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REAL ARCHIVAL FILE — This report reads the genuine 1863 general court-martial of Pvt. Andrew McMahon, 2nd Delaware Infantry, a public record of the United States National Archives (RG 153), from the historian's own research scans. It is published as a demonstration of the report itself.

A COURT-MARTIAL RECORD REPORT

Andrew McMahon

Private · Company G · 2nd Delaware Volunteers

*Army general court-martial, 1863, near Falmouth, Virginia (Hancock's Division) — charge of
desertion; acquitted*

Family Keepsake Edition · Researcher-Reviewed

Prepared August 30, 2026

Every fact in this report is traced to the page that states it.

Prepared from the original court-martial records of the United States National Archives (Record Group 153, Army;
Record Group 125, Navy).

Andrew McMahon

Private, Company G, 2nd Delaware Volunteers

Short Biography

Andrew McMahon was a private in Company G of the 2nd Delaware Volunteers — a married man whose wife lived in Philadelphia — when he was tried for desertion by a general court-martial in the camp near Falmouth, Virginia, in March 1863. The charge grew out of a long absence from the regiment in 1862, but the testimony and his own account told a different story: on the day the regiment left Baltimore he was confined to the guard house by his own captain after a quarrel, injured his eye badly, went to his wife in Philadelphia to be treated, and was there arrested and shut up at Fort Delaware until February 1863. Because his absence turned out to be confinement rather than flight, the court found him not guilty on both the specification and the charge and acquitted him, and the reviewing authority approved the proceedings and ordered him returned to duty.

The Story of Andrew McMahon

In the winter camps near Falmouth, Virginia, after Fredericksburg, the army kept its courts busy clearing up the cases of men who had gone missing during the campaigns of the year before. One of those cases was that of **Private Andrew McMahon, Company G, 2nd Delaware Volunteers**, and it is his trial that this file preserves.

The machinery began with **Special Orders No. 232**, issued from the headquarters of Hancock's Division on **March 4, 1863**, appointing a general court-martial to meet at the division's camp near Falmouth (p. 1). Seven officers were detailed, with **Major Richard E. Cross of the 5th New Hampshire** as president and **Captain James D. Brady of the 13th New York** as judge advocate. When the court took up McMahon's case, he was asked whether he objected to any of the members named, "to which he replied in the negative" (p. 2), and the court was sworn.

The accusation was simple on its face: **desertion**. The specification charged that McMahon, a duly enlisted soldier, had absented himself from his regiment on or about the 27th of May 1862 and did not return until on or about the 1st of July 1862, "at or near Baltimore in the State of Maryland" (pp. 2–3). To both the specification and the charge he pleaded "**Not Guilty**" (p. 3).

The case did not move quickly. On the first appointed session the commanding officer of the 2nd Delaware failed to send the witnesses, so "the court had no business before it" and adjourned to March 12 (p. 3). On the 12th a division inspection pulled every officer away, and the court adjourned again — that day Major Cross was absent and **Captain D. Loomis of the 145th Pennsylvania** presided (p. 4). Finally, on **March 13, 1863**, the trial went forward (pp. 4–5).

The prosecution's witness was **Sergeant Chas. C. Frazer of Company G**. He testified that about the 28th of May 1862 the regiment left Baltimore, and that "the accused was ordered out of the ranks by the Captain of the Company and confined in the Guard house" at Fort Marshall, where the regiment had been stationed (p. 5). Left behind in the charge of the relieving regiment — "I think the 5th N.Y. Artillery" — McMahon "did not return until brought back by a Guard in the month of February 1863" (p. 5). Where he had been in between, the sergeant said, he did not know; it was "so reported" that he had

been in Philadelphia, and Frazer had "heard he was" arrested there as a deserter but was "not sure" (p. 6).

Then the accused's own questions turned the story. Asked why he had been put in the guard house as the regiment left Fort Marshall, Frazer answered that McMahon "was under the influence of liquor and was putting on his belts to go into the Regt. He wanted to go with the Regt, but the Capt confined him" (p. 6). Asked whether he had been able to march that day, the sergeant said, "I think he was" (p. 6). And asked directly whether he had heard the accused was in confinement at Fort Delaware during the missing months, Frazer said plainly, "I did" (p. 6).

The defense then called **Private Cornelius O'Connor of Company B**, who pinned the confinement down: the accused "was confined in the beginning of July 1862 and released on the 5th of February 1863" at Fort Delaware, brought there — so O'Connor had heard — from Philadelphia (p. 7). McMahon closed with a statement of his own (pp. 7–8). On the day the regiment left Baltimore, he said, "there was a fuss got up in the Quarters. My Captain came in a passion and ordered me into the Guard house." Insisting to go with his regiment, he was thrown "into a place where was broken bottles" and "got my eye nearly knocked out." He walked about Baltimore for days without money, could not get into a hospital, and "went to Philadelphia to my wife to get cured." There, "under treatment and had a poultice to my eye," a policeman arrested him and sent him to Fort Delaware.

The court cleared the room, weighed the evidence, and found him **"Not Guilty" to the Specification** and **"Not Guilty" to the Charge**, and "the Court does therefore acquit him" (p. 8). The finding was approved: **"The Proceedings in the case of Private Andrew McMahon Co. G. 2nd Delaware Vols are approved. The prisoner will be returned to duty"** (pp. 8, 12), and the result was published in **General Orders No. 13** from Hancock's Division (pp. 11–12). Andrew McMahon went back to his regiment a soldier acquitted.

A note on the record: the specification charged an absence ending "on or about the 1st day of July 1862," but every witness — and the accused — described an absence running until February 1863. The court did not have to reconcile the dates, because it found the absence was confinement, not desertion. The reading of that return date and the signature of the reviewing officer are among the entries flagged below.

Charge, Specification, Plea, and Finding

Charge (p. 2): "Charge — Desertion"

Specification (pp. 2–3): "In this, that he, Andrew McMahon, a duly enlisted soldier in the service of the United States, Private Company G '2nd' Delaware Vols [did desert]... on or about the 27th day of May 1862, and did not return thereto until on or about the 1st day of July 1862. This at or near Baltimore in the State of Maryland." (The verb of desertion falls in the break between the foot of p. 2 and the head of p. 3; the return-year is a flagged uncertain reading.)

Plea (p. 3): - "Not Guilty' the Specification of the Charge" - "Not Guilty' to the Charge"

Finding (p. 8): - "Not Guilty' to the Specification" - "Not Guilty' to the Charge, and the Court does therefore acquit him."

Sentence: None. The accused was acquitted, so no sentence was adjudged.

The Court and How It Sat, Day by Day

The record is a session-by-session chronology, most of its sittings devoted to adjournment rather than testimony.

- **March 4, 1863 (p. 1):** Special Orders No. 232 convene the court at the camp of Hancock's Division near Falmouth, Va., to meet March 6, 1863.
- **Arraignment session (pp. 2–3):** Court sworn; McMahon arraigned on the charge and specification of desertion; pleads Not Guilty to both. The commanding officer of the 2nd Delaware having failed to send the witnesses, "the court had no business before it" and adjourns to Thursday, March 12.
- **March 12, 1863 — "6th day" (pp. 3–4):** Court meets; Major Cross absent, Capt. D. Loomis presiding. A division inspection order requiring every officer's presence prevents business; adjourns to Friday, March 13.
- **March 13, 1863 — "7th day" (pp. 4–8):** Full court present. Trial proceeds. Sgt. Chas. C. Frazer testifies for the prosecution; the prosecution closes; Pvt. Cornelius O'Connor testifies; the accused makes his statement; the court deliberates and acquits. Adjourns to March 14.
- **March 14, 1863 — "8th day" (p. 9):** Court meets; "in consequence of not having accommodations the court could not proceed to business"; adjourns to Monday, March 16.
- **March 16, 1863 — "9th day" (p. 10):** Court meets; adjourns "on account of not having proper accommodations" to Wednesday, March 18.
- **March 23, 1863 (pp. 11–12):** Results published in General Orders No. 13 from Head Quarters, Hancock's Division; approval endorsement dated April 6, 1863 (readings flagged).

What the Witnesses Said

Sergeant Chas. C. Frazer, Company G, 2nd Delaware Volunteers — for the prosecution (pp. 5–7, direct and cross). Frazer testified that about May 28, 1862 the regiment left Baltimore and "the accused was ordered out of the ranks by the Captain of the Company and confined in the Guard house" at Fort Marshall, where the regiment was stationed. He was left in the charge of the relieving regiment, "which was I think the 5th N.Y. Artillery," and "did not return until brought back by a Guard in the month of February 1863." Frazer said he did not know where McMahon had been in the interval; it was "so reported" that he was in Philadelphia, and Frazer had "heard he was" arrested there as a deserter but was "not sure." On the accused's own questions, Frazer explained the guard-house confinement: McMahon "was under the influence of liquor and was putting on his belts to go into the Regt. He wanted to go with the Regt, but the Capt confined him," and Frazer thought he had been "able to march" that day. Asked whether he had heard the accused was confined at Fort Delaware during the missing months, Frazer answered, "I did."

Private Cornelius O'Connor, Company B, 2nd Delaware Volunteers (p. 7). Called after the prisoner opened his defense (though the clerk labeled him "a witness for the prosecution" — see the flag), O'Connor testified that the accused was confined at Fort Delaware, "confined in the beginning of July 1862 and released on the 5th of February 1863," and that he had heard the accused was brought there from Philadelphia. His dates corroborate Frazer's account of a February 1863 return.

The testimony of the two witnesses does not truly conflict: both place McMahon in confinement, not at large, for the bulk of the charged absence — which is why the court acquitted.

Andrew McMahon's Own Account

After the prosecution closed and Private O'Connor had testified, the accused "had no further testimony to offer but made the following statement in his defence" (pp. 7–8):

> *"The day the Regt left Baltimore there was a fuss got up in the Quarters. My Captain came in a passion and ordered me into the Guard house. When I got into the Guard house I insisted to go with my Regt and somebody threw me into a place where was broken bottles and [...] and I got my eye nearly knocked out. I walked about Baltimore for a few days without money and I could not get into Hospital and I went to Philadelphia to my wife to get cured. I was under treatment and had a poultice to my eye when a policeman came in arrested me and sent me to Fort Delaware."*

This statement was made in defense as part of the minutes; it was not given under oath in the manner of the witnesses' testimony. It supplies the file's only mention of the accused's wife in Philadelphia and of his eye injury.

The Verdict and the Review

The court cleared the room "for deliberation and after having maturely considered the evidence adduced" found the accused **"Not Guilty" to the Specification and "Not Guilty" to the Charge, and the Court does therefore acquit him"** (p. 8), signed by Jas. D. Brady, Capt., 13th N.Y. Vols, Judge Advocate, and R.E. Cross, Major, 5th N.H. Vols, President.

The reviewing action appears at the foot of p. 8 and again, restated, in the promulgating order on pp. 11–12:

> *"The Proceedings in the case of Private Andrew McMahon Co. G. 2nd Delaware Vols are approved. The prisoner will be returned to duty."* (pp. 8, 12)

The result was published as **General Orders No. 13, Head Quarters Hancock's Division, Falmouth, Va., March 23d /63** (p. 11). The endorsement is signed by John Kennedy (rank given variously as Capt. & A.A.G. and Major & A.D.C. — flagged), and dated April 6th /63; the name of the general "by order of" whom it issued is illegible in the mirror-imaged page and is flagged rather than guessed. With that approval, the review chain reaches its final action: acquittal, approved, prisoner returned to duty.

The People in the Record

The accused: Private Andrew McMahon, Company G, 2nd Delaware Volunteers.

Convening authority: Brig. Gen. Meagher, "by order of" whom Special Orders No. 232 issued; signed John Hancock, Capt. & A.A.G. (p. 1).

The court (pp. 1–2): - Major Richard E. Cross, 5th New Hampshire Vols — President - Capt. J. McKeever, 28th Massachusetts Vols - Capt. D. Loomis, 145th Pennsylvania Vols (presided March 12 in Cross's absence; signature reads "[Dyer?] Loomis") - 1st Lieut. Henry Luth, 7th New York Vols - 1st Lieut. William E. Hall, 57th New York Vols - 2nd Lieut. J.A. McEntyre, 28th Massachusetts Vols - Capt. James D. Brady, 13th New York Vols — Judge Advocate

Witnesses: - Sergeant Chas. C. Frazer, Company G, 2nd Delaware Vols (prosecution) - Private Cornelius O'Connor, Company B, 2nd Delaware Vols (defense; clerk-labeled "prosecution")

Named in testimony: the accused's unnamed captain (Company G); the 5th N.Y. Artillery (relieving regiment, per Frazer); the accused's wife in Philadelphia (unnamed).

Reviewing endorsement (pp. 11–12): John Kennedy (A.A.G./A.D.C.); the reviewing general's name is illegible.

What This File Proves — and What It Cannot

Identity anchors in this file. The record establishes a Private Andrew McMahon of Company G, 2nd Delaware Volunteers; his regiment's presence at Fort Marshall near Baltimore and departure about May 28, 1862; his confinement at Fort Delaware from early July 1862 to February 5, 1863; a wife living in Philadelphia in 1862; and an eye injury received in the guard house. These are the details a family would use to tie this man to their line.

The boundary. This file proves what "the Andrew McMahon of Company G, 2nd Delaware" was tried for and how the trial ended. It cannot, by itself, prove that this man is any particular family's ancestor. Same-named soldiers of the same era are common, and connecting this record to a specific person requires correlation with records outside this file — census, church, county, and especially the 2nd Delaware's compiled service records and muster rolls, and Fort Delaware prisoner/confinement records. This report reads the file; it does not establish descent.

Research gaps. - The trial's **exhibits are absent:** a letter is alluded to in cross-examination ("Did you see a letter from...", pp. 6–7) but is not in the file. - **General Orders No. 13 (p. 11)** is faded and mirror-imaged; much of the promulgating text and the reviewing general's name cannot be read with confidence. - The **specification's return date** (p. 3) reads "on or about the 1st day of July 1862," which cannot be reconciled with the testimony of a February 1863 return; the year on the page is an uncertain reading. - Next records to pursue: the accused's compiled military service record (2nd Delaware Infantry); regimental muster rolls for Fort Marshall in 1862; Fort Delaware records for July 1862–February 1863; and the division/corps general-orders books for the full text of General Orders No. 13.

Document Inventory

Page	Document Type	Summary
1	Convening order (Special Orders No. 232)	Special Orders No. 232, HQ Hancock's Division near Falmouth Va, March 4, 1863: appoints the general court-martial, details seven officers (Cross president, Brady judge advocate); by order of Brig. Gen. Meagher, signed John Hancock, Capt. A.A.G.
2	Court minutes / arraignment	Court meets; present list; McMahon called, no objection to members, court sworn; arraignment on Charge (Desertion) and beginning of the specification.
3	Court minutes	Specification concluded (absence May–July 1862)

		at/near Baltimore); pleas of Not Guilty to specification and charge; witnesses not sent, court adjourns to March 12; header of the March 12 session.
4	Court minutes	March 12 session: Cross absent, Loomis presiding; division inspection prevents business, adjourns to March 13; header and present list for the March 13 (7th day) session.
5	Court minutes / testimony	March 13: proceedings read; trial proceeds; Sgt. Chas. C. Frazer (Co. G) sworn for the prosecution; direct examination — regiment left Baltimore, accused confined in guard house at Fort Marshall, not returned until brought back Feb 1863.
6	Testimony	Frazer testimony continues — cross-examination by judge advocate and prisoner; Philadelphia arrest 'so reported'/'heard'; guard-house confinement due to liquor; accused wanted to march; acknowledges hearing of confinement at Fort Delaware.
7	Testimony / defense	Frazer closes; prosecution rests; Pvt. Cornelius O'Connor (Co. B) sworn (labeled prosecution though for the defense) — Fort Delaware confinement July 1862 to Feb 5, 1863; accused's defense statement begins.
8	Court minutes / finding / review	Accused's statement concludes (guard-house injury, eye, Philadelphia arrest); court deliberates; finding of Not Guilty on specification and charge, acquittal; adjournment to March 14; reviewing approval begins.
9	Court minutes	March 14 (8th day): court meets, present list; cannot proceed for lack of accommodations; adjourns to March 16.
10	Court minutes	March 16 (9th day): court meets, present list; adjourns to March 18 for lack of proper accommodations; marginal file notations ('128', 'GO').

11	General Orders No. 13 (promulgating order)	HQ Hancock's Division, Falmouth Va, March 23d/63: publishes the case, restating court, charge, and specification (page faded and mirror-imaged; partly illegible).
12	General Orders No. 13 (continued) / endorsement	Continuation: findings restated (Not Guilty/acquittal); 'proceedings approved, prisoner returned to duty'; endorsement signed John Kennedy, dated April 6/63; reviewing general's name illegible (mirror-imaged).

Every Fact and Its Source

Each substantive fact in this report, with the document that states it. Tier 1 = sworn or own-hand documents; Tier 2 = official contemporaneous records; Tier 3 = claim-process paperwork; Tier 4 = administrative material. Notes mark facts a witness learned second-hand, values worked out by calculation, and uncertain readings.

Fact	Source document (page)	Tier	Notes
The accused is Private Andrew McMahon, Company G, 2nd Delaware Volunteers, described as a duly enlisted soldier in the service of the United States.	Court minutes / specification (p. 2)	2	—
A general court-martial was appointed by Special Orders No. 232, HQ Hancock's Division near Falmouth Va, March 4, 1863, to meet at the division camp on March 6, 1863.	Special Orders No. 232 (convening order) (p. 1)	2	—
The court was detailed with Major Richard E. Cross (5th N.H.) as president and Capt. James D. Brady (13th N.Y.) as judge advocate; convened by order of Brig. Gen. Meagher, signed John	Special Orders No. 232 (convening order) (p. 1)	2	—

Hancock, Capt. A.A.G.			
McMahon stated no objection to the members and the court was duly sworn before arraignment.	Court minutes (p. 2)	2	—
The charge was Desertion.	Court minutes / charge (p. 2)	2	—
The specification charged that McMahon absented himself on or about 27 May 1862 and did not return until on or about 1 July 1862, at or near Baltimore, Maryland.	Court minutes / specification (p. 3)	2	reading uncertain
McMahon pleaded 'Not Guilty' to the specification and 'Not Guilty' to the charge.	Court minutes / plea (p. 3)	2	—
The first appointed session collapsed because the commanding officer of the 2nd Delaware failed to send the witnesses; the court adjourned to March 12.	Court minutes (p. 3)	2	—
On March 12, 1863 Major Cross was absent and Capt. D. Loomis presided; a division inspection order prevented business and the court adjourned to March 13.	Court minutes (p. 4)	2	—
About 28 May 1862 the regiment left Baltimore; the regiment had been stationed at Fort Marshall.	Testimony of Sgt. Chas. C. Frazer (p. 5)	1	—
The accused was ordered out of the ranks by the company captain and confined in the	Testimony of Sgt. Chas. C. Frazer (p. 5)	1	—

guard house at Fort Marshall as the regiment departed.			
McMahon was left in the charge of the relieving regiment, which Frazer thought was the 5th N.Y. Artillery.	Testimony of Sgt. Chas. C. Frazer (p. 5)	1	—
The accused did not return to the regiment until brought back by a guard in February 1863.	Testimony of Sgt. Chas. C. Frazer (p. 5)	1	corroborated by second source
It was reported/heard that the accused was in Philadelphia and was arrested there as a deserter; Frazer was not sure.	Testimony of Sgt. Chas. C. Frazer (p. 6)	1	learned by notification
Frazer testified the accused was confined in the guard house because he was under the influence of liquor while putting on his belts to join the regiment; the captain confined him though he wanted to go with the regiment.	Testimony of Sgt. Chas. C. Frazer (p. 6)	1	—
Frazer acknowledged hearing that the accused was in confinement at Fort Delaware during the missing period.	Testimony of Sgt. Chas. C. Frazer (p. 6)	1	learned by notification
Pvt. Cornelius O'Connor testified the accused was confined at Fort Delaware from the beginning of July 1862 and released on 5 February 1863, having been brought there (per	Testimony of Pvt. Cornelius O'Connor (p. 7)	1	corroborated by second source

what O'Connor heard) from Philadelphia.			
The accused stated he had a wife in Philadelphia, to whom he went to be cured after his eye injury.	Accused's statement in defense (p. 8)	2	—
The accused stated he was injured in the guard house (eye nearly knocked out on broken bottles), walked about Baltimore without money, went to Philadelphia to his wife for treatment, and was there arrested by a policeman and sent to Fort Delaware.	Accused's statement in defense (p. 8)	2	—
After deliberation the court found the accused 'Not Guilty' to the specification and 'Not Guilty' to the charge, and did therefore acquit him.	Court minutes / finding (p. 8)	2	—
The proceedings were approved and the prisoner ordered returned to duty.	Reviewing endorsement / General Orders No. 13 (p. 12)	2	corroborated by second source
The result was published in General Orders No. 13, HQ Hancock's Division, Falmouth Va, March 23, 1863; endorsement signed John Kennedy, dated April 6, 1863.	General Orders No. 13 (p. 11)	2	reading uncertain
After the trial, the court met and adjourned on March 14 and March 16, 1863 for lack of accommodations,	Court minutes (p. 9)	2	—

appointing March 18 for its next meeting.			
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Hard-to-Read Entries

These are original handwritten records, in places faded or damaged with age. Where a word could not be read with confidence, it is flagged here rather than guessed at - nothing in this report is invented. A researcher reviewed each entry below against the original scans; some were made out on a closer look, and the rest remain genuinely unclear.

- **Page 12** - flagged as hard to read (The reviewing/approving general's name on the promulgating order is written on a faded, mirror-imaged page and cannot be read with confidence). A researcher re-checked it against the original scan; it remains genuinely unclear, which we note honestly.
- **Page 12** - flagged as hard to read (The endorsing officer's rank/title appears twice with different readings on the mirror-imaged page). A researcher re-checked it against the original scan; it remains genuinely unclear, which we note honestly.
- **Page 3** - flagged as hard to read (The return-year in the specification is hard to read and conflicts with all testimony (which describes a return in February 1863); a future date (1863) is impossible for a March 1863 trial). A researcher re-checked it against the original scan; it remains genuinely unclear, which we note honestly.
- **Page 1** - flagged as hard to read (The member is listed with initial 'D.' only; his signature on p. 4 is difficult and could read 'Dyer' or another given name). A researcher re-checked it against the original scan; it remains genuinely unclear, which we note honestly.

Where the Documents Disagree

Here two or more perfectly legible documents say different things. That is a finding about the record, not a reading problem - both versions are shown, and neither was silently preferred. Where the evidence clearly favored one reading, the story above follows it, and the note here says why - a visible weighing, never a silent one.

- **Page 7** - the documents disagree here (The clerk introduces O'Connor as 'a witness for the prosecution,' but he is called after 'the Prosecution here Closed' and 'the prisoner submitted the following testimony in his defence,' so he is a defense witness). Both readings appear in the report; review confirmed the disagreement is in the record itself. Our read: O'Connor is a defense witness; the label 'for the prosecution' is a clerk's slip repeated from the prior witness's heading.

What the File Does Not Establish

The file is silent on these points. No document states them, so the report says so rather than filling them in.

- **Page 11** - the file does not answer this (Page 11 is faded and photographed mirror-imaged; most of the promulgating order cannot be transcribed with confidence). The Research Gaps section points to the records that might.
- **Page 6** - the file does not answer this (Cross-examination alludes to a letter, but no such exhibit is included in the file). The Research Gaps section points to the records that might.

About this report: it was produced from the file provided, read page by page. It does not search records beyond that file - the Research Gaps section points to the outside records that could carry the story further.