

GENERAL ORDERS, }  
No. 128. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 15, 1863.

I.—Before a Military Commission, which convened at New Orleans, Louisiana, November 6, 1862, pursuant to Special Orders, No. 408, dated Headquarters, Department of the Gulf, New Orleans, Louisiana, September 25, 1862, and of which Colonel WM. K. KIMBALL, 12th Maine Volunteers, is President, was arraigned and tried—

*Charles H. Harris*, of New Orleans, Louisiana.

CHARGE.—“Guilty of high crimes and misdemeanors.”

*Specification*—“For that the said *Charles H. Harris*, late of said New Orleans, on the first day of November current, he being then and there a soldier belonging to and serving in the Crescent City Regiment, a regiment duly organized, enrolled, enlisted, and in the service of the Confederate States, and then and there in open rebellion against the said United States, did then and there wilfully, secretly, traitorously, and as a spy in the clothing and garb of a citizen, and not of a soldier, come within and was then and there found inside the lines of said forces and Army of the United States, lurking about, secretly bringing information, knowledge, and intelligence to the traitorous enemies of said United States at said New Orleans; and while within said lines did secretly, covertly, and of design gather together, collect, and husband information and knowledge of the army and authorities of said United States, and of all loyal citizens of New Orleans, for the purpose and with the intent of communicating, transmitting, and conveying the same to the enemies of the said United States traitorously, unlawfully, and without right, as a spy and an enemy in open rebellion against the said United States government, its laws and authority, did come and abide, and between said first day of November, and for a year prior thereto, did at divers days and times come within and present himself to the enemies of said United States,

and did to the extent of his ability aid and assist the enemies of said United States at said New Orleans, contrary to the law, peace, and dignity of said United States and the law martial."

To which charge and specification the accused, *Charles H. Harris*, late of New Orleans, Louisiana, pleaded "Not Guilty."

#### FINDING.

The Commission, having maturely considered the evidence adduced, finds the accused, *Charles H. Harris*, late of New Orleans, Louisiana, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty of being a spy."

#### SENTENCE.

And the Commission does therefore sentence him, *Charles H. Harris*, late of New Orleans, Louisiana, "*To be hung by the neck until he be dead, at such time and place as the Commanding General shall direct.*"

II.—In compliance with the 5th section of the act approved July 17, 1862, the proceedings in the foregoing case have been submitted to the President of the United States, who directs that the sentence "to be hung by the neck until he be dead" be commuted to confinement at hard labor on Ship Island, or some other military prison, for during the war.

The Commanding General of the Department of the Gulf will designate the military prison to which the prisoner will be sent.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,

*Assistant Adjutant General.*