

GENERAL ORDERS, }
No. 54. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, March 6, 1863.

I.. At a General Court Martial, which convened at Headquarters, 1st Brigade, 3d Division, 6th Corps, Army of the Potomac, January 12, 1863, by virtue of Special Orders, No. 177, dated December 24, 1862, and No. 6, dated January 6, 1863, Headquarters 6th Corps, and of which Brigadier General JOHN COCHRANE, U. S. Volunteers, was President, was arraigned and tried—

Surgeon *Luther Thomas*, 26th New Jersey Volunteers.

CHARGE 1st—"Drunk on duty."

Specification—"In this; that Surgeon *Luther Thomas*, of the 26th Regiment New Jersey Volunteers, while in charge of the Hospital of the 2d Division, 6th Army Corps, at White Oak Church, Virginia, was drunk. This on or about the 13th day of December, 1862."

CHARGE 2d—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this; that *Luther Thomas*, Surgeon of the 26th Regiment New Jersey Volunteers, did use abusive and insulting language to Hospital Steward H. P. Waldron, of the 77th New York Volunteers, saying, among other words and expressions, "I don't care a damn for the sick any way." This at White Oak Church, Virginia, on or about the 13th day of December, 1862."

Specification 2d—"In this; that Surgeon *Luther Thomas*, of the 26th New Jersey Volunteers, did, in an insulting manner, order Private William McCall, of the 77th New York Volunteers, a nurse in the Hospital at White Oak Church, Virginia, to march a number of the sick men in said Hospital to join their regiments across the Rappahannock river, a number of said men being then unable to march the distance ordered. This at White Oak Church, Virginia, on or about the 13th day of December, 1862."

Specification 3d—"In this; that Surgeon *Luther Thomas*, of the 26th Regiment New Jersey Volunteers, did abuse Private William

Richards, of Company K, 77th Regiment New York Volunteers, then sick in Hospital at White Oak Church, Virginia, shaking his fist at him in a threatening manner, and saying, "You're no more sick than the devil is," or words to that effect. This at White Oak Church, Virginia, on or about the 13th day of December, 1862."

Specification 4th—"In this; that Surgeon *Luther Thomas*, of the 26th New Jersey Volunteers, while in charge of the sick in Hospital at White Oak Church, Virginia, did neglect his duty in not having them furnished with sufficient and proper food, medicines, shelter, and attention. This on or about the 13th day of December, 1862, at White Oak Church, Virginia."

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 1st *Specification*, 2d Charge, "Not Guilty."

To the 2d *Specification*, 2d Charge, "Not Guilty."

To the 3d *Specification*, 2d Charge, "Not Guilty."

To the 4th *Specification*, 2d Charge, "Not Guilty."

To the 2d CHARGE, "Not Guilty."

FINDING.

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

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

Of the 1st CHARGE, "Guilty."

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

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

Of the 3d *Specification*, 2d Charge, "Not Guilty."

Of the 4th *Specification*, 2d Charge, "Not Guilty."

Of the 2d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Surgeon *Luther Thomas*, of the 26th Regiment New Jersey Volunteers, "To be cashiered."

II. The foregoing proceedings having been submitted to the General Commanding the Army of the Potomac, and being by him disapproved, the evidence before the Court not seeming to justify the finding, have been forwarded, under the 89th Article of War, for the action of the President, with a recommendation that the sentence in the case of Surgeon *Luther Thomas*, 26th New Jersey Volunteers, be remitted. The recommendation is approved by the President, and Surgeon Thomas will be restored to duty.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.