his uniform as an officer of the army, with his trowsers torn, and his shirt hanging out from the rent, and his shirt partly open in front, exposing his stomach. All this in broad daylight in the presence of officers of his regiment, citizens and others, on or about August 19th, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st CHARGE and *Specifications*, "Not Guilty."

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'of beastly intoxication,' and the words 'his shirt hanging out,' substituting therefor the words 'his shirt or drawers exposed'; and the word 'stomach,' substituting therefor the word 'skin'."

Of the 2d CHARGE, "Not Guilty, but guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry, "*To be reprimanded in orders by the General Commanding the Department.*"

2d. Brevet Major *Alonzo A. Cole*, Captain 7th Infantry.

CHARGE.—"Conduct unbecoming an officer and a gentleman. (83d Article of War.)"

Specification 1st.—"In this: that Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, being the senior officer present at Saint Francis Barracks, did, on or about the 15th day of September, 1868, take his seat at the officers' mess supper table at Saint Francis Barracks, St. Augustine, Florida, when under the influence of intoxicating liquor, and did use profane language such as 'God damn,' and 'I'll be God damned,' or words to that effect. This in the presence of an officer's family consisting of wife and child, a citizen invited guest, and the officers of the mess."

Specification 2d.—"In this: that Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, did on or about the 13th day of September, 1868, while seated at the supper table of

the officers mess at Saint Francis Barracks, St. Augustine, Florida, throw at 2d Lieutenant GEORGE H. WRIGHT, a glass bottle, premeditately, and without sufficient provocation. This in the presence of the officers of the mess, an officer's family consisting of wife and child, and a citizen invited guest."

Specification 3d.—"In this: that Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, did, on or about the 13th day of September, 1868, leave the mess room of the officers at Saint Francis Barracks, St. Augustine, Florida, and afterwards return to the mess room with a pistol, and there pulling off his coat, did attempt to provoke 2d Lieutenant GEORGE H. WRIGHT, 7th Infantry, in a threatening offensive, and boisterous manner, and did dare 2d Lieutenant GEORGE H. WRIGHT, to fight, saying, 'I pull off my straps now, God damn your soul, I dare you to put me out of the window again,' or words to that effect."

Specification 4th.—"In this: that Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, did, on or about the 13th day of September, 1868, in the mess room of the officers at Saint Francis Barracks, St. Augustine, Florida, use to Brevet Major E. C. WOODRUFF, Captain 7th Infantry, insulting language, saying 'damn you, get out of here, what the hell do you want here,' or words to that effect, while the said Major WOODRUFF was endeavoring to preserve order, and did seize a pitcher and raise it in a threatening attitude to throw at said Brevet Major WOODRUFF."

To which charge and specifications the accused pleaded:

To the *Specifications*, "*Guilty*."

To the CHARGE, "*Not Guilty*."

FINDING.

Of the *Specifications*, "Guilty."

Of the CHARGE, "Not Guilty, but guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, "*To be suspended from rank and command for the period of six months; to be confined at the limits of his post for the same period, and to be reprimanded in orders by the General Commanding.*"

II.—The proceedings and findings in the case of Brevet Lieutenant Colonel *David P. Hancock*, Captain 7th Infantry, are approved, and the sentence is confirmed. The conduct of which Brevet Lieutenant Colonel *Hancock* is found guilty by the court, is deserving of severe censure. An officer cannot expect to maintain habits of neatness, so important to discipline, among his men, when he himself publicly exhibits so slovenly an appearance: and when he so totally disregards the ordinary usages of society he reflects discredit upon not only himself, but the entire profession of which he is a member. Brevet Lieutenant Colonel *Hancock* will be released from arrest and restored to duty.

III. The proceedings and findings in the case of Brevet Major *Alonzo A. Cole*, Captain 7th Infantry, are approved. The sentence is confirmed and will be carried into effect.

This grave breach of good order and decorum, on the part of Brevet Major *Cole*, merits the strong disapprobation of the Commanding General. Some palliating circumstances were shown by Brevet Major *Cole* in defence of his conduct; but no officer can be justified in so far forgetting the dignity due his position, as to violate all the proprieties of social life, and render the mess-room of his fellow officers a scene of quarrelling and disorder.

IV. The General Court Martial of which Brevet Brigadier General E. G. MARSHALL, Colonel U. S. Army, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

C D Emory

A. D. C.

1. Private WILLIAM KEENAN, Company C, 12th Infantry.
2. Private VICTOR GROW, Company C, 12th Infantry.
3. Private JAMES COVENEY, Company B, 12th Infantry.
4. Private HOMER SWAN, Company F, 33d Infantry.
5. Private WILLIAM BARRETT, Company B, 12th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *October* 26, 1868.

GENERAL ORDERS
No. 34.

I. Before a General Court Martial which convened at Montgomery, Alabama, October 12, 1868, pursuant to Special Orders No. 57, Headquarters, Department of the South, dated Atlanta, Georgia, October 9, 1868, and of which Brevet Brigadier General ELISHA G. MARSHALL, U. S. A., (retired), is President, were arraigned and tried.

1st. Private *William Keenan*, Company C, 12th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *William Keenan*, Company C, 12th Infantry, having been duly enlisted in the service of the United States on the 16th day of February, 1867, did desert said service on the 17th day of September, 1868, and did remain absent until apprehended and delivered up as a deserter on the 22d day of September, 1868. This at Montgomery, Alabama, on or about the dates above specified."

To which charge and specification the accused pleaded:

To the *Specification*, "*Not Guilty.*"

To the CHARGE, "*Not guilty of desertion, but guilty of absence without leave.*"

FINDING.

Of the *Specification*, "Guilty except the words 'did desert said service,' substituting therefor 'did absent himself without leave'."

Of the CHARGE, "Not guilty of desertion, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *William Keenan* Company C, 12th Infantry, "*To forfeit to the United States fourteen dollars of his monthly pay for three months, and to be confined in charge of the guard eight days on bread and water diet.*"

The proceedings and findings in the case of Private *William Keenan*, Company C, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect.

2d. Private *Victor Grow*, Company C, 12th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Victor Grow*, Com- C, 12th Infantry, having been duly enlisted as a soldier in the service of the United States at Richmond, Virginia, on the 2d day of November, 1865, to serve for the period of three years, did desert said service at Montgomery, Alabama, on the 21st day of September, 1868, and did so remain absent until the 24th day of September, 1868, when he surrendered himself at the camp of the 12th Infantry, at Montgomery, Alabama. All this at or near, and on or about the places and dates above specified."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words 'did desert said service,' inserting therefor the words 'did absent himself without leave'."

Of the CHARGE, "Not guilty of desertion, but guilty of of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *Victor Grow*, Company C, 12th U. S. Infantry, "*To forfeit to the United States fourteen dollars of his monthly pay for two months, and to be confined in charge of the guard for the balance of his enlistment, eight days thereof on bread and water.*"

The proceedings and findings in the case of Private *Victor Grow*, Company C, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *James Coveney*, Company B, 12th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: tnat Private *James Coveney*, Company B, 12th Infantry, having been enlisted in the service of the United States on the 3d day of July, 1866, did desert the same from Russell Barracks, Washington, D. C., on the 7th day of December, 1867, and did remain absent until he surrendered himself at Newport Barracks, Kentucky, on the 2d day of January, 1868. All this at Washington, D. C., on or about the 7th day of December, 1867."

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

Specification 1st.—"In this: that he, Private *James Coveney*, Company B, 12th Infantry, did, on the 15th day of September, 1868, steal from the person of Private Zachery Dobson, Company B, 12th Infantry, the sum of twenty-five dollars, the said Private Dobson lying sick of fever in his tent."

Specification 2d.—"In this: that the said Private *James Coveney*, Company B, 12th Infantry, did, on the 18th day of September, 1868, steal from the room of 1st Sergeant W. J. Wilkinson, the following articles of clothing, the property of Private John M. Slaughter, Company B, 12th Infantry, viz: one sack coat and one pair of trowsers, and did convey them away. All this at the camp of the 12th Infantry, Montgomery, Alabama, on or about the dates specified in the specification."

Specification 3d.—"In this: that Private *James Coveney*, Company B, 12th Infantry, did on the 18th day of September, 1868, while being conveyed from the camp of the 12th Infantry to the jail in Montgomery, Alabama, by a guard commanded by 1st Sergeant William J. Wilkinson, Company B, 12th Infantry, insult and threaten the said 1st Sergeant Wilkinson with the following words, viz: 'You God damned son of a bitch, I'll break your nose the first time I catch you alone. I'll be out jail to night and stick a knife in your bedsack—I'll kill you—I'll put a knife in your damned cowardly heart—If I don't do it to-night, I will before many nights are over—I'll snatch one of the guns

and stick the bayonet through your guts, God damn you,' and similar words to the same effect."

Specification 4th.—"In this: that Private *James Coveney*, Company B, 12th Infantry, did, on the 18th day of September, 1868, while being conveyed from the camp of the 12th Infantry to the jail in Montgomery, Alabama, by a guard commanded by 1st Sergeant William J. Wilkinson, Company B, 12th Infantry, attempt to maim the said 1st Sergeant Wilkinson by kicking him in the testicles. All this at Montgomery, Alabama, on or about the 18th day of September, 1868."

To which charges and specifications the accused pleaded as follows:

To the 1st CHARGE and *Specification*, "*Not Guilty.*"

To the 1st *Specification* of the 2d CHARGE, "*Not Guilty.*"

To the 2d *Specification* of the 2d CHARGE, "*Guilty*, except the words 'the property of Private John M. Slaughter'."

To the 3d and 4th *Specifications* of the 2d CHARGE, "*Not Guilty.*"

To the 2d CHARGE, "*Not Guilty.*"

FINDING.

Of the *Specification* to the 1st CHARGE, "Guilty, except the words 'desert the same' and insert thereof, 'escape from the guard and absent himself without leave'."

Of the 1st CHARGE, "Not guilty of desertion, but guilty of absence without leave."

Of the 1st *Specification* to the 2d CHARGE, "Not Guilty."

Of the 2d, 3d and 4th *Specifications* to the 2d CHARGE, "Guilty."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Coveney*, Company B. 12th Infantry, "*To forfeit to the United States all pay and allowances now due or that may hereafter become due him, except just dues to the laundress; to be dishonorably discharged from the United States service, and to be confined for the period of two years at hard labor at such place as the Commanding General of the Department may direct.*"

The finding in the case of Private *James Coveney*, Company B, 12th Infantry, on the first charge and its speci-

fication is disapproved. It appears from the evidence that Private *Coveney* escaped from the confinement imposed by sentence of a military court. Such escape being held by the Judge Advocate General not to constitute desertion, cannot therefore be considered, as found by the court, absence without leave, which is a lesser kindred offence, and can only be charged under the 99th Article of War.—(*See Holt's Digest*, "*Escape*," *par.* 2.) The proceedings and finding on the second charge and its specifications are approved. The period of confinement is mitigated to one year. Thus modified, the sentence will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under suitable guard with a copy of this order.

4th. Private *Homer Swan*, Company F, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Homer Swan*, Company F, 33d Infantry, having been duly enlisted in the military service of the United States did desert from his company and regiment at Dahlonega, Georgia, on the 17th of July, 1868, and did remain absent until he voluntarily returned to his company August 14, 1868. This at Dahlonega, Georgia, on or about the 17th day of July, 1868."

To which charge and specification the accused pleaded:

To the *Specification*, except the word 'desert', "*Guilty.*"

To the CHARGE, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Homer Swan*, Company F, 33d Infantry, "*To forfeit to the United States fourteen dollars of his monthly pay for six months; to be confined in charge of guard at hard labor for the same period, excepting fourteen days confinement in cells, at lawful intervals of each month, upon bread and water.*"

The proceedings and findings in the case of Private *Homer Swan*, Company F, 33d Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *William Barrett*, Company B, 12th Infantry.

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

Specification 1st.—"In this: that Private *William Barrett*, Company B, 12th Infantry, did on the 15th day of September, 1868, steal from the person of Zachary Dobson, Private Company B 12th Infantry, the sum of twenty-five dollars, the said Private Dobson being at this time sick with fever in his tent. All this at the camp of the 12th Infantry, Montgomery, Alabama, on or about the 15th day of September, 1868."

Specification 2d.—"In this: that Private *William Barrett*, Company B, 12th Infantry, did. on the 18th day of September, 1868, while being conveyed from the camp of the 12th Infantry, to the jail at Montgomery, Alabama, by a guard commanded by 1st Sergeant William J. Wilkinson, Company B, 12th Infantry, insult and threaten the said Sergeant W. J. Wilkinson in the following words, viz: 'Come on Jim they are too many for us, we can fix the son of a bitch some other time, I owe it to him and I will pay him too if I swing for it', or words to that effect. All this at Montgomery, Alabama, on or about the 18th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "Not Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *William Barrett*, Company B, 12th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for the period of two months, and to be confined at hard labor at such place as the Commanding General of the Department may direct for the period of six months.*"

The proceedings and findings in the case of Private *William Barrett*, Company B, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect. The guard house at the post where the prisoner's company may be serving, is designated as the place of confinement.

II. The General Court Martial of which Brevet Brigadier General ELISHA G. MARSHALL, U. S. A., (retired), is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

S. J. Blackburn

A. D. C.

1. Private WILLIAM CAILLIER, Company I, 6th Infantry.
2. Private CHARLES E. DAVIS, Company A, 6th Infantry.
3. 2d Class Private SAMUEL CONKLIN, U. S. Ordnance Department.
4. Private PATRICK MCGEE, Company I, 6th Infantry.
5. Private DENNIS CONNELLY, Company H, 6th Infantry.
6. Private JOHN BANN, Company I, 6th Infantry.
7. Artificer THOMAS BOOTH, Company A, 6th Infantry.
8. Private GEORGE F. MONNIA, Company B, 6th Infantry.
9. Private CHARLES R. SOVERNS, Company B, 6th Infantry.
10. Private JOHN COFFIELD, Company A, 6th Infantry.
11. Private HENRY DILLON, Company K, 12th Infantry.
12. Privates JOHN CLARK and GEORGE CLARK, Company F, 12th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *October* 28, 1868.

GENERAL ORDERS
No. 35.

I. Before a General Court Martial which convened at Charleston, South Carolina, September 22, 1868, pursuant to Special Orders No. 40, Headquarters Department of the South, dated Atlanta, Georgia, September 17, 1868, and of which Brevet Lieutenant Colonel GEORGE A. WILLIAMS, Major 6th Infantry, is President, were arraigned and tried:

1st. Private *William Caillier*, Company I, 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *William Caillier*, Company I, 6th Infantry, did desert the service of the United States, at Fort Johnson, Smithville, North Carolina, on or about the morning of the 1st day of August, 1868, and was absent without leave from on or about August 1st, 1868, until apprehended at Wilmington, North Carolina, on or about the 3d day of August, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Caillier*, Company I, 6th Infantry, "*To forfeit all pay and allowances now due or to become due him, except the just dues of the laundress; to be indelibly marked with the letter D, one and a half inches long on the left hip; to be dishonorably discharged the service of the United States, and then to be confined at such place, at hard labor, as the Commanding General may direct for the remainder of his term of enlistment.*"

The proceedings and findings in the case of Private *William Caillier*, Company I, 6th Infantry, are approved. The sentence is too indefinite in not fixing the exact period of confinement; it is however confirmed with the proviso that, if at the end of one year's confinement the prisoner's term of enlistment shall not have expired, he shall then be released from further confinement. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent with his descriptive list and a copy of this order.

2d. Private *Charles E. Davis*, Company A, 6th Infantry.

CHARGE.—"Quitting his guard."

Specification.—"In this: that Private *Charles E. Davis*, Company A, 6th Infantry, did quit his guard without urgent necessity, or without the leave of his superior officer. This at military post of Raleigh, North Carolina, August, 14, 1868."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles E. Davis*, Company A, 6th Infantry, "*To forfeit to the United States twelve dollars per month of his monthly pay for three months, and to be confined at hard labor under charge of the guard for thirty days.*"

The proceedings and findings in the case of Private *Charles E. Davis*, Company A, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

3d. Second Class Private *Samuel Conklin*, U. S. Ordnance Department.

CHARGE.—"Absence without leave."

Specification.—"In this: that 2d Class Private *Samuel Conklin*, of the Company of enlisted men of Ordnance, U. S. Army, at Charleston Arsenal, South Carolina, did, without leave, absent himself from his post, company and duty, from reveille roll-call on the 11th day of September, 1868, and did remain absent until about 8 o'clock, P. M., September 13th, 1868. This at Charleston Arsenal, Charleston, South Carolina."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, 2d Class Private *Samuel Conklin*, U. S. Ordnance Department, "*To forfeit fourteen dollars of his monthly pay for one month.*"

The proceedings and findings in the case of Second Class Private *Samuel Conklin*, U. S. Ordnance Department, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *Patrick McGee*, Company I, 6th Infantry.

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

Specification 1st.—"In this: that Private *Patrick McGee*, Company I, 6th Infantry, did, on or about midnight of the 26th day of August, 1868, conduct himself in an outrageous and disorderly manner in the quarters of his company; and when ordered to desist by Sergeant John Johnson, Company I, 6th Infantry, refused to do so; and also when ordered by 1st Sergeant Alexander Buchanan to stop that noise, replied: 'Go to hell; you cannot take me to the guard house, nor no God damned man in the company.' This at Charleston, South Carolina."

Specification 2d.—"In this: that Private *Patrick McGee*, Company I, 6th Infantry, did, on or about midnight of the 26th day of August, 1868, after being confined in the guard house, did come to the quarters of his company, in charge of a sentinel, and take hold of, and assault and abuse 1st Sergeant Alexander Buchanan, Company I, 6th Infantry, while he, said 1st Sergeant

Alexander Buchanan, was in the execution of his duty. This at Charleston, South Carolina."

Specification 3d.—"In this: that he, Private *Patrick McGee*, Company I, 6th Infantry, did, on or about tattoo roll-call of the 27th day of August, 1868, without provocation or cause, assault and strike with his fist Corporal John Breen, Company I, 6th Infantry, while he, the said Corporal John Breen, was in the execution of his duty. This at Charleston, South Carolina."

To which charge and specifications the accused pleaded, "*Not Guilty.*"

FINDING.

Of the 1st and 2d *Specifications*, "Guilty."

Of the 3d *Specification*, "Guilty, except the words '27th day of August, 1868', substituting therefor, "August 28th 1868'."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick McGee*, Company I, 6th Infantry, "*To forfeit to the United States fourteen dollars per month of his monthly pay for six months.*"

The proceedings and findings in the case of Private *Patrick McGee*, Company I, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

5th. Private *Dennis Connelly*, Company H, 6th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Dennis Connelly*, Company H, 6th Infantry, being duly mounted as a member of the guard at or near the Citadel, Charleston, South Carolina, was found drunk on his guard. This at Charleston, South Carolina, on the 18th day of September, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Dennis Connelly*, Company H, 6th Infantry, "*To be confined at hard labor in charge of the guard for two months, wearing a thirty-*

two pound ball attached to his left leg, by a chain of suitable length for the same period."

The proceedings and findings in the case of Private *Dennis Connelly*, Company H, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

6th. Private *John Bann*, Company I, 6th Infantry.

CHARGE.--"Drunkenness on duty."

Specification.—"In this: that Private *John Bann*, Company I, 6th Infantry, being duly mounted as a member of the guard at or near the Citadel, Charleston, South Carolina, was found drunk on his guard. This at Charleston, South Carolina, on the 18th day of September, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *John Bann*, Company I, 6th Infantry, "*To be confined at hard labor in charge of the guard for two months, wearing a thirty-two pound ball attached to his left leg by a chain of suitable length for the same period.*"

The proceedings and findings in the case of Private *John Bann*, Company I, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th. Artificer *Thomas Booth*, Company A, 6th Infantry.

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

Specification.—"In this: that he, Artificer *Thomas Booth*, Company A, 6th Infantry, having been regularly detailed on daily duty as carpenter in the Quartermaster's department, and having been ordered to work by Sergeant William Kroenke, Company I, 6th Infantry, Acting Post Quartermaster Sergeant, did fail and positively refuse to obey said order, saying: 'I will not work on this artificer business for two dollars a month; I will not lift a hammer, and if you confine me—' or words to that effect. All this at the Citadel,

Charleston, South Carolina, on or about the 15th day of September, 1868."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Artificer *Thomas Booth*, Company A, 6th Infantry, "*To forfeit to the United States twelve dollars per month of his monthly pay for six months, and to be confined at hard labor under charge of the guard for the same period.*"

The proceedings and findings in the case of Artificer *Thomas Booth*, Company A, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *George F. Monnia*, Company B, 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *George F. Monnia*, Company B, 16th Infantry, being a member of a guard, duly mounted and regularly posted as a sentinel in the doorway of a railroad box car in charge of certain prisoners of the 6th Infantry, with instructions not to allow any prisoner out of said car, did without orders from proper authority, allow two prisoners, Privates William H. Stone and James Price, Company A, 6th Infantry, to leave the car and quit their confinement. This at Goldsboro, North Carolina, on the 27th day of August, 1868, while en route from Raleigh, North Carolina, to Charleston, South Carolina."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George F. Monnia*, Company B, 6th Infantry, "*To forfeit to the United States fourteen dollars per month of his monthly pay for the period of three months.*"

The proceedings and findings in the case of Private *George*

Monnia, Company B, 6th Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based upon the prisoner's previous good character, it is hereby remitted. Private *Monnia* will be released from confinement and restored to duty.

9th. Private *Charles R. Soverns*, Company B, 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Charles R. Soverns*, Company B, 6th Infantry, having been duly enlisted in the service of the United States, did desert the same at Charleston, South Carolina, on or about the 18th day of April, 1868, and did remain absent until apprehended at Charleston, South Carolina, on the 24th day of September, 1868. This at Charleston, South Carolina, on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles R. Soverns*, Company B, 6th Infantry, "*To forfeit all pay and allowances now due him, or to become due him, except the just dues of the laundress, to be indelibly marked on the left hip with the letter D, one and a half inches long, to be dishonorably discharged the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct for the period of two years.*"

The proceedings and findings in the case of Private *Charles R. Soverns*, Company B, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement to which point the prisoner will be sent with a copy of this order.

10th. Private *John Coffield*, Company A, 6th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Coffield*, Company A, 6th Infantry, being duly posted as a sentry in charge of a prisoner, Private William Cailler, Com-

pany I, 6th Infantry, did through the neglect of his duty, allow said prisoner to escape. This at Charleston, South Carolina, on or about the 1st of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE, and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Coffield*, Company A, 6th Infantry, "*To forfeit to the United States fourteen dollars per month of his monthly pay for the period of six months, and to be confined at hard labor in charge of the guard for one month.*"

The proceedings and findings in the case of Private *John Coffield*, Company A, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

11th. Private *Henry Dillon*, Company K, 12th Infantry.

CHARGE I.—"Leaving his post before being regularly relieved."

Specification.—"In this: that he, Private *Henry Dillon*, of K Company 12th Infantry, a sentinel on the morning of the 30th of July, 1868, did leave his post before being regularly relieved, and did remain absent one hour."

CHARGE II.—"Drunkenness on guard."

Specification.—"In this: that Private *Henry Dillon*, Company K, 12th Infantry, was found drunk on his guard at Summerville, South Carolina, on or about July 30, 1868. All this at Summerville, South Carolina, on or about the 30th day of July, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Not Guilty.*"

To the 2d CHARGE and *Specification*, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Dillon*, Company K, 12th Infantry, "*To forfeit to the United States fourteen dollars per month of his monthly pay for three*

months, and to be confined at hard labor in charge of the guard for one month." The court is thus lenient in consideration of the length of confinement the prisoner has already undergone.

The proceedings and findings in the case of Private *Henry Dillon*, Company K, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect.

12th. Privates *John Clark* and *George Clark*, Company F, 12th Infantry.

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

Specification 1st.—"In this: that Privates *John Clark* and *George Clark*, Company F, 12th Infantry, when ordered by Sergeant Robert Lampricht, Company F, 12th Infantry, he being in the execution of his office, to go to the guard house, did with an open knife, and with a club, make an assault upon the said Sergeant Lampricht and did say to the said Sergeant Lampricht, 'You son of a bitch you have to die', or words to that effect. This at or near Hilton Head, South Carolina, on or about July 20, 1868."

Specification 2d.—"In this: that Privates *John Clark* and *George Clark*, Company F, 12th Infantry, did resist and attempt to disarm Corporal Edward Nixon, Company F, 12th Infantry, he being in the execution of his office, and did stab the said Corporal Nixon in the hand with a knife. This at or near Hilton Head, South Carolina, on or about July 20, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the 2d *Specification*, "Guilty, except the word 'hand' substituting therefor 'head'."

Of the CHARGE "Guilty."

SENTENCE.

And the court does therefore sentence them, Privates *John Clark* and *George Clark*, Company F, 12th Infantry, "*Each of them to forfeit to the United States fourteen dollars per month of their monthly pay for the period of six months, and to be confined in charge of the guard for three months, carry-*

ing a knapsack weighing forty pounds each alternate day from reveille until tattoo, allowing fifteen minutes for each meal."

The proceedings and findings in the case of Privates *John Clark* and *George Clark*, Company F, 12th Infantry, are approved. The sentence is confirmed and will be carried into effect.

By order of Major General Meade:

R. C. DRUM,

Assistant Adjutant General.

Official:

C. D. Emory

A. D. C.

Private JAMES MURRAY, Company B, 6th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *October* 31, 1868.

GENERAL ORDERS
No. 36.

I. Before a General Court Martial which convened at Charleston, South Carolina, October 27, 1868, pursuant to Special Orders No. 40, Headquarters Department of the South, dated Atlanta, Georgia, September 17, 1868, and of which Brevet Lieutenant Colonel GEORGE A. WILLIAMS, Major 6th Infantry, is President, was arraigned and tried:

Private *James Murray*, Company B, 6th Infantry.

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

Specification.—"In this: that Private *James Murray*, Company B, 6th Infantry, did without just cause or provocation, seize a bayonet, and attempt to strike with it Sergeant Frederick Morley, Company B, 6th Infantry, Sergeant Morley being in the execution of his duty; and did call the said Sergeant Morley a 'damned son of a bitch'; and did further say to the said Sergeant Morley, Company B, 6th Infantry 'I can lick you or Sergeant O'Brien, (meaning the 1st Sergeant of his company, 1st Sergeant Morris O'Brien), or any son of a bitch of a friend of yours'. All this in the company quarters of his company, at the Citadel, Charleston, South Carolina, on or about the afternoon of the 3d day of October, 1868."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words 'of a friend of yours'."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Murray*, Company B, 6th Infantry, "*To forfeit to the United*

States fourteen dollars per month of his monthly pay for the period of three months, and to be confined in charge of the guard one month, carrying a knapsack on his back weighing forty pounds from reveille until retreat during that time, allowing fifteen minutes for each meal."

The proceedings and findings in the case of Private *James Murray*, Company B, 6th Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial of which Brevet Lieutenant Colonel GEORGE A. WILLIAMS, Major 6th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

1. Private SAMUEL LARABY, Company B, 5th Artillery.
2. Private ISAAC N. GIRTEN, Company B, 5th Artillery.
3. Private WILLIAM DENNIS, Company B, 5th Artillery.
4. Private JAMES POSEY, Company E, 40th Infantry.
5. Private JAMES RUSSELL, Company I, 40th Infantry.
6. Private AUGUSTUS A. THOMPSON, Company I, 40th Infantry.
7. Private THOMAS WOODS, Company I, 40th Infantry.
8. Private ISAAC COWLS, Company E, 40th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *November* 11, 1868

GENERAL ORDERS
No. 39.

I. Before a General Court Martial which convened at Goldsboro, North Carolina, October 2, 1868, pursuant to Special Orders No 39, Headquarters Department of the South, dated Atlanta, Georgia, September 16, 1868, and of which Brevet Lieutenant Colonel CHARLES E. COMPTON, Major 40th Infantry, is President, were arraigned and tried:

1st. Private *Samuel Laraby*, Company B, 5th Artillery.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this: that Private *Samuel Laraby*, Company B, 5th Artillery, did, without permission from proper authority and not being prevented by sickness or evident necessity, fail in repairing at the time fixed, to tattoo roll-call on the 4th day of September, 1868. This at Fort Johnson, North Carolina, on the 4th day of September, 1868."

CHARGE II.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification 1st.—"In this: that Private *Samuel Laraby*, Company B, 5th Artillery, when ordered by Corporal John Welsh, he being in the execution of his office, to take a dog out of his bunk, did disobey said order and positively refuse to do so, saying, 'I will not do it for you or any other God damned man in the company.' This at Fort Johnson, North Carolina, on the evening of September 4th 1868."

Specification 2d.—"In this: that Private *Samuel Laraby*,

Company B, 5th Artillery, when ordered by Corporal Michael Gannon, Acting Sergeant of the guard, and in the execution of his office, to turn out and walk the ring, did disobey said order, and did positively refuse to do so, saying, 'I will stand a court martial first,' or words to that effect. This at Fort Johnson, North Carolina, on the evening of September 5, 1868."

To which charges and specifications the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Samuel Laraby*, Company B, 5th Artillery, "*To forfeit to the United States fifteen dollars per month of his monthly pay for the period of three months, and to be confined at hard labor under charge of a guard for the same period.*"

The proceedings and findings in the case of Private *Samuel Laraby*, Company B, 5th Artillery, are approved. The sentence is confirmed and will be carried into effect.

2d. Private *Isaac N. Girten*, Company B, 5th Artillery.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this: that Private *Isaac N. Girten*, Company B, 5th Artillery, did, without permission from the proper authority, and not being prevented by sickness or other evident necessity, fail in reparing at the time fixed, to tattoo roll-call on the 4th day of September, 1868. This at Fort Johnson, North Carolina, on the 4th day of September 1868."

CHARGE II.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Isaac N. Girten*, Company C, 5th Artillery, when ordered by Corporal Michael Gannon, Acting Sergeant of the guard, and in execution of his office, to turn out and walk the ring, did willfully disobey said order, and refuse to do so, saying, 'I will stand a court martial first,' or words to that effect, This at Fort Johnson, North Carolina, on the 5th day of September, 1868."

To which charges and specifications the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Isaac N. Girten*, Company B, 5th Artillery, "*To forfeit to the United States fifteen dollars per month of his monthly pay for the period of three months, and to be confined at hard labor under charge of a guard for the same period.*"

The proceedings and findings in the case of Private *Isaac N. Girten*, Company B, 5th Artillery, are approved. The sentence is confirmed and will be carried into effect.

3d. Private *William Dennis* Company B, 5th Artillery.

CHARGE.—"Disobedience of orders, to the prejucice of good order and military discipline."

Specification.—"In this: that Private *William Dennis*, Company B, 5th Artillery, when ordered by Corporal Michael Gannon, Acting Sergeant of the guard, and in the execution of his office, to turn out and walk the ring, did willfully disobey said order, and positively refused to do so, saying, 'I will stand a court martial first,' or words to that effect. This at Fort Johnson, North Carolina, on the 5th day of September, 1868."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Dennis*, Company B, 5th Artillery, "*To forfeit to the United States fifteen dollars per month of his monthly pay for two months, and to be confined at hard labor under charge of a guard for the same period.*"

The proceedings and findings in the case of Private *William Dennis*, Company B, 5th Artillery, are approved. The sentence is confirmed and will be carried into effect.

4th. Private *James Posey*, Company E, 40th Infantry.

CHARGE.—"Leaving his post. (46th Article of War".)

Specification.—"In this: that Private *James Posey*, Company E, 40th Infantry, being a member of the guard and regularly posted as a sentinel, did leave his post

before he was regularly relieved. This at Goldsboro, North Carolina, about 1 o'clock A. M., on or about the 23d of September, 1868."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *James Posey*, Company E, 40th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for six calendar months, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *James Posey*, Company E, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard guard with a copy of this order.

5th. Private *James Russell*, Company I, 40th Infantry.

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

Specification 1st.—"In this: that Private *James Russell*, Company I, 40th Infantry, did use the following language: 'I will kill the white son a bitch,' or words to that effect, meaning the officer of the guard, Lieutenant C. E. Hargous, 40th Infantry, Brevet Captain U. S. Army. This at Goldsboro, North Carolina, on or about the 13th day of September, 1868."

Specification 2d.—"In this: that Private *James Russell*, Company I, 40th Infantry, did refuse to give his name to, and did kick Sergeant William H. Brown, Company I, 40th Infantry, said Sergeant being in the execution of his office as Sergeant of the guard. This at Goldsboro, North Carolina, on or about the 13th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James*

Russell, Company I, 40th Infantry, "*To forfeit to the United States fourteen dollars per month of his monthly pay for the period of one year, and to confinement at hard labor at such place as the Commanding General may direct for the same period.*"

The proceedings and findings in the case of Private *James Russell*, Company I, 40th Infantry, are approved. The sentence is confirmed, but on the recommendation of the court, based upon the prisoner's previous good character, it is hereby mitigated *to forfeiture of fourteen dollars per month of his pay for four months, and to be confined at hard labor under charge of the guard for the same period.*

6th Private *Augustus A. Thompson*, Company I, 40th Infantry.

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

Specification 1st.—"In this: that Private *Augustus A. Thompson*, Company I, 40th Infantry, did engage in gambling, contrary to express and well understood orders of his company commander, 1st Lieutenant William B. Nesbitt, 40th Infantry. This at Goldsboro, North Carolina, on or about the 23d day of September, 1868."

Specification 2d.—"In this: that Private *Augustus A. Thompson*, Company I, 40th Infantry, did feloniously take, steal and carry away from the quarters of his company, with the intent to appropriate to his own use, one pair of blue pants of the value of ten dollars, the property of Private William Griffin, Company I, 40th Infantry. This at Goldsboro, North Carolina, on or about the 23d day of September, 1868."

To which charge and specifications the accused pleaded:

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

To the CHARGE and 2d *Specification*, "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Augustus A. Thompson*, Company I, 40th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, and to be dishonorably discharged and drummed out of the service of the United States.*"

The proceedings and findings in the case of Private *Augustus A. Thompson*, Company I, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th. Private *Thomas Woods*, Company I, 40th Infantry.

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

Specification 1st.—"In this: that Private *Thomas Woods*, Company I, 40th Infantry, did engage in gambling, contrary to express and well understood orders of his company commander, 1st Lieutenant William B. Nesbitt, 40th Infantry. This at Goldsboro, North Carolina, on or about the 23d day of September, 1868."

Specification 2d.—"In this: that Private *Thomas Woods*, Company I, 40th Infantry, did, in connivance with one Augustus A. Thompson, Private of Company I, 40th Infantry, feloniously take, steal and carry away, from the quarters of his Company, with the intent to appropriate to his own use, one pair of blue pants of the value of ten dollars, the property of one Private William Griffin, Company I, 40th Infantry. This at Goldsboro, North Carolina, on or about the 23d day of September, 1868."

To which charge and specifications the accused pleaded:

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

To the CHARGE and 2d *Specification*, "*Not Guilty.*"

FINDING.

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

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *Thomas Woods*, Company I, 40th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for one month.*"

The proceedings and findings in the case of Private *Thomas Woods*, Company I, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect.

8th. Private *Isaac Cowles*, Company E, 40th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Isaac Cowles*, Company E, 40th Infantry, having been duly enlisted in the

military service of the United States on the 6th day of December, 1866, did desert his company and regiment at Goldsboro, North Carolina, on the 19th day of September, 1868, and did remain absent until apprehended in Goldsboro, North Carolina, on the 3d day of October, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Isaac Cowls*, Company E, 40th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be indelibly marked upon the left hip with the letter D, two inches in length; to be dishonorably discharged and drummed out of the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

The proceedings and findings in the case of Private *Isaac Cowls*, Company E, 40th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

II. The General Court Martial of which Brevet Lieutenant Colonel CHARLES E. COMPTON, Major 40th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

OFFICIAL:

A. D. C.

1. Private George S. Dixon, Company I, 5th Artillery.
2. Private Frank T. Smith, Company M, 5th Artillery.
3. Private Patrick Sheridan, Company M, 5th Artillery.
4. Private Charles Horton, Company D, 5th Artillery.
5. Artificer Marion F. Wickline, Company D, 5th Artillery.
6. Private John Gallagher, Company D, 5th Artillery.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
Atlanta, Georgia, *November* 18, 1868

GENERAL ORDERS
No. 40.

I. Before a General Court Martial which convened at Fort Jefferson, Florida, October 14, 1868, pursuant to Special Orders No 40, Headquarters Department of the South, dated Atlanta, Georgia, September 17, 1868, and of which Brevet Brigadier General B. H. Hill, Lieutenant Colonel 5th Artillery, is President, were arraigned and tried:

1st. Private *George S. Dixon*, Company I, 5th Artillery.

Charge.—"Sleeping on post. (46th Article of War)."

Specification.—"In this: that Private *George S. Dixon*, Company I, 5th Artillery, having been duly posted as a sentinel, was found sleeping on his post. This at Fort Jefferson, Florida, between the hours of 12 and 1 o'clock on the morning of the 30th of August, 1868.

To which charge and specification the accused pleaded "*Not Guilty.*"

Finding.

Of the Charge and *Specification*, "Guilty."

Sentence.

And the court does therefore sentence him, Private *George S. Dixon*, Company I, 5th Artillery, "*To forfeit to the United States the sum of ten dollars of his monthly pay for the period of three months.* The court is thus lenient in consideration of the good character given the accused by his company commander, and also of the long confinement already suffered by the accused in the guard house of this post."

2d. Private *Frank T. Smith*, Company M, 5th Artillery.

Charge.—"Sleeping on post. (46th Article of War.)"

Specification.—"In this: that Private *Frank T. Smith*, Company M, 5th Artillery, having been duly posted as a sentinel on post number two, Fort Jefferson, Florida, at 10.30 p. m., was found asleep on his post, between the hours of 11.30, p. m. and 12 m. All this at Fort Jefferson, Florida, on or about the 3d of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

Finding.

Of the Charge and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank T. Smith*, Company M, 5th Artillery, "*To forfeit to the United States the sum of ten dollars of his monthly pay for the period of three months.* The court is thus lenient in consideration of the good character given the accused by his company commander, and of the long confinement already suffered by the accused in the guard house of this post."

3d. Private *Patrick Sheridan*, Company M, 5th Artillery.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Patrick Sheridan*, Company M, 5th Artillery, did feloniously steal, take, and carry away with the intent to appropriate to his own use, the sum of two hundred and seven dollars and fifty cents, the property of Brevet Major S. A. Storrow, Assistant Surgeon, U. S. Army. This at or near Fort Jefferson, Florida, on or about the 15th day of August, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

4th Private *Charles Horton*, Company D, 5th Artillery.

CHARGE.—"Quitting his guard. (50th Article of War)."

Specification.—"In this: that Private *Charles Horton*, Company D, 5th Artillery, did quit his guard without urgent necessity, or without the leave of his superior officer, on or about the the 12th day of July, 1868, near Fort Taylor, Key West, Florida."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Horton*, Company D, 5th Artillery, "*To forfeit to the United States ten dollars of his monthly pay for the period of three months.*"

5th. Artificer *Marion F. Wickline*, Company D, 5th Artillery.

CHARGE.—"Desertion."

Specification.—"In this: that Artificer *Marion F. Wickline*, Company D, 5th Artillery, having been duly enlisted in the service of the United States, did desert said service at Key West, Florida, on the 24th day of August, 1868, and did remain absent until apprehended

and brought back under guard the 1st day of September, 1868, in citizen's clothes. All this at Key West, Florida, on or about the 24th day of August, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except of the words 'did desert said service,' and 'in citizen's clothes'"

Of the CHARGE, "Not Guilty of desertion, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Artificer *Marion F. Wickline*, Company D, 5th Artillery, "*To be confined at hard labor in charge of the guard at the post at which his company may be stationed for the period of two months, and to forfeit to the United States the sum of ten dollars of his monthly pay for the period of three months.*"

6th. Private *John Gallagher*, Company D, 5th Artillery.

CHARGE I.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *John Gallagher*, Company D, 5th Artillery, a duly enlisted soldier in the service of the United States, having been repeatedly ordered by Sergeant Thomas E. Brown, Company D, 5th Artillery, he being then in the execution of his office, to go to work and assist in cleaning the quarters of the company, did positively refuse to comply with said order, and did reply to said Sergeant in the following words: 'I will be God damned if I will go to work for you or any other God damned man in the garrison;' and when ordered by the said Sergeant Thomas E. Brown, Company D, 5th Artillery, to go to the post guard house, did reply: 'You can not take me there you son of a bitch,' or words to that effect. All this at Key West, Florida, on or about the 13th day of August, 1868."

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

Specification.—"In this: that he, the said Private *John Gallagher*, Company D, 5th Artillery, having been conducted to the post guard house for confinement, did resist and strike the Sergeant of the guard, Sergeant Michael Barry, Company D, 5th Artillery, felling him to the ground, and did repeatedly call him and the members of the guard 'sons of bitches,' or words to that effect. All this at Key West, Florida, on or about the 13th day of August, 1868."

CHARGE III.—"Absence without leave."

Specification—"In this: that he, the said Private *John Gallagher*, Company D, 5th Artillery, did absent himself without leave from the limits of the garrison of his company from immediately after tattoo on the night of the 23d day of August, 1868, till about 12 o'clock M., on the succeeding day, when apprehended by the patrol and brought back to the post guard house. All this at Key West, Florida, on or about the 23d and 24th days of August, 1868."

To which charges and specifications the accused pleaded "*Not Guilty*."

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'and strike,' and 'members of the guard.'"

Of the 2d CHARGE, "Guilty."

Of the *Specification* to the 3d CHARGE, "Guilty, except the words 'immediately after tattoo on the night of.'"

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Gallagher*, Company D, 5th Artillery, "*To be confined at hard labor in charge of the guard at the post where his company may be stationed for the period of six months, and to forfeit to the United States ten dollars of his monthly pay for the same period (six months).*"

II. The proceedings and findings in the cases of Private *George S. Dixon*, Company I, Private *Frank T. Smith*, Company M, and Privates *Charles Horton*, *John Gallagher*, and Artificer *Marion F. Wickline*, Company D, 5th Artillery, are approved. The sentences are confirmed and will be carried into effect.

III. The proceedings and findings in the case of Private *Patrick Sheridan*, Company M, 5th Artillery, are approved. Private *Sheridan* having been acquitted by the court will be released from confinement and restored to duty.

IV. The General Court Martial of which Brevet Brigadier General B. H. HILL, Lieutenant Colonel 5th Artillery, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM,

OFFICIAL: Assistant Adjutant General.

S. Wardlee

A. D. C.

1. Corporal JAMES DOBSON, Company G, 5th Cavalry.
2. Private THOMAS MCNAMEE, Dompany G, 5th Cavalry.
3. Corporal ANTHONY DINSDALE, Company A, 16th Infantry.
4. Private JOHN SMITH (1st), Company D, 16th Infantry.
5. Private CHARLES E. WHITNEY, Company H, 16th Infantry.
6. Private JOHN H. ROWE, Company H, 16th Infantry.
7. Private GEORGE W. SNOWDEN, Company H, 16th Infantry.
8. Private JOHN MCGOON, Company B, 16th Infantry.
9. Sergeant GEORGE OSBORN, Company H, 16th Infantry.

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *December* 5, 1868.

GENERAL ORDERS
No. 41.

I. Before a General Court Martial which convened at McPherson Barracks, Atlanta, Georgia, November 16, 1868, pursuant to Special Orders No. 84, Headquarters Department of the South, dated Atlanta, Georgia, November 11, 1868, and of which Major THOMAS W. SWEENY, 16th Infantry, is President, were arraigned and tried:

1st. Corporal *James Dobson*, Company G, 5th Cavalry.

CHARGE I.—"Disobedience of orders."

Specification 1st.—"In this: that Corporal *James Dobson*, Company G, 5th Cavalry, in charge of the escort and under the orders of Major E. D. Judd, Paymaster U. S. A., being ordered by the said Major E. D. Judd to report with the detachment at Besser's Hotel, ready for marching, at eleven o'clock on the morning of the 15th of October, 1868, did fail to do so. This at Dahlonega, Georgia, on or about the 15th of October, 1868."

Specification 2d.—"In this: that Corporal *James Dobson*, Company G, 5th Cavalry, in charge of the escort and under the orders of Major E. D. Judd, Paymaster U. S. A., being ordered by said Major E. D. Judd to take his place with the escort and follow said Major E. D. Judd, immediately, did fail and refuse to obey said order, saying, 'he would not until he got ready,' or words to that effect. This at Dahlonega, Georgia, on or about October 15, 1868."

Specification 3d.—"In this: that Corporal *James Dobson*, Company G, 5th Cavalry, in charge of the escort of Major E. D. Judd, Paymaster U. S. A., being ordered by Brevet Major M. A. Cochran, Captain 16th U. S. Infantry, Commanding Post of Dahlonega, Georgia, to stop talking and go after his horse, which had strayed away, did fail to obey said order, replying to Brevet

Major M. A. Cochran, 'you have nothing to do with me,' or words to that effect. This at Dahlonega, Georgia, on or about the 15th of October, 1868."

CHARGE II.—"Drunkenness on duty."

Specification 1st.—"In this: that Corporal *James Dobson*, Company G, 5th Cavalry, in charge of the escort of Major E. D. Judd, Paymaster U. S. A., and having been ordered by said Major E. D. Judd to report with the escort at Besser's Hotel, ready to march, at eleven o'clock A. M., on or about the 15th of October, 1868, was found so drunk as to be unable to perform his duty. This at Dahlonega, Georgia, on or about the 15th of October, 1868."

CHARGE III.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Corporal *James Dobson*, Company G, 5th Cava'ry, being confined in the guard house for drunkenness and disorderly conduct, by Brevet Major M. A. Cochran, Captain 16th U. S. Infantry, Commanding Post of Dahlonega, Georgia, did behave in an insolent and unsoldierly manner, by calling said Major M. A. Cochran, 'a butcher,' and other epithets of an insulting and contemptuous character. This at Dahlonega, Georgia, on or about the 15th of October, 1868."

Specification 2d.—"In this: that Corporal *James Dobson*, Company G, 5th Cavalry, having been properly placed in arrest and confined to the limits of his quarters by his superior officer, Brevet Major M. A. Cochran, Captain 16th U. S. Infantry, did leave his quarters and the vicinity thereof and go on the streets of Dahlonega, Georgia, on three different occasions. This at Dahlonega, Georgia, on or about October 16th, October 18th and October 22d. 1868."

To which charges and specifications the accused pleaded:

To the 1st and 2d *Specifications* of the 1st CHARGE, "*Not Guilty.*"

To the 3d *Specification* of the 1st CHARGE, "*Guilty.*"

To the 1st CHARGE, "*Not Guilty.*"

To the 2d CHARGE and *Specification*, "*Not Guilty.*"

To the 1st *Specification* of the 3d CHARGE, "*Guilty.*"

To the 2d *Specification* of the 3d CHARGE, "*Not Guilty.*"

Of the 3d CHARGE "*Not Guilty.*"

FINDING.

Of the 1st and 2d CHARGES and *Specifications*, "Guilty."

Of the 1st *Specification* to the 3d CHARGE, "Guilty."

Of the 2d *Specification* to the 3d CHARGE, "Guilty, stricking out, the words, 'on three different occasions,' and 'October 18th and October 22d.'"

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *James Dobson*, Company G, 5th Cavalry, "*To be reduced to the ranks; to forfeit to the United States ten dollars of his monthly pay for the period of twelve months, and to be confined for the same period at such military prison as the Commanding General may direct, fourteen days of each alternate month in solitary confinement on bread and water diet, the rest of his confinement at hard labor.*"

The proceedings and findings in the case of Corporal *James Dobson*, Company G, 5th Cavalry, are approved. The sentence is confirmed, but the period of confinement and forfeiture of pay is mitigated to *nine months*. Thus modified, the sentence will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

2d. Private *Thomas McNamee*, Company G, 5th Cavalry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Thomas McNamee*, Company G, 5th Cavalry, attached to the escort of Major E. D. Judd, Paymaster U. S. A., being under marching orders at eleven o'clock on the morning of the 15th of October, 1868, was found so drunk as to be unable to perform his duty. This at Dahlonega, Georgia, on or about the 15th of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas McNamee*, Company G, 5th Cavalry, "*To be confined in charge of the guard, at the post or camp, where his company may be serving, for the period of two months; fourteen days of each month in solitary confinement on bread and water diet.* The court is thus lenient, in consideration of the previous good character of the accused."

The proceedings and findings in the case of Private *Thomas*

McNamee, Company G, 5th Cavalry, are approved. The sentence is confirmed, and will be carried into effect.

3d. Corporal *Anthony Dinsdale*, Company A, 16th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Corporal *Anthony Dinsdale*, Company A, 16th Infantry, did assault and beat Sergeant Rudolph Denicke, of Company A, 16th Infantry, without any just cause or provocation whatever. All this at McPherson Barracks, Atlanta, Georgia, on or about the 10th day of October, 1868."

Specification 2d.—"In this: that Corporal *Anthony Dinsdale*, Company A, 16th Infantry, did abuse his superior non-commissioned officer, Sergeant Rudolph Denicke, of Company A, 16th Infantry, saying 'you God-damned Dutch-son-of-a-bitch, I will kill you,' or words to that effect. All this at McPherson Barracks, Atlanta, Georgia, on or about the 10th day of October, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "Guilty, except the words 'and beat.' "

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

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Anthony Dinsdale*, Company A, 16th Infantry, "*To be reduced to the rank of a private soldier.*"

The proceedings and findings in the case of Corporal *Anthony Dinsdale*, Company A, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect.

4th. Private *John Smith* (1*st*), Company D, 16th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that Private *John Smith*(1*st*), Company D, 16th Infantry, did absent himself from his Company and camp, without permission from the proper authority, on the nineteenth day of August, 1868, and did remain absent until arrested and returned to his Company by First Sergeant Theodore Cole, Company D, 16th Infantry. All this on or about the nineteenth and twentieth days of August, 1868, at or near Atlanta, Georgia."

CHARGE II.—"Violation of the 42d Article of War."

Specification.—"In this: that Private *John Smith* (1*st*), Company D, 16th Infantry, did lie out of his quarters and garrison without leave from the proper authority. This at or near Atlanta, Georgia, on or about the nineteenth day of August, 1868."

CHARGE III.—"Disobedience of orders."

Specification.—"In this: that Private *John Smith*, (1*st*) Company D, 16th Infantry, being found by his commanding officer, Captain C. F. Trowbridge, 16th Infantry, in the streets of Atlanta, Georgia, and when ordered by him to return at once to his Company, did fail to do so, and did remain absent until arrested and brought back by First Sergeant Theodore Cole, Company D, 16th Infantry. All this at or near Atlanta, Georgia, on or about the twentieth day of August, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Guilty.*"

To the 2d and 3d CHARGES and *Specifications*, "*Not Guilty.*"

FINDING.

Of the 1st CHARGE and *Specification*, "Guilty."
Of the 2d CHARGE and *Specification*, "Not Guilty."
Of the 3d CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Smith* (1*st*), Company D, 16th Infantry, "*To be confined at hard labor in such military prison as the Commanding General may direct for the period of one year, and to forfeit all pay that is or may become due for the same period.*"

The proceedings and findings in the case of Private *John Smith* (1*st*), Company D, 16th Infantry, are approved. The sentence is confirmed, but in consideration of the length of time the prisoner has been in confinement awaiting trial, it hereby mitigated to *confinement at hard labor under charge of the guard for three months, and to forfeiture of all pay for the same period.*

5th. Private *Charles E. Whitney*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Charles E. Whitney*, Company H, 16th Infantry, having been duly enlisted in the service of the United States did desert the same on or about October 3, 1868, and did remain absent until apprehended at Rome, Georgia, on the twenty-first of October, 1868. This at McPherson Barracks, Atlanta, Georgia, on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles E. Whitney*, Company H, 16th Infantry, "*To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; to be indelibly marked with the letter D, one and a half inches in length, on the left hip, and then to be drummed out of the service.*"

The proceedings and findings in the case of Private *Charles E. Whitney*, Company H, 16th Infantry, are approved. The sentence is confirmed, but in consideration of the accused having voluntarily surrendered himself, as shown in the evidence, it is commuted *to forfeiture of all pay and allowances now due, excepting the just dues of the laundress; to forfeiture of fourteen dollars per month of his pay for six months, and to confinement at hard labor at Fort Pulaski, Georgia, for the same period.* The prisoner will be sent to Fort Pulaski under a suitable guard, with a copy of this order.

6th. Private *John H. Rowe*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *John H. Rowe*, Company H, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about October 3, 1868, and did remain absent until he surrendered himself at Rome, Georgia, on the twenty-first of October, 1868. This at McPherson Barracks, Atlanta, Georgia, on or about the dates above specified."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John H. Rowe*, Company H, 16th Infantry, "*To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; to be indelibly marked with the letter D, one and a half inches in length, on the left hip, and then to be drummed out of the service.*"

The proceedings and findings in the case of Private *John H. Rowe*, Company H, 16th Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court,

based upon the prisoner's previous good character, it is commuted *to forfeiture of all pay and allowances now due, excepting the just dues of the laundress; to forfeiture of fourteen dollars per month of his pay for four months, and to confinement at hard labor under charge of the guard at McPherson Barracks, Atlanta, Georgia, for the same period.*

7th. Private *George W. Snowden*, Company H, 16th Infantry

CHARGE.—"Desertion."

Specification.—"In this: that Private *George W. Snowden*, Company H, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about December 22, 1867, and did remain absent until apprehended at Augusta, Georgia, October 19, 1868. This at Oglethorpe Barracks, Savannah, Georgia, on or about the dates above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George W. Snowden*, Company H, 16th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due at the promulgation of this sentence; to be indelibly marked with the letter D, one and one-half inches long, on the left hip; to have his head shaved and [to be] drummed out of the service, and then confined at hard labor in such military prison as the Commanding General may direct for one year.*"

The proceedings and findings in the case of Private *George W. Snowden*, Company H, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of his confinement to which point the prisoner will be sent under a suitable guard with a copy of this order.

8th. Private *John McGoon*, Company B, 16th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *John McGoon*, Company B, 16th Infantry, was found drunk on his guard. This at Dahlonega, Georgia, on or about the 26th day of October, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John*

McGoon, Company B, 16th Infantry, "*To be confined at hard labor at such military prison as the Commanding General may direct for the period of six months.*"

The proceedings and findings in the case of Private *John McGoon*, Company B, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect. The guard house at the post where the prisoner's company may be serving, is designated as the place of his confinement.

9th. Sergeant *George Osborn*, Company H, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Sergeant *George Osborn*, Company H, 16th Infantry, having been duly enlisted in the service of the United States, did desert the same, on or about December 8, 1867, and did remain absent until apprehended at Augusta, Georgia, on the 25th of October, 1868. This at Oglethorpe Barracks, Savannah, Georgia, on or about the date above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *George Osborn*, Company H, 16th Infantry, "*To be reduced to the ranks, and forfeit all pay and allowances that are or may become due; to be dishonorably discharged the United States service, and then to be confined at such military prison as the Commanding General may direct, for the period of one year.*"

The proceedings and findings in the case of Sergeant *George* Osborn, Company H, 16th Infantry, are approved. The sentence is confirmed, but on the recommendation of the Court, based upon the prisoner's previous good character, and other mitigating circumstances, it is hereby mitigated *to reduction to the ranks; to forfeiture of all pay now due or to become due for the period of six months, and to confinement at hard labor, at Fort Pulaski, Georgia, for the same period.* The prisoner will be sent to Fort Pulaski, under a suitable guard, with a copy of this order.

BY ORDER OF MAJOR GENERAL MEADE:
R. C. DRUM,
Assistant Adjutant General.

OFFICIAL:

Geo. Meade

A. D. C.

1. Private ISAAC CHAMBERS, Company B, 16th Infantry.
2. Private SULLIVAN COOPER, Company B, 16th Infantry.
3. Sergeant EDWIN F. COURTLAND, Company B, 16th Infantry.
4. Quartermaster Sergeant GEORGE THOMPSON, Company F, 16th Infantry.
5. Private ALLEN CADMAN, Company F, 16th Infantry.
6. Private WILLIAM SHEPHERD, Company G, 16th Infantry.
7. Private JOHN CONNOR, Company E, 16th Infantry.

HEADQUARTERS DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *December* 15, 1868.

GENERAL ORDERS
No. 43.

I. Before a General Court Martial which convened at McPherson Barracks, Atlanta, Georgia, November 28, 1868, pursuant to Special Orders No. 84, Headquarters Department of the South, dated Atlanta, Georgia, November 11, 1868, and of which Brevet Major CHARLES F. TROWBRIDGE, Captain 16th Infantry, is President, were arraigned and tried:

1st. Private *Isaac Chambers*, Company B, 16th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Isaac Chambers*, Company B, 16th Infantry, having been duly enlisted in the military service of the United States, on the 15th day of November, 1867, did desert his company and regiment, at Clayton, Alabama, on the 14th day of February, 1868, and did remain absent until apprehended in Americus, Georgia, on the 1st day of November, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Isaac Chambers*, Company B, 16th Infantry, "*To forfeit to the*

United States all pay and allowances now due or to become due at the promulgation of this sentence; to be indelibly marked with a letter D, one and one-half inches long, on the left hip; to be drummed out of the service, and then confined at such military prison as the Commanding General may direct, for six months."

The proceedings and findings in the case of Private *Isaac Chambers*, Company B, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoner will be sent under a suitable guard with a copy of this order.

2d. Private *Sullivan Cooper*, Company B, 16th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Sullivan Cooper*, Company B, 16th Infantry, was found drunk on his guard. This at Dahlonega, Georgia, on or about the 15th day of October, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Sullivan Cooper*, Company B, 16th Infantry, "*To be dishonorably discharged the service of the United States.* The court is thus lenient on account of the term of service of the accused having expired."

The proceedings and findings in the case of Private *Sullivan Cooper*, Company B, 16th Infantry, are approved. The sentence is disapproved, as corporeal punishment only can be imposed upon an enlisted man for drunkenness on duty. Private *Cooper* will be released from confinement and restored to duty.

3d. Sergeant *Edwin F. Courtland*, Company B, 16th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Sergeant *Edwin F. Courtland*, Company B, 16th Infantry, while Sergeant of the guard at the Post of Dahlonega, was found drunk.

This at Dahlonega, Georgia, on or about the 14th day of October, 1868."

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

Specification.—" In this: that Sergeant *Edwin F. Courtland*, Company B, 16th Infantry, having been properly placed in arrest, and confined to the limits of his company quarters by his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, did leave his quarters and the vicinity thereof, and go on the streets of Dahlonega, Georgia. This at Dahlonega, Georgia, on or about the 14th day of October, 1868."

To which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Edwin F. Courtland*, Company B, 16th Infantry, " *To be reduced to the ranks, and to forfeit to the United States ten dollars of his monthly pay for three months.* The Court is thus lenient on account of the previous good character of the accused."

The proceedings and findings in the case of Sergeant *Edwin F. Courtland*, Company B, 16th Infatnry, are approved. The sentence is confirmed, and will be carried into effect.

The court have, in this case, awarded no penalty for the offence set forth in the first charge. While it is proper for the court, where punishments are discretionary, to explain the reason for their leniency, the better practice is, for the court to give sentences adequate to the offences, appending such recommendation to the clemency of the General Commanding, as the circumstances may warrant.

4th. Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry.

CHARGE I.—" Disobedience of orders."

Specification 1st.—"In this: that Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, having been ordered by the Commanding Officer's orderly to report to Captain P. W. Houlihan, 16th Infantry, by order of said Captain Houlihan, did fail to obey

said order. This at Savannah, Georgia, on or about the 27th day of July, 1868."

Specification 2d.—"In this: that Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, having been ordered by his superior officer Captain P. W. Houlihan, 16th Infantry, to go down town and ascertain from Mr. Pepper and others, the price of certain articles purchased of them by the tailor of Company F, 16th Infantry, and not to let the said tailor know anything about it, did go to the said tailor and tell him the purport of his business, and at the same time asking him to go with him. This at Savannah, Georgia, on or about the 27th day of July, 1868."

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

Specification 1st.—"In this: that Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, having been ordered by his Acting First Sergeant to make out charges and specifications against Sergeant Frederick J. Hoffman, Company F, 16th Infantry, did fail to make out said charges and specifications as ordered. This at McPherson Barracks, Atlanta, Georgia, on or about the 12th day of September, 1868."

Specification 2d.—"In this: that Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, when asked by his superior officer and company commander, Captain P. W. Houlihan, 16th Infantry, how much rations he had saved, replied that he had but little, as Lieutenant Keller, 16th Infantry, had ordered him to cook three days rations, he knowing at the same time that said statement was false, as far as it related to orders from Lieutenant Keller. This at McPherson Barracks, Atlanta, Georgia, on or about the 12th day of September, 1868."

Specification 3d.—"In this: that Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, having been placed in arrest by his company commander, did break said arrest by leaving his company quarters and remaining absent from about 8.30 o'clock P. M., until 10 o'clock P. M. This at McPherson Barracks, Atlanta, Georgia, on or about the evening of the 22d of September, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification* to the 1st CHARGE, "Guilty, but attach no criminality thereto."

Of the 2d *Specification* to the 1st CHARGE, "Not Guilty."

Of the 1st CHARGE, "Not Guilty."

Of the 1st *Specification* to the 2d CHARGE, "Guilty, but attach no criminality thereto."

Of the 2d *Specification* to the 2d CHARGE, "Not Guilty."

Of the 3d *Specification* to the 2d CHARGE, "Guilty."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, "*To be reduced to the rank of a private soldier.*"

The proceedings and findings in the case of Quartermaster Sergeant *George Thompson*, Company F, 16th Infantry, are approved. The sentence is confirmed, but as the arrest of the accused appears to have been broken by him rather through ignorance of the limits to which he was confined, than from wilful intention, it is hereby remitted. Quartermaster Sergeant *Thompson* will be released from arrest, and restored to duty.

5th. Private *Allan Cadman*, Company F, 16th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Allan Cadman*, Company F, 16th Infantry, having been duly mounted as a member of the guard, on the 27th of November, 1868, was found drunk on his guard. This at McPherson Barracks, Atlanta, Georgia, on or about the time specified."

To which charge and specification the accused pleaded, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Allan Cadman*, Company F, 16th Infantry, "*To be confined at hard labor at such military prison as the Commanding General may*

direct for the period of six months, fourteen days of each month to be in solitary confinement on bread and water diet."

The proceedings and findings in the case of Private *Allen Cadman*, Company F, 16th Infantry, are approved. The sentence is confirmed, and will be carried into effect under charge of the guard at the post where the prisoner's company may be stationed.

6th. Private *William Shepherd*, Company G, 16th Infantry.

CHARGE I.—" Absence without leave."

Specification.—"In this: that Private *William Shepherd*, Company G, 16th Infantry, was absent from his company without authority, from 12 P. M. until 5 o'clock A. M, This at McPherson Barracks, Atlanta, Georgia, on or about the 21st day of November, 1868."

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

Specification.—"In this: that Private *William Shepherd*, Company G, 16th Infantry, was drunk and disorderly, and did forcibly and unlawfully take goods from the store of Dick Smith and Daniel Dawson, citizens of Atlanta, Georgia, without paying for the same. This at Atlanta, Georgia, on or about the 21st day of November, 1868."

To which charges and specifications the accused pleaded

To the 1st CHARGE and *Specification*, "*Guilty.*"

To the 2d CHARGE and *Specification*, "*Not Guilty.*"

FINDING.

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

Of the *Specification* to the 2d CHARGE, "Guilty, except the words 'forcibly and unlawfully take,' and substituting the word 'obtain.' "

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Shepherd*, Company G, 16th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for the period of three months.*"

The proceedings and findings in the case of Private *William Shepherd*, Company G, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

7th. Private *John Connor*, Company E, 16th Infantry.

CHARGE I.—"Quitting his patrol. (50th Article of War.)"

Specification.—" In this: that Private *John Connor*, Company E, 16th Infantry, having been duly detailed for patrol duty, did quit his patrol without urgent necessity, and without leave of his superior officer. This at Atlanta, Georgia, on or about the 26th day of November, 1868."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that Private *John Connor*, Company E, 16th Infantry, having been detailed for patrol duty, was found drunk on his patrol. This at Atlanta, Georgia, on or about the 26th day of November, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

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

Of the 2d CHARGE and *Specification*, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Connor*, Company E, 16th Infantry, " *To forfeit to the United States ten dollars of his monthly pay for four months.*"

The proceedings and findings in the case of Private *John Connor*, Company E, 16th Infantry, are approved. The sentence is confirmed and will be carried into effect.

II. The General Court Martial, of which Brevet Major CHARLES F. TROWBRIDGE, Captain 16th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

R. C. DRUM, Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

1. Private PATRICK DILLON, Company A, 6th Infantry.
2. Private JAMES DAVIS, Company H, 6th Infantry.
3. Private LOUIS THOMPSON, Company I, 6th Infantry.
4. Private BENJAMIN JONES, Company K, 6th Infantry.
5. 2d Class Private JAMES H. BERRY, Ordnance Department.
6. 2d Class Private THOMAS BRADLEY, Ordnance Department.
7. Hospital Steward ALEXANDER C. MCALPINE, U. S. Army.
8. Corporal PATRICK CAVIN, Company F, 12th Infantry.

HEADQUARTERS DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *December* 19, 1868.

GENERAL ORDERS
No. 44.

I. Before a General Court Martial which convened at Charleston, South Carolina, November 19, 1868, pursuant to Special Orders No. 85, dated November 12, 1868, and Special Orders No. 88, dated November 16, 1868, Headquarters Department of the South, Atlanta, Georgia, and of which Brevet Brigadier General ELISHA G. MARSHALL, U. S. A., (retired,) is President, were arraigned and tried:

1st. Private *Patrick Dillon*, Company A, 6th Infantry.

CHARGE.—"Quitting his guard."

Specification.—"In this: that Private *Patrick Dillon*, Company A, 6th Infantry, being duly mounted as a member of the guard at or near the Citadel, Charleston, South Carolina, did, without urgent necessity or leave of his superior officer, quit his guard between the hours of 10 A. M. and 12 M. This at Charleston, South Carolina, on or about September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, substituting the words 'remain absent from' for the word 'quit.'"

Of the CHARGE, "Not Guilty of quitting his guard, but guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Dillon*, Company A, 6th Infantry, "*To forfeit ten dollars of his monthly pay for one month.*"

2d. Private *James Davis*, Company H, 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Private *James Davis*, Company H, 6th Infantry, did attempt to illegally dispose of, to a black or colored person, one half of a shelter-tent, the property of the United States, and for which 1st Lieutenant Thomas Britton, 6th Infantry, Brevet Captain U. S. A., was responsible. This at Georgetown, South Carolina, on the 28th day of October, 1868."

Specification 2d.—"In this: that Private *James Davis*, Company H, 6th Infantry, having been admonished by Corporal Henry Rosedorn, Company H, 6th Infantry, (he being in the execution of his office), [for] attempting to illegally dispose of one half of a shelter-tent, Government property, did reply to said Corporal Rosedorn in an insubordinate manner, 'This is none of your business, and I'll please myself about it; if I want to do it, I'll do it, anyhow,' or words to that effect. This at Georgetown, South Carolina, on the 28th day of October, 1868."

Specification 3d.—"In this: that Private *James Davis*, Company H, 6th Infantry, when ordered in arrest by Corporal Henry Rosedorn, Company H, 6th Infantry, did violently resist such arrest, saying 'I'll be damned if I go with you,' or words to that effect, and did strike Corporal Henry Rosedorn with his fist a severe blow in the face, said Corporal Rosedorn being in the execution of his office. This at Georgetown, South Carolina, on the 28th day of October, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*. "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Davis*, Company H, 6th Infantry, "*To be confined at hard labor under charge of the guard for four months, and to forfeit to the United States twelve dollars of his monthly pay for the same period.*"

3d. Private *Louis Thompson*, Company I, 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Louis Thompson*, Company I, 6th Infantry, did take, or attempt to take improper liberties with a young girl, Margaret Casey, by forcibly placing her on his knee, and exposing his person to her in the basest manner. This at or near the Citadel, Charleston, South Carolina, on the 30th day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words, 'take, or attempt to take improper liberties,' and substituting therefor the word 'sit;' and excepting the words, 'by forcibly placing her,' and excepting the words, 'the basest,' and substituting therefor the words, 'an improper.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Louis Thompson*, Company I, 6th Infantry, "*To be confined at hard labor, under charge of the guard, for the period of four months, and to forfeit to the United States twelve dollars of his monthly pay for the same period.*"

4th. Private *Benjamin Jones*, Company K, 6th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Benjamin Jones*, Company K, 6th Infantry, did enter into the Orderly room of Company K, 6th Infantry, between the hours of 5 and 6 o'clock P. M., on the 8th day of November, 1868, and did feloniously steal, take and carry away, with the intent to appropriate to his own use, one great coat, the property of Bernard Dany, 1st Sergeant Company K, 6th Infantry. All this at the Citadel, Charleston, South Carolina, on or about the above specified time."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

5th. 2d Class Private *James H. Berry*, Ordnance Department.

CHARGE I.—"Absence without leave."

Specification 1st.—"In this: that 2d Class Private *James H. Berry*, Ordnance Department, was absent from his quarters without proper authority, on or about the night of September 24, 1868."

Specification 2d.—"In this: that 2d Class Private *James H. Berry*, Ordnance Department, was absent from his quarters without proper authority, on or about the night of October 1, 1868."

Specification 3d.—"In this: that 2d Class Private *James H. Berry*, Ordnance Department, was absent from his quarters without proper authority, on or about the night of October 20, 1868."

CHARGE II.—"Desertion."

Specification—"In this: that 2d Class Private *James H. Berry*, Ordnance Department, did desert from his detachment on or about the 15th of November, 1868, and did remain absent until he was arrested in the city of Augusta, Georgia, and brought back to the Augusta Arsenal, Georgia, on the 18th of November, 1868. All this at and near the Augusta Arsenal, Georgia, on or about the dates specified."

To which charges and specifications the accused pleaded:

To the 1st *Specification* of the 1st CHARGE, "*Guilty.*"

To the 2d *Specification* of the 1st CHARGE, "*Not Guilty.*"

To the 3d *Specification* of the 1st CHARGE, "*Not Guilty.*"

To the 1st CHARGE, "*Not Guilty.*"

To the *Specification* of the 2d CHARGE, "*Not Guilty.*"

To the 2d CHARGE, "Not guilty of desertion, but guilty of absence without leave."

FINDING.

Of the 1st CHARGE and *Specifications*, "Guilty."

Of the *Specification* to the 2d CHARGE, "Guilty, substituting for the word 'desert' the words 'absent himself without proper authority.'"

Of the 2d CHARGE, "Not guilty of desertion, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, 2d Class Private *James H. Berry*, Ordnance Department, "*To be confined at hard labor under charge of the guard for the period of three months, and to forfeit ten dollars of his monthly pay for the same period.* The court is thus lenient in consideration of the fact that the prisoner has already been punished for part of his offence."

6th. 2d Class Private *Thomas Bradley*, Ordnance Department.

CHARGE I.—"Absence without leave."

Specification 1st.—"In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, was absent from his quarters, without proper authority, on or about the night of May 25, 1868."

Specification 2d.—"In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, was absent from his quarters, without proper authority, on or abont the night of July 12, 1868."

Specification 3d.—"In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, was absent from his quarters, without proper authority, on or about the night of September 24, 1868."

Specification 4th.—"In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, was absent from his quarters, without proper authority, on or about the night of October 1, 1868."

Specification 5th.—"In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, was absent from his quarters, without proper authority, on or about the night of October 18, 1868."

CHARGE.—"Desertion."

Specification.—In this: that 2d Class Private *Thomas Bradley*, Ordnance Department, did desert from his detachment, on or about the 15th of November, 1868, and did remain absent until he was arrested in the city of Augusta, Georgia, and brought back to the Augusta Arsenal, on the 18th day of November, 1868.

All this at and near the Augusta Arsenal, Georgia, on or about the dates specified."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specifications*, "*Guilty.*"

To the *Specification* of the 2d CHARGE, "*Not Guilty.*"

To the 2d CHARGE, "Not guilty of desertion, but guilty of absence without leave."

FINDING.

Of the 1st CHARGE and *Specifications*, "Guilty."

Of the *Specification* to the 2d CHARGE, "Guilty, excepting the word 'desert,' substituting therefor the words, 'absent himself without proper authority.'"

Of the 2d CHARGE, "Not guilty of desertion, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, 2d Class Private *Thomas Bradley*, Ordnance Department, "*To be confined at hard labor, under charge of the guard, for the period of four months, and to forfeit to the United States twelve dollars of his monthly pay for the same period.* The court is lenient in consideration of his previous good character, as shown by his discharge and other papers, submitted to the court."

7th. Hospital Steward *Alexander C. McAlpine*, U. S. Army.

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

Specification 1st.—"In this: that *Alexander C. McAlpine*, Hospital Steward, U. S. A., did, when informed by Acting Assistant Surgeon H. G. Bates, U. S. A., in charge of Post Hospital at Fort Macon, North Carolina, that he (Bates) intended to appoint Mrs. Ahern, Hospital Matron, in a contemptuous and defiant manner dispute his (Bates) right to do so, and did insist upon having his (*McAlpine's*) wife appointed Hospital Matron. This at Fort Macon, North Carolina, on or about the 27th day of August, 1868."

Specification 2d.—"In this: that *Alexander C. McAlpine*, Hospital Steward, U. S. A., did, upon being told by Acting Assistant Surgeon H. G. Bates, U. S. A., in charge of Post Hospital at Fort Macon, North Carolina, that it was not his (Bates') intention to appoint

his (*McAlpine's*) wife Hospital Matron, use threatening, abusive and highly disrespectful language towards the said Acting Assistant Surgeon H. G. Bates. This at Fort Macon, North Carolina, on or about the 28th day of August, 1868."

Specification 3d.—"In this: that *Alexander C. McAlpine*, Hospital Steward U. S. A., did use towards Acting Assistant Surgeon H. G. Bates, U. S. A., in charge of Post Hospital at Fort Macon, North Carolina, the following or similar language, viz: 'Who are you? Why you are nothing but an Acting Assistant Surgeon, and who in hell cares for you? By God, I will show you, I will show you, and look here Doctor, hereafter in the presence of enlisted men, I want you to speak to me with more respect. I will let you know that I am entitled to more consideration.' This upon being informed by the said Acting Assistant Surgeon H. G. Bates, that his (*McAlpine's*) wife would not be appointed Hospital Matron. This at Fort Macon, North Carolina, on or about the 28th day of August, 1868."

Specification 4th.—"In this: that *Alexander C. McAlpine*, Hospital Steward U. S. A., did, when ordered by Acting Assistant Surgeon H. G. Bates, U. S. A., to leave his (Bates') office, peremptorily refuse to do so, he the said Acting Assistant Surgeon H. G. Bates, being then and there in the execution of his office. This at Fort Macon, North Carolina, on or about the 29th day of August, 1868."

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

Specification.—"In this: that *Alexander C. McAlpine*, Hospital Steward, U. S. A., did feloniously steal, take and carry away, with the intent to appropriate to his own use, ten hair mattresses, the property of the United States, and for which Acting Assistant Surgeon T. M. Stuart, U. S. A., is responsible. This at or near Hilton Head, South Carolina, on or about the 1st day of February, 1868."

To which charges and specifications the accused pleaded "*Not Guilty*."

FINDING.

Of the 1st *Specification* to the 1st CHARGE, "Guilty"

Of the 2d *Specification* to the 1st CHARGE, "Guilty, except the word 'threatening.'"

Of the 3d *Specification* to the 1st CHARGE, "Guilty."

Of the 4th *Specification* to the 1st CHARGE, "Guilty."

Of the 1st CHARGE, "Guilty."

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

SENTENCE.

And the court does therefore sentence him, Hospital Steward *Alexander C. McAlpine*, U. S. Army, "*To be dishonorably discharged and drummed out of the service of the United States, forfeiting all pay and allowances that are or may become due him, and then to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

8th. Corporal *Patrick Cavin*, Company F, 12th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification. –"In this: that Corporal *Patrick Cavin*, Company F, 12th Infantry, while in charge of the guard at the Post Jail, at Beaufort, South Carolina, did release from confinement, and give permission to four prisoners, viz: Musician John McBride, Privates William S. Parker, John Simpson and Thomas J. Donohue, Company F, 12th Infantry, to leave their cells, and the jail in which they were confined for the period of half an hour, three of the said prisoners, viz: Musician John McBride, Privates William S. Parker and John Simpson being at the time under sentences of a General Court Martial, and the fourth, viz: Private Thomas J. Donohue, having been recently confined on charges awaiting trial. All this at Beaufort, South Carolina, on or about the 15th day of July, 1868, between the hours of 10 and 12 P. M."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words, 'release from confinement,' and excepting the words, 'and the jail.' and excepting the words, 'and the fourth, viz: Private Thomas Donohue, having been recently confined on charges awaiting trial.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Patrick Cavin*, Company F, 12th Infantry, "*To be reduced to the ranks, and to forfeit ten dollars of his monthly pay for one month.*"

II. The proceedings and findings in the cases of

Private *Louis Thompson*, Company I, 6th Infantry,
2d Class Private *James H. Berry*, Ordnance Department,
2d Class Private *Thomas Bradley*, Ordnance Department,
Hospital Steward *Alexander C. McAlpine*, U. S. Army,
and Corporal *Patrick Cavin*, Company F, 12th Infantry,

are approved. The sentences are confirmed and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement in the case of Hospital Steward *McAlpine*, to which point he will be sent under a suitable guard with a copy of this order.

III. The proceedings in the case of Private *Patrick Dillon*, Company A, 6th Infantry are disapproved. The offence set forth in the specification, even as amended by the court, is clearly a violation of the 50th Article of War, and should have been so found by the court. The sentence will not be executed. Private *Dillon* will be released from confinement and restored to duty.

IV. The proceedings and findings in the case of Private *James Davis*, Company H, 6th Infantry, are approved, with the exception of the finding on the first specification, which is disapproved for insufficiency of evidence. The sentence is confirmed, but the period of confinement and forfeiture of pay is mitigated to "*three months.*" Thus modified, the sentence will be carried into effect.

V. The proceedings and findings in the case of Private *Benjamin Jones*, Company K, 6th Infantry, are approved. Private *Jones* having been acquitted by the court, will be released from confinement and restored to duty.

VI. The records of the court of which Brevet Brigadier General ELISHA G. MARSHALL, U. S. A., (retired), is President, show that one of the members was absent on account of sickness from all its proceedings. There is, however, no evidence of the fact of sickness to be found in the records. The

absent member should have sent to the court a surgeon's certificate—evidence which the court should have required before reporting him absent for sickness.

By order of Major General Meade:

S. F. BARSTOW,
Acting Assistant Adjutant General.

Official:

C. D. Emory.

A. D. C.

1. Private JAMES TWIBLES, Company H, 8th Infantry.
2. Private JOHN QUINN, Company F, 8th Infantry.
3. Private THOMAS HANDLEY, Company A, 8th Infantry.
4. Private LAFAYETTE PARTRIDGE, Company D, 8th Infantry.
5. Private THOMAS B. JENNINGS, Company I, 8th Infantry.
6. Private ALONZO BOWMAN, Company C, 8th Infantry.
7. Private JOHN SULLIVAN, Company C, 8th Infantry.
8. Private SAMUEL GOSSETT, Company G, 8th Infantry.
9. Private GEORGE B. SMITH, Company F, 8th Infantry.
10. Musician DAVID WILLIAMS, Company K, 8th Infantry.
11. Private JOHN COSGROVE, Company I, 8th Infantry.
12. Private JOHN WILSON, Company E, 8th Infantry.
13. Private JOHN WILSON, Company E, 8th Infantry.
14. Private AUGUST NUTHMAN, Company A, 8th Infantry.
15. Private BENJAMIN FONT, Company C, 8th Infantry.

HEADQUARTERS DEPARTMENT OF THE SOUTH,

ATLANTA, GEORGIA, *December* 26, 1868.

GENERAL ORDERS
No. 46.

I.—Before a General Court Martial which convened at Columbia, South Carolina, November 20, 1868, pursuant to Special Orders No. 89, Headquarters Department of the South, dated Atlanta, Georgia, November 17, 1868, and of which Brevet Lieutenant Colonel ALFRED T. SMITH, Captain 8th Infantry, is President, were arraigned and tried:

1st. Private *James Twibles*, Company H, 8th Infantry.

CHARGE.—"Drunkenness on guard."

Specification.—"In this: that Private *James Twibles*, Company H, 8th Infantry, being a member of a guard duly mounted at Columbia, South Carolina, September 25, 1868, was found drunk on his guard. This at Columbia, South Carolina, on the 26th of September, 1868."

To which charge and specification the accused pleaded, "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

2d. Private *John Quinn*, Company F, 8th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that Private *John Quinn*, Company F, 8th Infantry, did absent himself from his camp and quarters, in direct and wilful disobedience of orders from his commanding officer on or about the

afternoon of the 26th day of October, 1868, and did remain absent until retreat of the same day. All this at Newberry, South Carolina, on the 26th day of October, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, Private *John Quinn*, Company F, 8th Infantry, "*To forfeit ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for two months, every alternate week of which to be in solitary confinement on bread and water diet.*"

3d. Private *Thomas Handley*, Company A, 8th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that Private *Thomas Handley*, Company A, 8th Infantry, did absent himself from his camp and quarters in direct and wilful disobedience of orders from his commanding officer in the forenoon of the 22d day of October, 1868, and did remain absent until after tattoo of the same day. All this at Newberry, South Carolina, on the 22d day of October, 1868."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Thomas Handley*, Company A, 8th Infantry, did exhibit himself in a state of beastly intoxication in the streets of Newberry, South Carolina. All this at Newberry, South Carolina, on the 22d day of October, 1868."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Handley*, Company A, 8th Infantry, "*To forfeit eleven dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for two months, every alternate week of which to be in solitary confinement on bread and water diet.*"

4th. Private *Lafayette Partridge*, Company D, 8th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Lafayette Partridge*, Company D, 8th Infantry, having been duly enlisted in the service of the United States, August 26, 1868, did desert the same at Darlington, South Carolina, on or about the 16th day of May, 1868, and did remain absent until apprehended at or near Raleigh, North Carolina, on or about the 13th day of June, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Lafayette Partridge*, Company D, 8th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be drummed out of the service of the United States, and then to be confined at hard labor at such time and place as the Commanding General may direct, for the period of six months.*"

5th. Private *Thomas B. Jennings*, Company I, 8th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Thomas B. Jennings*, Company I, 8th Infantry, being duly enlisted in the service of the United States, did desert the same at Columbia, South Carolina, on or about the 17th day of September, 1868, and did remain absent until apprehended at Columbia, South Carolina, on or about the 21st day of September, 1868. All this at Columbia, South Carolina, on or about the above dates specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words 'desert the same,' and insert instead 'absent himself without authority.'"

Of the CHARGE, "Not Guilty of 'desertion,' but guilty of 'absence without leave.'"

SENTENCE.

And the court does therefore sentence him, Private *Thomas B. Jennings*, Company I, 8th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for three months.*"

6th. Private *Alonzo Bowman*, Company C, 8th Infantry.

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

Specification.—"In this: that he, Private *Alonzo Bowman*, Company C, 8th Infantry, did make an assault upon Private William Hogan, Company C, 8th Infantry, and did violently stab and cut several times with some sharp instrument, (name unknown) said Private William Hogan, inflicting a severe wound and disabling him the said Private William Hogan, from performing his duty as a soldier. This at Columbia, South Carolina, on or about the 18th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

7th. Private *John Sullivan*, Company C, 8th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *John Sullivan*, Company C, 8th Infantry, having been properly mounted as a member of the post guard at the military post of Laurensville, South Carolina, did become so much under the influence of intoxicating liquor, as to be unable to properly perform his duty as a soldier. This at Laurensville, South Carolina, on or about the 8th day of November, 1868."

CHARGE II.—"Violation of the 59th Article of War."

Specification.—"In this: that he, Private *John Sullivan*, Company C, 8th Infantry, after having been duly posted as a sentinel on No. 2 post, of the post guard, military post of Laurensville, South Carolina, and having under his charge animals and other property of the United States, did, without permission from proper authority, quit his post and remain absent until found asleep by the Corporal in charge of the guard. This at Laurensville, South Carolina, on or about the 8th day of November, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st CHARGE and *Specification*, "Not Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *John Sullivan*, Company C, 8th Infantry, "*To forfeit ten dollars of his monthly pay for six months, and to be confined at hard labor, at such place as the Commanding General may direct, for the same period.*"

8th. Private *Samuel Gossett*, Company G, 8th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *Samuel Gossett*, Company G, 8th Infantry, having been duly enlisted as a soldier in the service of the United States Army on the 1st day of September, 1866, did desert the service of the said United States on or about the 10th day of September, 1868, and did remain absent until apprehended on or about the 16th day of October, 1868, this being the second offence of a like nature he has committed since his enlistment, he having been convicted by a General Court Martial of 'desertion,' findings and sentence of which were promulgated in General Orders No. 6, Headquarters Department of the South, Charleston, South Carolina, January 16th, 1867. This at or near Newberry, South Carolina, on or about the 10th day of September, 1868."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"In this: that Private *Samuel Gossett*, Company G, 8th Infantry, having in his possession the following arms and accoutrements, the property of the United States, to wit:

"One converted Springfield musket rifle of the value of.....			$50 00
"One cartridge-box and plate, of the value of			1 09
"One waist-belt and plate,	"	"	0 39
"One knapsack,	"	"	2 00
"One haversack,	"	"	0 64
"One canteen,	"	"	0 43

"did lose the same through neglect, on or about the 10th day of September, 1868, at or near Newberry, South Carolina."

To which charges and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Samuel Gossett*, Company G, 8th Infantry, "*To forfeit to the United*

States all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be indelibly marked, on the left hip, with the letter D, one and one half inches long; to be drummed out of the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct, for the period of three years."

9th. Private *George B. Smith*, Company K, 8th Infantry.

CHARGE.—"Drunkenness on guard."

Specification.—"In this: that Private *George B. Smith*, Company K. 8th Infantry, being a member of the Post guard mounted at Edgefield, South Carolina, on the 31st day of October, 1868, was found drunk on his guard. All this at Edgefield, South Carolina, on or about the 31st day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George B. Smith*, Company K, 8th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for six months, and to be confined at hard labor at such place as the Commanding General may direct for the same period.*"

10th. Musician *David Williams*, Company K, 8th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Musician *David Williams*, Company K, 8th Infantry, having been duly enlisted in the service of the United States, did desert the same at Columbia, South Carolina, on or about the 18th day of February, 1868, and did remain absent therefrom until apprehended at or near Wilmington, North Carolina, on or about the 1st day of October, 1868. All this at or near the places and on or about the dates above specified."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *David Williams*, Company K, 8th Infantry, "*To forfeit to the Uni-*

ted States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be drummed out of the service, and then to be confined at hard labor at such place as the Commanding General may direct for the period of six months."

11th. Private *John Cosgrove*, Company I, 8th Infantry.

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

Specification.—"In this: that Private *John Cosgrove*, Company I, 8th Infantry, falsely and fraudulently did forge and counterfeit the name of A. T. Smith, Captain 8th Infantry, on a promissory note for the payment of money, purporting to be made by the said Private *John Cosgrove*, Company I, 8th Infantry, payable to one W. H. Nicholson, the tenor of which said promissory note is as follows:

'$3.00. No. 449.

'SEPT. 4th, 1868.

'I promise to pay to W. H. NICHOLSON, Post Sutler, for value received, the sum of three ($3.00) dollars, and authorize the Paymaster to deduct the same from my first monthly pay.

his
'JOHN ⨯ COSGROVE.
mark

'APPROVED:
'CAPTAIN A. T. SMITH, 8th Infantry.
'WITNESS: J. D. K.'

This at Columbia, South Carolina, on or about the 4th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

12th. Private *John Wilson*, Company E, 8th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification 1st.—"In this: that Private *John Wilson*, Company E, 8th Infantry, did, while in the store of one M. Hoefer, citizen of Columbia, South Carolina, feloniously take, steal and carry away with the intent to appropriate to his own use, one coat, the property of M. Meimbresse, citizen of Columbia. This at Columbia, on or about the 16th day of September, 1868."

Specification 2d.—"In this: that Private *John Wilson*, Company E, 8th Infantry, did, while in the store of one M. Hoefer, citizen of Columbia, South Carolina, feloniously take, steal and carry away with the intent to appropriate to his own use, one flannel sack coat, the property of Private Henry Nehab, Company H, 8th Infantry. This at Columbia, South Carolina, on or about the 16th day of September, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Wilson*, Company E, 8th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be drummed out of the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct for the period of one year.*"

13th. Private *John Wilson*, Company E, 8th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *John Wilson*, Company E, 8th Infantry, did, on or about the 17th day of October, 1868, desert from the service of the United States while awaiting trial for theft, and did remain absent until apprehended and brought back on or about the 17th day of October, 1868. This at the Military Post of Columbia, South Carolina."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Wilson*, Company E, 8th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D, one and one half inches long; to be drummed out of the service of the United States, and then to be confined at hard labor at such place as the Commanding General may direct, for the period of six months.*"

14th. Private *August Nuthman*, Company A, 8th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—" In this : that Private *August Nuthman*, Company A, 8th Infantry, having been duly detailed as a member of the guard, on the evening of November 8, 1868, was so much under the influence of liquor as to be unable to perform the duties of a sentinel. All this at the camp of the 8th Infantry, near Newberry, South Carolina, on or about the evening of November 8, 1868."

CHARGE II.—"Disobedience of orders."

Specification.—" In this : that Private *August Nuthman*, Company A, 8th Infantry, did leave his camp without authority from his commanding officer on the afternoon of November 8, 1868, Private *Nuthman* knowing that orders had been given that no enlisted men were to leave camp without a written permit from the commanding officer. All this at the camp of the 8th Infantry, near Newberry, South Carolina, between the hours of 1 o'clock P. M. and 5 o'clock P. M., November 8, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Not Guilty.*"

To the 2d CHARGE and *Specification*, "*Guilty.*"

FINDING.

Of the 1st CHARGE and *Specification*, "Not Guilty."

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

SENTENCE.

And the court does therefore sentence him Private *August Nuthman*, Company A, 8th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to be confined at hard labor, at such place as the Commanding General may direct, for the same period.*"

15th. Private *Benjamin Font*, Company C, 8th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—" In this: that Private *Benjamin Font*, Company C, 8th Infantry, did appear in presence of his commanding officer so drunk as to conduct himself in a disrespectful manner by loud talk. This at Columbia, South Carolina, on or about the 3d day of October, 1868."

Specification 2d.—" In this: that Private *Benjamin Font*,

Company C, 8th Infantry, did strike with his fist 1st Sergeant James H. Cannon, Company C, 8th Infantry, without any cause or provocation whatsoever, while he the said Sergeant Cannon was taking him to the guard house, said Sergeant Cannon, being at the time in the discharge of his duty. This at Columbia, South Carolina, on or about the 3d day of October, 1868."

To which charge and specifications the accused pleaded:
To the 1st *Specification*, "*Guilty.*"
To the 2d *Specification*, "*Not Guilty.*"
To the CHARGE, "*Guilty.*"

FINDING.

Of the 1st *Specification*, "Guilty."
Of the 2d *Specification*, "Guilty, except the words 'without any cause or provocation whatsoever.'"
Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Font*, Company C, 8th Infantry, "*To forfeit fifteen dollars of his monthly pay per month for three months.*"

II. The proceedings and findings in the cases of
Private *James Twibles*, Company H, 8th Infantry,
Private *Alonzo Bowman*, Company C, 8th Infantry, and
Private *John Cosgrove*, Company I, 8th Infantry,
are approved. Having been acquitted by the court, they will be released from confinement and restored to duty.

III. The proceedings and findings in the cases of
Private *John Quinn*, Company F, 8th Infantry,
Private *Lafayette Partridge* Company D, 8th Infantry,
Private *Thomas B. Jennings*, Company I, 8th Infantry,
Private *Samuel Gossett*, Company G, 8th Infantry,
Private *George B. Smith*, Company K, 8th Infantry,
Musician *David Williams*, Company K, 8th Infantry,
Private *August Nuthman*, Company A, 8th Infantry, and
Private *Benjamin Font*, Company C, 8th Infantry,
are approved. The sentences are confirmed, and will be carried into effect, excepting so much of Private *Smith's* sentence as relates to forfeiture of pay, which is invalid, as corporeal punishment only can be imposed upon an enlisted man for a violation of the 45th Article of War. The guard house at the place where his company may be serving is designated as the place of confinement for Private *Nuthman*. Fort Macon,

North Carolina, is designated as the place of confinement for Privates *Partridge* and *Gossett*, and Musician *Williams*, to which point these prisoners will be sent, under a suitable guard, with a copy of this order.

IV. The proceedings and findings in the case of Private *Thomas Handley*, Company A, 8th Infantry, on the second charge and specification are approved. The finding on the first charge and specification is disapproved. The statement of the prisoner is inconsistent with his plea of *guilty* to the first charge. The court should have directed the plea of *not guilty* to have been entered and then proceeded to a trial and investigation of the merits of the case. (*See Holts Digest "Plea," paragraphs* 3 *and* 4.) The sentence is confirmed, but the period of confinement and forfeiture of pay is mitigated to *one month.* Thus modified the sentence will be carried into effect.

V. The proceedings and findings in the case of Private *John Sullivan*, Company C, 8th Infantry, on the first charge and its specification and the finding on the specification to the second charge, are approved. The finding on the second charge is disapproved, as the specification sets forth an offence under the 46th Article of War, instead of under the 50th. Private *Sullivan* will be released from confinement, and restored to duty.

VI. The proceedings and findings in the case of Private *John Wilson*, Company E, 8th Infantry, as published in the 12th case of these orders, are approved. The sentence is confirmed, and will be carried into effect. Fort Macon, North Carolina, is designated as the place of confinement, to which point the prisoner will be sent, with a copy of this order.

The proceedings and findings in the case of Private *John Wilson*, Company E, 8th Infantry, as published in the 13th case of these orders, are approved. The sentence is confirmed but in consideration of the sentence in the previous case, is hereby mitigated *to indelible marking on the left hip with the letter D, one and one half inches long, and to confinement at hard labor, at Fort Macon, North Carolina, for the period of six months.* Thus modified. the sentence will be carried into effect, the period of confinement to commence at the expiration of his confinement, as confirmed in the 12th case of these orders.

The Judge Advocate should have united these two charges and made but one trial and record, instead of two.

VII. The General Court Martial of which Brevet Lieutenant Colonel ALFRED T. SMITH, Captain 8th Infantry is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

S. F. BARSTOW,
Acting Assistant Adjutant General.

OFFICIAL:

A. D. C.

1. Private CHARLES RUSSELL, Company H, 33d Infantry.
2. Private DANIEL W. LARKINS, Company G, 33d Infantry.
3. Private JAMES REEDY, Company K, 33d Infantry.
4. Private DENNIS O'BRIEN, Company I, 33d Infantry.
5. Private WILLIAM DEVALA SHERRINGTON, Company K, 33d Infantry.
6. Private JOSEPH LANSBERRY, Company E, 33d Infantry.
7. Corporal THOMAS J. ROONEY, Company I, 33d Infantry.
8. Private GEORGE W. GLADDING, Company I, 33d Infantry.
9. Private WILLIAM HAGERTY, Company E, 33d Infantry.
10. Private PETER HARNOIS, Company K, 33d Infantry.
11. Private PATRICK GORMAN, Company B, 33d Infantry.
12. Private GEORGE J. CARROLL, Company B, 33d Infantry.
13. Private JAMES RYAN, Company C, 33d Infantry.
14. Private NICOLAS TURNEY, Company K, 33d Infantry.
15. Private JOHN F. RILEY, Company K, 33d Infantry.
16. Corporal JAMES MCDONALD, Company G, 33d Infantry.
17. Corporal JAMES KERR, Company K, 33d Infantry.
18. Musician MATHEW LARNER, Company K, 33d Infantry.
19. Private CHARLES ARNOLD, Company K, 33d Infantry.
20. Private HENRY F. WATKINS, Company B, 33d Infantry.
21. Private ANDREW SENDRICK, Company E, 33d Infantry.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *December* 28, 1868.

GENERAL ORDERS }
No. 47. }

1. Before a General Court Martial which convened at Huntsville, Alabama, December 4, 1868, pursuant to Special Orders No. 98, Headquarters Department of the South, dated Atlanta, Georgia, December 1, 1868, and of which Brevet Lieutenant Colonel JOHN F. RITTER, Captain 33d Infantry, is President, were arraigned and tried:

1st. Private *Charles Russell*, Company H, 33d Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this: that Private *Charles Russell*, Company H, 33d Infantry, having been properly detailed as a member of the camp guard, post of Huntsville, Alabama, was drunk at guard mounting on the morning of November 17, 1868. All this at or near Huntsville, Alabama, on or about the 17th day of November, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private

Charles Russell, Company H, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of three months.*"

2d. Private *Daniel W. Larkins*, Company G, 33d Infantry.

CHARGE.—"Drunkenness on duty. (45th Article of War.)"

Specification.—"In this: that Private *Daniel W. Larkins*, Company G, 33d Infantry, did after having been regularly detailed for guard duty, become so drunk as to be unable to perform said duty. This at or near Huntsville, Alabama, on or about the 17th day of November, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel W. Larkins*, Company G, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of three months.*"

3d. Private *James Reedy*, Company K, 33d Infantry.

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

Specification.—"In this: that Private *James Reedy*, Company K, 33d Infantry, was drunk and disorderly in the company street, and did without provocation assault and strike Private George Marshall, Company K, 33d Infantry, twice with a stick on the head, thereby inflicting a serious wound over the right eye and one dangerous wound on the back of the head of said Private Marshall. All this at the camp of the 33d Infantry, near Huntsville, Alabama, on the 23d of November, 1868, at about 9 P. M."

To which charge and specification the accused pleaded:

To the *Specification*, "Guilty, omitting the words, 'without provocation.'"

To the CHARGE, "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Reedy*, Company K, 33d Infantry, "*To forfeit twelve dollars*

per month of his pay for four months and to be confined at hard labor in charge of the guard for the same period."

4th. Private *Dennis O'Brien*, Company I, 33d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification 1st.—"In this: that Private *Dennis O'Brien*, Company I, 33d Infantry, [did,] upon being respectfully asked by Corporal Fitzgerald, Company I, 33d Infantry, as to the whereabouts of Corporal Rooney, Company I, 33d Infantry, reply in the following language: 'If you want Rooney you can kiss his ass,' and upon being asked by Corporal Fitzgerald what he meant by such an answer, did reply, 'I mean what I say.' This at Jacksonville, Alabama, on or about the 31st day of October, 1868.'

Specification 2d.—" In this: that Private *Dennis O'Brien*, Company I, 33d Infantry, did, upon being told by Corporal Fitzgerald, Company I, 33d Infantry, (he being in the execution of his office,) to go to his quarters, (it being after tattoo,) did reply, 'I won't go.' This at Jacksonville, Alabama, on or about the 31st day of October, 1868."

Specification 3d.—" In this: that Private *Dennis O'Brien*, Company I, 33d Infantry, did strike with his fist Corporal Fitzgerald, Company I, 33d Infantry, he, Corporal Fitzgerald, being at the time in the execution of his office. This at Jacksonville, Alabama, on or about the 31st day of October, 1868."

Specification 4th.—" In this: that Private *Dennis O'Brien*, Company I, 33d Infantry, did break and run away from Corporal Fitzgerald, Company I, 33d Infantry, exclaiming, 'Fitzgerald, you are a stinking son-of-a-bitch.' This at Jacksonville, Alabama, on or about the 31st day of October, 1868."

Specification 5th.—" In this: that Private *Dennis O'Brien*, Company I, 33d Infantry, did, upon being told by Corporal Rooney, Company I, 33d Infantry, (he, Corporal Rooney, being in the execution of his office,) to go to his quarters, (it being after tattoo,) did reply, ' I will not take orders from you,' (meaning Corporal Rooney,) 'or any God-damned man like you.' This at Jacksonville, Alabama, on or about the 31st day of October, 1868."

To which charge and specifications the accused pleaded:

To the 1st *Specification*,	"*Not Guilty.*"
To the 2d *Specification*,	"*Guilty.*"
To the 3d, 4th and 5th *Specifications*,	"*Not Guilty.*"
To the CHARGE,	"*Not Guilty.*"

FINDING.

Of the 1st and 2d *Specifications*,	"Guilty."
Of the 3d *Specification*,	"Not Guilty."
Of the 4th *Specification*,	"Guilty."
Of the 5th *Specification*,	"Not Guilty."
Of the CHARGE,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Dennis O'Brien*, Company I, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of fifteen days.*"

5th Private *William De Vala Sherrington*, Company K, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *William De Vala Sherrington*, Company K, 33d Infantry, attached to Band, 33d Infantry, did desert the service of the United States, on the 21st day of November, 1868, and did remain absent until apprehended the 23d day of November, 1868, in citizen's clothes. This at or near Huntsville, Alabama."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William De Vala Sherrington*, Company K, 33d Infantry, "*To forfeit all pay and allowances now due or to become due, except just dues of laundress; to be indelibly marked on the left hip with the letter D, two inches in length; to be confined in such military prison as the Commanding Officer of the Department may designate for one year, and then to be dishonorably discharged the service.*"

6th. Private *Joseph Lansberry*, Company E, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Joseph Lansberry*, Company E, 33d Infantry, attached to Band 33d Infantry, did desert the service of the United States on the 21st

day of November, 1868, and did remain absent until apprehended in citizen's clothes on the 21st day of November, 1868. This at or near Huntsville, Alabama."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Lansberry*, Company E, 33d Infantry, "*To forfeit all pay and allowances now due or to become due except just dues of laundress; to be indelibly marked on the left hip with the letter D, two inches in length; to be confined in such military prison as the Commanding Officer of the Department may designate for one year, and then to be dishonorably discharged the service.*"

7th. Corporal *Thomas J. Rooney*, Company I, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Corporal *Thomas J. Rooney*, Company I, 33d Infantry, deserted the service of the United States on or about the 22d day of November, 1868, and did remain away without authority until apprehended in citizens clothes, and returned to his company under guard on or about the 23d day of November, 1868. This near Huntsville, Alabama."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Thomas J. Rooney*, Company I, 33d Infantry, "*To be reduced to the rank of private; to forfeit all pay and allowances now due or to become due except just dues of laundress; to be indelibly marked on the left hip with the letter D, two inches in length; to be confined in such military prison as the Commanding Officer of the Department may designate for one year, and then to be dishonorably discharged the service.*"

II. Before a General Court Martial which convened at Huntsville, Alabama, December 10, 1868, pursuant to Special Orders No. 98, dated December 1, 1868, and Special Orders No. 103, dated December 7, 1868, Headquarters Department of the South, Atlanta, Georgia, and of which Captain CHARLES

McC. LORD, 33d Infantry, is President, were arraigned and tried:

8th. Private *George W. Gladding*, Company I, 33d Infantry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *George W. Gladding*, Company I, 33d Infantry, did feloniously steal, take and carry away with the intent to appropriate to his own use, three shirts, the property of Private George Whittaker, Company I, 33d Infantry. This at Camp 33d Infantry, at or near Huntsville, Alabama, on or about October 9, 1868."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"In this: that Private *George W. Gladding*, Company I, 33d Infantry, did sell his clothing (issued him by the government) to Isaac Sledge, a citizen of Huntsville, Alabama. This at or near Huntsville, Alabama, on or about the 4th day of October, 1868."

To which charges and specifications the accused pleaded:

To the 1st CHARGE and *Specification*, "*Not Guilty.*"

To the 2d CHARGE and *Specification*, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George W. Gladding*, Company I, 33d Infantry, "*To be confined at such military prison as the Commanding General may direct, for the period of four months; to forfeit fourteen dollars of his monthly pay for the same period; to be indelibly marked on the left hip with the letter T, two inches in length, and then to be dishonorably discharged the service.*"

9th. Private *William Hagerty*, Company E, 33d Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *William Hagerty*, Company E, 33d Infantry, did, on the night of October 24, 1868, between the hours of 9 and 11 o'clock P. M., enter the tent occupied by Charles Fearing, freedman, the servant of 1st Lieutenant John G. S. White, 33d Infantry, and did then and there feloniously steal, take and carry away, with the intent to appropriate to his own use, four blankets, the property of the said Charles

Fearing. This at the camp of the 33d Infantry, near Huntsville, Alabama."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Hagerty*, Company E, 33d Infantry, "*To be confined at hard labor at such military prison as the Commanding General may direct, for the period of six months; to forfeit fourteen dollars of his monthly pay for the same period; to be indelibly marked with the letter T, two inches in length, on the left hip, and then to be dishonorably discharged the service.*"

10th. Private *Peter Harnois*, Company K, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Peter Harnois*, Company K, 33d Infantry, did desert the service of the United States, at or near Huntsville, Alabama, on or about the 18th day of September, 1868, and was absent without leave until apprehended at Huntsville, Alabama, on the 17th day of October, 1868. All this at the time and place specified above."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Peter Harnois*, Company K, 33d Infantry, "*To forfeit all pay and allowances now due or to become due, except just dues of laundress; to be confined at such military prison as the Commanding General may direct, for one year; to be indelibly marked on the left hip with the letter D, two inches in length, and then to be dishonorably discharged the service.*"

11th. Private *Patrick Gorman*, Company B, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Patrick Gorman*, Company B, 33d Infantry, did desert the service of the United States from the camp of the 33d Infantry, near Huntsville, Alabama, on or about the 28th day of November, 1868, and did so remain absent from said ser-

vice until apprehended in the city of Huntsville, Alabama, on or about the 1st day of December, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, substituting for the words 'desert the service of the United States,' the words 'absent himself without proper authority.'"

Of the CHARGE, "Not guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Gorman*, Company B, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of sixty days, and to forfeit ten dollars of his monthly pay for the same period.*"

12th. Private *George J. Carroll*, Company B, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *George J. Carroll*, Company B, 33d Infantry, did desert the service of the United States, from the camp of the 33d Infantry, near Huntsville, Alabama, on or about the 28th day of November, 1868, and did so remain absent from said service until apprehended in the city of Huntsville, Alabama, on or about the 1st day of December, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, substituting for the words 'desert the service of the United States,' the words, 'absent himself without proper authority.'"

Of the CHARGE, "Not guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *George J. Carroll*, Company B, 33d Infantry, "*To be confined at hard labor in charge of the guard for the period of sixty days, and to forfeit ten dollars of his monthly pay for the same period.*"

13th. Private *James Ryan*, Company C, 33d Infantry.

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

Specification.—"In this: that Private *James Ryan*, Company C, 33d Infantry, having been duly detailed as a guard, did permit Private Cornelius Clark, of Company D,

33d Infantry, a prisoner under his charge, to escape from confinement. All this at or near Huntsville, Alabama, on or about the 27th day of September, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Ryan*, Company C, 33d Infantry, "*To be confined at hard labor in charge of the guard at the post where his Company may be serving, for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period*, and the court is thus lenient because of the long confinement and previous good character of the accused."

14th. Private *Nicolas Turney*, Company K, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Nicolas Turney*, Company K, 33d Infantry, did desert the United States service, at Macon, Georgia, on or about the 17th day of March, 1867, and remained absent without authority until apprehended at Jeffersonville, Indiana, on or about the 26th day of November, 1868. This at the time and places specified above."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nicolas Turney*, Company K, 33d Infantry, "*To be indelibly marked on the left hip with the letter D, two inches in length; to forfeit all pay and allowances as are now or may become due him; to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of one year; and at the end of said confinement, to be dishonorably discharged; to have his head shaved and be drummed out of the service.*"

15th. Private *John F. Riley*, Company K, 33d Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Private *John F. Riley*, Company K, 33d Infantry, having been detailed for guard, was found drunk at guard mounting. This at camp

33d Infantry, near Huntsville, Alabama, on the 21st of November, 1868."

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

Specification.—"In this: that Private *John F. Riley*, Company K, 33d Infantry, upon having reported to Acting Assistant Surgeon W. R. D. Blackwood U. S. A., at sick call, and not getting excused from duty by the said Surgeon, did conduct himself in a disrespectful and boisterous manner, saying, 'I am not fit for guard, damn it,' and 'I would not go on guard, anyhow, by God,' or words to that effect. This at camp 33d Infantry, near Huntsville, Alabama, on the 21st of November, 1868."

CHARGE III.—"Disrespectful conduct toward his commanding officer."

Specification.—"In this: that Private *John F. Riley*, Company K, 33d Infantry, upon being ordered by his Captain, Brevet Major C. J. Von Herrmann, 33d Infantry, to proceed to the guard house under charge of Sergeant T. J. Robinson, Company K, 33d Infantry, did behave in a disrespectful manner toward his Captain, saying, 'I am not drunk,' and 'I was drunk when I was detailed for guard,' or words to that effect, in a boisterous manner, speaking at a distance of at least thirty paces to his Captain in a noisy and loud voice. All this at camp 33d Infantry, near Huntsville, Alabama, on the 21st of November, 1868."

CHARGE IV.—"Violation of 44th Article of War."

Specification.—"In this: that Private *John F. Riley*, Company K, 33d Infantry, failed to appear at tattoo roll call of his company. This at camp 33d Infantry, on the 20th day of November, 1868."

To which charges and specifications the accused pleaded:

To the *Specification* of the 1st CHARGE, "*Guilty.*"

To the 1st CHARGE, "*Not Guilty.*"

To the 2d, 3d and 4th CHARGES and their *Specifications*, "*Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John F. Riley*, Company K, 33d Infantry, "*To be confined at hard*

labor in charge of the guard for the period of four months, the first and third weeks of each month of said confinement to be solitary and on bread and water diet, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

16th. Corporal *James McDonald*, Company G, 33d Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Corporal *James McDonald*, Company G, 33d Infantry, did steal and dispose of for his own benefit a pair of soldier pants and a woolen blanket, the property of Private Alfred Hitchcock, Company G, 33d Infantry. This at or near Huntsville, Alabama, on or about the 4th day of December, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *James McDonald*, Company G, 33d Infantry, "*To be reduced to the ranks; to be confined at hard labor at such military prison as the Commanding General may direct for the period of one year; to be indelibly marked on the left hip with the letter T, two inches in length; to forfeit ten dollars per month of his monthly pay during the period of confinement, at the expiration of which to be dishonorably discharged the service.*"

17th. Corporal *James Kerr*, Company K, 33d Infantry.

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

Specification 1st.—"In this: that Corporal *James Kerr*, Company K, 33d Infantry, being corporal of the guard and having a prisoner Musician William DeVala Sherrington, 33d Infantry, in his charge, did suffer said prisoner to leave his presence and escape his custody."

Specification 2d.—"In this: that Corporal *James Kerr*, Company K, 33d Infantry, being corporal of the guard, did without authority permit a sentinel of his guard, Private Charles Deassel, Company H, 33d Infantry, to take a prisoner, Musician Joseph Lansberry, 33d Infantry, to a private house for the purpose of changing his disguise of citizen's dress for his proper uniform.

All this at or near Huntsville, Alabama, on or about November 22, 1868."

To which charge and specifications the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *James Kerr*, Company K, 33d Infantry, "*To be reduced to the ranks and to be confined at hard labor in charge of the guard for the period of three months, and to forfeit ten dollars of his monthly pay for the same period.*"

18th. Musician *Mathew Larner*, Company K, 33d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this: that Musician *Mathew Larner*, Company K, 33d Infantry, did feloniously, take, steal and carry away, with intent to appropriate to his own use, one blanket, the property of Corporal James Kerr, Company K, 33d Infantry. All this at or near Demopolis, Alabama, on or about the 24th day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Not Guilty."

And the court does therefore acquit him.

19th. Private *Charles Arnold*, Company K, 33d Infantry.

CHARGE.—"Desertion."

Specification—"In this: that Private *Charles Arnold*, Company K, 33d Infantry, did desert the service of the United States at or near Huntsville, Alabama, on or about the 21st day of November, 1868, and was absent without authority, until apprehended at or near Brownsboro', Alabama, on or about the 23d November, 1868. This at the time and place specified above."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Arnold*, Company K, 33d Infantry, "*To forfeit all pay and*

allowances now due or to become due him; to be confined at hard labor at such military prison as the Commanding General may direct, for the period of one year; to be indelibly marked on the left hip with the letter D, two inches in length, and at the expiration of his sentence to have his head shaved, to be dishonorably discharged and drummed out of the service."

20th. Private *Henry F. Watkins*, Company B, 33d Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this: that Private *Henry F. Watkins*, Company B, 33d Infantry, a member of the police guard, having been duly posted as a sentinel, was found sleeping upon his post. This at Camp 33d Infantry, near Huntsville, Alabama, on or about the 8th day of December, 1868, between the hours of twelve and two A. M."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry F. Watkins*, Company B, 33d Infantry, "*To be confined at hard labor in charge of the guard for six months, and to forfeit ten dollars per month of his monthly pay for the same period.*"

21st. Private *Andrew Sendrick*, Company E, 33d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Andrew Sendrick*, Company E, 33d Infantry, did desert the service of the United States on or about the 18th day of September, 1865, and did so remain absent from his company and regiment until apprehended at or near Buffalo, New York, on or about the 7th day of September, 1868. This at or near Mobile, Alabama."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Andrew Sendrick*, Company E, 33d Infantry, "*To forfeit all pay and allowances now due, or to become due him; to be confined at*

hard labor at such military prison as the Commanding General may direct, for the period of one year; to be indelibly marked on the left hip with the letter D, two inches in length, and at the expiration of his sentence to have his head shaved, to be dishonorably discharged and drummed out of the service."

III. The proceedings and findings in the cases of
Private *Charles Russell*, Company H, 33d Infantry,
Private *Daniel W. Larkins*, Company G, 33d Infantry,
Private *James Reedy*, Company K, 33d Infantry,
Private *Dennis O'Brien*, Company I, 33d Infantry,
Private *George W. Gladding*, Company I, 33d Infantry,
Private *Patrick Gorman*, Company B, 33d Infantry,
Private *George J. Carroll*, Company B, 33d Infantry,
Private *John F. Riley*, Company K, 33d Infantry,
Corporal *James Kerr*, Company K, 33d Infantry, and
Private *Henry F. Watkins*, Company B, 33d Infantry,
are approved. The sentences are confirmed and will be carried into effect. The guard house at the point where his company may be serving is designated as the place of confinement for Private *Gladding*.

IV. The proceedings and findings in the cases of
Private *William De Vala Sherrington*, Company K, 33d Infantry,
Corporal *Thomas J. Rooney*, Company I, 33d Infantry,
Private *William Hagerty*, Company E, 33d Infantry,
Private *Peter Harnois*, Company K, 33d Infantry,
Private *Nicolas Turney*, Company K, 33d Infantry,
Private *Charles Arnold*, Company K, 33d Infantry, and
Private *Andrew Sendrick*, Company E, 33d Infantry,
are approved. The sentences are confirmed, and will be carried into effect, excepting so much as relates to having their heads shaved, which is hereby remitted. Fort Pulaski, Georgia, is designated as the place of confinement, to which point the prisoners will be sent under a suitable guard, with a copy of this order.

V. The findings in the case of Private *Joseph Lansberry*, Company E, 33d Infantry, are disapproved for insufficiency of evidence. Private *Lansberry* will be released from confinement and restored to duty.

VI. The proceedings and findings in the case of Private *James Ryan*, Company C, 33d Infantry, are approved. The sentence is confirmed, but as the accused does not appear from the evidence, to have wilfully permitted the prisoner

entrusted to him to escape, it is hereby remitted. Private *Ryan* will be released from confinement and restored to duty.

VII. The proceedings and findings in the case of Corporal *James McDonald*, Company G, 33d Infantry, are approved. The sentence is confirmed, but on the recommendation of members of the court based upon the prisoner's previous good character, and other mitigating circumstances as shown in the evidence, it is hereby mitigated *to reduction to the ranks.*

VIII. The proceedings and findings in the case of Musician *Mathew Larner*, Company K, 33d Infantry, are approved. Having been acquitted by the court, he will be released from confinement and restored to duty.

BY ORDER OF MAJOR GENERAL MEADE:

S. F. BARSTOW,
Acting Assistant Adjutant General.

OFFICIAL:

C. D. Emory,
A. D. C.

1. Private FRANK GREEN, Company E, 7th Infantry.
2. Private THOMAS MCHENRY, Company E, 7th Infantry.
3. Private PATRICK MCAULIFFE, Company H, 7th Infantry.
4. Private HENRY SMITH, Company H, 7th Infantry.
5. Private GEORGE MANSFIELD, Company H, 7th Infantry.
6. Private JOHN CARNEY, Company F, 7th Infantry.
7. Private ALEXANDER MORTON, Company I, 7th Infantry.
8. Private THOMAS KEARNEY, Company E, 7th Infantry.
9. Sergeant THOMAS DOWNEY, Company C, 7th Infantry.
10. Private JOHN TATTAN, Company C, 7th Infantry.
11. Private WILLIAM LINEHAN, Company I, 7th Infantry.
12. Private ISAAC REHALL, Company F, 7th Infantry.
13. Private PETER GEYER, Company B, 16th Infantry.
14. Private WILLIAM RAVENSBERG, Company B, 16th Infantry.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
ATLANTA, GEORGIA, *December* 31, 1868.

GENERAL ORDERS
No. 48.

I. Before a General Court Martial which convened at Jacksonville Florida, December 13, 1868, pursuant to Special Orders No. 99, Headquarters Department of the South, dated Atlanta, Georgia, December 2, 1868, and of which Brevet Colonel CHARLES C. GILBERT, Lieutenant Colonel 7th Infantry, is President, were arraigned and tried:

1st. Private *Frank Green*, Company E, 7th Infantry.

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

Specification.—"In this: that Private *Frank Green*, Company E, 7th Infantry, while a prisoner under charge of the guard, did use disrespectful and threatening language toward Sergeant Charles Slater, of the same company, who was in command of the guard, saying, 'I will fix you for arresting me,' and when ordered by Sergeant Slater to shut up, replied 'my tongue is my own, and I will not shut up for any son of a bitch, and if you come into this car, I will cut your God-damned guts out,' making an attempt to draw a knife at the same time. This at Baldwin, Florida, while *en route* to Jacksonville, Florida, with his company, on or about the 8th day of September, 1868."

To which charge and specification the accused pleaded "*Guilty*."

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Green*, Company E, 7th Infantry, "*To forfeit ten dollars per month of his monthly pay for three months.*"

2d. Private *Thomas McHenry*, Company E, 7th Infantry.

CHARGE.—"Desertion."

Specification. –" In this: that Private *Thomas McHenry*, Company E, 7th Infantry, deserted the service of the United States at Fort Brooke, Florida, on or about January 16, 1868, and was absent without leave until apprehended near Ocala, Florida, on or about the 14th day of July, 1868."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas McHenry*, Company E, 7th Infantry, " *To forfeit all pay and allowances now due him; to be confined at hard labor in charge of the guard for four months, and to forfeit ten dollars per month of his monthly pay for the same period.* The court is thus lenient, in consideration of the previous good character of the prisoner, and the fact that he has already been in confinement about five months."

3d. Private *Patrick McAuliffe*, Company H, 7th Infantry.

CHARGE.– " Drunkenness on duty."

Specification.—" In this: that Private *Patrick McAuliffe*, Company H, 7th Infantry, having been regularly detailed as a member of the guard, mounted at St. Augustine, Florida, on the 8th day of September, 1868, and having been selected as an orderly to the commanding officer by 1st Lieutenant Joel H. Lyman, 7th Infantry, Post Adjutant, at guard mounting, on the evening of the day above mentioned, was, on the 9th day of September, 1868, and before he, the said Private *Patrick McAuliffe*, Company H, 7th Infantry, had been relieved from such duty, found drunk. All this at St. Augustine, Florida, on or about the day and dates above mentioned."

To which charge and specification the accused pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick McAuliffe*, Company H, 7th Infantry, "*To be confined in solitary confinement for the period of five days, on bread and water diet, at the post where his company is stationed.*"

4th. Private *Henry Smith*, Company H, 7th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that Private *Henry Smith*, Company H, 7th Infantry, being a member of the post-guard at Fort Marion, Saint Augustine, Florida, was found drunk on his guard. This at or near Fort Marion, Saint Augustine, Florida, on or about the 20th day of October, 1868."

CHARGE II.—"Violation of the 46th Article of War."

Specification.—"In this: that Private *Henry Smith*, Company H, 7th Infantry, being a member of the post-guard at Fort Marion, Saint Augustine, Florida, and having been regularly posted as a sentinel on post No. 3, in rear of the guard-house, did leave his post before being regularly relieved, and did remain absent until found by the Sergeant of the guard, lying down asleep, some twenty-five or thirty paces from his post. This at or near Fort Marion, Saint Augustine, Florida, on or about the 20th day of October, 1868."

To which charges and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGES and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Smith*, Company H, 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period.*"

5th. Private *George Mansfield*, Company H, 7th Infantry.

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

Specification 1st.—"In this: that Sergeant (now private) *George Mansfield*, Company H, 7th Infantry, did become so drunk and disorderly in the streets of St. Augustine, Florida, as to jeopardise the lives of citizens, by threatening to kill them with an axe that he carried in his hands. This at St. Augustine, Florida, on or about the 21st day of October, 1868."

Specification 2d.—"In this: that Sergeant (now private) *George Mansfield*, Company H, 7th Infantry, did, when ordered into arrest by Commissary Sergeant Julius Diffenbach, 7th Infantry, he being in the execution of his duty, refuse to obey said order, and did reply, 'God damn you, I won't go under arrest for no such son of a bitch,' or words to that effect. All this at St. Augustine, Florida, on or about the 21st day of October, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the 1st *Specification*, "Guilty, except the words, 'by threatening to kill them.'"

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

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant (now private) *George Mansfield*, Company H, 7th Infantry, "*To be confined at hard labor in charge of the guard for four months, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period.*"

6th. Private *John Carney*, Company F, 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *John Carney*, Company F, 7th Infantry, being a prisoner under charge of the guard at the camp near Jacksonville, Florida, and having been sent under charge of a sentinel to the company sink, did escape from the said sentinel on or about the 13th of October, 1868, and did then remain absent from the guard house, until returned to it by Private Michael C. Balkin, Company F, 7th Infantry, on or about the 14th of October, 1868. This at camp near Jacksonville, Florida, on or about the dates above specified."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Carney*, Company F, 7th Infantry, "*To forfeit to the United*

States ten dollars per month of his monthly pay for three months."

7th. Private *Alexander Morton*, Company I, 7th Infantry.

CHARGE.—" Desertion."

Specification.—" In this: that Private *Alexander Morton*, Company I, 7th Infantry, having been duly enlisted in the service of the United States, did desert the said service on or about the 3d day of October, 1867, and did remain absent until on or about the 11th day of June, 1868, when he surrendered himself at Louisville, Kentucky. This at Jacksonville, Florida, on or about the 3d day of October, 1867."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING.

Of the CHARGE and *Specification*, " Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alexander Morton*, Company I, 7th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due him until the promulgation of his sentence, except the just dues of his laundress, and to be confined, under charge of the guard, for the period of four months.* The court are thus lenient on account of the mitigating circumstances in the case, and the long confinement he has been subjected to."

8th. Private *Thomas Kearney*, Company E, 7th Infantry.

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

Specification.—"In this: that Private *Thomas Kearney*, Company E, 7th Infantry, was drunk in the cook house of Company E, 7th Infantry, and when ordered by the Corporal in charge to leave the same, did strike and otherwise abuse him. All this at Fort Brooke, Florida, on or about July 5, 1868."

To which charge and specification the accused pleaded:

To the *Specification*, " *Guilty of being drunk, and not guilty of striking the Corporal in charge.*"

To the CHARGE, "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the words, 'did strike and otherwise abuse him' of the words so excepted, not guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Kearney*, Company E, 7th Infantry, "*To forfeit to the United States five dollars per month of his monthly pay for two months.*"

9th. Sergeant *Thomas Downey*, Company C, 7th Infantry.

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

Specification.—"In this: that Sergeant *Thomas Downey*, Company C, 7th Infantry, did strike, without just cause and provocation, Private Daniel Murphy, Company C, 7th Infantry, over the head with his musket, with such force as to seriously injure him, Private Murphy being at the time in charge of Quartermaster Sergeant Sherman G. Bacon, Company C, 7th Infantry, who was conveying him to the guard house. All this [at] camp of Company C, 7th Infantry, near Jacksonville, Florida, on or about the 20th day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, and substituting for the words, 'Quartermaster Sergeant Sherman G. Bacon,' the words 'Sergeant Daniel Tierney.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Thomas Downey*, Company C, 7th Infantry, "*To forfeit five dollars per month of his monthly pay for six months.*"

10th. Private *John Tattan*, Company C, 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Tattan*, Company C, 7th Infantry, being a member of the guard, and having been ordered to take Privates John Brown 2d, John Carney, Isaac Rehall and Henry J. Benson, all of Company F, 7th Infantry, (the said men being prisoners under charge of the guard) to the house of their laundress, did permit the said prisoners to drink intoxicating liquor, and did return the same to the guard house in a state of more or less intoxication. This at camp near Jacksonville, Florida, on or about the 18th day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Tatten*, Company C, 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for three months.*"

11th. Private *William Linehan*, Company I, 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st.—"In this: that Private *William Linehan*, Company I, 7th Infantry, a sentinel over the prisoners confined in the guard tent at Jacksonville, Florida, did, without necessity or proper authority, engage in conversation with one or more of the said prisoners. This at the Post of Jacksonville, Florida, on or about the 13th day of November, 1868."

Specification 2d.—"In this: that Private *William Linehan*, Company I, 7th Infantry, while posted as sentinel No. 1, in front of the guard tent, did, through neglect of his duty, permit Private Franklin James, Company I, 7th Infantry, a prisoner under his charge, to escape from confinement. This at the Post of Jacksonville, Florida, on or about the 13th day of November, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Linehan*, Company I, 7th Infantry, "*To be confined at hard labor in charge of the guard for five months, and to forfeit to the United States eight dollars per month of his monthly pay for the same period.*"

12th. Private *Isaac Rehall*, Company F, 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that Private *Isaac Rehall*, Company F, 7th Infantry, did maliciously assault, and did stab with a bayonet Private Thomas Moran of Company

F, 7th Infantry, inflicting a wound in the left side of the said Private Thomas Moran, Company F, 7th Infantry. This at the camp of Company F, 7th Infantry, near Jacksonville, Florida, on or about the 14th day of October, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the *Specification*, "Guilty, except the word 'maliciously,' of the word so excepted, not guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Isaac Rehall*, Company F, 7th Infantry, "*To forfeit eight dollars per month of his monthly pay for six months.*"

II. Before a General Court Martial which convened at Dahlonega, Georgia, December 16, 1868, pursuant to Special Orders No. 107, Headquarters Department of the South, dated Atlanta, Georgia, December 11, 1868, and of which Brevet Major SAMUEL E. ST. ONGE, Captain 16th Infantry, is President, were arraigned and tried:

1st. Private *Peter Geyer*, Company B, 16th Infantry.

CHARGE.—"Disobedience of orders."

Specification 1st.—"In this: that he, Private *Peter Geyer*, Company B, 16th Infantry, having been ordered by his commanding officer, Brevet Major M. A. Cochran, Captain 16th Infantry, to report to the 1st Sergeant of his company for assignment to quarters with the company and to occupy them in the future, did fail and neglect so to do, thereby disobeying a lawful order of his superior officer. This at Dahlonega, Georgia, on or about the 12th day of December, 1868."

Specification 2d.—"In this: that he, Private *Peter Geyer*, Company B, 16th Infantry, did absent himself from the office of the Post Quartermaster, during office hours, without leave from proper authority and did go down town, thereby disobeying the lawful order of his superior officer. This at Dahlonega, Georgia, on or about the 12th day of December, 1868."

To which charge and specifications the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specifications*, "Not Guilty."

And the court does therefore acquit him.

2d. Private *William Ravensberg*, Company B, 16th Infantry.

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

Specification.—"In this: that Private *William Ravensberg*, Company B, 16th Infantry, having been ordered by his commanding officer Brevet Major M. A. Cochran, Captain 16th Infantry, to report to the 1st Sergeant of his company for assignment to quarters with the company, and to occupy them in the future, did fail and neglect so to do, thereby disobeying a lawful order of his superior officer. This at Dahlonega, Georgia, on or about the 12th day of December, 1868."

To which charge and specification the accused pleaded "*Not Guilty.*"

FINDING.

Of the CHARGE and *Specification*, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Ravensberg*, Company B, 16th Infantry, "*To forfeit to the United States two dollars of his monthly pay for one month.*"

III. The proceedings and findings in the cases of
Private *Frank Green*, Company E, 7th Infantry,
Private *Thomas McHenry*, Company E, 7th Infantry,
Private *Patrick McAuliffe*, Company H, 7th Infantry,
Private *Henry Smith*, Company H, 7th Infantry,
Sergeant (now Private) *George Mansfield*, Company H, 7th Infantry,
Private *John Carney*, Company F, 7th Infantry,
Private *Alexander Morton*, Company I, 7th Infantry,
Private *Thomas Kearney*, Company E, 7th Infantry,
Sergeant *Thomas Downey*, Company C, 7th Infantry,
Private *John Tattan*, Company C, 7th Infantry,
Private *Isaac Rehall*, Company F, 7th Infantry, and
Private *William Ravensberg*, Company B, 16th Infantry,
are approved. The sentences are confirmed and will be carried into effect.

IV. The proceedings and findings in the case of Private *William Linehan*, Company I, 7th Infantry, on the first charge and its specification are approved. The finding on the second charge and its specification is disapproved for insufficiency of evidence. The sentence is confirmed, but the period of confinement and forfeiture of pay is mitigated to *one month.* Thus modified the sentence will be carried into effect.

V. The proceedings and findings in the case of Private *Peter Geyer*, Company B, 16th Infantry, are approved. Private *Geyer* having been acquitted by the court, will be released from confinement, and restored to duty.

VI. The General Court Martial of which Brevet Colonel CHARLES C. GILBERT, Lieutenant Colonel 7th Infantry, is President, is hereby dissolved.

BY ORDER OF MAJOR GENERAL MEADE:

S. F. BARSTOW,

Acting Assistant Adjutant General.

OFFICIAL:

C. D. Emory

A. D. C.

NOTE.—This is the last of the series of General Orders for 1868.