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## General Order Number 46: Headquarters, Eastern District of Louisiana, August 24th, 1865

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HEADQUARTERS, EASTERN DISTRICT OF LOUISIANA,

New Orleans, La., August 24, 1865.

GENERAL ORDERS }  
No. 46.

I. Before a General Court Martial, which convened in this city, pursuant to Special Orders No. 169, Par. 1, current series, from these Headquarters, and of which Colonel N. B. BARTRAM, 20th United States Colored Infantry, is President, were arraigned and tried :

\* \* \* \* \*

43. Private LEWIS MILLER, Company K, 1st New Orleans Volunteers.

CHARGE.

"*Larceny.*"

SPECIFICATION—In this : that he, Private Lewis Miller, of Company K, 1st New Orleans Volunteers, did, in company with other soldiers, enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, Louisiana, and feloniously take and carry away from said store, for the purpose of appropriating to his and their own use, the following articles, to wit : One large chest of tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes of candles, four boxes of claret wine, five boxes of cigars, one box of chewing tobacco, four bundles smoking tobacco, three jars of pickles, five boxes tomato ketchup, three dozen bottles Worcestershire sauce, twenty-two brooms, one sack coffee, one box cream crackers, one dozen hams, four sides bacon, two dozen wooden buckets, one box indigo, four dozen bottles blue, one large black cloth cloak, one large woolen shawl, one bolt domestic, two barrels potatoes, one half round cheese, two boxes blacking, and one ream of emery paper. This at New Orleans, Louisiana, on or about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of six months."

See 2/6

78. Sergeant MICHAEL J. C. DWYER, Company B, 18th New York Cavalry.

CHARGE 1st.

*“Conduct to the Prejudice of Good Order and Military Discipline.”*

SPECIFICATION—In this : that he, the said Michael J. C. Dwyer, Sergeant of Company B, 18th New York Cavalry, did abuse and insult 1st Lieutenant Warren Ralph, 11th United States Colored Artillery, (Heavy,) in the United States service, by calling said officer a “son of a bitch,” “God damned nigger officer,” and other abusive language ; this, while said officer was in the execution of his duty, in trying to quell a disturbance. All this, on or about the first day of June, 1865, at or near a public house, kept by Mr. D. S. Chawk, in the parish of Jefferson, Louisiana, on the shell road, leading from New Orleans to Lakeport.

CHARGE 2d.

*“Striking his Superior Officer.”*

SPECIFICATION—In this : that he, the said Michael J. C. Dwyer, Sergeant of Company B, 18th Regiment New York Cavalry, did raise his clenched fist and strike his superior officer, 1st Lieutenant Warren Ralph, while the said officer was in the execution of his duty. All this, at or near the public house, kept by Mr. D. S. Chawk, in the parish of Jefferson, Louisiana, on the shell road, leading from New Orleans to Lakeport, on or about the 1st day of June, 1865.

PLEA—*Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be reduced to the ranks, and confined at hard labor, with ball and chain attached to his left leg, weighing thirty-two pounds, at such place as the Commanding General may designate, for the period of one year.”

81. Private JOHN DURKIN, Company B, 1st New Orleans Volunteer Infantry.

CHARGE.

*“Manslaughter.”*

SPECIFICATION—In this : that Private John Durkin, of Company B, 1st New Orleans Volunteers, did, on or about the 2d day of May, 1865, in the city of New Orleans, Louisiana, make an assault upon one John Pinkney, a private soldier of Company B, 1st New Orleans Volunteers, with a certain bayonet, then and there held in the right hand of him, the said Private John Durkin, and did inflict a mortal wound in and upon the body, and in the left thorax of him, the said Private John Pinkney, and of which mortal wound, he, the said Private John Pinkney, died, after lingering seven days.

PLEA—*Not Guilty.*

FINDING—Of the specification—“*Guilty* ;” but was justifiable, and therefore the Court attaches no criminality thereto.

Of the charge—“*Guilty* ;” but was justifiable, and therefore the Court attaches no criminality thereto.

And the Court does therefore acquit him.

82. Private JOHN WRIGHT, Company D, 4th Missouri Cavalry.

CHARGE.

—ZOFFACI

“*Leaving his Post before he was regularly relieved.*”

SPECIFICATION—In this: that John Wright, Private of Company D, 4th Missouri Cavalry, having been duly posted as a sentinel in front of the regimental guard-house, with instructions to guard a prisoner, left his post and sat down before he was regularly relieved. All this at camp 4th Missouri Cavalry, Greenville, Louisiana, on or about the 1st day of July, 1865, between the hours of 9 and 11 p. m.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be confined at hard labor, in charge of the guard, for the period of one month, and forfeit to the United States the whole of his monthly pay for and during said period of one month.”

83. Private GEORGE J. WASHINGTON, of Company E, 77th United States Colored Infantry.

CHARGE.

“*Desertion.*”

SPECIFICATION—In this: that he, George J. Washington, an enlisted man in the service of the United States, Private of Company E, 77th United States Colored Infantry, did desert the said service, from Camp Chalmette, Louisiana, on or about the 10th day of June, 1865, and did remain absent from said service until delivered up as a prisoner at Camp Chalmette, Louisiana, on or about the 24th day of June, 1865.

PLEA—*Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months.”

84. Private PETER SMALL, of Company H, 74th United States Colored Infantry.

CHARGE 1st.

“*Rape.*”

SPECIFICATION—In this: that Private Peter Small, of Company H, 74th United States Colored Infantry, did, on or about the 15th day of May, 1865, at Ship Island, State of Mississippi, with force and arms, at the place aforesaid, in and upon one

Caroline Andrews, then and there, violently and feloniously, make an assault, and her, the said Caroline Andrews, then and there forcibly and against her will, and carnally know.

CHARGE 2d.

*"Assault, with intent to commit a Rape."*

SPECIFICATION—In this : that Private Peter Small, of Company H, 74th United States Colored Infantry, did, on the 15th day of May, 1865, at Ship Island, State of Mississippi, upon one Caroline Andrews, there and then being, feloniously make an assault, and her, the said Caroline Andrews, then and there attempted to ravish, and carnally know by force and against her will.

PLEA—*Not Guilty.*

FINDING—*Not Guilty.*

And the Court does therefore acquit him.

85. Private EMILLE RAMOND, Company C, 81st United States Colored Infantry.

CHARGE.

*"Sleeping on Post."*

SPECIFICATION—In this : that he, Private Emille Ramond, of Company C, 81st United States Colored Infantry, having been duly posted as sentinel of camp guard, did sit down and sleep on his post, and allow his gun to be taken from him by the Sergeant of the Guard, between the hours of 2 o'clock, A. M. and reveillé, July 12, 1865. This at the camp of the 81st United States Colored Infantry, at New Orleans, La.

PLEA—*Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

86. Private BENJAMIN FRANKLIN, Company A, 77th United States Colored Infantry.

CHARGE.

*"Desertion."*

SPECIFICATION—In this : that he, Private Benjamin Franklin, of Company A, 77th United States Colored Infantry, having been duly enlisted into the service of the United States, did desert the same, at New Orleans, Louisiana, on or about the 29th day of May, 1865, and remained absent from said service until the 1st day of July, 1865, when he was arrested at New Orleans, Louisiana.

PLEA—*Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

87. Private WILLIAM PINDELL, of Company A, 20th United States Colored Infantry.

## CHARGE.

"Desertion."

SPECIFICATION—In this: that he, Private William Pindell, of Company A, 20th United States Colored Infantry, did, having been regularly enlisted into the service of the United States, desert the same, on or about the 8th day of July, 1865, and remain absent from said service until arrested by the Provost Marshal, Parish of Jefferson, July 11th, 1865. This at or near New Orleans, Louisiana.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

88. Private THOMAS CRADDOCK, Company B, 1st Texas Cavalry.

## CHARGE 1st.

"Conduct to the Prejudice of Good Order and Military Discipline."

SPECIFICATION—In this: that he, Private Thomas Craddock, of Company B, 1st Texas Cavalry, did, on being ordered to halt by James Hawkins, of the 81st United States Colored Infantry, a sentinel on post, call the said sentinel "a damned black son of a bitch," or words to that effect, and did fire a revolver at the said sentinel, James Hawkins, of the 81st United States Colored Infantry, with intent to kill him. All this on New Levee street, New Orleans, La., between the hours of 7 and 8 p. m., on or about the 6th day of July, 1865.

## CHARGE 2d.

"Assault, with intent to kill."

SPECIFICATION—In this: that he, Private Thomas Craddock, of Company B, 1st Texas Cavalry, on being ordered to halt by James Hawkins, of the 81st United States Colored Infantry, a sentinel on post, did discharge a revolver at the said sentinel, with intent to kill him. This at New Orleans, La., on New Levee street, between the hours of 7 and 8 p. m., on or about the 6th day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, with ball and chain attached to his left leg,

weighing twenty-four pounds, at such place as the Commanding General may designate, for the period of two years, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of two years."

89. Private CHARLES H. CARTER, Company D, 20th United States Colored Infantry.

CHARGE.

"*Sleeping on Post.*"

SPECIFICATION—In this : that he, the said Private Charles H. Carter, Company D, 20th United States Colored Infantry, did lie down and go to sleep while on post as sentry. This at New Orleans, Louisiana, on or about the 26th day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of three months, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of three months."

90. Private PETER CONNOR, Company D, 20th United States Colored Infantry.

CHARGE.

"*Sleeping on Post.*"

SPECIFICATION—In this : that he, the said Private Peter Connor, Company D, 20th United States Colored Infantry, did lie down and go to sleep while on post as sentry. This at New Orleans, Louisiana, on or about the 20th day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of six months."

91. Sergeant JUNIES ALEXANDER, of Company F, 81st United States Colored Infantry.

CHARGE.

"*Conduct to the prejudice of Good Order and Military Discipline.*"

SPECIFICATION—In this : that he, Sergeant Junies Alexander, of Company F, 81st United States Colored Infantry, while absent from Camp, on pass, did interfere with the policemen of the City of New Orleans while in the performance of their duty, and did attempt to secure the release of certain colored women in charge of said policemen.

PLEA—*Not Guilty.*

FINDING—*Not Guilty.*

And the Court does therefore acquit him.

Private CHARLES BAPTISTE, of Company I, 81st United States Colored Infantry.

CHARGE.

*"Sleeping on Post."*

SPECIFICATION—In this: that Private Charles Baptiste, Company I, 81st United States Colored Infantry, did, on or about the night of the 20th of July, 1865, after having been duly posted by the corporal of the second relief, as sentinel, between the hours of 10 A. M. and 12 M., on post No. 4, camp guard, guarding Regimental Quartermaster's property, fail to challenge the third relief and was found by Corporal Edward Brooks, of Company I, 81st United States Colored Infantry, in charge of said third relief, to be fast asleep on his post. All this at or near New Orleans, La., on or about the 20th day of July, 1863.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

93. Private JACOB ZIMMERS, of Company K, 1st New Orleans Volunteers.

CHARGE.

*"Robbery."*

SPECIFICATION—In this: that he, Private Jacob Zimmers, Company K, 1st New Orleans Volunteers, did, in company with other soldiers, forcibly enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, La., and feloniously take and carry away from said store, for the purpose of appropriating to his and their own use the following articles, viz: One large chest of tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes candles, five boxes claret wine, five boxes cigars, one box chewing tobacco, three bundles cigarettes, four bundles smoking tobacco, three dozen jars pickles, two boxes tobacco, three dozen bottles ketchup, two bundles brooms, one sack of coffee, one box cream cakes, one dozen hams, four sides bacon, two dozen buckets, one box indigo, four dozen boxes blue, one large black cloth cloak, one bolt domestic, one large shawl, three barrels of potatoes, one half round cheese, and one ream of emery paper. This in the city of New Orleans, La., on or about the 30th day of May, 1865.

PLEA—"I plead in bar of trial before this Court, that I have already been tried on this charge before the Provost Court in this city, and offer the records of said court to sustain this plea," which plea was overruled by the court.

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months."



## 94. Private HUGH FLOOD, of Company K, 1st New Orleans Volunteers.

## CHARGE.

*"Robbery."*

SPECIFICATION—In this : that he, Private Hugh Flood, of Company K, 1st New Orleans Volunteers, did, in company with other soldiers, forcibly enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, La., and feloniously take and carry away from said store-house, for the purpose of appropriating to his and their own use, the following articles, viz : One large chest tea, one firkin butter, one barrel flour, one barrel sugar, three boxes candles, five boxes claret wine, five boxes cigars, one box chewing tobacco, three dozen jars pickles, two boxes tobacco, three dozen bottles ketchup, two bundles brooms, one sack coffee, one box cream crackers, one dozen hams, four sides bacon, two dozen buckets, one box indigo, four dozen boxes blue, one large black cloth cloak, one large shawl, one bolt domestic, two barrels potatoes, one half round cheese, and one ream emery paper. This in the city of New Orleans, La., about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of six months."

## 95. Corporal JOHN MOLITOR, of Company K, 1st New Orleans Volunteers.

## CHARGE.

*"Robbery."*

SPECIFICATION—In this : that he, Corporal John Molitor, of Company K, 1st New Orleans Volunteers, did, in company with other soldiers, forcibly enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, La., and feloniously take and carry from said store, for the purpose of appropriating to his and their own use, the following articles, viz : One large chest of tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes candles, five boxes claret wine, five boxes cigars, one box chewing tobacco, four bundles smoking tobacco three dozen jars pickles, two boxes tobacco, three dozen bottles ketchup, two bundles brooms, one sack coffee, one box cream crackers, one dozen hams, five sides bacon, two dozen buckets, one box indigo, four dozen boxes blue, one large black cloth cloak, one large shawl, one bolt domestic, two barrels potatoes, one half round of cheese, and one ream of emery paper. This in the city of New Orleans, La., about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Not Guilty.*

And the Court does therefore acquit him.

96. Private PETER DECKER, of Company K, 1st New Orleans Volunteers.

CHARGE.

*"Robbery."*

SPECIFICATION—In this : that he, Private Peter Decker, of Company K, 1st New Orleans Volunteers, did, in company with other soldiers, enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, Louisiana, and feloniously take and carry away from said store, for the purpose of appropriating to his and their own use, the following articles, to wit : One large chest of tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes of candles, five boxes of claret wine, five boxes of cigars, one box of chewing tobacco, four bundles smoking tobacco, three dozen jars of pickles, two boxes tobacco, three dozen bottles ketchup, two bundles brooms, one sack coffee, one box cream crackers, one dozen hams, four sides bacon, two dozen buckets, one box indigo, four dozen boxes blue, one large black cloth cloak, one large shawl, one bolt domestic, two barrels potatoes, one half round cheese, two boxes blacking, and one ream of emery paper. This in the city of New Orleans, Louisiana, about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of six months."

97. Private ALBERT BOYD, of Company M, 1st Indiana Heavy Artillery.

CHARGE.

*"Wounding by stabbing, with intent to kill."*

SPECIFICATION—In this : that he, Private Albert Boyd, of Company M, 1st Indiana Heavy Artillery, did stab, with a knife, Corporal John Benschadler, of Company M, 1st Indiana Heavy Artillery, thereby inflicting upon him, Corporal Benschadler, six (6) several dangerous wounds. All this at New Orleans, La., on or about the 25th day of February, 1865.

PLEA—*Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of one year."

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as a non-commissioned officer. All this in the city of New Orleans, La., on or about the 12th day of July, 1865.

SPECIFICATION 3d—In this : that he, the said Corporal Thomas Belton, Company H, 1st New Orleans Volunteers, when ordered in arrest by 1st Lieutenant G. W. Foster, Jr., Assistant Provost Marshal, Parish of Orleans, did call on the guard and endeavor to influence them to assist him in resisting the authority of his superior officer, 1st Lieutenant G. W. Foster, Jr., Assistant Provost Marshal, Parish of Orleans. All this in the city of New Orleans, La., on or about the 12th day of July, 1865.

SPECIFICATION 4th—In this : that he, the said Corporal Thomas Belton, Company H, 1st New Orleans Volunteers, did endeavor to break away from his arrest and get possession of his musket, using at the same time the following language, viz : “ You just let me get hold of my gun and I’ll blow your damned brains out, you God damned son of bitches,” or words to that effect. All this in the city of New Orleans, La., on or about the 12th day of July, 1865.

SPECIFICATION 5th—In this : that he, the said Corporal Thomas Belton, Company H, 1st New Orleans Volunteers, whilst in arrest and in transit, under guard, to the office of the Provost Marshal, Parish of Orleans, did make use of the following language to his superior officer, 1st Lieutenant G. W. Foster, Jr., Assistant Provost Marshal, Parish of Orleans, and 2d Lieutenant C. F. M. Denicke, Signal Corps, United States Army, to wit : “ I will settle with you in the morning, you God damned sons of bitches ; I’ll let you know who I am, God damn you,” or words to that effect ; and when ordered by the said 1st Lieutenant G. W. Foster, Jr., Assistant Provost Marshal, Parish of Orleans, to keep quiet, did shake his fist in front of said 1st Lieutenant G. W. Foster, Jr.’s, face, saying : “ Keep quiet yourself, God damn you ; I’m an Englishman ; I’m none of your damned half breeds : I’m a Johnny Bull—that’s what’s the matter,” or words to that effect. All this in the city of New Orleans, La., on or about the 12th day of July, 1865.

CHARGE 2d.

“ *Drunkenness on Duty.*”

SPECIFICATION—In this : that he, the said Corporal Thomas Belton, Company H, 1st New Orleans Volunteers, whilst doing guard duty at the Car Station, near the foot of Dauphine street, was found by 1st Lieutenant G. W. Foster, Jr., Assistant Provost Marshal, Parish of Orleans, in a state of intoxication, to such a degree as to render him incompetent to discharge his duties. All this in the city of New Orleans, La., on or about the 12th day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

“ To be reduced to the ranks, and confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months.”

102. Private THOMAS HALL, Company H, 20th United States Colored Infantry.

CHARGE.

“ *Violation of the 9th Article of War.*”

SPECIFICATION—In this : that he, Private Thomas Hall, Company H, 20th United States Colored Infantry, did, on being ordered by his Captain, E. S. Curry, 20th United States Colored Infantry, to cease his talking while in the ranks, draw back his musket to strike said Captain E. S. Curry, 20th United States Colored Infantry, he, the Captain, being in the execution of his office. This at New Orleans, La., on or about the 9th day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE

“ To be confined at hard labor, with ball and chain attached to his left leg, weighing twenty-four pounds, at such place as the Commanding General may designate, for the period of one year, and forfeit to the United States twelve dollars per month of his monthly pay for and during said period of one year.”

103. Private JOHN DULON, Company K, 1st New Orleans Volunteers.

CHARGE.

“ *Robbery.*”

SPECIFICATION—In this : that he, Private John Dulon, Company K, 1st New Orleans Volunteers, did, in company with other soldiers, forcibly enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, La., and feloniously take and carry from said store, for the purpose of appropriating to his and their own use, the following articles, viz : One large chest of tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes candles, five boxes claret wine, five boxes cigars, one box chewing tobacco, four bundles smoking tobacco three dozen jars pickles, two boxes tomato ketchup, three dozen bottles Worcestershire sauce, two bundles brooms, one sack coffee, one box cream crackers, one dozen hams, four sides bacon, two dozen buckets, one box indigo, four dozen bottles blue, one large black cloth cloak, one large shawl, one bolt domestic, two barrels potatoes, one half round of cheese, and one ream of emery paper. This in the city of New Orleans, La., on or about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Not Guilty.*

And the Court does therefore acquit him.

104. Sergeant THOMAS G. COONEY, Company K, 1st New Orleans Volunteers.

CHARGE.

“ *Robbery.*”

SPECIFICATION—In this : that he, Sergeant Thomas G. Cooney, of Company K,

1st New Orleans Volunteers, did, in company with other soldiers, forcibly enter the store of Mrs. Jane Hawkins, corner of Locust and Delord streets, in the city of New Orleans, Louisiana, and feloniously take and carry away from said store, for the purpose of appropriating to his and their own use the following articles, viz: One large chest tea, one firkin of butter, one barrel of flour, one barrel of sugar, three boxes of candles, five boxes of claret wine, five boxes of cigars, one box of chewing tobacco, three dozen jars pickles, two boxes of tobacco, three dozen bottles ketchup, two bundles brooms, one sack coffee, one box cream crackers, one dozen hams, four sides bacon, two dozen buckets, one box of indigo, four dozen boxes blue, one large black cloth cloak, one large shawl, one bolt domestic, two barrels of potatoes, one half round cheese, two boxes of blacking, and one ream of emery paper. This in the city of New Orleans, Louisiana, about the 30th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—*Not Guilty,*

And the Court does therefore acquit him.

106. Private HARRISON STERNBERY, Company H, 20th United Colored Infantry.

CHARGE.

“*Drunkenness on Duty.*”

SPECIFICATION—In this: that Private Harrison Sternbery, of Company H, 20th United States Colored Infantry, being a member of the guard on duty at Fassman's Press, did become so intoxicated as to be unable to do duty as a sentry. This at New Orleans, La., on or about July 27, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months.”

107. Private ROBERT STEPHENS, Company A, 87th United States Colored Infantry.

CHARGE.

“*Sleeping on Post.*”

SPECIFICATION—In this: that he, Robert Stephens, Private of Company A, 87th United States Colored Infantry, having been duly posted as a sentinel, was found asleep on his post, between the hours of 1 and 3 A. M., when visited by the Corporal of the Guard. This at Carrollton, La., on or about the 30th day of June, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months.”

108. Private WILLIAM LAWS, Company F, 20th United States Colored Infantry.

CHARGE.

*"Assault, with intent to kill."*

SPECIFICATION—In this : that he, William Laws, a Private of Company F, 20th United States Colored Infantry, did wilfully and maliciously fire a pistol at the person of one Emma Lewis, (colored,) of the city of New Orleans, Louisiana, for the purpose and with the intent of taking the life of her, the said Emma Lewis, (colored,) of New Orleans, Louisiana. This on Franklin street, New Orleans, Louisiana, on or about the 22d day of July, 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of one year, and forfeit to the United States eight dollars per month of his monthly pay for and during said period of one year."

109. Private FRANCIS L. STRONG, Company D, 6th Michigan Heavy Artillery.

CHARGE.

*"Desertion."*

SPECIFICATION—In this : that he, the said Private Francis L. Strong, an enlisted soldier in the service of the United States, of Company D, 6th Michigan Heavy Artillery, did, on or about the 29th day of June, 1865, desert his regiment, at Fort Morgan, Alabama, and remain absent from said service until arrested at or near Columbus, Mississippi, on or about the 13th day of July, 1865, and returned to the regiment, under guard, July 20th, 1865.

PLEA—*Guilty.*

FINDING—*Guilty.*

SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

110. Private SAMUEL TAYLOR, of Company C, 77th United States Colored Infantry.

CHARGE.

*"Desertion."*

SPECIFICATION—In this : that he, the said Private Samuel Taylor, of Company C, 77th United States Colored Infantry, having been duly enlisted into the service of the United States, did desert the same at Camp Chalmette, La., on or about the 10th day of June, 1865, and did remain absent from said service until the 19th day of July, 1865.

PLEA—*Guilty.*

FINDING—*Guilty.*



## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

111. Private DANIEL WALLER, of Company I, 77th United States Colored Infantry.

## CHARGE.

"*Desertion.*"

SPECIFICATION—That he, the said Private Daniel Waller, of Company I, 77th United States Colored Infantry, having been duly drafted into the service of the United States, did desert the same, at Camp Chalmette, La., on or about the 19th day of June, 1865, and remain absent from said service until apprehended and brought back to his command, on the 14th day of July, 1865, at Tigerville, La.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of six months, and forfeit to the United States ten dollars per month of his monthly pay for and during said period of six months."

112. Private SYLVESTER ILIFF, of Company B, 6th Michigan Heavy Artillery.

## CHARGE 1st.

"*Larceny.*"

SPECIFICATION—In this: that he, the said Private Sylvester Iliff, of Company B, 6th Michigan Heavy Artillery, did, on or about the 23d of May, 1865, steal one hundred and fifty (150) dollars, or thereabouts, of money, from Private W. Packer, a member of said company, and appropriate the same to his own use. This at Navy Cove, Alabama, on or about the 23d of May, 1865.

## CHARGE 2d.

"*Desertion.*"

SPECIFICATION—In this: that the said Private Sylvester Iliff, of Company B, 6th Michigan Heavy Artillery, did, on or about the 29th of June, 1865, desert his regiment, at Fort Morgan, Alabama, and remained absent from said service until arrested, at or near Columbus, Miss., on or about the 13th of July, 1865, and returned to his regiment, under guard, July 20th, 1865.

PLEA—To the first charge—*Not Guilty.*

To the second charge—*Guilty.*

FINDING—*Guilty.*

## SENTENCE.

"To be confined at hard labor, at such place as the Commanding General may designate, for the period of one year, and forfeit to the United States thirteen dollars per month of his monthly pay for and during the unexpired term of his enlistment."

II. Before a General Court Martial, which convened at Port Hudson, La., in pursuance of Special Orders No. 13, Extract 1, of January 27th, 1865, Headquarters, District of Baton Rouge and Port Hudson, of which Captain WILLIAM THORNTON, 78th United States Colored Infantry, was President, were arraigned and tried :

1. Private DANIEL WILLIAMS, Company B, 81st United States Colored Infantry.

CHARGE 1st.

*"Neglect of Duty, to the Prejudice of Good Order and Military Discipline."*

SPECIFICATION—In this : that he, Private Daniel Williams, of Company B, 81st United States Colored Infantry, in the service of the United States, while acting corporal on grand guard duty, having been regularly posted as a sentry, did sit down and go to sleep. All this at Port Hudson, La., at Reserve No. 9 of the Grand Guard, between the hours of 2 and 3 o'clock A. M., on or about the 28th day of January, 1865.

CHARGE 2d.

*"Violation of the 46th Article of War."*

SPECIFICATION—In this : that he, Private Daniel Williams, of Company B, 81st United States Colored Infantry, in the service of the United States, having been regularly posted as a sentry, did leave his post before being duly relieved, sit down and go to sleep. All this at Port Hudson, La., at Reserve No. 9 of the Grand Guard, between the hours of 2 and 3 o'clock A. M., on or about the 28th day of January, 1865.

PLEA—*Not Guilty.*

FINDING—Of the specification to first charge—*Guilty*, with the exception of the word "regularly."

Of the first charge—*Guilty.*

Of the specification to second charge—*Guilty*, with the exception of the word "regularly."

Of the second charge—*Guilty.*

SENTENCE.

"To be confined at hard labor, on such Government works as the Commanding General may direct, for the remainder of his term of enlistment, with the loss of all pay for the same time, and to wear a ball and chain of fifteen (15) pounds weight, attached to left leg, during the first month of said confinement."

2. Private BENJAMIN MOSES, Company C, 81st United States Colored Infantry.

CHARGE.

*"Leaving his post before having been regularly relieved."*

SPECIFICATION—In this : that he, Private Benjamin Moses, Company C, 81st United States Colored Infantry, having been duly posted as a sentinel, in front of the Quartermaster's stores of the 81st United States Colored Infantry, did leave his post without having been regularly relieved. All this at the camp of the 81st United

States Colored Infantry, at Port Hudson, La., on or about the 6th day of February, 1865, between the hours of 1 and 3 o'clock A. M.

PLEA—*Not Guilty.*  
FINDING—*Guilty.*

## SENTENCE.

“To be confined at hard labor, at such place as the Commanding General may direct, for the period of two (2) calendar months, with the loss of all pay for the same time.”

## 3. Private ANDREW ELLIS, Company K, 81st United States Colored Infantry.

## CHARGE.

“*Leaving his post, before having been regularly relieved.*”

SPECIFICATION—In this : that he, Private Andrew Ellis, Company K, 81st United States Colored Infantry, having been duly posted as a sentinel, in front of the camp of the 81st United States Colored Infantry, did leave his post before having been regularly relieved. All this at the camp of the 81st United States Colored Infantry, Port Hudson, La., between the hours of 1 and 3 A. M., February 6th, 1865.

PLEA—*Guilty.*  
FINDING—*Guilty.*

## SENTENCE.

“To be confined at hard labor, on such Government fortifications as the Commanding General may direct, for the term of twelve (12) calendar months, with the loss of all pay for the same time, and to wear a ball and chain, of fifteen (15) pounds weight, attached to his left leg, during the first three (3) months of said confinement.”

III. Before a Military Commission, which convened in the city of New Orleans, pursuant to Extract 6 of Special Order No. 207, current series, from these Headquarters, and of which Lieutenant Colonel NELSON VIALI, 11th United States Colored Artillery, (Heavy,) is President, were arraigned and tried :

## 1. ALFRED MOSS, Civilian.

## CHARGE 1st.

“*Assault, with intent to maim a United States Soldier.*”

SPECIFICATION 1st—In this : that said Alfred Moss, civilian, did, together with one Gustave Crais, and other members of Engine Company No. 24, of the city of New Orleans, pursue, with threats of bodily injury, and did assault Louis Klein, a soldier in the service of the United States. This at the city of New Orleans, Louisiana, in or near Royal street, on the 4th day of July, A. D. 1865.

SPECIFICATION 2d—In this : that said Alfred Moss, civilian, did pursue, with threats of bodily injury, and did assault, with intent to maim, Joseph L. Thames, a soldier in the service of the United States. This in or near Royal street, in the city of New Orleans, Louisiana, on the 4th day of July, A. D. 1865.

## CHARGE 2d.

“ *Aiding an affray, with intent to resist an officer of the United States Army in the performance of his duty.*”

SPECIFICATION—In this : that the said Alfred Moss, civilian, did, together with one Gustave Crais, and other members of Engine Company No. 24, of the city of New Orleans, violently and riotously resist Louis Klein, a sergeant of Company B, 1st New Orleans Volunteers, while the said sergeant was attempting to quell an affray. This in or near Royal street, in the city of New Orleans, Louisiana, on the 4th day of July, A. D. 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

## SENTENCE.

“ To be confined at hard labor for and during the period of six months, at such place as the Commanding General may direct.”

## 2. GUSTAVE CRAIS, Civilian.

## CHARGE 1st.

“ *Assault, with intent to maim a United States Soldier.*”

SPECIFICATION 1st—In this : that the said Gustave Crais, civilian, did, together with one Alfred Moss, and other members of Engine Company No. 24, of the city of New Orleans, pursue, with threats of bodily injury, and did assault Louis Klein, a soldier in the service of the United States. This at the city of New Orleans, La., in or near Royal street, on the 4th day of July, A. D. 1865.

SPECIFICATION 2d—In this : that said Gustave Crais, civilian, did pursue, with threats of bodily injury, and did assault Joseph L. Thames, a soldier in the service of the United States, with intent to maim said soldier. This near Royal street, in the city of New Orleans, Louisiana, on the 4th day of July, A. D. 1865.

## CHARGE 2d.

“ *Aiding an affray, with intent to resist an officer of the United States Army in the performance of his duty.*”

SPECIFICATION—In this : that the said Gustave Crais, civilian, did, together with one Alfred Moss and other members of Engine Company No. 24, of the city of New Orleans, Louisiana, violently and riotously resist Louis Klein, a sergeant of Company B, of the 1st Regiment of New Orleans Volunteers, while said sergeant was attempting to quell an affray. This in or near Royal street, at the city of New Orleans, La., on the 4th day of July, A. D. 1865.

PLEA—*Not Guilty.*

FINDING—*Guilty.*

SENTENCE.

“To be confined at hard labor during the period of six months, at such place as the Commanding General may direct.”

3. WILLIAM B. ACKLEY, Civilian.

CHARGE 1st.

“*Aiding and Abetting a soldier of the United States Army to desert.*”

SPECIFICATION—In this : that he, William B. Ackley, a citizen of New Orleans, Louisiana, did furnish one Charles Brown, a duly enlisted and mustered man of Company E, 42d Illinois Volunteers, (and in the service of the United States,) with sailor's clothing ; all this for the purpose of aiding him, the said Charles Brown, Company E, 42d Illinois Volunteers, to desert the service of the United States. This in or near the city of New Orleans, Louisiana, on or about the 27th day of June, A. D. 1865.

CHARGE 2d.

“*Aiding and Abetting a soldier of the United States Army, in an absence from his post of duty, without leave of his proper Commanding Officer.*”

SPECIFICATION—In this : that he, William B. Ackley, citizen, knowing that one Charles Brown, a private of Company E, 42d Illinois Volunteers, was absent from the quarters of said regiment, without the due consent thereto of his proper commanding officer, did furnish sailor's clothing to said private, with intent to aid and abet said unlawful absence. This at the city of New Orleans, Louisiana, on or about the 26th day of June, A. D. 1865.”

PLEA—*Not Guilty.*

FINDING—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.

“To be confined at hard labor for the period of six months, at such place as the Commanding General may direct.”

4. E. L. MEHAN, Civilian.

CHARGE 1st.

“*Transferring his Parole of Honor.*”

SPECIFICATION—In this : that he, the said E. L. Mehan, paroled prisoner of war, late a private in the 3d Battalion Washington Artillery, did transfer his parole (dated Appomatox Court House, Va., April 10, 1865, and signed W. M. Owen, Lieutenant Colonel commanding said Battalion of Artillery) to one George Baldy,

civilian. This in the city of New Orleans, Louisiana, on or about the 26th day of June, 1865.

CHARGE 2d.

“*Attempting to defraud the United States Government.*”

SPECIFICATION—In this : that he, the said E. L. Mehan, paroled prisoner of war, late private in the 3d Battalion Washington Artillery, did transfer his parole, dated Appomatox Court House, Va., April 10, 1865, and signed W. M. Owen, Lieutenant Colonel commanding said Battalion of Artillery, to one George Baldy, civilian ; this for the purpose of enabling him, the said George Baldy, civilian, to procure from the Quartermaster's Department of the United States Army transportation to Galveston, Texas, thereby attempting to defraud the United States Government. This at New Orleans, Louisiana, on or about the 26th day of June, A. D. 1865.

PLEA—To the specification of the first charge—*Guilty.*

To the first charge—*Guilty.*

To the specification of the second charge—*Guilty*, except the words,  
“thereby attempting to defraud the United States Government.”

To the second charge—*Not Guilty.*

FINDING—Of the specification of the first charge—*Guilty.*

Of the first charge—*Guilty.*

Of the specification to the second charge—*Guilty.*

Of the second charge—*Guilty.*

SENTENCE.

“To be confined in the Parish Prison of the Parish of Orleans, Louisiana, for the term of one year.”

5. J. W. JAMES, paroled prisoner of war.

CHARGE.

“*Breaking his parole, and using treasonable and seditious language against the Government of the United States.*”

SPECIFICATION—In this : that he, J. W. James, paroled prisoner of war, of the Confederate States Army, did say that he had served in the rebel army, and that he would adhere to it ; and that within the period of six years from this present time there would be a more terrible war than ever before ; that there were secret organizations in the cities of Baltimore and Pittsburg conspiring against the Government ; that he was obliged to take the oath of allegiance, but did not consider it binding. This in the city of New Orleans, Louisiana, on or about the 27th day of June, 1865.

PLEA—To the specification of the charge—*Not Guilty*, except the words, “did say that he had served in the rebel army,” and the words, “that within the period of six years from the present time there would be a more terrible war than ever before.”

To the charge—*Not Guilty.*

FINDING—Of the specification—*Not Guilty.*

Of the charge—*Not Guilty.*

And the Commission does therefore acquit the accused.

6. PAT CARROLL, Civilian.

CHARGE.

*“ Assault, with intent to inflict a corporeal hurt upon a soldier of the United States Army.”*

SPECIFICATION 1st—In this: that he, Pat Carroll, civilian, did violently attack, strike and ill-treat one John Murphy, late an enlisted man of the 2d Regiment of Texas Cavalry, a private of the army of the United States, with intent upon him, the said John Murphy, to inflict bodily injury. This in or near a saloon kept by said Carroll, at or near the corner of Dryades and Perdido streets, in the city of New Orleans, Louisiana, about 10 o'clock P. M., on or about the 6th day of July, A. D. 1865.

SPECIFICATION 2d—In this: that he, Pat Carroll, civilian, did stand present aiding and abetting an assault made by one Buck Riley upon one James Gibbs, a soldier of the 1st Regiment United States Cavalry, with intent, upon him, said James Gibbs, to inflict bodily injury. This in or near a saloon kept by said Carroll, at or near the corner of Dryades and Perdido streets, in the city of New Orleans, Louisiana, about 10 o'clock P. M., on or about the 6th day of July, A. D. 1865.

PLEA—To the first specification the accused presented in abatement the following motion, which plea was granted and the first specification stricken out:

1st. That the specification does not agree with the charge, he being charged with an assault committed upon a soldier of the United States Army, while the specification shows that the party upon whom the assault was committed was a citizen and not a soldier of the United States Army.

2d. That the offence charged in the specification in one alleged to have been committed by a citizen upon a citizen, and the Commission has no jurisdiction over the parties or the offence, there being proper tribunals before which such case can be tried, and the accused therefore asks that the specification be stricken out.

To the second specification—*Not Guilty.*

To the charge—*Not Guilty.*

FINDING—Of the second specification—*Not Guilty.*

Of the charge—*Not Guilty.*

And the Commission does therefore acquit the accused.

IV. Before a Military Commission which convened at Thibodeaux, La., persu.

ant to Extract 7, of Special Order No. 166, current series, from these Headquarters, and of which Lieutenant Colonel JASPER HUTCHINGS, 78th United States Colored Infantry is President, were arraigned and tried :

1. PLEAZANT GROOM, (colored.)

CHARGE 1st.

*“ Assault and Battery, with intent to Kill.”*

SPECIFICATION 1st.—In this : that on the night of the 31st of May, 1865, or thereabouts, he, Pleazant Groom, (colored,) did, in company with one Charles Rower and one Sylver Senks, forcibly enter the house of one Omogene Bondreaux, and did then and there assault him, the said Omogene Bondreaux, striking him on the head with a sabre, thereby causing a severe wound, with the intention of killing him, the said Omogene Bondreaux. This in the Parish of Lafourche, State of Louisiana, on or about the night of the 31st day of May, 1865.

SPECIFICATION 2d.—In this : that on the night of the 31st day of May, 1865, he, the said Pleazant Groom, (colored,) did, in company with one Charles Rower and one Sylver Senks, forcibly enter the house of one Omogene Bondreaux, (citizen,) and did assault and knock down one Mrs. Bondreaux, the wife of the said Omogene Bondreaux, injuring her severely, and he, the said Pleazant Groom, did, in company with the aforesaid Charles Rower and Sylver Senks, wrench a gun from the hands of the said Omogene Bondreaux, and did fire the said gun at him, the said Omogene Bondreaux, with the intent, then and there, of killing him, the said Omogene Bondreaux. All this in the Parish of Lafourche, on or about the night of the 31st of May, 1865.

CHARGE 2d.

*“ Burglary.”*

SPECIFICATION—In this : that on the night of the 31st day of May, 1865, he, Pleazant Gloom, (colored,) in company with one Charles Rower and Sylver Senks, both colored citizens, did forcibly enter the house of one Omogene Bondreaux, for this purpose breaking the door of the said house, and also an armoire in the said house, and did, in company with said (colored) citizens, Charles Rower and Sylver Senks, appropriate therefrom a considerable quantity of mens' and ladies' clothes, and also two pocket books, one containing one dollar and twenty-five cents, and the other ten dollars and some papers. This in the Parish of Lafourche, on or about the night of the 31st of May, 1865.

CHARGE 3d.

*“ Theft.”*

SPECIFICATION—In this : that he, the said Pleazant Groom, (colored,) on the morning of the 1st of June, 1865, did proceed to the field of one Alexander Bondreaux, a (colored) citizen of the Parish of Lafourche, and did steal therefrom one horse. This in the Parish of Lafourche, on or about the 1st day of June, 1865.

PLEA—*Not Guilty.*



FINDING—Of the first specification to the first charge—*Not Guilty.*

Of the second 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.*

Of the specification to the 3d charge—*Guilty*, excepting the words,  
“did proceed to the field of one Alexander Bondreaux, a colored  
citizen of the parish of Lafourche,” and also the word “therefrom.”

Of the third charge—*Guilty.*

SENTENCE.

“To be confined at hard labor for the term of two (2) years, at such place as may be directed by proper authority.”

2. CHARLES ROWER and SYLVER SENKS (colored.)

CHARGE 1st.

“*Assault and battery, with intent to kill.*”

SPECIFICATION 1st—In this: that on the night of the 31st of May, 1865, or thereabouts, they, Charles Rower and Sylver Senks, (colored,) did forcibly enter the house of one Omogene Bondreaux, and did, then and there, assault him, the said Omogene Bondreaux, striking him on the head with a sabre and club, thereby causing a severe wound, with the intention of killing him, the said Omogene Bondreaux (citizen). This in the Parish of Lafourche, State of Louisiana, on or about the night of the 31st of May, 1865.

SPECIFICATION 2d—In this: that on the night of the 31st of May, 1865, they, the said Charles Rower and Sylver Senks, (colored,) did forcibly enter the house of one Omogene Bondreaux, (citizen,) and did assault and knock down one Mrs. Bondreaux, the wife of the said Omogene Bondreaux, injuring her severely; and they, the said Charles Rower and Sylver Senks, (colored,) did wrench a gun from the hands of the said Omogene Bondreaux, and did fire the said gun at him, the said Omogene Bondreaux, with the intent, then and there, of killing him, the said Omogene Bondreaux. All this in the Parish of Lafourche, on or about the night of the 31st of May, 1865.

CHARGE 2d.

“*Burglary.*”

SPECIFICATION—In this: that on the night of the 31st of May, 1865, they, Charles Rower and Sylver Senks, did forcibly enter the house of one Omogene Bondreaux for this purpose, breaking the door of the said house, and also an armoire in the said house, and did take and carry away therefrom a considerable quantity of men's and ladies' clothes; and also two pocket books, one containing one dollar and twenty-five cents, and the other ten dollars and some papers, all the property of the said Omogene Bondreaux and his wife. This in the Parish of Lafourche, on or about the night of the 31st of May, 1865.

PLEA—*Not Guilty.*

FINDING—Of the first specification of the first charge—*Guilty*; excepting the word “sable.”

Of the second specification of the first charge—*Guilty*; excepting the words “at him, the said Omogene Bondreaux, with the intent, then and there, of killing him; the said Omogene Bondreaux.”

Of the first charge—*Guilty.*

Of the specification of the second charge—*Guilty.*

Of the second charge—*Guilty.*

SENTENCE.

“To be confined at hard labor, for the period of ten (10) years, at such place as may be directed by the proper authority.”

### 3. ROBERT TUCKER.

CHARGE 1st.

“*Seditious and Riotous Language.*”

SPECIFICATION—That he, Robert Tucker, a paroled prisoner of the Confederate Army, did, in a public bar-room, and in the presence of citizens and an enlisted man of the United States Army, use the following words, to wit: “Here is to the health of Jeff Davis and the Southern Confederacy,” or words to that effect. This at Thibodeaux, La., on or about the 29th day of May, 1865.

CHARGE 2d.

“*Seditious and Riotous Conduct.*”

SPECIFICATION—That he, Robert Tucker, a paroled prisoner of the Confederate Army, did, in a public bar-room, and in presence of citizens and an enlisted man of the United States Army, drink to the health of Jeff Davis and the Southern Confederacy. This at Thibodeaux, La., on or about the 29th day of May, 1865.

PLEA—*Not Guilty.*

FINDING—Of the specification of the first charge—*Not Guilty.*

Of the first charge—*Not Guilty.*

Of the specification of the second charge—*Guilty*; except as to the words “and the Southern Confederacy,” of these words—*Not Guilty.*

Of the second charge—*Guilty*; except as to the words “and riotous,” of these—*Not Guilty.*

SENTENCE.

“To pay a fine of four hundred dollars to and for the use of the United States Government, and in default of the payment of said fine, that he, the said Robert Tucker, be imprisoned for and during the term of four calender months, at such place as the Commanding General may designate.”

V. In the cases of Private Lewis Miller, Company K, and Corporal Thomas Belton, Company H, 1st New Orleans Volunteers; Sergeant Michael J. C. Dwyer, Company B, 18th New York Cavalry; Privates George J. Washington, Company E, Benjamin Franklin, Company A, Samuel Taylor, Company C, and Daniel Waller, Company I, 77th United States Colored Infantry; Emile Ramond, Company C, and Charles Baptiste, Company I, 81st United States Colored Infantry; William Pinell, Company A, Charles H. Carter, and Peter Connor, Company D, Thomas Hall, Company H, and William Laws, Company F, 20th United States Colored Infantry; Thomas Craddock, Company B, and Selisbano Marlemos, Company G, 1st Texas Cavalry; Albert Boyd, Company M, 1st Indiana Heavy Artillery; Robert Stephens, Company A, 87th United States Colored Infantry; Francis L. Strong, Company D, and Sylvester Iff, Company B, 6th Michigan Heavy Artillery, the proceedings, findings and sentences are approved, and the sentences will be carried into effect, at Ship Island, Miss., by the commanding officer thereof. Sergeant Dwyer and Corporal Belton cease to be non-commissioned officers from the date of the promulgation of this order.

In the cases of Privates Jacob Zimmers, Hugh Flood, Peter Decker, Thomas Bremon, and W. H. Parsons, Company K, 1st New Orleans Volunteers, although the evidence does not prove the articles stolen to be in strict conformity with the lists stated in the specifications, the proceedings, findings and sentences are approved, and the sentences will be carried into effect, at Ship Island, Miss., by the commanding officer thereof. The prisoners will be sent to the Provost Marshal of the Parish of Orleans, with their descriptive lists and certified copies of their sentences, and will be forwarded by him to Ship Island.

In the case of Private John Wright, Company D, 4th Missouri Cavalry, the proceedings, findings and sentence are approved, and the sentence will be carried into effect by his Regimental Commander.

In the cases of Privates John Durkin, Company B, and John Dulon, Company K, Sergeant Thomas G. Cooney, and Corporal John Molitor, Company K, 1st New Orleans Volunteers; Privates Peter Small, Company H, 74th United States Colored Infantry, and Sergeant Junies Alexander, Company F, 81st United States Colored Infantry, the proceedings, findings and sentences are approved. They will be released from confinement and returned to duty.

In the case of Private Harrison Sternbery, Company H, 20th United States Colored Infantry, the proceedings and findings are approved, but the sentence is remitted to confinement in the Police Jail, at New Orleans, La., for two calendar months, which will be carried into effect by the Provost Marshal of the Parish of Orleans.

In the case of Private Daniel Williams, Company B, 81st United States Colored

Infantry, the proceedings and findings are approved ; but in consequence of the manifest irregularity governing the posting of sentinel No. 1 of the grand guard ; the good character given in evidence by his company commander, and his long term of confinement already, his sentence is mitigated to the forfeiture of his pay up to the date of this order. He will be released and returned to duty.

The proceedings and findings in the cases of Private Benjamin Moses, Company C, and Private Andrew Ellis, Company K, both of the 81st United States Colored Infantry, are approved ; but in consequence of the great length of time the prisoners have already been in confinement, that portion of the sentence of Private Moses relating to confinement, is remitted ; the remainder of his sentence will be duly carried into effect. The sentence of Private Ellis is mitigated to a forfeiture of all pay due him up to the date of this order ; the sentence, as thus modified, will be duly carried into effect. The prisoners will be released.

In the cases of Alfred Moss, and Gustave Crais, civilians, the proceedings, findings and sentences are disapproved. The testimony on the part of the prosecution is too feeble to sustain the facts laid out in the specifications, to say nothing of the very contradictory evidence produced by the defence. Further, the specification of the second charge, even if proved, does not sustain the charge. Sergeant Klein was not only not an officer in the legal acceptation of the term, but was a sergeant in a blouse without the insignia upon it of his grade. The accused will be released.

In the case of J. W. James, paroled prisoner of war, the proceedings and findings are approved. The accused will be released.

In the case of Patrick Carroll, civilian, the proceedings and findings are confirmed, except the sustaining of the prisoner's plea on the grounds stated in the second clause of the motion in abatement, which is disapproved. The accused will be released.

In the case of E. L. Mehan, paroled prisoner of war, the proceedings and findings are approved ; but in consequence of the unanimous recommendation of the members of the Commission, the sentence is mitigated to confinement in the Police Jail, at New Orleans, for two calendar months.

In the case of Robert Tucker, a paroled prisoner of the Confederate Army, it is not considered that the evidence is sufficient to convict the accused of the offences charged. The findings and sentence are disapproved, and the accused will be released.

In the cases of Charles Rowers, Sylvester Senks, and Pleasant Groom, the proceedings, findings and sentences are approved, and the sentences will be carried into effect at Fort Jefferson, Florida. The prisoners will be sent to the Provost Marshal, Parish of Orleans, and will be forwarded by him to Fort Jefferson, Florida.

## VI. The General Court Martial, of which Colonel N. B. BARTRAM, 20th United

States Colored Infantry, is President, and the Commission, of which Lieutenant Colonel VIAL, 11th Colored Heavy Artillery, is President, are hereby dissolved.

BY ORDER OF BREVET MAJOR GENERAL SHERMAN :

B. B. CAMPBELL,  
*Captain and Assistant Adjutant General.*

OFFICIAL :

*Acting Assistant Adjutant General.*

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