

GENERAL ORDERS, }  
No. 93. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, April 9, 1863.

I. Before a General Court Martial, which convened at Clarksburg, Virginia, November 6, 1862, pursuant to Special Orders, No. 71, dated Headquarters Railroad District, November 2, 1862, and of which Lieutenant Colonel J. F. HOY, 6th Virginia Volunteers, is President, was arraigned and tried—

First Lieutenant *Harvey Cotton*, 6th Virginia Volunteers.

CHARGE I.—“Drunkenness while on duty.”

*Specification 1st*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment of Virginia Volunteers Infantry, in the month of July, 1861, did get drunk so that he could not attend to his duty or be with his command.”

*Specification 2d*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment of Virginia Volunteer Infantry, in the month of November, 1861, when stationed at Farmington, Virginia, did get drunk and load a gun and threaten to shoot one of his men, while he, the said man, was in the discharge of his duty.”

*Specification 3d*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment Virginia Volunteer Infantry, in the month of August, 1862, when stationed at Bridgeport, Virginia, did get drunk and leave his command and otherwise neglect his duty.”

*Specification 4th*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment Virginia Volunteer Infantry, in the month of August, 1862, when on a scout to Shinston, Virginia, did get drunk and call his men cowards, and otherwise abuse them.”

*Specification 5th*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment Virginia Volunteer Infantry, in the month of August, 1862, when on a scout to the Riter Settlement, did get drunk and leave his men to take care of themselves.”

CHARGE II.—“Conduct unbecoming an officer and gentleman.”

*Specification 1st*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment Virginia Volunteer Infantry, in the month of August, 1862, when on a scout to Shinston, Virginia, did get drunk and abuse his men in a shameful manner, calling them cowards, and otherwise insulting and abusive language.”

*Specification 2d*—“In this; that the said *Harvey Cotton*, First Lieutenant Co. ‘B,’ 6th Regiment Virginia Volunteer Infantry, while on a scout to the Riter Settlement in the month of August, 1862, did get drunk and leave and abandon his men, leaving them without an officer.”

*Specification 3d*—“In this; that at divers times and places between the month of July, 1861, and the month of September, 1862, the said *Harvey Cotton* did get so intoxicated as to render [him] incapable of command, and while in that condition did misuse and otherwise abuse his men.”

To all of which charges and specifications the accused, 1st Lieutenant *Harvey Cotton*, 6th Virginia Volunteers, pleaded “Not Guilty.”

#### FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, 1st Lieutenant *Harvey Cotton*, 6th Virginia Volunteers, as follows:

#### CHARGE I.

Of the 1st *Specification*, “Not Guilty.”

Of the 2d *Specification*, “Guilty,” except the words “and load a gun and threaten to shoot one of his men, while he, the said man, was in the discharge of his duty.”

Of the 3d *Specification*, “Guilty,” except the words “leave his command.”

Of the 4th *Specification*, “Guilty,” except the words “did call his men cowards, and otherwise abuse them.”

Of the 5th *Specification*, “Not Guilty.”

Of the 1st CHARGE, “Guilty.”

## CHARGE II.

Of the 1st *Specification*, "Guilty," except the words "and abuse his men in a shameful manner, calling them cowards, and otherwise abusing them."

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

Of the 3d *Specification*, "Guilty," except the words, "while in that condition did insult and otherwise abuse his men."

Of the 2d CHARGE, "Not Guilty of the charge as laid, but the Court do find the accused guilty of conduct prejudicial to good order and military discipline."

## SENTENCE.

And the Court does therefore sentence him, 1st Lieutenant *Harvey Cotton*, 6th Virginia Volunteers, "*To be dismissed from the service of the United States.*"

II.—In conformity with the 5th section of the act approved July 17, 1862, the proceedings in the foregoing case have been forwarded for the action of the President of the United States, with the recommendation that Lieutenant *Cotton* be dismissed the service, notwithstanding certain irregularities in the proceedings of the Court. The recommendation is approved, and 1st Lieutenant *Harvey Cotton*, 6th Virginia Volunteers, is, by direction of the President, dismissed the service.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Assistant Adjutant General.*