

Bank notes drafts or otherwise did fail to comply with the order of his Commanding Officer and made no report of what the said Post fund consisted and wholly neglected his duty in that respect.

Charge 2nd

Spec: In this that he the said Lt. John Nichols at Fort Atkinson on or about the 6th November 1826 he the said Lt. John Nichol's being then and there apprised of his Commanding Officer Brevet Lt. Col. A. R. Woolley had ordered him the said Lt. John Nichols to be relieved from the duties of Treasurer of the Post fund and had Lt. Hutter of the 6th Infy. appointed Treasurer in his place principally of the view of ascertaining the State and Condition of the Post Fund or in other words in what it consisted did propose to the said Lt. Hutter that he the said Lt. Hutter should receipt to him the said Lt. Nichols on the whole of the Post fund the sum as it were Cash or for cash the said Lt. Nichols well knowing at the same that the said post fund did not consist of Cash but was in bank notes and credits, that only a small portion of it was in the original Fund and that it had been essentially change. The said fund having consisted of specie principally when Lt. Pentland was treasurer he the said Lt. Nichols well knowing the premises and that there was only left of all the specie \$3.771/2 cents did then and there act with a view to conceal from the Commanding Officer the true state of the posts Funds and deprived him of the information he had for several days sought after.

Specf. 2nd: In this that he the said Lt. John Nichols Treasurer as aforesaid at Fort Atkinson as aforesaid in the 6th day of November aforesaid well knowing that although the exclusive Administration of the post fund, belonged to the Council of Administration, the Comdg Officer had the right of inspiction [sic] did in various ways and in as much as in him lay endeavor to withhold from his Commanding Officer the true state of the post Fund, he the said Lt. Nichols well knowing at the same time that for 6 days previous his Comdg. Officer Brevet Lt. Col. A.R. Woolley had been solicitous to know in what the fund consisted whether in specie notes and Drafts loans or otherwise.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Inf

Before entering his Plea to the above charges and Specifications the accused submitted the following Objections to the Court Respecting the legality of its organization.

Mr. President and Gentlemen, the Court--  
Although I have no Objection to any members of the Court, and would with pleasure submit my case to those? Judgment, yet my history? as member of the Army compels me to object to the ability? of the court itself.--

I respectfully request the Attention of the Court whilst I assign the reasons which induced me to adopt this measure. The order of the Department which constitute the courts so far as relates to the time and place of Convention the number of the members the President and Judge Advocate is entire and complete. The number and Rank of the Officers Assembled at or in the vicinity of Fort Atkinson could not be known at Head Quarters and hence it was probably thought necessary or expediant [sic] to invest the Commanding Officer at Fort Atkinson with power to supply that part of the detail necessary to its Organization.

The power to Appoint the intermediate members of the Court is distinctly delegated. The power to appoint the President and Judge Advocate is distinctly withheld.

The power to supply the vacancies in that part of the Court detailed by the commanding Officer at Fort Atkinson is undeniable and it is equally plain that the Commanding General did not intend to delegate power which he himself thought proper to exercise in Military affairs. "What is true in the main is true in the extreme." Let me follow for a moment the Application of the Acknowledged position. Causality be removed from the Command at Fort Atkinson. Brevet Lt. Col. Woolley President of the Court. An officer of course Junior to Major Kearney would assume the Command would Major Kearney consent or would his duty permit him to submit his authority emanating to Rank inferior to his own.

The Order states that the Commanding officer at Fort Atkinson will detail the intermediate members but does not Authorise him to appoint a Resident or Judge Advocate.

The Senior Member is not President of the Court Martial unless appointed by the Power constituting the Court. The constituted part of a Court Martial are the President the members and Judge Advocate how then would the Commanding Officer at Fort Atkinson inferior as he might be to Major Kearney in Rank venture to Appoint him the President of the Court Martial. He has a Specific power granted him to detail his intermediate members and in case of any vacancies incurring among his intermediate Members he would supply it, but can any Construction make that part of the Order so Comprehensive as to give to the Commanding Officer the power to supply that which he ? had the power to Appoint Did it intend to confine them to time? and plea only after delegating to him all other power relative to the court by assigning? to ? ? and Martial Law and Courts Martial at ? to which every Court Martial leads? it necessary to refer to ? where there exists a doubt. It? appears that the Opinion advance? (Last lines difficult to read.)

Maintained by the Authour corroborates [sic] what I have Observed.

The Authour speaking of Courts Martial says "A Genl Court is as before observed held either by direct athority [sic] from the President of the U.States or by some Officer Commanding in Chief having power to take effect.

Some times the order for assembling the Court contained the names of all the members who are to compose it and in this case it is generally addressed to the Judg [sic] Advocate and the President thereof--but it frequently happens that the President is alone appointed by name and the other members to be taken by' Roster from the different Regiments of a certain rank.

This detail is usually left with the Adj. Genl. or an officer acting as such-- These are fact similar to the one before us relative to the manner of Constituting the Court. The only difference that can be perceived between the paragraph above quoted and the order convening the Court is the order vesting the Commanding Officer at Fort Atkinson with power to act in the capacity of Adj. Genl. only to enable him to detail the Intermideate [sic] members of the Court from different Regts If it was intended by the order to delegate to the Commanding officer of the Post the power of Appointing the President of the Court the Order would have undoubtly [sic] more explicit on the subject. This impression Arrises from perasin? an Order for a Convention of a Court Martial at this Post. Within the said Order the power of Appointing the President of the Court is clearly and distinctly delegated to the Comdg Officer of the Post. The order there alluded to bears date Adjutant Generals Office Western Department Louisville Kety 2nd June 1825-- from which the Following extract is made viz "The Comdg Officer at Fort Atkinson will detail from the 6th Infy Officers to fill all vacancies that may occur in the Court either in formation from the absence or Indisposition of the members named or during the session from Casualtes [sic] This provision will apply also to the Judge Advocate.

Here it is plain and Indisputable that the power to appoint the President is or was intended to be delegated to the Commanding Officer, the construction is irres-istable in perusing? the Order for convening the Court that I now address--The power of appointing the President is as was intended entirely withheld. It is not my Intention to Elleviate [sic] the subject by taxing the patience of the Court with Argument which this Subject so empty affords. I only invite the investigation of the Court upon the important Subject. I therefore Respectfully submit to their candour and consideration

The Court ? the objection of the Accused to the legality of the Court upon which ? the plea "Not Guilty" to the Charges and Specifications on which he was arraigned.

Captain John Gant 6th U.S. Infantry a witness for the prosecution being duly sworn says "I know nothing of either of the charges or specifications on which he was Arraigned. There was a letter from the Comdg. Officer to the Council of Administration directing to count the money in post Fund. Lt. Nichols the accused informed the Council that if they wished to count the money, it was ready for their Inspection in his Quarters.

Question by the Judge Advocate. do you know whether Lt. Nichols was ordered by the Comdg. Officer directly or through the Council of Administration to count the money into the post fund and transmit the statement to him Lt. Col. Woolley or to the Council for their Information.

Answer: I do not. I know nothing more than was contained in the letter to the Council which I have mentioned.

Question, by the Accused. You have testified that Lt. Nichols informed the Council that the fund was ready in his quarters if they wished to count it. On what date was this Information given to the Council by Lt. Nichols.

Answer--I think it was about the 2nd of November 1825.

Lt. Wm. Wickliffe of the 6th U.S. Infantry a witness for the prosecution being duly sworn says--I know nothing of the matter contained in either of the Charges or Specifications.--

Hereupon Several extracts from the Council of Administration [sic] Book was produced as Evidence on the part of the prosecution and the Court having been cleared [sic] decided that they had no Relevancy [sic] to the Charges or Specifications and that they should not accordingly appear on the record of the Proceedings.

Mr. James Kennerly Sutler for the 6th U.S. Infantry a witness for the prosecution being duly sworn Says.

Question--By the Judge Advocate. Was the post fund deposited in Your hands and if so; by whom was it deposited and in what has it invariably consisted.

Answer. The Post Fund consisting of \$1900 was deposited in my hands by Lt. Pentland on the 12th December 1824 of the \$1900 deposited with me all was Specie except 318 French Crowns and about \$148 due from me for the Sutlers tax? which was to be in Specie when called for on the 15th May 1825. Lt. Pentland turned over by an order in favour of Lt. J. Nichols \$2669 and some cents the amount to which the fund had Accumulated since December 12th 1822 to 15th May 1826. From that time and as the pay Master brought back notes for the payment of the Troops the fund has consisted of U.S. Bank notes and it has always has been subject to the Treasurers order payable as sight in Specie or U.S.

Bank notes. The sum of \$2669 had been reduced to about \$1500 when Lt. Nichols was Arrested and this reduction was made by payments made on the orders of the Treasurer. The whole amount of the Fund in my hands was at the time of Lt. Nichols Arrest paid by me to Lt. Hutter in U.S. Bank notes.

Question--by the Accused--What have been the Gains of the Regiment by changing the French Crowns in U.S. Bank notes.

Answer--I received the Crowns from Lt. Pentland at \$1.10 cents per Crown and could dispose of them only at \$1.61/4 cents per Crown and the gains of the Regiment was 3 and 3/4 cents on each Crown.

The Court adjourned to meet again to morrow morning at half past 9 O'clock.

November 30th 1825

The Court meet pusuant [sic] to adjourment [sic]

Present Brevet Major Kearney--President

Capt. Shaler	Capt. Mason
" Gant ] Members {	Lt. Wickliffe
Lt. Days	Lt. Gwyn
Lt. R. Holmes special Judge Advocate	

Lt. Col. A. R. Woolley, of the 6th U.S. Infantry a witness for the prosecution being duly sworn says--On the 1st of November 1825 among other things I directed a Council of Administration to assemble to count the Cash in the Chest of the Post Fund.

I was induced to state that too strick [sic] a Comptrollership could not be made over that Fund. I did not order the accused Lt. J. Nichols or address the order to him by name as I considered him a conspiquos [sic] part of the Council, he being then Secretary & Treasurer to the Regimental Funds and I am bound to believe that the order was wholly disregarded. I received a Report that the Council had examined the Accounts of

of [sic] Treasurer and that there was a balance of \$3308.36 cents in his funds. I directed the Council to reconvene and stated that I should like to know In what \$3308.36 cents consisted, whether in specie Bank notes Drafts or otherwise. This was disregarded and I received and answer in the Council Book that the Treasury was accountable to the Regiment for Current money to the 16 States. During all this time the Accused Treasurer and Secretary kept a loof [sic] from me with respect to that business. Seeing that there was a determination to keep one in ignorance, I exercised the power given me and appointed a new Treasurer and directed the Accused to turn over the papers money to the new Treasurer. That order very soon brought the accused to me--he wished to know why I had appointed another Treasurer. I told him that there was a settled determination to keep me in the dark, Respectively the Post Fund. but that I should have the information I wanted when he (blotched). Knowing why I relieved him the Accused proposed to Lt. Hutter that he Lt. Hutter

should receipt to him for Cash or ? the post fund in Cash. I asked him how he could make such a proposal to Lt. Hutter when I had told him that I had Relieved him to obtain information respecting the Fund and he replied that it was to facilitate the business. I inquired of him why Instead of drawing drafts on Mr. Kennerly, he did not get the money and pay it over to Lt. Hutter --he said Mr. Kennerly offered him a large Rool? or Bundle of Bank notes but he did not receive them on account of the trouble it would necessarily cost him to count them or words to that effect.--When I got the Information I found the fund consisted of \$3.77 1/2 cents in specie in drafts of A Qr Ms at St. Louis and Drafts on the Sutler drawn by the accused.

Question--by the Accused. Is the following the order Referred [sic] to in the 1st Specification of the 1st Charge Viz The cash should be counted in the post Fund and the result compared with the Secretary and Treasurers statements of the post funds too strick [sic] a comptrellership cannot be excised [sic] over this fund.

Answer--It is

Question--by the accused--did you inform Lt. Nichols that you had convened the council on the 5th November and for what purpose it was convened.

Answer. I gave him not further Information then what was contained in the Council of Administration Book.

Question--by the Court--were the drafts you speak of in your testimony loaned to the Council of administration for the Ac Qr Ms of the Post and created by a warrant in his favour. Issued by the Commanding Officer previous to Lt. Nichols having been appointed Treasurer of the 6th Regt.

Answer the drafts drawn by Lt. Homes A. A. QM 6th U.S. Infnty. on Capt. Brants A.Qrt Ma. St. Louis were given in payment of the loan athorised [sic] by the Council previous to Lt. Nichols being appointed Treasurer. These drafts amounted to about \$800 and were dated the 20th October 1825-- The drafts drawn by the Accused on Mr. Kennerly sutler were in favour of Lt. Hutter and dated about the 16th of November 1825.

Question by the Accused--Did you not Inform Lt. Nichols that he should take drafts in preference to specie for the sum due the Regimental Treasury-- between the 1st of October and 1 November 1825.

Answer I think I did they would be better for remittance?

Lt. George C. Hutter a Lt. of the 6th U.S. Infantry a witness for the prosecution being duly sworn says I know nothing of the 1st charge nor of neither of its specifications. on or about this place stated in 1st Specification--

of the 2nd Charge Lt. Nichols the accused asked me to receive drafts in his possession [sic] and belonging to the Post Fund and receipt for them as cash. I know nothing of the 2nd Specification or the 2nd charge.

Question by the Judge advocate. How did you receipt to Lt. Nichols for the property or money of the Regimental Fund.

Answer. I receipted [sic] for drafts as drafts due bills as due bills and Cash for Cash.

Question by the Judge advocate--did Mr. Kennerly pay the drafts of Lt. Nichols at sight and if so how was the payment made.

Answer. I did not present the drafts. Mr. Kennerly called at my quarters and took them up by paying the face of them in U.S. Bank Notes.

Question--by the Judge Advocate. What in your Opinion was the Intention of Lt. Nichols in asking you to receipt for the amount of the regimen ==tal Fund as so much cash.

Answer. I do not know his intention but he stated that such a proceeding would save considerable trouble on his part.

Question by the Accused. If you had receipted [sic] to Lt. Nichols for the Regimental Fund would you not complied with the following order of the Commanding Officer Viz "Lt. Hutter is appointed treasurer of the Post fund he will relieve Lt. Nichols and receive from him all the Books Accounts Cash and give the requisite receipts and report the proceedings to the Commanding Officer."

Answer. I could have Obeyed it.

Question--by the Court did you believe at the time Lt. Nichols turned over the funds to you that he had any Intention of Concealing their true state from the Comdg. Officer.

Answer--From the conversation we had together at the time I am induced to believe he had not.

The evidence on the part of the Prosecution being closed--  
Capt. E. Shaler of the 6th U.S. Infantry a witness for the accused being duly sworn says

Question--by the accused Where [sic] you a member of the Council of Administration on or about the 5th November 1825.

Answer--I was

Question by the Prisoner--did you as member of the Council of Administration direct the treasurer of the Post fund to comply with the wishes of the Comdg. Officer as expresses in his Communication to the Council dated the 6th November 1825.

Answer--I directed him to produce his accounts? of the Post Fund which he did so. They were examined by the Council found correct and accordingly entered in the usual form in the Council Book.

Question by the Accused--did you hear Lt. Nichols request the Council to step over to his Quarters and Count the money in the chest of the post fund on or about the 2nd November 1825.

Answer--I did--

Question by the Accused--How long have you known me as Treasurer and what has been my General Character in the Capacity.

Answer--I have known him as Treasurer from the 15th of May 1825-- and his conduct so far as I can Judge has been correct his Accounts have been invariably so.

Question by the Accused. Was I on the sick report from the 31st October to 9th of November 1825.

Answer--You was

Surgeon John Gale of U.S. Army a witness for the accused being duly sworn says.

Question by the Accused was Lt. Nichols from the 1st of October to the 7th of November 1825 unable to perform his usual duty from the precarious state of health.

Answer--I do not recollect dates but on or about the October he was dangerously Indisposed.

Lt. and Adjutant Thomas Noel of the 6th U.S. Infantry a witness for the accused being duly sworn says.

Question by the Accused. did you not order Lt. Nichols to act as secretary to to [sic] the Council of Administration by Order of Lt. Col. Woolley on or about the 31st October 1825 and if so what was Lt. Nichols reply.

Answer: I told him as he was standing Secretary that there was an order for the council to meet on that day and Lt. Nichols replied that he was sick and unable to act as Secretary. I reported it to the Col. Comdg and he ordered me to act as Secretary.

Question by the Accused. Where [sic] you as Adjt or secretary ordered by the Comdg. Officer or directed by the Council of Administration to order the Treasurer of the Post Fund to Comply with the wishes of the Commanding Officer is expressed in the following Communication of his addressed to the Council and dated November the 4th 1825 viz "The Commanding Officer would like to see it stated what \$3308 ? cents consists whether it is in Specie Bank Notes Drafts or otherwise.



Answer--I was not directed either by the Comdg. Officer or the Council of Administration [sic] so to do.

Question--by the Accused. On what date was the order for reconvening the Council promulgated.

Answer--on the 4th November 1825. It was Communicated to the members of the Council but was not promulgated in orders until after the proceedings had been acted upon by the Commanding Officer.

The Testimony on the part of the accused having been heard he requested the indulgence of the Court for one day to prepare his final defense which was accordingly granted.

The Court adjourned to meet again to morrow morning  
at half past 9 O'clock. December 1st 1825

The Court met in pursuance to adjournment.

Present Brevet Major Kearney President

Captain Shaler		Captain Mason
Captain Gant	} Members {	Lt. Wickliffe
Lt. Day		Lt. Gwyn

Lt. R. Holmes Special Judge Advocate

The Court proceeded to the trial of Lt. Levi Nute of the 6th U.S. Infantry vide proceedings.

Present Brevet Major Kearney President

Captain Shaler		Captain Mason
" Gant	} Members {	Lt. Wickliffe
Lt. Day	}	{ Lt. Gwyn

Lt. R. Homes Special Judge Advocate.

The Accused on being asked if he was ready to proceed in his defense Requested leave of the Court to introduce an Additional Testimony and the Court having decided that the said Testimony had no bearing or relevancy to the charges he proceeded in his defense as follows--"Defence Omitted:"

The Court having been Cleared and the whole of the proceedings of the Courts by the special Judge Advocate made the following decision [sic]--

The Court after the most mature deliberation on the Testimony adduced [sic] find the Accused, Lt. John Nichols of the 6th U.S. Infantry not guilty of the 1st and 2nd Specification of the 1st Charge, Guilty of so much of third? Specification of the 2nd charge as the fact of asking Lt. Hutter to receipt for the Regimental Fund as so much cash. Not guilty of the 2nd Specification of the 2nd Charge and not Guilty of the 2nd Charge The Court are of the Opinion after the most mature discussion of the evidence adduced that the charges

preferred by Brevet Lt. Col. Woolley against Lt. J. Nichols are groundless vexations malicious and wholly unsupported by proof and do therefore honorably the Accused of each and every one of them.

The Court adjourned (sine die)

R. Homes Lt. and special Judge advocate } S. W. Kearney President of the Court

Proceedings of a General Court Martial held at Fort Atkinson Council Bluffs. Pursuant to the aforementioned. Order no. 18 dated October 1st 1825-

The Court being duly sworn in the presence of the Accused proceeded to the trial of Lt. Levi Nute 6th U.S. Infantry who being previously asked if he had any objection to the members named in the Orders and replying in the negative was Arraigned on the Following Charges and Specifications preferred [sic] against by Order of Lt. Col. A. R. Woolley Commanding the 6th U.S. Infantry.

Charge 1st Insubordinate Conduct.

Specification In this that he the said Lt. Nute of the 6th Regt. of U.S. Inftry. When ordered by his Commanding Officer Brevet Lt. Col. A.R. Woolley to bring out the Cook of the Said Company to drill say in the presence of his Company and Addressing his Comd'y Officer "well sir he shall come out but I dont like to be called to clear across the parade" or words to that effect and afterwards when he was informed by his Commanding Officer that he should elevate his voice so as to heard [sic] and understood in Communicating his Orders say "I don't like to be hollered at" or words to that effect.--

Charge 2 disrespect to his Commanding Officer.

Specification In this that he the said Lt. Nute of the 6th IRegt. of U.S. Inftry . did on or about the 19th November 1825 at Fort Atkinson "he the said Lt. Nute being then and there in Command and actually engaged in Drilling Battl. Company (E) 6th U.S. Infantry. When ordered by his Commanding Officer Brevet Lt. Col. A.R. Woolley afters? bring out the Cook of the said Company-- to drill utters [sic] and pronounce in the presence of said Company and addressing his Commanding Officer the highly disrespectful and insubordinate words following to Viz "Well Sir he shall come out but I dont like to be called to across the the [sic] parade" or words to that Effect and afterwards when Informed by his Comdg. Officer that he should elevate his voice so as to be heard and understood in Commun==icating his Orders After and pronounce in the presence of said Company the Additional highly and Disrespectfull [sic] and insubordinate words following-- Viz "I dont like to be hollered at" or words to that effect.

By Orders of Brevt. Lt. Col. Woolley?

(Signed) Thos. Noel adjt. ?

To which Charges and Specifications the Accused "Plead Not guilty"

Brevet Lt. Col. Woolley of the 6th Infantry a witness for the prosecution being duly sworn says on or about the time and place stated in the Specification to the 1st Charge, the Accused was engaged in Drilling Battl. Comp. E 6th Inftry. of which he had the Command and standing near the head of his Company. I ordered him to bring the Cook of said Company out to Drill and he Replied "Well Sir he shall come out but I dont like to be called to clear across the parade" or words to that effect and on my stating to him that I should elevate my voice so as to be heard in Communicating my Orders he Replied "I dont like to be hollered at" I am not positive that the words made use by Lt. Nute were spoken in Exactly the same order as I have Related them but they are substancicilly [sic] correct. Question by the Judge Advocate. When Lt. Nute addressed you as described by your Testimony was his manner or gestures vehement or Insubordinate. Answer--I thought highly so. There seemed to be a great deal of testiness and insubordination in his manners.

Question by the Court. What distance were you from the Accused at the time of you [sic] remark to him and of his reply--

Answer. I was near the North Gate and his Company was in the front of his Quarters probably 50 yards from me on or about the time stated in the Specf. in the 2nd Charge Lt. Nute was ingaged [sic] in Drilling Battl. Company E 6th Infantry which was then Comanded by him, and I ordered him to bring out his Cook to Drill "he replied well sir he shall come out but I dont like to be called to across the parade," or words to that effect and on my telling him that I should elevate my voice so as to be heard In Communicating my Orders he replied "I dont like to be hollered at" or words to that Effect.

Question by the Judge Advocate. How far was you from the accused when he replied to you in the 1st Instance.

Answer. about 50 yards or perhaps 60.

Question by the Judge Advocate--How far was you from the accused when he made the 2nd reply or when he said "I dont like to be hollered at."

Answer. About 20 or 30 yards--

Question by the Accused. Did I not reply to him when he first hollered to me and was my voice elevated or in the usual tone of Conversation.

Answer--Lt. Nute Replied to Lt. Co. Woolley at the distance of 20 or 30 yards In his usual ? tone of voice for that distance.

Andrew Anderson a private soldier of Battl. Compy C 6th Infantry a witness for the Accuser being duly sworn says on or about the time and place stated in Specification Battl.? Compy.? E 6th Infantry was on parade for Drill--

Col. Woolley came from (toward) the north Gate and Hollered "Turn out that Cook" and shook his stick he then came nearer and Lt. Nute said I have had your adjutants Orders and do not wish to be hollered at across the parade in this manner. Lt. Col. Woolley then said "I shall to speak to you sir in a voice that you shall hear and it shall be obeyed."

Question by the accused. State to the Court what Lt. Col. Woolley said when he turned on his heel and left me and in what manner he used his cane or stick also how far he was from me.

Answer. I did not hear Col. Woolley say any thing nor did I see him make any unusual use of his cane or stick he was about 12 Feet from Lt. Nute.

Question. by the accused. When Lt. Col. Woolley said to me that he would elevate his voice so as to be heard did he speak in a low or elevated tone of voice and what was his gestures or motions of his stick at the time--

Answer--he spoke in a loud tone of voice at the time and at the distance of 12 feet he had hold of the middle of his stick or cane.

The evidence on part of the Accused being heard he requested the indulgence of the court untill [sic] to morrow [sic] to make his final defence [sic] which was accordingly granted.

The court adjourned to meet to morrow [sic] morning at half past 9 O Clock.

The Court met pursuant to adjournment.

Present Major Brevt. Kearney President

Capt. Shaler	Capt. Mason
" Gant } members {	Lt. Wickliffe
Lt. Days	Lt. Gwyn
Lt. Reuben Holmes	Judge Advocate

The evidence on the part of the prosecution being closed Capt. E. Shaler of the 6th U.S. Infy a witness for the accused being duly sworn says.

Question by the Accused. was you on parade on the 9th November 1825-- when I was Drilling Battl. Company (E) 6th Infy and did you hear Lt. Col. Woolley address me whilst drilling the aforesaid Company and if so please state what you heard of the Conversation and the manner In which he addressed me.

Answer. On or about the time and place stated in the Specification I was drilling my Company on the road leading from the North to the South Gate. I heard Lt. Col. Woolley say "Why isnt that Cook out Lt. Nute turn out that Cook immediately" he spoke in so high a tone of voice that he athwarted? my attention. I did not hear? Lt. Nutes reply when Lt. Col. Woolley spoke (smudged) he were? advancing

quick step on Compy. E and shaking his cane or stick for what purpose I do not know.

Question by the Accused. What was your Opinion of his gestures at that time and did he not appear very much enraged.

Answer. When he spoke to Lt. Nute as before stated he appeared very angry.

Sgt. James Harris of Battl. Compy. E 6th U.S. Inftry. a witness for the Accused being duly sworn says. On or about the time stated in the Specif. when Compy. E, 6th Infantry was Drilling in front of the Quarters Col. Woolley came through the North Gate and ordered Lt. Nute to turn out the Compy. Cook he said 3 or 4 times turn him out, turn him out. God Dam him turn him out. Lt. Nute replied that he had received an order from his adjutant that the Compy. Cooks and Hospital attendants were excused from Drill. The Col. then Repeated turn him out, turn him out, and Lt. sent me to bring him out and I did it. I heard no more.

The Accused being asked if he was ready to proceed made the Following defence. "Defence Omitted. [sic]

The Court was cleared and the whole proceeding read over to the Court by the Special Judge Advocate and the following decision was pronounced.

The Court after mature deliberation on the Testimony adduced find the Prisoner Lt. Levi Nute of the 6th U.S. Infantry Guilty of the 1st? Specif. of the 1st Charge but not Guilty of the 1st Charge Guilty of the Specif. of the 2nd Charge leaving out the words "highly disrespectful and Insubordinate" and "Additional Highly Disrespectful and Insubordinate" but not guilty of the Charge and do therefore acquit him.

The Court then Resumed the case of Lt. J Nichols of the 6th U.S. Infantry proceedings. 1st Inftry  
R. Holmes Lt. 6th Infantry} S. W. Kearney Brevet Major and President of the Court  
Special Judge Advocate}

Major General Gains finds it to be his duty to object to the foregoing proceedings as Irregular. for the moment that which Lt. Col. Woolley the only Authorised [sic] Resident Separated himself from the members of the Court Considering it however is a board of Officers honourably Occupied. In obedience to the order of their ?? Commandent [sic] in the investigation of the conduct of Officers charged with supposed Military offences [sic] the Genl. deems it to be an Act of substantial? Justice due? to? the? Accused and in accordance to the immediate (torn?) of ? to ? the Opinion that Lt. John Nichols is not Guilty

of either of the Charges or Specifications exhibited against him and should be Considered as honourable [sic] acquitted [sic] and that Lt. Nute is not Guilty and should be considered as acquitted [sic].

The power to acquit General Court Martial is a Clearly defined power given by law to "any General Officer Commanding an army or Col. Comdg. a Seperate [sic] Department" A power thus Specifically given can be excersiced [sic] only by Officers expressly designated by law and it is a power which the Officer cannot delegate to others in as much as it forms a case which falls within the great constitutional maxim, that power is not expressly given by law is avertually withheld and returned by the Government or the people the sole depository of all such powers.

The power to appoint General Courts Martial is avertually withheld [sic] by law from the Lt. Col. because it is expressly vested in Officers of higher grades.

The proper and long established construction of the Law embracing the power by the most experienced Officers of the Army has uniformly detained the practice of carrying ? effects? by the General or Col. Commanding a Department designating the President and prescribing the number of Members with the Judge Advocate. The special selection of the President is indeed the principal measure in the Appointment of a General Court Martial. This Specific designation of the President attaches him absolutely to the Court from which he cannot be removed without destroying its primary Organization and its functions. It is not possible therefore that the officers so designated or the Junior members of the Court can sustain an Objection to the President severing him from them without suspending their Judicial functions for their must cease to be a Court the moment they are deprived of the legally appointed officer whose duty it is to preside over these deliberations.

Department Order No. 18 named Lt. Col. Woolley as president with Lt. R. Holmes special Judge Advocate and directed the Lt. Col. to "detail the intermediate Officers" and Supply any vacancies that might unavoidably? Occur. This letter Authority? manifactly? had reference to the members which he was Instructed to detail but certainly not to the President for it cannot be supposed that the Commanding General of the Department should delegate to Lt. Col. Woolley a power withheld from him by law-- The defence of Lt. Nichols is by no means free of a fault which became? distinctly apparent in the reply of Lt. Nute to his Commander ? "I dont like to be hollered at" The Obedient Meritorious Junior? will not be? ? expressions of Criticism or ? reply to the ? of his Senior, but a Senior to be (last line is extremely smudged)

Exemplary [sic] in the Observances of that temperate Subordination to the Authorities over him which it is his duty to exact from his Junior--

It is much to be regretted that Lt. Col. Woolley did not comply-- with the manifest spirit of Art. 26, paragraph 187 & 188 of the Genl. Regulation and Instead of bringing Lts. Nichol & Nute before a Court or even Arresting them, he should have called them before him and stated to them where in they had disobeyed or erred, and required from them exact Obediance or the immediate correction of their errors, or if he had deemed it proper Ultimately to exhibit charges against them, their conduct should have been reported by him to Head Quarters Westn. Department where the changes would have him Regularly [sic] disposed of.

To conclude his remarks the Genl calls the attention of Lt. Col. Woolley and Lt. Nute and all other officers concerned to the 3.11.27.8.114 Paragraphs of the General regulations of the Army and particullary [sic] to the latter and to the Following extract from McComb on Martial law.--

It was to be wished that Courts of inquiry were more frequent resorted to than is usually done or rather that it were a matter of established usages that no person should be put upon his trial before a General Court Martial unless by a previous report by an Inquest by the evidence laid before them on Sufficient Grounds for calling the party to defend themselves judicially against the matters of Accusation. A preliminary form of this nature would be of Infinite service in the repression of calumnious and frivolous prosecutions and would tend more than any other measure to the checking of that extreme of frequency of trials by Courts Martial which has the worst effect upon the public mind. Reflecting? dishonour on the Military Character in general spreading disunion and party-- division among the members of a Corps and frequently laying the foundation of permanent and even fatal Animosities.

“In many Cases a Court of Inquiry acting as umpress or Arbitrations between the parties might compose defences [sic] or explain Misunderstandings so as to prevent the necessity of all further precedence by detail Arrangement and Trial”

(Signed) Edmund P. Gains  
Major Genl. by Brevet Comdg.

Extract from Order No. 4 dated.

Orders No. 4

Head Qrt. “West” Department  
Cincinnati? Ohio Feb. 25th 1825

At a Genl. Court convened at ? on the 15th of January  
and of which Major ? of the ? Infantry is President-----

Was tried the following Prisoner No. 8 John Hopper a private of the detachment of the 6th Infantry--

Charge "Desertion"--

In this that he the said John Hopper did desert from the detachment of recruits at the Yellow Banks whilst on the march to the Council Bluffs on or about October 1824.

To which Charge and Specification the prisoner pleaded

"Guilty"

The court confirm his plea and sentence him to refund to the United States the sum of \$30 incurred by his Apprehension to make good the time lost by Desertion to be put to hard labour during the remainder term of his enlistment with a Chain of 3 Feet in length Attached to his leg that \$3 of his monthly pay be stopped during his remaining term of service with only clothes sufficient to cover him and when discharged to have no allowance for Transportation rations or clothing and further that when not employed at hard labour to confined in the Guard house.

The Commanding General confirms the forgoing desisions [sic] of the Court in the case of Private John Hopper of the 6th Regt. of Infantry and directs the sentence in this case to be carried into effect Pursuant to General Regulations. Orders.--

(Signed) E. P. Gain  
Major Genl. Commanding  
Head Qrt. 6th Regiment Fort Atkinson

Orders

No. 82 13th April 1825--

A Regimental Court Martial will convene this morning for the trial of such prisoners as may be brought before it. The Court to consist of Capt. Gant,---President  
Lts. Palmer & Alston members

By order of Lt. Col. Woolley--  
(Signed) Thos. Noel 6th Regt.

Orders

No. 83 Head Quarters 6th Regt. Fort Atkinson  
16th April 1826

At a Regimental Court Martial convened at Fort Atkinson on the 15th of April 1826 of which Court Capt. Gant was President was tried private Samuel Richmond of Battl. Compy. (C?) of the 6th U.S. Infantry.

Charged with Possitive [sic] Disobedience of Orders  
Specif: 1st In this that he the said Private Samuel Richmond of Battl. Comp. (C) 6th U.S. Infantry did at Fort Atkinson on or about the 11th of April



positively refuse to take a hoe to the Blacksmith shop when ordered by--  
Qr Mst. Sergeant Cedars, he the said Richmond being then on detail for  
the Qrt. Ma. Department.

Specif. 2nd In this that he the said Richmond of the Company & Regt.  
aforesaid at Fort Atkinson on or about the 11 April 1826 did positively disobey an  
Order given him by Lt. Homes A. A. Qt. Ma. of the 6th Regiment to this effect  
Viz: "Take the hoe in your possession to the Blacksmith's Shop and get it  
repaired."

Spec. 3rd In this that he the said Richmond of the Co. C Regt. afore  
==said at Fort Atkinson on or about the 11th of April 1826 did after the order above  
specified was repeated and Positively did disobey and disregard it.

To which Charges & Specifications the prisoner pleaded "Not Guilty."  
The Court after mature deliberation on the testimony adduced find the prisoner  
Samuel Richmond Guilty of the charges and Specifications exhibited against him and  
sentence him to have his pay and Rations of whiskey stopped for one month to be  
appropriated to the use of the Comp. to which he belongs and to be tied to a stake  
in front of the Guard house for 6 hours each day for 3 days in Succesion--

Was also Tried Private Evans of Batt. Company (H) 6th Infantry  
Charged with disobedience of Orders

Specif: In this that he the said Evans did positively refuse to go to the Company  
Garden to work when ordered so to do. This at Fort Atkinson on or about the 14th April  
1826.

To which Charge the prisoner pleaded "Not Guilty."

The Court after mature deliberation on the testimony adduced find the prisoner,  
Private Evans of Compy. H, Guilty as charged and sentence him to have one half of  
his pay stopped for one month and his rations of whiskey for 15 days both to be  
Appropriated to the use of the Company of which he belongs.

Was also tried Private Wilbourn Rask of Batt. Company (J)  
6th U.S. Infantry charged with throwing stones or other missiles [sic] at Private Thomas  
Bird of Battl. Company G 6th Infantry with a malicious Intention of maiming or other  
--wise injure said Bird this at Fort Atkinson on or about the 30th of March 1826--

To which the Prisoner plead Guilty of throwing a stone at Private Bird  
but not guilty of doing it with malicious design to injure the said Bird--

The Court, after mature deliberation on the testimony adduced find  
the prisoner Wilbourne Rask Guilty of throwing a stone at private Bird which  
produced a compound Fracture of his leg. but the Court find him not Guilty of the  
Remainder of the charge and sentence him to be deprived of all permissions? to the  
Sutler? and also being? deprived? the privilege of going from? the chain? of Sentinals  
[sic] next on duty for one month.

Was also tried Private James Davis of Rifle Company B 6th Infantry charged with being Drunk and skulking and secreting? himself in the Garret loft of Company B Quarters at Fort Atkinson on the 13th of April 1826. Said Davis is also Charged with selling or otherwise disposing of a pattern for a pair of pantaloons valued at \$3. The property of private of K.? Michael of Compy (B) 6th Infantry to Sergt. Morgan light Company (A) 6th 6th [sic] Regt. of Infantry for \$1 or more. This at Fort Atkinson on or about the 13 or 14 of April 1820--Said Davis is also charge with selling or otherwise disposing of a vest pattern and trimmings the property of Private Burford of Compy. B 6th Regiment. this at Fort Atkinson between the 15th of March and the 15th April 1826--

To which the prisoner pleaded not Guilty--

The Court after the most mature deliberation on the Testimony adduced find the prisoner James Davis Guilty of the 1st charge Guilty of the 2nd charge and Guilty of disposing of a vest pattern the property of Burford in value \$1.25 cents and not Guilty of the rest of 3rd charge and sentence him to the stoppage of one months pay and his rations of whiskey that \$3 be paid K Michaels that \$1.25 cents be paid to Burford and the remainder of pay & Rations of whiskey to be revert to the use of the Compy to which he belongs and that he [be] confined 30 days In the cells and subsist on bread & water and the balance of his rations reverts to his Company.

The Comdg. Officer Approves of the proceedings of a Regim ==ental Court Martial where of Capt Gant was President and directs that the sentences of each and every case be carried into full effect. except so much of the sentence in the case of Private Richmond of Batt. Company G as subjects him to be tied to a stake in front of the Guard house which is hereby remitted.

The stoppage of pay will be marked on the Muster Rolls which the Respective Company Commanders will see to do. Also that the Whiskey Stoppage be made.

The Court is Dissolved

by Order of Lt. Col. Woolley  
(Signed) Thos. Noel adjt. 6th Regt.

Head Qt. 6th Regiment

Fort Atkinson 7th April 1826

Orders

No. 84

The Comdg. officer requires a more strickt? attention to the standing orders of the post and the regulations relative to roll calls he has noticed with regret that the Officers neglect to attend at Revelle [sic] Roll Calls.

The duty termed "General Fatigue" is considered a great importance to good police it should not be slured.? [sic] over The sweeping in the ?(smudged) the Quarters will

extend clear across the parade of the Esplenade in using the whole? space between the rear line of the Quarters and the So??fence at the edge of the Grass.

Lt. Wickliffe will relieve Lt. Nichols armourer of Co. F.

he will pass the necessary receipts to Lt. Nichols. Spafford of (E) Company is transferred to Rifle Company (B) as a bugler and Ferber of Rifle Company is transferred to Company E as a Fifer. Goodyer of Batt. Company. (E) is transferred to the Grenadier Company as a bugler and private Cogshell of the Grenadier Company is transferred to (E) Battalion Company.

By Order Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Reg.  
Head Qrts. 6th Regt.  
Fort Atkinson 17th April 1826

Orders  
No. 85

A Regimental Court Martial will convene immediately for the trials of such prisoners as may be brought before it. The Court to consist of Lt. Waters President  
Lts. Bateman & Nute Members

By Order of Lt. Co. Woolley  
(Signed) Thos. Noel adj. 6th Regt.  
Head Quarters 6th Regt.  
Fort Atkinson 17th April 1826

Orders  
No. 86

At a Regimental Court Martial convened at this Post on the 17th of April Instant of which Court Lt. Waters was President was tried Robert Beard of Rife Company (B) 6th Infantry.

Charged with conduct prejudicial [sic] to good order & military Discipline.

Specif. In this that the said Beard did when ordered by Lt. Clay his Company Commander to return to one of the said Company Rooms did resist the Authority of the said Lt. Clay and by sudden plights neglect to obey the aforesaid Order This at Fort Atkinson on the 7th April 1826.

To which Charge and Specification the prisoner pleaded "Guilty".

The Court confirm the plea of the Prisoner "Robert Beard" and find him guilty as charged and sentence him to 30 days Solitary Confinement in the Cells to subsist on Bread & Water for the same period to forfeit the remaining part of his rations to go to the Company of which he the said belongs.--

The proceedings of the Court are Approved and will be carried into effect. The officer of the day is charged with the Execution of Sentence.

The Court is Dissolved  
By Order of Lt. Col. Woolley  
(Signed) Thos.. Noel adj. 6th Inf.

Orders  
No. 87  
Head Qrts. 6th Regt.  
Fort Atkinson 19th April 1826  
A Regimental Court Martial will convene Immediately for the trial of such prisoners as may be brought before it.

The Court will consist of Lt. Wickliffe--{ President  
Lts. Hanswearengen & Anderson {Members  
By Order of Lt. Col. Woolley  
(Signed) Thos. Noel adjt.. 6th Reg.

Orders  
No. 88  
Head Qrts. 6th Regt.  
Fort Atkinson 19th April 1826  
The proceedings in the Respective cases of Captains Gray & Pentland will be published to the Regiment. Those in the cases of Lt. Nute & Nichols will be published and read on parade at the Head of Companies at the next Sunday Inspection. The proceedings in the case of Lt. Nute will be read to Battl. Company (E) 3 sucessive [sic] sundays afterwards.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt.

Orders  
No. 89  
Head Qrts 6th Regt.  
Fort Atkinson 20th April 1826  
A Council of Administration will Assemble this morning to examine a number of Articles brought to this place For Sale to determine what articles shall be sold and the price of each.

The Council will consist of Capt. Gant, Lt. Palmer & Lt. Wickliffe & Lt. Eaton Secretary.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt.

Orders  
No. 8  
Adjutant Generals Office  
Washington 15th Feby. 1826  
Proceedings of a General Court Martial which convened at Fort Atkinson on the 10th of November 1825.

1st Captain James S. Gray of the 6th Infantry was arraigned on the following to wit.

Charge Drunkeness [sic] on Duty

Specif. In this that he said Capt. James S. Gray of the 6th Regt. U. S. Infantry was on or about the evening of the 22 June 1825 at or near a place called by the traders Fort Lookout or Fort Kiowa? on the Missouri river so much intoxicated as to be incapable of performing the duties appertaining to his Station as a Captain of a Company of the 6th Reg. of Infantry and As--

Specification 1st In this that he Private Thomas Young of Compy (A) 6th U.S. Inftry. was at or near Fort Atkinson on or about the 23rd March 1826 So much Intoxicated as to make him neglect his Duty or in other Words to make him regardless of the performance of his duty he being on detail as a Tailor at the Band House--  
Specif. 2 In this that he the said Young of the Co. and Regt. aforesaid did when Asked what his name was and where he had been Say "I don't Intend to work any more without Extra pay" or words to that effect and Also remark as he left Lt. Holmes Quarters for the Guard house that the above was what he had said thereby Almost defying the Authority vested unto Lt. Holmes by his Commission and the orders of his Comdg.. Officer this at Fort Atkinson on or about the 23rd March 1826==

To which Charge & its specifications the Prisoner plead not Guilty==

The Court after mature deliberation on the Testimony adduced find the Prisoner Thomas Young guilty of the Charge and its Specifications and sentence him to have \$5.00 of his pay stopped and his whiskey rations stopped for the period of 30 days both of which to be appropriated to the benefit of the Company of which he belongs.

Was also tried Musician Richard Burk of Battle. Co. (E) 6th U.S. Infantry--Charged with Drunkenness [sic].==

Specification 1st In this that he Musician Burk of Battl. Co. (E) 6th U.S. Inftry. did at or near Fort Atkinson on or about the 22 March 1826. Notwithstanding he had just been released from Confinement in the cells for Drunkenness [sic] become in defiance of punishment intoxicated==

Specif. 2nd In this that the said Burk of the Compy. and Regt. aforesaid did at or near Fort Atkinson on or about the 23rd March 1826 become Intoxicated after he had promised Lt. R. Holmes to the contrary on Condition that he would excuse that crime of the 22nd, Contained in the 1st specification, thereby showing only disrespect [sic] to his Superior Officer disregard to truth but the habits of a Confirm Drunkard==

To which Charge and its Specification the prisoner pleaded Guilty. The Court confirm the Plea of the Prisoner and find him Guilty as charged and sentence him to have \$5.00 of his pay stopped and his whiskey rations subjected to stoppage for the period of 30 Days both of which to be Appropriated to the benefit of the Company of which he belongs==

The Commanding Officer Approved the proceedings and Sentences of the Court Martial of which Major Ketchum was President and Directs that they be carried into effect. Proper remarks will be made on the Muster Rolls that the Stoppage of pay may be made--The Company Commanders of A, B, C, and E will be particullar [sic] in causing the stoppages of whiskey to be made in Conformity.

Sentences Privates McGinn, Moore, Armstrong, Harrow, Young, & Mus. Burke will ??

Stopped for the period of 30 days to be Appropriated to the benefit of the Company of which he belongs.

Was also tried Private William Moore of Battl. Co. (E) 6th U.S. Inftry.--Charged with being Intoxicated whilst on Duty at Fort Atkinson on or about the 22 March 1826==

To which Charge the Prisoner pleaded not guilty the Prisoner guilty as Charged and do sentence him to have his Whiskey stopped for 15 days to be appropriated to the benefit of the Company of which he belongs.==

Was also tried Private Armstrong of Rifle Compy. B 6th Inftry.--Charged as Follows==

Charge 1st Forgery Specification In this that he the said Private John Armstrong of the Compy & Regt. aforesaid did Forge an order on the afst. Compy. of Subs. for one quart of Whiskey on the credit of Lt. J. Clay, 6th Inftry. at Fort Atkinson on or about the 23rd March 1826== Charge 2 Fraud--

Specification. In this that the said Private Armstrong did on or about the 23rd March 1826 At Fort Atkinson attempt by Fradulent [sic] means to obtain from the Afst. Compy. of Subs. one Quart of whiskey on a forged order from Lt. Clay, through the agency of Private Colwell of Co. (B) 6th Inftry.--

To which Charges and Specification the Prisoner pleaded not guilty==

The Court after mature deliberation on the testimony adduced find the Prisoner as follows==Not Guilty of the Specification of the 1st Charge

Not Guilty of the 1st Charge== Guilty of the Specif. of 2 Charge Guilty of the 2nd Charge==and do sentence him to have \$2.50 of his monthly pay stopped to have his Whiskey Rations stopped for the Period of 30 days. Both to be Appropriated to the benefit of the Compy. to which he belongs.

Was also tried Private Harrow of Battl. Compy. (D) 6th U. S. Inft. Charged with being so Drunk as to be incapable of performing any kind of Duty, this at or near Fort Atkinson on or about the 23rd March 1826.==

To which the Prisoner plead not Guilty==

The Court after due deliberation on the Testimony adduced find the Prisoner Guilty as Charged and do sentence him to have his Whiskey Rations stopped for the Period of 20 days, To be Appropriated to the benefit of the Company to which he belongs.==

Was next tried Private Thomas Young of company (torn) U. S. Infty==Charge with Drunkenness [sic] on duty and ? his Superior Officer.



To which the Prisoner pleaded "Not Guilty."  
The Court after the most mature deliberation on the Testimony adduced find the prisoner Guilty of so much of the Charge as being so much Intoxicated on Drill, as to render him incapable of performing his duty-- & Not Guilty of the charge--and Sentence him to have the whiskey part of his rations stopped for the period of 20 days To be appropriated to the use of the company to which he belongs--

The proceedings of the Court are approved and the Sentences will be carried into effect. The Commander of Compy. D will that the stoppage of pay In the Case of private Gaskins is marked on the Muster Rolls. The Company Commanders to which the prisoners Respectfully belong will see that the Stoppage of whiskey is made in each case--The prisoners will be released from Arrest to viz--Green, Gasken, Ruelle & Cape & return to duty--The Court will reconvene to morrow morning at 1- O'Clock--

By Order of Lt. Col Woolley  
(Signed) Thos. Noel Adjt. 6th Infty.  
Head Qrt. 6th Regt.

Orders  
No. 97

Fort Atkinson 28th April 1826

Before the Regimental Court Martial of which Major Ketchum is President which reconvened at Fort Atkinson on the 28th Instant was tried private James Conley of Light Company (A) 6th Regt. of Infantry--

Charged As Follows

Charge 1st Disobedience of Order

Specif: In this that he the said privt. James Conley of Light Company A 6th Regt. of Infantry, did on the 18th of February 1826 at Fort Atkinson Council Bluff After having been ordered by his immediate Commg. Officer "Lt. Waters" to go to the guard house in charge of a N. C. Officer and whilst on his way there did turn from the non Commissioned Officer & proceed back saying "by God I wont go to the Guard house" or words to that effect and otherwise resisting the Non Commissioned Officer while going to the Guard house.

Charge 2nd Drunkenness [sic]

Specif. In this that he the Said private James Conley of the Company & Regt. aforesaid was Intoxicated with Wine or Spirited Liquor on or about the time & place specified.

To which charges & Specifications the prisoner pleaded "Guilty"  
The Court after mature deliberation Confirm the plea of the prisoner and find him Guilty of the Specif. of the 1st Charge & Guilty of the 1st Charge. Guilty of the Specfn. of the 2nd Charge and Guilty of the 2nd Charge and Sentence (torn) to have \$5.00 of his monthly pay & his Rations of whiskey Stopped for 30 (days? torn).



of his monthly pay stopped for one month.

Was also tried Sergt. Porter Fleming of (F) Company  
6th Regt. Infantry--Charged with conduct highly to the prejudice of good order  
and military discipline.--

Specif: In this that he the said Sergt. Fleming of the Company & Regt.  
aforesaid did borrow or hire from privt. Streeter a private of said Company  
a public Horse be the said Sergt. Fleming well knowing that said Streeter  
had no right to loan or hire the Horse Aforesaid--This at Fort Atkinson  
on or about the 29th April 1826--

To which Charges & Specif. the prisoner pleaded "Not Guilty"

The Court find the facts that the accused did hire a public horse  
of private Streeter but there being no Testimony before the Court showing that  
Sergeant Fleming knew the horse belonged to the public Attach no criminalty [sic]  
to the case and therefore Acquit the prisoner Sergt. Fleming of the charges  
Exhibits against him.--

The Commd. Officer Approves the proceedings of the Regt. Court  
Martial whereof Brevet Major Ketchum is President on the case of Privt. Streeter  
of Battl. Compy (F) but in as much as the Sergt by where advice and procu  
==rements he was induced to commit the offence [sic] has gone clear. The Commd.  
Officer is pleased to remit the punishment of Privt. Streeter he will be released from  
Arrest and return to duty in the Qr. Ms. (?) detail and he is advised to  
keep sober and know well what he is about. whether in Armed Service  
or Fatigue for a Soldier drunk on one service is very likely to be drunk on the  
Other--

The finding of the Court in the case of Sergt. Porter  
Fleming of Battl. Compy (F) is disaproved [sic] on the remarks that remarks on  
such proceedings would be useless and that it behoves [sic] the Qr. Ms to look  
well to the public Horses & Teamsters when the fact is admitted that a  
public teamster can hire a public horse to the Orderly Sergeant of the  
Company to which he belongs with intire [sic] innocence on the part of the  
Sergeant.

president is dissolved

The Court whereof Brvt. Major Ketchum is

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel  
Adjt. 6th Regt.

Orders

Head Qr. 6th Regt.

No. 101

Fort Atkinson 1st May 1826

What summer Clothing there is in Store will be issued this morning to the Troops--it will not afford half a Supply and will be issued for each Company Respectively in proportion to its strength--In future no clothing will be worn untill it is marked according to Regulations. Company Commanders will see that the Clothing drawn to day is marked Immediately.--The Morning Drill hereafter [sic] will commence at half--pas [sic] four O'clock & the Afternoon Drill at four O'clock.--The exhausted State of the forage makes it necessary that none shall be issued but to the Cattle engaged in Cultivation.--All horses & Oxen not thus engaged will be turned out to pasture and will draw no grain.

By Order of Lt. Col. Woolley

(Signed) Thos. Noel

Adj. 6th Regt.

Orders

Adj. Genl. Office Washington

No. 3

14th Jany. 1826

Proceedings of the Genl. Court Martial now in Session at Fortress Monroe by Virtue of the "Orders" of December 16th 1822 1st Captain Wm. S. McClintock of the 4th Artillery was Arraigned [sic] and duly tried on the following charges

Charge 1st Neglect of Duty

Specification 1st for on this that he the aforesaid Capt. Wm. L. McClintock while employed on Fatigue Duty on the 7th December 1825 at a place called Buckroe Farm, in the vicinity of old point comfort Virginia did suffer two men privates of the Company then under his command viz Smith & Dill to leave the aforesaid Company and their fatigue duty and to get intoxicated.

Specification 2nd For in this that he the said Capt. McClintock as aforesaid well knew the absence of and improper Conduct of the Aforesaid privates of his Company did at Fortress Monroe in Va. On the 7th December 1825 neglect to arrest or confine or prefer Charges against the afore mentioned privates of his Company in order to their legal punishments, Although [sic] directed so to do by Brevet Major Heileman his Immediate Commd Officer

Charges 2 Disobedience of Orders and contempt of Authority.

Specif: 1st For in this that he the aforesaid Capt. Wm. S McClintock did at Fortress Monroe "Va." On the 7th December 1825 and in the Quarters of Major Heileman when asked by the aforesaid Major Heileman ? (torn)

If he the aforesaid Capt. Wm. L. McClintock had preferred [sic] the necessary Charges against the two privates Smith & Dill of his Compy. As previously Directed by the aforesaid Major Heileman answer in a contemptous [sic] and disrespectful manner "No do it yourself" or in words to that effect.

Specif. 2nd For in this that he the aforesaid Capt. Wm. L. McClintock as aforesaid did at the time and place aforesaid, when expresly [sic] ordered by the aforesaid Major Heilman to prefer the necessary charges against the two privates Smith & Dill of his company as Ordered by the Aforesaid Major Heileman he the Aforesaid Capt. McClintock did say in a disrespectful and contemptous [sic] manner to the aforesaid Major Heileman that he would not "do it." he would punish the men in his own way--or words to that effect.

To the forgoing Charges & Specif. the Accused Capt. Wm. L. McClintock pleaded "Not Guilty"--

1st The Courts after the most mature deliberation on the Testimony adduced find the prisoner Capt. William L. McClintock of the 4th Regt. of U.S. Artillery "Not guilty" of the 1st Specf. of the 1st Charge

2nd The Court find the Prisoner did not confine the men mentioned in the Specf. of the 2nd Charge and that they had been previously confined by Another Officer when the order was given by Major Heileman, to the prisoner. They find also that he did not prefer Charges as ordered by Major Heileman, and mentioned in the Specfn. but attach no Criminality to this transaction as they deem it improper that an Officer should be compelled to place himself in a Character of a public Prosecutor except in the manner provided for by law an bequit on the Specification--"Not guilty of 1st Charge."

"Not Guilty of the Specif. of the 2nd Charge

The Court find the facts as stated in the 3rd Specif. except the words "Disrespectful & Contemptous [sic] manner." but attach no Criminality thereto for the reasons stated in the finding of the 2nd Specif. of the 1st charge --2nd Charge. The Court find that the prisoner disobeyed the Order of Major Heileman but "Not guilty" of the remainder of the Charge and alleged no Criminality for the stated in the finding of the 2nd Specifn. of the 1st Charge and do therefore "Acquit him"

The Court then proceeded to the trial of 2nd Lt. William H. Kerr of the 3rd Artillery--

Charge "Neglect of Duty"

Specf. In this that he the said 2nd Lt. William H. Kerr  
3rd Regt. of U.S. Artillery being placed in the command of the  
left flank guard at Fort Monroe Virginia did suffer himself to fall  
asleep and did fail and neglect to turn out or present his guard  
to the Officer of the day when visited by him the aforesaid Officer  
of the day on the morning of the 22 Dec. 1825.

The Accused 2nd Lieut. William H. Kerr pleaded "Not  
Guilty" to the foregoing Charges & Specification--

The Court after mature deliberation find the prisoner 2 Lt.  
William H. Kerr--Guilty of the Specf of the charge leaving  
out the words "did suffer himself to fall asleep" Guilty of the  
Charge, and do sentence him to be Reprimanded in Genl orders  
and be suspended from Rank for one month--

3rd the principal essayed to be established by the Court and which  
is recognised [sic] in the Opinion that has pronounced in connection with Capt. Mc  
Clintocks trial is so novel and apparently so inconsistent with the interest am  
unsure ? of the service. That the Genl. in Chief is constrained to declare his  
disapproval of so much of the sentence in the case as is devoted to the  
inculcation of this new doctrine.

A General at the head of an Army for example Orders out  
a detachment upon some Special services the Officer assigned to this Command  
from a sence [sic] of duty reports the mal. conduct of one of the officers for  
and whilst performing the service which has been enjoined. Shall it  
be affirmed that the athority [sic] of the Commander would be wrongfully  
exercised if he should require that Officer to claim charges & Specifns.  
in the case of the delinquent who conduct he was Officially reported.  
That Officer too whose duty and peculiar [sic] position best enabled  
him to develop all the circumstances connected with the fact--

If this opinion of the Court be Orthodox. It is improper that  
an Officer should be compelled to place himself in the Character of  
a public prosecutor except? In different language. It would be  
"improper" in the opinion of the Court. ? an Officers of athority [sic] should should [sic]  
require such service of Another officer? and? the case hypoth-  
ically Stated would illustrate the principal inculcates. Another doctrine  
for should the Inferior "disobey the Order of the Superior in the  
contingencies which has been supported its non-Compliance is pronounced?  
to be not unjustifiable.

If the principle maintained by the courts was only applicable to an isolated case which has been confided to its scrutiny [sic] and its then pending dismissions [sic] the dogma incorporated with the sentence perhaps would not have required any commentary, to its fallibility, but according to the broad tenor of the language employed--its application appears to be general and even without limit--In pronouncing [sic] Judgement [sic] on the Specif of the 2nd charge and on the 2nd charge the court reiterates. "The reason stated in the Finging[sic] of the Specif.-- of the 1st charge." It would seem therefore that these repeated, declarations were considered as so many illustrations of the texts assumed in the premisses [sic] and thus promulgated [sic] to the court without any regard to its limit or qualifications.

The sentence in the case under review is hereby confirmed. Captain McClintock of the 4th Arty. will therefore resume his duty.

4th The Judgement [sic] awarded in the case of 2nd Lt. Kerr of the 3rd Artillery is approved--It is to be regretted that the court should have permitted this Officer to file a document which purports to be his defence [sic]--it is devoid of all the properties of one designed either to perswade [sic] or convince reproach & invective are its chief characteristics, Approbious [sic] and disrespectful language in a remarkable degree towards his Commander and a brother Officer whose duty, and the law required him to appear as a witness for the prosecution sumed to be its primary Object for the case in hearing and in charity to the accused. It would have been better if this document had not been brought to see the light--This Officer may felicitate [sic] himself that his abduction in the line of his duty has been adjudged with such distinguished lenity.

Special Orders  
No. 23

By Order of the Genl in Chief  
(Signed) R. Jones  
Adj. Genl.  
Adj. Genl. Office Washington  
16th Feb. 1825

The Furlough granted to 2nd Lt. J. Swearingen of the 6th Infantry is extended to include the 22 of May next at its expiration he will join his Company and report for duty--

By Order of Major Genl Brown  
(Signed) R. Jones  
Adj. Gen'l.

Orders  
No 9

Adj. Genl. Office Washington  
18th Feb. 1826

Before the Regtl. Court Martial which convenes  
at Fort Niagara on the 18th December in virtue of the order Issued  
by Major Genl. Gains, dated December 4th 1825.

Was arraigned [sic] and tried 1st Lt. E. B. Griswold of the  
2nd Infantry.

Charge 1st "repeated disobedience of Orders."

Specification 1st "In this that he the Lt. Edward B. Griswold did not  
drill Company (G) 2 Inftry On or about the 13th day of February 1825 at  
Fort Niagara, after having been repeatedly and positively ordered so to do  
by his commanding Officer."

Specifn. 2nd "In this that he the said Lt. Edmund B. Griswold did  
not drill or attend Compy. Inspection on or about the 21st day of July  
1825 at Fort Niagara after having been repeatedly and positively  
ordered by his Commanding Officer," so to do--

Specf. 3rd "In this that he the said Lt. E. B. Griswold did not  
drill Compy (G) 2nd Inftry on or about the 25th July 1825 at Fort Niagara  
after having been repeatedly and possitively [sic] Ordered by his Commanding  
Officer" so to do--

Specf. 4th In this that he the said Lt. E. B. Griswold did not  
drill Compy (G) on or about the 30th July 1825 at Fort Niagara after  
having been repeatedly and possitively [sic] Ordered by his Commdy Officer  
so to do"

Specifn. 5th "In this that he the aforesaid Lt. E. B. Griswold  
did not commence or attend drill untill about 20 minutes before 6 OClock  
A.M. on or about the 27th July 1825 at Fort Niagara when he had possitive [sic] and  
repeated orders from his Commd. Officer to commence at  
5 OClock A.M.

Specif: 6th "In this that he the said Lt. E. B. Griswold did not  
dismiss or allow to be dismissed the drill of Comp G. Inftry at  
Fort Niagara in or about the 1st of August 1825 untill about half  
past 5 OClock A.M. contrary to the Orders of his Commdn. Officer--

Specifn: 7th "In this that he the said Lt. Edmund B. Griswold  
did refuce [sic] and Omit to turn out to drill Compy (G) 2nd Inftry  
On or about the 6th July 1825 at Fort Niagara after having  
been twice sent for by his Commd. Officer pretending to be sick  
when he was not so.

Charge 2nd "Unofficerlike Conduct"

Specification 1st "In this that he the said Lt. Edmund P. Griswold did visit; and leave Fort Niagara on or about the 2nd Sept. 1825 and did not call on or report himself to the Commd. Officer of the Post."

Specif: 2nd "In this that he the said 2nd Lt. E. B. Griswold did deliberately and willfully break open and evelope a letter directed to the Commanding Officer at Fort Niagara on or about the 25th July 1825"--

Specif. 3rd "In this that he the said 2nd Lt. E. B. Griswold did not visit his guard at Fort Niagara when Officer of the day on or about the 20th July 1825"

Charge 4th Falsely reporting himself sick"--

Specification--"In this that he the said Edmund B. Griswold did falsley report himself sick to Asst. Surgeon William Beaumont as lame and unfit for duty, and did go on the sick report on or about the 4th day of July 1825 at Fort Niagara when he was able to do his duty.

The Court after mature deliberation on this Testimony adduced find the Accused 1st Lt. Edmund B. Griswold of the 2nd Reg. Inftry. "Guilty of the 1st Specf. of the 1st. Charge "Guilty of the 2nd, 3rd, 4th, 5th, 6th, & 7th Specif. of the 1st Charge" and "Guilty of the 1st Charge Guilty of the 1st Specif. of the 2nd Charge."--

The Court find the facts as set forth in the 2nd Specif. of the 2nd Charge but attatch [sic] no Criminality there to Guilty of the 3rd Specif. though the Court consider there are mitigating circumstances connected therewith.

"Guilty of the 2nd charge guilty of the Specifn of 3rd Charge and Guilty of the 3rd Charges Guilty of the Specif. of 4th charge and guilty of the 4th Charge.

The Court Sentence the Accused 1st Lt. Edmund B. Griswold of the 2nd Regt. of U.S. Infantry to be "dismissed the service"

The Sentence of the Court is disapproved--It is at least very questionable whether the finging [sic?] of the court is warranted by the evidence on the face? of the record--with regard to only the charges which if were approved? could? Justify the severity of the Courts final Sentence Viz. the 3rd & 4th--The evidence before the Court was contradictory--? ? testified to facts which of

credited show that the unfitness for duty by Indisposition of Lt. Griswold at the time Specified in the Charges was real and not pretended. The facts are indeed otherwise Stated by Asst. Surgeon Beaumont, but the finding of the accused Guilty by the Court in these charges appears to rest more upon the professional opinion of the surgeon, that upon his statement of facts spoken as that may be by the Testimony of Lt. Russel & Lt. Morris.

The testimony of Brevet Major Thompson and that of Asst. Surgeon Beaumont both bear internal mark of excited feeling imparing [sic] their credibility. The former was properly excluded by the Court -- and Surgeon Beaumont states, an Expiement as having been made by himself upon Edmund B. Griswold of more that doubtful [sic] propriety in the Relations of a medical Advisor to his patient--A medicine of violent operation Administrated by a physician to a man to whom he believed to be in good health but which is taking his professional advise [sic] is a very improper test of the sincerity of the patients complaints, and the ?(blotted) of it as of a transaction justifiable in itself discloses a mind warped by ill will or Insensible to its own relative duties..

(Signed) John Quincey Adams

Lt. E. B. Griswold will therefore be released from arrest & ordered to duty.

By order--

(Signed) R. Jones

Adj. Genl.

S. Order  
No 26

Adj. Genls. Office Washington  
20th Febry. 1826

A Furlough for 12 months to take effect the 1st May is hereby granted to Captain Ephraim Shaler of the 6th Infantry and the acceptance of his resignation as requested by the Captain which will immediately follow its expiration is thus announced to the Army--

By Order of Major Genl. Brown  
(Signed) R. Jones  
Adj. Genl.  
Adj. Genl. Office Washington  
21st Feby 1826?

Orders  
No. 10

Lieut. Co. Taylor? of the 1st Infantry will be



released from the recruiting service on the 1st of April by Major W. Davenport of the 6th Who is appointed a "Superintendent" for the western Department.--

Lt. Col. Taylor will remain at his present Station until his Command shall be designated and Major "Davenport" will repair to Louisville, Kentuckey [sic]--

By Order of Major Genl. Brown  
(Signed) R. Jones

Adj. Genl

Orders

Adj. Genl. Office Washington

No. 11

27 Feb. 1826

The "Monthly Returns" enjoined by the 19th Article of War requires that the names of all Officers "When absent from their posts" "with the reasons for and the time of their absence" to be Specified. and the provisions of the 13th Article enjoins similar specifns. of "such Officers" as may be absent from the Regt. or Company at the stated periods of muster--To enable therefore Commanding Officers of Regt. and Companies to comply with these Injunctions. Each officer in the line of the Army "when absent" on detached service shall report himself at least monthly to the Commanding Officer of his Post or Company. If a Company Officer and to the Commanding Officer of the Regt. if a field Officer-- Monthly Returns recently received are fixed in the remarks "absent not reported" to the names of several officers and that to one of the Regiments of Artillery 16 Commissioned officers are so reported.

The position? of Absentees on duty regularly reported as herein Commanded and of "Absentees" on Furlough vide paragraph 1305 "Genl Regulations." will hereafter superced [sic] the Occasion of the Objectionable and very unsatisfactory remarks which several Comdg. Officers of Regts. and Comp ==panies have been compelled to inscribe on their monthly returns & Muster Rolls.

By Order  
(Signed) R. Jones

Adj. Genl.

Orders

Adj. Genls. Office Washington

No. 12

2nd March 1826

The following Companies of Artillery are detailed for Artillery School of practice--

1st	Company D	Brevet Major	Wroth
2nd	"	E	Capt. Nurse
"	"	I	" Baden
3rd	"	H	" Derussey?
"	"	I	" Dix
4th	"	H	" Shumuck
5th	"	A	" Gardinier

And the Companies to be relieved are to be Stationed at  
Capt. Mason's 1st Artillery Fort Wolcot New Port  
" Zantizingers "  
" Montfrids 2nd Fort Columbus, New York  
Brvt. Major Somas "  
" " Rierco 3rd " Bollene Arsenal, Charleston  
Capt. Anshart " "  
" Irving 4th " Fort Marion, Savannah

The movement of the Companies from Fort Monroe will be made as soon as Circumstances and the season will permit. The precise time of departure to be determined by the Commandant. On their Arrival at their several posts as above indicated those Companies designed for their relief will then proceed without delay to join the shad? of practice.

By Order of Major Gen. Brown  
(Signed) R. Jones  
Adj. Genl.

Orders Adjutant Genl Office Washington  
No. 13 4th March 1826

Brigadier General Brady will be proposed to move on the 1st May at Fort Howard with the Companies of the 2nd Inftry. Stationed at Madison Barracks and at Fort Niagara

On the 1st of June Col. Leavenworth of the 3rd Infantry will be prepared to move with all the Companies of his Regt. to the position hereafter to be designated near the mouth of the Missouri.

Brevet Major Kearney with a Battalion of the 1st Infantry, under his Command will desend [sic] the Missouri with ?? (blotted) and untill further orders take post at Bell Fountaine.

The Commd. Genl. of the Westn. Dept. in conjunction with Brig. Genl. Atkinson will select some positions near the mouth river not exceeding a Range of 20 miles which in their Inftry.? (torn)

may be deemed the best for the Establishment of an Infantry School of Instruction.--The healthiness of the location will be the primary Consideration in determining the point thus required to be Stationed--

By Order of Major Genl. Brown  
(Signed) R. Jones  
Adj. Genl.

Orders  
No. 14  
Adj. Genls. Office Washington  
8th March 1826

The following Resignations have been accepted by the President of the U. States.

1st Lt. A. M. Intgre 1st Reg. of Artillery to take effect the 1st March  
2nd Lt. H. P. Welch " " " " to take effect 30th April  
2nd Lt. W. C. Young " " " " to take effect 31st May

By Order  
(Signed) R. Jones  
Adj. Genl.

Orders  
No. 15  
Adj. Genl. Office Washington  
10th March 1826

1st The General Court Martial will convene at  
Fortress Monroe on the 15th Instant or as soon thereafter as practicable for  
the trial of such prisoners as may be brought before it--  
2 " the Court will be composed of 5 members, A greater number cannot be  
assembled without Injury to the Service--President Major Heileman 2nd ?  
Special Judge Advocate Lt. T. W. Cook 1st Batt.  
3" The members and supernumerary members will be detached by the  
Commanding Officer at Fort Monroe.

By Order of Major Genl. Brown  
(Signed) R. Jones  
Adj. Genl.

Orders  
No. 16  
Adj. Genls. Office Washington  
14th March 1826

The? Cantonments now occupied by the Battalions of the 4th and  
1st Regts of Infantry in Georgia will be vacated and the troops will  
proceed without delay to Contonement [sic] Clinch preparatory to their further  
movements to the Mississippi?

By Order of Major Genl Brown  
(Signed) R. Jones  
Adj. Genl.

Orders Adjutant Genls. Office Washington  
No. 17 15th March 1826

Paragraph 1144 "Article 72" of General Regulations is so far modified that the hospital rations shall hereafter be commuted at the contract price instead of 15 cents as therein provided for.

By Order of Major Genl. Brown  
(Signed) R. Jones, Adjt. Genl.

Orders Head Qrts. Westn. Department  
No. 5 Cincinnati [sic], Ohio 13th March 1826

At a General Court Martial which assembled at Cantonment [sic] "Jessup" pursuant to orders No. 17 of the year 1825 Whereof Major. A. Cummings was President was tried Lt. Joseph Cadle upon he following Charges ishittuted [sic] against him by Lieut. Charles Thomas of the 7th Reg. of Infantry.

Charge 1st "Unofficer like Conduct"

Specification "In this that he the said Lt. Joseph Cadle of the 7th Regt. of U.S. Infantry did at Fort Towson in the Arkansas territory on the 4th day of July 1825 did send a file of men and have Hantung Clerk to the sutler of said Post brought to the Garrison and there have him tied and did flag him severely with a stick. Although he was repeatedly assured by said Hartung that he was innocent of the charge laid against him--

Specif. 2nd In this that he the said Lt. Joseph Cadle of the 7th Regt. U.S. Infantry did after having the said Hartung released again have him tied and flogged by one or more Soldiers untill the Arrival of Lt. Charles Thomas at Fort Towson on the 4th July 1826.

Charge 2 "Mutiny"

Specifn. 1st In this that he the said Lt. Joseph Cadle of the 7th Regt. of U.S. Infantry did at Fort Towson on the 4th July 1825 refuse to obey the possitive and repeated Orders of his Senior Officer Lt. Charles Thomas to desist in having the said Hartung flogged did continue to order the men to keep on flogging. Exclaiming that he Commanded on the Hill and would obey no one--

Specifn. 2nd In this that he the said Lt. Joseph Cadel of the 7th Reg. of U.S Infantry July 1825 on being repeatedly ordered by his Senior Officer Lt. Charles Thomas to quit? after the Guard had stopped the men from

Flogging the said Hartung refuse to obey him calling upon Sergt. Edgar to parade Company (D) of the 7th Regt. of Infantry evidently for the purpose of resisting the orders of his senior Officer Lt. Charles Thomas. Spec. 3rd. In that he the said Lt. Joseph Cadle of the 7th Regt. of U.S. Infantry did at Fort Towson on the 4th day of July 1825-- Strike his Senior Officer Lt. Charles Thomas while in the execution of his duty quelling a riot at said Post. Specf. 4th In that the said Lt. Joseph Cadel of the 7th Regt. of Infantry did at Fort Towson, Arkansas Territory on the 4th day of July 1825. After having been ordered to surrender himself to the guard at said post, Attempt several times to strike his Superior Lt. Charles Thomas and did endeavor to raise a mutiny among the Soldiers of said Garrison--

To which Charges & Specfns. the Prisoner Pleaded "Not Guilty"

The Judge Advocate having reported to the Court that the Accused Lt. Joseph Cadle had been arrested by the civil athority [sic] of the parish of Natchitoches at the suit of A. C. Hartung and taken from the Court--The proceedings in this case have necissariaily [sic] been Suspended. A Question was suggested to the Court whether it would be proper to dispatch a Messenger to Natchitoches for the purpose of As ==certaining when Lt. Cadle would be released by the Civil Athority [sic] of The Court decided that is Lt. Cadle had been taken from the Court by the cival [sic] athority [sic] that they had one further Jurisdiction over him

The Court Adjourned Sine du

The Court reassembled [sic] pursuant to orders no. 24 in the year 1825 and proceeded to the trial of Lt. Joseph Cadle of the 7th Regt. of U.S. Infantry as aforesaid.

The Court after the most mature deliberation on the testimony adduced find the accused Lt. Joseph Cadle of the 7th Reg. of U.S. Inftry.

"Guilty of the 1st Specif. of the 1st Charge"

"Guilty of the 2nd Specif. of the 1st Charge.

"Not guilty of the charge"

"Guilty of the 3rd Specif. of the 2nd Charge

"Not Guilty of the 4th Specif. of the 2nd Charge"

Guilty of the 3rd Specif. of the 2nd Charge

Not Guilty of the 4th Specif. of the 2 charge and

Guilty of the 2nd charge and do sentence him to be suspended from command for 2 months.

Signed Alexander Cummings  
Maj. 7th Inf.

The Court in finding the accused Guilty of all the Specifications of the 1st Charge and not Guilty of the charge warrant the conclusion that the board submitted to. The General does not exhibit the whole testimony upon which their finding is based, or that their views on what constitutes "On Officer like Conduct" of which the accused is clearly proven to be Guilty differ widely from those embraced on former occasions and sustained by Approved maxims? of Military law.

Officer like conduct consists in faithful Obedience [sic] to military moral and unicipaly? law--and in do efficiently and in good faith whatever is enjoined and in abstaining from whatever is forbidden by these laws; The revise? of this constitutes Un officer like conduct. Unofficerlike Conduct is more Clearly demonstrated by the testimony under con- sideration in the acts and usage of the accused. For a supposed slight insult to himself personally, he dared to do an act which no possible crime on the part of the Sutlers Clerk, or any other person Citizen or Soldier could have Justified. He dared to trample on every Salatory principal of laws by ordering U.S. Soldiers to tes up and punish with stripes and lashes a fellow Citizen;--and when checked as he was correctly checked by Lt. Thomas the Officer of the day in an outrage from which the hallowed Anniversary of our Countrys Independence. "The day of the outrage" ought to have been sufficient to restrain him, he dared further to offend against the violated laws by opposing and striking the Officer of the day--The Court has indeed found him guilty of Mutiny-- --but they have put the commission and the purse? of the accused in Jeopardy by their ill judged unauthorized and unaccountable [sic] effort to screen? him from merited? conduct. Mercy is a prerog- ative [sic] of supreme authority and should influence Courts Martial only when law and Justice accord with the supreme attribute-- The duty of the Court was to try and determine the case before them between the U.S. and the prisoner to be tried according to the testimony and the law . Had they passed upon the accused a sentence Corresponding [sic] with the clear impact of the testimony unbraced in the record they would thus have rendered Justification? of the injured Citizen restored the violated Sanctity of the laws have? used? and secured the confidences of the adjacent cival [sic] authorities, and they would moreover have put it in the power of the President of the U.S. to make every proper allowance for the youth? and ??

of the accused which alone should any event preserve to him his honour and commission with these impressions the record of the Court is submitted through the General in Chief to the President of the U.S. for his final decision.

Lt. Cadle will in the interval remain in Arrest  
(Signed) E. P. Gaines  
Major Gantt by Brevet  
Commdg.

Orders  
No. 6

Head Qrts Westn. Dept.  
Cincinnati [sic] Ohio 15th March 1826

In the line of the special Report of the state of each Post and compy in the Department hitherto required to be made between 15th and 20th of each month. Commandant of Posts & Staff Officers are hereby directed to communicate promptly as occasion may offer to department Head Qrts every extraordinary occurrence connected with their respective trusts with whatever may concern with the relations of peace between the adjacent Indian Tribes and the Frontier Settlements.

Ordinary occurrences [sic] may be noted on the Monthly Returns or other wise Communicated at the end of each month by better as may be most convenient.

Among them extradonary [sic] occurrences [sic] upon which reports are required to be promptly [sic] made to Dept. Head Qrts. the following is mentioned as of primary importance viz The Sudden Appearance The Threatened approach of an Enemy. The sudden Appearance of any fatal or dangerous malady among the Troops or adjacent settlements. The loss of any of the regular supplies of Subsistence, Medical, Ordinance or Qrt. M. Stores or money or the failure of either of those Departments to furnish [sic] regular supplies of ? ?

Among [sic] the Ordinary subjects to be noted on or accompanied by the monthly Returns may be mentioned the condition of the Block houses & Barracks; the state and Quality of the arms. Clothing Subst. and Hospital Studs? in use the time the Troops are paid. The cause if known of any what delaying their payment.

? Officers need not to be told of the evil effects that ought to result for a want? of early Information of the Dept. Head Qrts of an ex? and Army upon the forgoing and other Subjects? to enable? the General at all times to ?  
? State of the competent parts there--?

Their expiriance [sic] cannot but have convinced them of what every officer should know are appriciate that he who commands a post or an Army can never due Justice to the Troops under him or to the public service without a full view of their condition and that occasional Inspections necessary to enable the Commandent [sic] to make a Faithful Report seldom fails to Correct unforeseen irregularities on defects and thus actually [sic] to improve by the simple proofs of ascertaining and reporting the condition of his Command.

(Signed) E. P. Gains  
Major Genl. By Brevet Commdg.

Orders  
No. 103

Head Qrts 6th Reg.  
Fort Atkinson 3 May 1826

At a Regimental Court Martial convened at this Post on the 3rd May 1826 of which Courts Capt. Gant was President was tried private John Cape. charged with "Disobedience of Orders in Absenting himself from Drill without permission. This at Fort Atkinson on the morning of the 1st May 1826.

To which charge the prisoner pleaded "Not Guilty" The Court after mature deliberation on the testimony adduced find the prisoner privt. John Cape Guilty as charged and Sentence him to have half his pay stopped for one month and to have the whiskey part of his Rations for one Month stopped, likewise to ride the wooden horse for 3 successive days 2 hours each day said Stoppages to be appropriated to the use of Co. B.

Was also tried Private Twist of Batt. Co. K 6th Infantry on the following Charge

Charge "Disobedience of Orders."  
Specif. In this that he the said Daniel? Twist of the Co. ? (torn) 6th Reg. aforesaid did when ordered by Sergt. Alma Orderly Sergt. of Co. K to work in the Company Garden?



positively refuse and neglect so to do This at Fort Atkinson on or about the 1st May 1826.

To which charge the prisoner pleaded "Guilty".

The Court Confirm the plea of the prisoner and Sentence him to have the whiskey part of his Rations stopped for 20 days and be confined to the Guard house from Retreat untill Reville [sic] for 5 days and to ride the wooden horse 2 hours each day and when not confined in the Guard house to be employed on the most minimal police duties of the post.

Was next tried privt. Doyle of Battl. Compy. (C) 6th Inft. Private Doyle of Battl. Comp. C is charged with being intoxicated on the 3rd May 1826.

To which Charge the prisoner pleaded "Not guilty"

The Court after the most mature deliberation on the testimony adduced find the prisoner Doyle "Not Guilty" of the charge exhibited him and therefore acquit him.

Was also tried Privt. Austin De Forrest of Compy (C) 6th Infty. on the following Charge--

Private Defforest [sic] of Compy. C 6th Infantry is charged with being Intoxicated at Fort Atkinson on or about the 3rd of May 1826.

To which Charge the prisoner pleaded "Guilty"

The Court after mature deliberation confirm the plea of the prisoner and find him guilty as charged and sentence him De Forrest to undergo a Stoppage of 15 days rations of whiskey to be Appropriated to the use of the Company to which he belongs.

Was next tried privt. George Whipple of Battl. Compy. (D) 6th on the following Charge.

Charge "disobedience of Orders." and insubordinate conduct. Specifn. In this that he private George Whipple of D Company did when ordered by Sergt. Dailey Orderly Sergt. of the Company to keep silence when making use of his Insulting language by saying "I will not who are you." that I shall be silent for you or in words to that effect.

Specifn. 2nd In this that he the said Whipple of the Aforesaid Company when Informed by Sergt. Dailyey that the non-comissioned [sic] officer of his party must come and receive the whiskey part of his rations did say in a provoking manner the reason you wants? give ? (torn) rations of whiskey is your contrarings" or words to that effect. ? (torn) Ft. Atkinson ? about the 4th May 1826

To which charge and its Specifications the prisoner pleaded  
"Not Guilty"

The Courts after the most mature deliberation on the testimony adduced find the prisoner Guilty as Charged and do sentence him to (have) be Reprimanded by his Company Commander and to forfeit 20 days rations of whiskey to be Appropriated to the use of D Company--

The proceedings of the Regimental Court Martial whereof Capt. Gant was President are Approved and the several? sentences will be carried into effect with of riding the wooden horse--The stoppage of pay also in the case of Private John Cape of the Rifle Company is hereby remitted. Cape, Deforrest, Doyle, Whipple, and also Rash will be discharged from Confinement and return to duty--Company Commanders will be particular in seeing the stoppages of whiskey made--

The Court is Dissolved  
By Order of Lt. Co. Woolley  
(Signed) Thos. Noel  
Adj. 6 Regt.

Orders  
No. 104  
Head Qrts. 6th Regt.  
Fort Atkinson 5th May 1826

Corporal Buchanan of Compy (G) having tendered his Resignation it is hereby accepted to take effect this date.

Private Goddard of Company (A) is transferred to Co.  
(I).

A Regtl. Court Martial will convene this morning for the trial of such prisoners as may be brought before it--The Court will consist of Lt. Wickliffe--President

Lts. Nute & Allston ] Members  
By Order of Lt. Col. Woolley  
(Signed) Thos. Noel  
Orders  
No. 105  
Head Qrts. 6th Regt.

Before the Regimental Court Martial of which Lt. Wichliffe was President which commenced at Fort Atkinson on the 5th May, 1826, was tried Musician Kelly? of Battl. Compy (G) 6th Charged with destroying Public Property for cutting some of the timber of the Old Mill-Store? near Fort Atkinson on the 5th May 1826.

To which Charges the Prisoner pleaded "Guilty" but Requested [sic] to introduce the testimony of Laundress Evans which accordingly was granted.

The Court after mature deliberation on the testimony adduced confirm the plea of the Prisoner and find him Guilty of cutting a Stick of the Old Mill Timber but from the Circumstances developed in the cause of the trial. The Court attaches no criminality to the prisoner and therefore Acquit him.

Approved.

Woolley will be released and return to duty  
the Court is dissolved--

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel--  
Adj. 6th Reg.

Orders  
No. 106  
Head Qrts. 6th Regiment  
Fort Atkinson 6th May 1823

A Regtl. Court Martial will convene Immediately  
for the trial of such prisoners as may be brought before it.  
The Court to consist of Major Ketchum--President

Lts. Batman & Anderson } Members  
By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Reg.

Orders  
No. 107  
Head Qrts 6th Regiment  
Fort Atkinson 8th May 1826

Before a Regtl. Court Martial convened at Fort Atkinson  
of the 8th May 1826 of which Major Ketchum was President was tried  
Private Lewis Tiner of Company (D) 6th Infantry.

Charged with disobedience of Orders & Neglect of duty.  
Specif. In this that he the said Lewis Tiner of Compy. (D) 6th Inft.  
did when ordered by Sergt. Daily to get ready for Inspection did  
neglect so to do by Absenting himself from his Company and  
did remain absent untill brought back--this at Fort Atkinson  
on or about 27th May 1826.

To which Charge & Specifn. the prisoner pleaded "Guilty"  
to The Court after due deliberation Confirm the plea of the prisoner  
and find him Guilty as charged and do sentence him to have the  
whiskey part of his rations stopped for the period of 25 days  
to? be appropriated to the benefit of the company to which  
he belongs? (torn)

Was also tried private Knobbs of Battl. Comp.  
6th Infantry. Charged with being Beastly Intoxicated on the evening  
of the 27th May 1826.

To which charge the prisoner pleaded "Guilty"--

The Court confirm the plea of the prisoner and find him  
Guilty as charged and do sentence him to have his rations of  
whiskey stopped for the period of 25 days. To be appropriated  
to the benefit of the company to which he belongs--

The proceedings of the Court are approved and will  
be carried into effect--The prisoners Tiner & Knobbs  
will be released and returned to duty--

The Court is Dissolved  
By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Reg.  
Head Qrts. 6th Regt  
Fort Atkinson May 11, 1826

Orders

No. 108

The Non-Comm. officers of the Regt. are  
excused from all details--Privates will be lunched? (bunched)? to take charge  
of out parties fatigues & police--No Non Comm. officer except  
the Commissary Sergt. & Corporal Toleman will in future be excused  
from Drill. The Non Comm. officers will be Drilled at least  
Six hours per day that is two in the morning and two in the  
afternoon and the intermediate hours by the Adjutant and the  
other by their Company Commanders Respectively--

By Orders of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Reg.  
Head Qrts. 6th Regt.  
Fort Atkinson 11 May 1826

Orders

No 109

The Regiment will be drilled one week Six hours each  
day in the School of the Soldiers drilling 2 hours on the 1st part  
and attending mostly to the 2 - 3- and 4th ? --2 hours in  
the 2nd part dwelling most particularilly {sic] in the i? lessons?--and the  
Instructors are directed to excite what they command and exemplify  
what they teach--no part in either of these lessons in the ? part  
will be at any drill hastily passed over and hours in the 3 (torn)  
when the? while as (torn)in that part will be ? ? ?  
? is ? ? part of the lesson of the 3 part (torn)  
? ? (last line very difficult to read)

Orders  
No. 99

Head Qrts. 6th Regiment  
Fort Atkinson 30th April 1826

The Season of the Year has Approaced [sic] when every precaution for preserving health & Cleanliness is absolutely necessary--

The recent high water and now rapid fall makes it at this moment particulrly [sic] important, every thing that would have a tendency to change the Atmosphere with impure exhaltations [sic] should be immediatly removed. Care must be taken to remove the Slop Barrels at least once every day and after they are emptied they should be scoured.

Washing of Clothes is not permitted in quarters no soap suds must be thrown out any where about the barracks or esplanade.--Ashes must be taken to the ashery--none in future will be thrown on the Ground.

The few Children in the quarters must be taught habits of cleanliness by their parents and not be permitted to do what they please when they please--A Non Comm. Officer & ten privates will be detailed daily for the duty termed daily Fatigue--The prisoners not being sufficient--The Police Guard will be increased so as to admit up a Sentinil [sic] before the quarters of the Commd. Officer and two sentinels, by night at the Stables.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel  
Adj. 6th Regt.

Orders  
No 100

Head Qrts. 6th Regt.  
Fort Atkinson 30 April 1826

Before a Regtl. Court Martial of which Major Ketchum was President which convened by Adjournment on the 29th April 1826 was tried private Streeter of Company (J?) 6th Infantry--Charged with Improperly lending or hiring a Public Horse of which he had Charge to Sergeant Fleming of the aforesaid Company--The said Streeter is also Charged with being so much Intoxicated as to render him incapable of performing the duties assigned him--All this at Fort Atkinson or on about the 29th April 1826.

To which the prisoner pleaded as Follows--  
Guilty of so much of the Charge as relate to the lending of Public Horse  
Not guilty of being Intoxicated--

The Court after mature deliberation on the testimony adduced confirms the plea of the prisoner and find him Guilty of so much of this charge as related to his Improperly lending a public Horse to Sergt. Fleming as Specified but Guilty of the Remainder of the Charge & do sentence to have on (torn)

==to be Appropriated to the use of the Company, To which he belongs  
Was also tried Privt. Haddock of Grend. Company charged  
with Theft.

Spec. In this that he the said Haddock of the Grenideer [sic] Compy.  
6th Inftry. did Steal from Corporal Herrington Compy. (K) 6th Inftry.  
A Uniform Coat at Fort Atkinson on or about the 18th April 1826--The said  
Haddock is also Charged with ripping the Chevrons? of the aforesaid uniform  
Coat & otherwise materially injuring it at Fort Atkinson on or about the 18th  
of April 1826--he the said Haddock well knowing at the Same time to  
whom the coat belonged--

To which Charges & Specifn. the Prisoner pleaded "Not Guilty"--  
The Court after mature deliberation on the Testimony adduced find the  
prisoner Guilty of the Specfn. of the 1st Charge & guilty of the 1st Charge &  
Guilty of the 2 Charge and Sentence him to have \$5.00 of his monthly  
pay Stopped \$3.00 of which to be appropriated to Corpl. Herrington to  
enumerate for the damage done his Coat & \$2.00 to be Appropriated to the  
use of the Company (A) 6th Inftry. Also to have the whiskey part of his rations  
for the period of 30 days, To be Appropriated to the use of the aforesaid  
Company--

The further proceedings of a Regimental Court Martial Whereof  
Major Ketchum was President, are Approved and will be carried into effect  
except so much of the sentence in the case of Private Conley of Compy. (A)  
as subject him to a Stoppage of pay of \$5.00 which upon the Intercession of  
Lt. Waters--is hereby Remitted. The Commander of the Grenidier Company  
will cause the Stoppage of pay in the case of Private Haddock to be marked?  
on the muster rolls & that the Stoppage of whiskey are made in both  
cases. Conly & Haddock will be Released from Confinement and return to  
duty--

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Regt.  
Head Quarter 6th Regt--  
Fort Atkinson 29th April 1826

Orders  
No. 95

All men? on detail will be immediately dismissed [sic] to three  
Respective Companies except those with the Cattle--Muster & Inspection will  
take place to Morrow Morning at 9 Oclock.--Company Commanders will  
be held responsible in that ? police is in the very best of Order.--

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Regt.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt.  
Head Quarters 6th Regiment  
Fort Atkinson April 2, 1826

Orders  
No. 69

At a Regimental Court Martial convened at Fort Atkinson on the 31st March 1826--of which Court Capt. Gant is President--was tried John Piper a private of Battl. Co. (J) 6th Infantry--Charged with being absent from Dress parade on the evening of the 30th March 1826 without permission--

To which Charge the Prisoner plead Not Guilty--

The Court after mature deliberation on the Testimony adduced find the Prisoner Piper--guilty as Charged and sentence him to undergo a Stoppage of 10 Days Rations of Whiskey--but from the Alevating [sic] circumstances of the case space on the records of the court--The Court Recommend him to the Comdg. Officer for a Remission of the sentence Awarded against him==

Was also tried Elias Masco a private of Battl. Co (J) 6th Inftry--Charged with being absent from parade on the evening of 30th March 1826--without permission--This at Fort Atkinson==

To which charge the prisoner pleaded not Guilty

The Court after mature deliberation on the Testimony adduced find the Prisoner Elias Masco--Guilty as Charged and sentence him to undergo a Stoppage of 10 days of his Rations of Whiskey to be Appropriated to the use of Company (J) 6th Inftry--but from the Alleivating [sic] Circumstances of the Case spread on the records of the Court--The Court recommend the Prisoner Elias Masco To the Comdg. Officer--for a Remission of the Sentence awarded against him.--

Was also Tried Jacob Willis a private of Battl.

Company (J) 6th Infantry--Charged with being absent from Dress Parade on the evening of the 30th March 1826--without permission--This at Fort Atkinson.

To which Charge the prisoner pleaded not Guilty

The Court after mature deliberation the Testimony adduced find the prisoner Willis Guilty as Charged--and sentence him to undergo a Stoppage of 10 days Rations of Whiskey to be Appropriated to the use of Compy (J) 6th Inftry--but from the alleivating [sic] Circumstances of the Case Spread on the records of the Court--The Court Recommend him to the Comdg. Officer for a Remission of the sentence awarded against him==

Was also Tried Thomas Lowder private of Battl.

Co. (J) 6th Inftry--Charged with being absent from Dress parade on the evening of March 30th 1826--without permission--This at Fort Atkinson

To which Charge the prisoner pleaded not guilty

The Court after the most mature deliberation on the testimony adduced find the prisoner Lowder--Guilty as charged and sentence him to undergo a stoppage of his rations of whiskey for 10 days to be Appropriated to the use of Compy. (J) 6th Infantry--but from the alleviating Circumstances of the case spread on the records of the Court The Court Recommend him to the Comdg. Officer--for a Remission of the sentence awarded against him==

Was also Tried William Francis a private of Battl. Co. (J) 6th Infty--Charged with being absent from Dress parade on the evening of 30th March 1826--without permission--This at Fort Atkinson==

To which charge the prisoner pleaded not Guilty The Court after mature deliberation on the Testimony adduced--find the prisoner Francis Guilty as Charged and Sentence him to undergo a Stoppage of his Rations of whiskey for 10 days to be Appropriated to the use of Compy. (J) 6th Infantry--but from the Alleviating circumstances of the Court spread on the records of the Court--The Court recommends him to the commanding Officer for a remission of the sentence awarded against him.==

Approved--The Prisoners will be released from Confinement and return to duty--The Comdg Officer remit the punishments to each and every one upon the Recommendation of the Court--

By order of Lt. Col. Woolley  
(Signed) T. Noel Adjt. 6th Regt.

Orders  
No. 2

Adjutant Genls. Office Westn. Department  
Cincinnati [sic] Ohio--Feb. 21st 1826

Before a Genl. Court Martial convened at Fort Atkinson Council Bluffs-- on the 11th November 1825--and of which Court Lt. Coll. Woolley of the 6th Infantry was President -- was tried the following Prisoners--

1st Private Otis Powers--Charged with Desertion

Specification In this that the said Otis Powers of Company (K) 6th Regt. did desert the the [sic] service of the United States from Fort Atkinson Council Bluffs on or about the 24th day of May 1825 and did remain absent untill brought back on or about the 22nd day of June 1825 Thereby incurring an expense to the U. States of \$30 for his Aprehen sion== To which the Prisoner pleaded not Guilty

The Court found the prisoner private Otis Powers Guilty as Charged and sentenced him to make good the time lost by desertion 20 days to serve out the the [sic] remainder of his Enlistment at hard labour with an Iron Collar around his neck weighing 8 lbs having 2 prongs each 1 foot in length [sic] at the Fortificat(tion?).



on the lower Mississippi [sic] and to have his pay stopped until all expenses [sic] attending his apprehension, be reimbursed [sic] to the U. States Viz--the sum of \$66.50  
2nd Sacket Davis a private Soldier of Compy (H) 6th Infantry--  
Charged with Desertion--

Specification In this that he the Sacket Davis of the Company and Regiment aforesaid did desert the service of the United States from Fort Atkinson Council Bluffs in or about the 24th May 1825--and did remain absent until brought Back on or about the 22nd June 1825--Thereby Incurring an expence [sic] to the U. States of \$30 for his Apprehension==

To which the Prisoner pleaded "Not guilty"--

The Court found the Prisoner private Sacket Davis Guilty as Charged and sentence him to make the time good lost by Desertion 28 days to serve out the Remainder of his Enlistment at Hard labour with an Iron Collar Weighing 8 lbs. and having 2 prongs each 1 foot in length Around his neck at the Fortifications on the lower Mississippi and to have his pay stopped until all expenses [sic] attending his apprehension be Reimbursed [sic] to the U. States Viz--The sum of \$66.50==

3rd Private James Brown of Company (C) 6th Infantry--Charge--Theft  
Spfn- In that the said Private Brown did on or about the Afternoon of the 8th of May 1825 at Fort Atkinson--Rob, Steal or otherwise take from the Pocket Book-- of Private Roach 6th U.S. Infy the sum of \$15 in U.S. Bank bills which sum so taken or otherwise disposed of. The said Brown did refuse to refund to the said Private Roach.--

To which the Prisoner pleaded "Not guilty"

The Court found the prisoner private James Brown Not Guilty and acquit him

4th Musician James Herrick of (C) Company 6th Infantry==

Charge Mutinous and Insubordinate conduct==

Specfn: 1st In this that he Mus. James Herrick of Battl Compy (C) 6th U.S. Infy. did at Fort Atkinson on or about the 9th of May 1825 Refuse to leave one of the Company Rooms of Compy. (H) 6th Infy when ordered to do by Sergt. Sutherland Orderly Sergt of said Company (H) 6th U.S. Infantry at the same time attempting to stab the said Sergt Sutherland with a knife which he had drawn for that purpose==

Specfn 2nd In this that the aforesaid musn. James Herrick of Battl. Compy. (H) 6th U.S. Infantry did at Fort Atkinson on or about the 9th of May 1825-- when ordered to repair to the Guard house by Corporal Enswright of Company C 6th Infy. positively disobey the order and Immediately strike the said Corpl. Enwright in the face with his fist outward?--thereby behaving in a Mutinous and Insubordinate Manner==

which the Prisoner pleaded Not Guilty

The Court found the Prisoner Mus. James Herrick Guilty as Charged-- and sentence him to forfeit the Whiskey part of his rations and one half of his monthly pay for the period of 12 months to be Appropriated to the use of his Company to be confined to the Chain of sentinals [sic] during that period and when discharged to forfeit and honourable Discharge.==

5th Private Frederick Anson of Compy (D) 6th U.S. Inftry

Charge 1st Conduct Prejudical to good order and Discipline==  
Specification In this that he the said Frederick Anson of the Compy and Regt. aforesaid did at a place called the Dairy near Fort Atkinson Sell Whiskey to several men of Comp F 6th U.S. Inftry and to the men of the said Regt. at different times between the 5th and 9th of November 1825 Viz--on or about the 6th and 8th Instant--This with a view of Specalatory [sic] on his Brother soldiers and in direct violation of good order and Military Discipline--

Charge 2 Unsoldierlike & disgraceful conduct

Specif. 1st In this that he the said Frederick Anson of the Compy. and Regt. aforesaid and at the time and place aforesaid at the Dairy near Fort Atkinson have in his possession with a view to sell to the Soldiers of the 6th Regiment a quantity of whiskey concealed in Kegs and buried under Ground in several places in the vicinity of the Dairy on or about the 7th Instant.

Specifn. 2nd In this that he the said Frederick Anson of the Compy and Regt. aforesaid and at the time and place aforesaid was in the habit of selling to the soldiers of the 6th U.S. Inftry whiskey and Butter at the rate of \$1.00 per pint for the whiskey and 25 cents per lb. for the Butter. This highly Prejudical to the service and disracefull to his Character as a Soldier==

Specifn 3rd. In this that he the aforesaid Frederick Anson of the Compy-- and Regt aforesaid and or about the time and place aforesaid did employ or was concerned with private Bonnill P. Berry of Compy (D) 6th U.S. Inftry.- to sell whiskey to the soldiers of the 6th Regt. and did send into the Garrison a keg of Whiskey to left with the said Berry for that purpose--

The Prisoner plead Guilty to the 1st Charge and Specification Guilty to the 1st and 2nd Specification of the 2 Charge--not Guilty of the 1st Specification of the 2nd Charge and Guilty of the 3rd Charge==

The Court found the Prisoner private Frederick Anson Guilty of the 1st Charge and Specification, Guilty of the 1st and 2nd Specification of the 2nd Charge Guilty of so much of the 3rd Specification as relates to the ? facts of sending one keg of whiskey to Bonnel P. Berry and Acquit him if the remainder of the specification--Guilty of the 2nd Charge and sentence him to have one half of his monthly pay stopped for the period of 2 months?

The hours for drill will be from half past 4 to half past 6--half past 9 to have past 11 and from 4 to 6 P.M.

To Commence on Monday the 15th

Orders  
No 110

By Order of Lt. Col. Woolley  
(Signed) Thos Noel Adj. 6th Infty.  
Head Qrts. 6th Regt.  
Fort Atkinson 11 May 1826

A Regtl. Court Martial will convene Immediately [sic] for the trial of such prisoners as may be brought before it--To consist of Lt. Folger--President

Lts. Nichols & Swearingin } Members

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Infty.

Orders  
No 111

Head Qrts 6th Regt.  
Fort Atkinson 12 May 1826

Sergt Brown of (E) Company is transfered [sic] to (G) Company.

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Infty. (torn)

Orders  
No. 112

Head Qrts. 6th Regt.--  
Fort Atkinson 12th May

Before A Regt. Court Martial of which Lt. Folgers President which convened at Fort Atkinson 10th May 1826 was tried Corpl. William Nation of Rifle Compy (B) 6th Infty.--

Charges with "disobedience of Orders"

Specif. In this that he the said Corpl. Wm. Nation of Rifle Compy B 6th Infty the Neglect to obey the order of Lt. Clay to proceed? to the Company garden--This at Fort Atkinson on or about the 8th May 1826--

Specif. 2nd In this that he the said Corpl Nation of the Co. & Regt. Aforesaid did go beyond the limits of the Post at Fort Atkinson On or about the 8th of May 1826 without obtaining permission so to do?

To which Charge the prisoner plead "Not guilty"

The court after mature deliberation on the testimony adduced find the prisoner Corpl. Nation Guilty of the 1st Specfn. Guilty of the 2nd Specin? and Guilty of the Charges and do sentence him to be reduced as the station of a private Sentinel--but in consideration of the circumstances attending the case-the Court beg? leave to recommending ? Corpl. Wm. Nation to the mercy of the Comd.

Was also tried private Moore of Battl. Compy E  
Charged with neglect of duty and Disobedience of Orders--  
Specification--"to both charges" In this that he the prvt. Moore  
of Battl. Co. E, 6th Inft. did absent himself from drill and further  
positively [sic] refuse to go there to, having altered and pronounced "and persisted  
in the determination thereof expressed? untill sent for by a file of armed men?  
when ordered by Corpl. Thompson his superior officer to go to his quarters  
and prepare for drill. The following words Viz--"I wont come untill dark?"  
or words to that effect. All this at Fort Atkinson on or about the  
10th May 1826.

To which the prisoner pleaded Guilty to that part  
of the Specfn. as was related in absenting himself from drill and not  
Guilty to the Remainder--

The Court after mature deliberation on the testimony  
adduced find the prisoner Moore of Co. (E) 6th Infy Guilty of the Specfs.  
and guilty of the charges exhibited against him and do sentence him  
to have one month of his monthly pay stopped and his rations of whiskey  
for 30 days to be appropriated to the use of the Compy to which he  
belongs? and to undergo 10 days Solitary Confinement and to live  
on? Bread & Water for the same period--

The finding in the case of Corpl. Nation of the Rifle  
Company is Approved, the Sentence under the recommendation of the  
Court is hereby remitted. Corpl. is released from arrest and will  
return to duty in his company,--In the Case of Private Moore  
of Battl. Compy (E) the proceedings are approved and the sentences will  
be carried into effect--except so much of the sentence suggests  
the prisoner to undergo 10 days solitary confinement and to live on  
Bread and water which is hereby remitted. The Commander  
of? Co. (E) will see that the stoppage of pay is marked on the  
Muster Rolls--and that the stoppage of whiskey is made--  
Moore will be released and return to duty--

The Court is Dissolved  
By order of Lt. Col. Woolley  
(Signed) Thos. Noel adjt.  
Head Qrts. 6th Regiment  
Fort Atkinson? 16th? (torn)

Orders  
No 113

The Funeral? of R. Wilson Esp. Was Indian? agent  
take place Immidiately [sic] after drill this evening--

to be appropriated to the use of the Company of which he belongs  
6th Private Samuel Lawler of Compy A 6th U.S. Inftry--

Charged Mutiny==

Specification 1st In this that he the said S. Lawler a private  
of Light Company A 6th U.S. Infantry on the 8th day of May 1825  
at Fort Atkinson, did offer violence? [sic] to Capt. William Armstrong,  
6th U.S. Infantry his immediate Comdg. officer--by taking hold  
of him in a threatenng [sic] and hostile manner using at the same time  
words of defiance and Threats.--

Specfn 2nd In this that the said Samuel Lawler a private in light  
Company A 6th U.S. Infantry at Fort Atkinson on the 8th of May  
1825 did attempt to Grasp a Pistol in the Quarters or room of Capt. Wm.  
Armstrong 6th Regt. of Infantry, with the manifest intention of shooting  
said Capt. Armstrong, his immediate Commanding officer using at the  
same time mutunious [sic] and Threatning [sic] language to the aforesaid Capt.  
Armstrong.

Specfn. In this that he the said Samuel Lawler a private on Company  
(A) 6th U.S. Infantry at Fort Atkinson on the 8th May, 1825--whilst  
leaving the Room of Capt. Armstrong 6th Infantry as a prisoner in the  
Charge of a non Commissioned did say that he would have Revenge  
of Capt. Armstrong or words to that effect.==

To which the Prisoner pleaded not Guilty--

The Court found the Prisoner Samuel Lawler "Not Guilty" and  
acquited [sic] him==

7th Private Wm. Hagerman of Company (G) 6th Infantry

Charged Sleeping on Post whilst a sentinel of the police  
Guard No 2 Second Relief--at Fort Atkinson on or about the 25th  
of September 1826==

The Court found the Prisoner private William Hagerman  
Guilty as charges and sentenced to forfeit half of his monthly pay and  
and [sic] the whiskey part of his Rations during the Remainder period of his  
Enlistment and when discharged to forfeit an honrouable one.==

8th Private Lewis Allen of Co (D) 6th Infantry==

Charged leaving his Post.--

Specfn. In this that the private Lewis Allen of Battl. Compy. (D) 6th  
U.S. Infantry and whilst stationed at the south Gate at Fort Atkinson  
On or about the 27th November 1825--As a Sentinel of the Police Guard  
leave his Post--without the consent of the Officer or Non Commissioned  
Officer of the Guard--

To which the prisoner plead "Not Guilty"==

The Court found the Prisoner private Lewis Allen guilty as Charged and Sentenced him to forfeit the whiskey part of Rations and one half of his monthly pay for the remaining Period of his Enlistment.==

The Court taking into Consideration the Circumstances of a Sentinal being compelled to leave his Post--to get to the sentry box--"As is known to the Court" the good character given him by the Commanding officer and as it does not appear that the prisoner willfully intended to err-- Recommend him to the Clemency of the Commanding Genl. for a Remission of the sentence.==

9th Private Moses Elkins of Company (J) 6th Infantry==

Charged Mutinous Conduct==

Specification 1st In this that he the said Elkins on or about the evening of the 20th of November 1825 at a place called the Dairy--in the Vicinity of Fort Atkinson, Council Bluffs.--he being then there on duty did positively refuse to obey the order of Sergt H. C. Dimick when in the Execution of his particullar [sic] duty and when endeavouring to execute the orders of Lt. Col. Woolley Commanding Officer of the Post.==

Specification 2nd In this that he the said Elkins at a place called the Dairy in the vicinity of Fort Atkinson on or about the 20th November 1825 after having been ordered by Sergt. H. C. Dimick aforesaid to assist in taking or Conveying to the Guard House--at Fort Atkinson Private McGinn of Compy (C) 6th Infty did positively refuse to obey the order.==

Specifn: In this that the said Elkins at the time and place aforesaid and after having been told by the said Sergt. Dimick that unless he obeyed the Order to go with the aforesaid Mc Ginn to the Guard House as aforesaid he should be sent under Guard himself--The said Elkins did then and there say he would not doeither, and did arm himself with Musket, his Bayonet fixed his Catrouch [sic] box Slung contaning fixed Ammunition and did then and there declare--the he would kill every man of the party before he would be taken or Conveyed to the Guard House.==

Specfn: 4th In this that when Sergt. Dimick attempted to disarm and arrest the said Elkins and suppress his mutinous Conduct the said Elkins did kick the said Sergt. Dimick and also strike private Benson of Compy F 6th U.S. Infanty-- when in the execution of his Duty as Ordered by Sergt. Dimick in Assisting to disarm the said Elkins and the said Elkins did by forward violence Extricate? himself- and absent himself from the party--with his arms ammunition and Equipments in defiance of the aforesaid Sergt Authority in violation of Good order and military Discipline.==

To which the prisoner pleaded not Guilty.==

The Court find the prisoner private Moses Elkins guilty of the Specfn. of the Charge Guilty of the 2nd Specfn. Guilty of 3rd Specfn. "leaving out the words" Then and there declare that he would kill every man of the party before he would be taken or Conveyed to the Guard house--Guilty of the 4th Specfn. leaving out the words "did kick the said Sergt Dimick" Guilty of the Charge and sentenced him to hard labour--during the Remaining period of his Enlistment at the Fortifications on the lower--Mississippi to forfeit on half of his Monthly pay to have a ball and chain attached to his leg and to wear an Iron Collar weighing 8 lbs having 2 prongs each 1 foot in length for the same period of time==

The Commanding General Approves the proceedings of the Court and Confirms the sentences severally? awarded--In the case of Otis Powers, Sacket Davis, James Brown, James Herrick, William Hageman and Moses Elkins, Enlisted men of the 6th Infantry and directs that they be carried into effect accordingly.==

The Comdg. Genl. Disaproves [sic] of the pro--ceedings in the case of Samuel Lawler 6th Infantry--The Court should have procured the testimony of Capt. Armstrong--The Prisoner acquitted [sic] by the Court will be restored to duty--In the case of Lewis Allen a private of the 6th Infantry--The Comdg. Genl. approves the proceedings and the sentences Awarded--but in Conformity of the Recommendation of the Court pardons the Prisoner--he will be restored to duty accordingly==

The Genl. Court Martial of which Lt. Col. Woolley is President is Dissolved.==

Orders  
No. 7

By Order of Major Genl. Gains  
(Signed) R. Lownes? A.D.C.A. A.G--  
Adj. Genls. Office Washington  
28th Jany. 1826

The Head Quarters of the Comdg. Genl of the Westn. Department is transferred to Cincinatti [sic] Ohio==

Orders  
No. 70

By Order ?  
(Signed) R. Jones Adj. Genl.  
Head Qrts. 6th Regiment  
Fort Atkinson 6th Regiment

A Council of Administration to Consist of Major Ketchum, Capt. Gant, & Lieut Palmer, will assemble this morning for the transaction? of such business as may be laid before them==

By Orders of Lt. Col. Woolley--  
(Signed) Thos. Noel Adj. 6th Regt.

Orders

Head Qrts. 6th Regiment

No. 71

Fort Atkinson 8th? April 1826

At a Regimental Court Martial which assembled Agreeable to Adjournment [sic] on the 3rd of April 1826 of which Court Capt. Gant is President--

Was tried Corpl. McDonnell of Co (A) 6th Inftry

Charged with being absent from the Non Commissioned Officers Drill in the forenoon [sic] of the 31st March 1826==

To which Charge the Prisoner pleaded Guilty==

The Court after Mature deliberation Confirm the plea of the Prisoner Corpl. Mc Donnell and find him Guilty as Charged and do sentence him to be reduced to the Rank and Station of a private Sentinal. [sic]==

Was also tried Private Glenon of Battl. Compy.

(D) 6th Infantry--Charged with being Intoxicated whilst a Sentinal of the police Guard at Fort Atkinson on the Morning of 31st March 1826--to which the prisoner pleaded "Not Guilty"

The Court find the Prisoner Glenon of Battl. Comdy. D 6th Infantry Guilty as charged and sentence him to have his Rations of Whiskey stopped for the period of 30 Days To be appropriated to the use of the Company to which he belongs--and to be confined in Solitary Confinement for the period of 15 days and to subsist on bread & water during the time of his Confinement.==

Was also Tried Josiah Branan a private of Copy F, 6th Inftry--Charged with Quarrelling [sic] with Corpl. Harrington and other men of said Compy. and making a Riotous noise in the Cook Room of Co. K aforesaid or or about the 30th March 1826 at Fort Atkinson==

To which Charge the prisoner pleaded "not Guilty"

The Court after mature deliberation on the Testimony Adduced find the prisoner Josiah Branan Guilty as Charged and sentence him Jacob Branan to undergo a Stoppage of the Whiskey part of his rations for 30 days.==

Was also tried Mathias Marsh of Rifle Compy. (B) 6th Inftry. Charged with being Intoxicated on the Afternoon of the 31st March 1826 As to render him quite incapable of performing his duty as a Soldier on Compy Drill==

To which Charge the prisoner pleaded "not Guilty"

The Court Confirm the plea of the Prisoner Mathias Marsh and find him Guilty as charged and Sentence him to 20 days of his rations of whiskey stopped to be appropriated to the use of the Company of which he belongs.

Was also Tried private? Brown? of Light Co. (A) 6th U.S. Infantry--

Charged with being Intoxicated and making disorderly?



in one of the Rooms of said Company at Fort Atkinson on or about the 31st March 1826--

To which Charges the prisoner pleaded "not Guilty"

The Court after Mature Deliberation in the Testimony adduced find the Prisoner Guilty as Charged and Sentence him to have 20 days of his Rations of Whiskey Stopped to be Appropriated to the benefit of the Compy of which he belongs and to be Reprimanded by his Company Commander==

Was also Tried Jacob Bull of Co F 6th Regt--Charged with Drunkeness [sic]==

Spec. In this that he Jacob Bull of the aforesaid Co and Regt. was so much Intoxicated on Drill on the evening of 31st March 1826 at Fort Atkinson as to Incapacitate him from performing his duty.

To which the prisoner pleaded "not Guilty"

The Court after mature deliberation on the Testimony adduced find the Prisoner Guilty as Charged and Sentence to have 20 days Rations of his-- whiskey stopped--to be Appropriated to the use of the Company to which he Jacob Bull belongs==

Was also tried Private Augustus Stanton of Battl. Co. E 6th Inftry--Charged with being Drunk at Fort Atkinson on or about the 8th April 1826--and so much as to render him incapable of attending Drill--

To which Charge the Prisoner pleaded "Guilty"

The Court after mature deliberation Confirm the plea of the prisoner Augustus Stanton Guilty as Charged and sentence him to undergo a Stoppage of 15 days Rations of Whiskey to be Appropriated to the use of Compy. E 6th Infantry.

Was also Tried Private Crowle of Rifle Compy. B 6th Infantry--Charged with being intoxicated whilst on Duty at Fort Atkinson-- on or about the 31st March 1826--

To which Charge the prisoner pleaded "not guilty"

The Court after mature deliberation on the testimony adduced find the prisoner Guilty as Charged and Sentence him Peter Crowle to undergo a Stoppage of his whiskey rations for 15 days to be Appropriated to the use of the Compy to which he belongs--

Was also tried George Stitson a private of Co (C) 6th Infantry--Charged with being Drunk whilst on Guard at Fort Atkinson-- on or about the 3rd April 1826--

To which Charge the prisoner pleaded not Guilty

The Court after mature deliberation on the testimony adduced find the prisoner Guilty as Charged and sentence him to undergo a stoppage of 30 days? rations of whiskey to be appropriated to the use of Co (C) 6th Infantry--

Was also tried Private George Stevenson of Co (C) 6th Inft.  
Charged with Forgery

Spec. 1st In this that he the said Stevenson of the Co and Regt. aforesaid did on or about the 29th March 1826--Forge an Order upon the Afsd. Compy. of Subs.--Lt. Palmer for one pint of whiskey in the name of Lt. Allston

Spec 2 In this that he the said Stevenson of the Compy and Regt aforesaid did on or about the 31st March 1826 Forge an Order on the Apt. Compy. of Subs. Lt. Palmer for a Quantity of whiskey In the name of Lt. Allston--all this at Fort Atkinson==

To which the prisoner pleaded Guilty==

The Court after mature deliberation Confirm the plea of the Prisoner and find him guilty as charged and do sentence him to be confined into Solitary Confinement for the period of 30 days to subsist on bread and water during that period and to forfeit all his rations except the bread and water thereof and to be Drumed [sic] from Right to left and from Left to right of the Regt. or Regimental parade with the word Forgery written in large legible letters on his back with a Sraw [sic] hatter about his neck==

The Sentences of the Court Martial whereof Capt. Gant is president in each and every case Are Approved and will into effect--So far as Respects Stoppages--Compy. Commanders will see that the stoppages are made--The Comdg. Officer remits the punishment of Corpl. McDonnell--and so much of the Sentence in the case of Glenon of Battl Co. D as subjects him to Confinement is hereby remitted==

All the Prisoners within named will be released and return to duty except Stevenson of Battl. Co. C whose sentence will be Carried into full effect.==

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Regt.  
Head Qrts. 6th Regiment  
Fort Atkinson 5th? April 1826

Orders  
No. 72

At a Regimental Court Martial which Convened by Adjournment [sic] at Fort Atkinson on the 5th April 1826--of which Court Capt. Gant is President was tried A. Page of Co. (H) 6th Infantry Charged with disobedience of Orders.== Spec--to this that the said Page did when ordered by the Orderly Sergt. of the Compy. to go into the Cook Room of said company & assist in cleaning it disobey the order ? Immediately? leave? his? Company and going? to the Commissary store where he Palmer? was sent? from? ????? on or about ? April 1826----

The court after mature deliberation on the Testimony adduced find the prisoner Page Guilty of the Specifn. Leaving out the words "by Immidiately [sic] leaving his Company and going to the Commissary store whe [sic] he remained untill sent for by a file of men"--guilty of the Charge and sentence him to undergo a Stoppage of the whiskey part of his Rations for 15 days--but from the Circumstances of the case, the Court is Induced to Recommend to the Comdg. Officer for a Remittance of the Sentence awarded against him==

Was also tried John Giness of Compy (C) 6th Infy.

Spec--In this that he private John Giness of Co. 6th Infantry did when Ordered by Sergt. Riley "Orderly Sergt. of Said Company" to put his Blanket on his Bunk Neglect and Refuse so to do and telling Sergt. Riley he had no Blankets to put on his Bunk--This at Fort Atkinson on or about the 2 April 1826--

Charge 2nd Lying

Spec==In this that he private John Giness of the Co. & Regiment aforesaid-- did tell a willfull [sic] lie to Sergt Riley by saying that he had no Blanket at the Same time he the said Giness had 2 in his Possession at Fort Atkinson on or about the time stated--

The Court after due Deliberation on the testimony adduced find the Prisoner Guilty of the Spec--of the 1st Charge leaving out the words "did refuse" Not guilty of the spec--of the 2nd Charge Guilty of the 1st Charge Not guilty of the 2nd Charge and Sentence him to undergo a Stoppage of 5 days Rations of his Whiskey. To be Appropriated to the use of the Compy. of which he belongs==

The Proceedings of the Court Martial Whereof Capt. Gant is President are Approved--In the case of Robert A. Page and upon the Recommendation of the Court. The punishment is hereby Remitted--and he will return to duty==It not appearing upon the records that Private John Giness of Battl. Compy. C has been put to his plea--he will be dischard from Confinement and return to duty==

The Court is Dissolved==

By Order of Lt. Col. Woolley--

(Signed) Thos. Noel Adjt. 6th Reg.

Head Qrs. 6th Regiment

Fort Atkinson 6th April 1826

Orders

No. 78

Lt. Easton will relieve Lt. Richardson as Ordinance officer==  
Secretary Council Administration Librarian and the Charge of the Bake house--  
Lt. Clay will take Command of Rifle Compy (B)--Lt. Anderson will  
relieve Lt. Holmes in the Command of Compy (E)

(Signed) Lt. Col. Woolley--

(Signed) Thos. Noel Adjt. 6th Inf.

Orders  
No. 74

Head Qrs. 6th Regiment  
Fort Atkinson 6th April 1826

A board of Officers will assemble this morning to investigate the cause of Disability in the case of John McKinney--late a Soldier of the 6th Regt.--They will Certify whether his Inability was caused when in Actual Duty, when in the service of the United States.==The Board will Consist of Lts. Wickliffe & Waters.==

The board not Pursuant to the above Order and after examining the evidence in the case and in Examination of the Injury Complained of by the Aforesaid Mc Kinney which appears from the scars-- "for it is now entirely healed" to have been produced by a large Ulcer or running sore--On further Examination the board find in various parts of his body marks of the same disease.--from the evidence adduced the board are? unable to Certify Agreeably to the Order--and beg leave to lay the proceedings had in the case before the Comdg. Officer--

(Signed) W. H. Wickliffe--Lt. 6th Infy.  
" G. W. Waters. Lt.-6th Infy

Orders  
No 75

Head Quarters 6th Regiment  
Fort Atkinson 8th April 1820

A Regimental Court Martial will convene this Morning for the trial of such Prisoners as may be brought before it.--The Court will consist of Lt--Palmer--President--

Lts. Waters & Anderson} Members--

By Order of Lt. Col. Woolley--  
(Signed) Thos. Noel Adj. 6th Regiment

Orders  
No. 75

Head Qrs. 6th Regiment  
Fort Atkinson 5th April 1826

At a Regimental Court Martial which convened at Fort Atkinson the 8 Instant of which Court Lt. Palmer was President was tried? Private Edward Powers of Battl. Company E 6th Regt--Charged with being so much intoxicated at Fort Atkinson on the 7th April 1826 as to render him incapable of performing Drill--

To which Charge the? Prisoner? pleaded Guilty--

The Court after due deliberation find the Prisoner guilty of the Charges and sentence him to have \$2.00? of his monthly pay stopped on ? Whiskey rations subjected to stoppage for the period of 20 days both to be? appropriated? to the benefit of the Compy to which he belongs.==

Was also tried Private ? Cape? of rifle Compy (?)  
6th Infy. Charged with being so much intoxicated ?? render? him unable to? (torn) perform his duty as a Tailor and to ? (line smudged)

on the table--this a [sic] Fort Atkinson on or about the 8th April 1826--

To which charge the Prisoner pleaded not Guilty  
The Court after Mature deliberation on the testimony adduced find the prisoner Guilty of being so much Intoxicated as to render him incapable to perform his duty but not Guilty of the rest of the Charge and do sentence him to have \$1.00 of his monthly pay stopped and his whiskey rations subjected to stoppage for the Period of 20 days both to be Appropriated to the benefit of the Compy. to which he belongs==

The Proceedings of the Court are Approved and the sentences will be carried into effect--Proper Remarks will be made on the Muster Rolls that Stoppages of pay may be made--The Commanders of Compys Band E will see that the whiskey stoppages are made--Powers and Cape will be Released from Confinement and return to duty--

The Court whereof Lt. Palmers President is  
Dissolved==

Orders  
No. 77

By Order of Lt. Col. Woolley  
(Signed) Thos Noel Adj. 6th Regt--  
Head Qrs. 6th Regt.  
Fort Atkinson 8th April 1826

A Regimental Court Martial will convene this morning for the trial of such prisoners as may be brought before it--The Court will consist of Major Ketchum President Lts Wickliffe and Nichols members.--

Orders  
No. 78

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt--  
Head Qrs. 6th Regiment  
Fort Atkinson 9th April 1826

Capt. Shaler having some time since tendered his Resignation to take effect at future period and his family being on the eve of leaving this place for the State of Ohio under the particular Circumstances of his case, and The Comdg. Officer he? thought proper to grant him a Furlough for Sixty days that he may ? and refer his case through the General Comdg. R. Wing West Department ? head Qrs. at the Expiration? of which should it not be extended he will join the Regiment==

Orders  
No

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regiment  
Head Qrs. 6th Regt. Fort Atkinson  
April 9 1826

Agreeable to ? ? Lt. Richardson Furlough will commence this day==  
Lt. Nichol is Assigned to the Command of Capt. Shalers Company==

Orders  
No 79

Head Qrs. 6th regiment  
Fort Atkinson 11th April 1826

Lieut Eaton in addition to his Other duties will assist the Quarter Master Lt. Holmes in the Cultivation he will not be excused from Drills but his name for the present will be taken from the Roster for Armed Services==  
3 Sergeants 6 Corporals and 60 men will be detailed for the purpose of Hunting? and Calculating to insure an adequate supply of Forage and Vegetables for the General Stock of the Regiment--Company Commanders will make the Necessary Provision for their respective Companies--the Cultivation of Gardens and other grounds must not interfere with the Drills or any other military duties ---Farming hereafter subordinate to military Instructions and habits and is not to be made an excuse for neglect of duties Strictly military--

By Order of Lt. Coll. Woolley  
(Signed) Thos Noel Adjt. 6th Regiment--

Orders  
No. 80

Head Qrs. 6th Regiment--  
Fort Atkinson 13th April 1826

At a Regimental Court Martial Convened at Fort Atkinson the 9th April 1826 of which Court Major Ketchum was President was tried private Swatwood of Battl. Co. (C) 6th Inft. Charged with Stealing from the public Soap house at or near Fort Atkinson on or about the 6th April 1826 a quantity of Pork about fifty pounds belong to the Subsistence Department & Selling the same to private Evans or his Wife of Battl Co (J) 6th Inft. for fifty cents and did receive that amount of money for the same he the said Swatwood well knowing it to be public property--

To which the Prisoner pleaded not Guilty  
The Court after mature deliberation on the Testimony Adduced find the prisoner private Swatwood of Battl. Compy (C) 6th Regt. of Infty. Guilty of selling 15 or 20 lbs of Damaged Salt pork and receiving 50 cents for the same from Laundress Evans of the 6th Regt. and not Guilty of the rest of the Charge and do sentence him to refund to Laundress Evans the sum of 50 Cts. to be (smudged) from his monthly pay--

Was also Tried Mus. Thos. Mount of Battl. Co. (E) 6th Infty.  
Charged with Theft--

Specn In this that he the said Mus. Thos. Mount a musician of Battl. Co. E 6th Infantry did on or about the morning or evening of the 19 or 20th Sept. 1825 take in a clandestine manner from Andrew Parker of Battl. Co. (F?) 6th Inft a Buffaloe [sic] robe refused? ? the said-Buffalo robe the aforesaid? ? sold at the time Specified to Capt. Shaler of the 6th Regt of Infy. this at at Fort Atkinson

To which Charges and Specification plead not Guilty

The Court after mature deliberation on the Testimony adduced find the Prisoner Thos. Mount of Battl. Co (E) 6th Infty guilty of the Charge and Specification preferred [sic] against and do sentence him to have \$5 of monthly pay stopped and his Rations of whiskey stopped for the period of 30 days the pay and whiskey to be appropriated to the use of the Company of which he belongs--

Was also tried Privates Brown & Davis of Co. D Prts Thomas and Lowder of Co. A? Prvts Ford Stanley & Ridge of Co. Co (K) 6th Infty charged Severally with being absent from drill without permission on the Afternoon of the 11th April 1826 at Fort Atkinson==

Also Privates Ford, Ridge & Will of Co. (K) 6th Infty Charged-- Severally with being Absent from Dress parade without permission on the evening of the 11 April 1826 at Fort Atkinson==

To which the prisoner Stanley of Co K 6th Infty pleaded Guilty The Court confirm the plea of the Prisoner private Stanley and do sentence him to have his Rations of whiskey stopped for 10 days to be Appropriated to the use of the Company of which he belongs==

Private Brown of Light Comp B admits the facts set forth in the Charges but pleaded Sickness, the Court find the Prisoner Brown a private of Light Co B was absent from Drill as Charged--but from the Circumstances of his case set forth on the Testimony Attatch [sic] no Criminality to the prisoner and therefore Acquit him--

Private Davis of Light Co B pleaded Guilty as Charged== The Court confirm the plea of the prisoner and sentence him to have his Rations of whiskey stopped for 10 days To be Appropriated to the use of the Co. of which he belongs--

Private Francis of Battalion Co (J) 6th Regt. Infty admitted the facts set fort in the? charge but stated to the Court that he was unable to attend drill from having been detained by other duties--The Court find the facts as set forth in the charges? but from the Testimony spread on the record of the Case and the Circumstances therein contained the Court attatch [sic] no Criminality to the prisoner and therefore Acquit him.--

Private Lowder Battl. Co (J?) 6th Regt. Inft. pleaded Guilty of the fact set forth in the Charges--it that he was detained by other duties from attending Drill The Court found the facts as set forth in the Charge but from the Circumstances spread on the record of the case attach no Criminalty [sic] from the prisoner and therefore do Acquit him?

Private Ridge of Battl. Co. (?)? ? absent from  
? ? absent (Bottom two lines are smudged)

himself from Drill and from dress parade and Guilty of both Charges, and do Sentence him to have his Rations of whiskey stopped for 20 days to be appropriated to the use of the Compy. to which he belongs.

Private Ford of Battl. Co. K 6th Regt. Infty admits the facts set forth in the Charges but pleaded his having been on Command to bring up the river the Sutlers boats and not having orders to report to his Company for duty he did not think he was to attend Drill or parade. The Court find the facts as set forth in the charge but considering the Circumstances of the prisoner having been on Command and having no orders to report for duty & attach no Criminality to the prisoner and therefore acquit him==

Private Hill of Battl Co. K pleaded Guilty as Charged--  
The Court Confirm the plea of the prisoner and do sentence him to have his Rations of Whiskey stopped for the period of 10 days to be appropriated to the use of the Company to which he belongs--

The Commanding Officer disapproves the sentence of the Court in the case of Private Swatwood of Co (C) as the facts stand on the record the Case is a flagrant one and much more that that [sic]of Mount upon which the Court laid a heavier hand if there were any mitigating, Circumstances they should have Appeared in the proceedings in writing that the Commanding Officer could have Judged them

The proceedings in the several other cases are Approved and the sentences will be carried into effect The Compy Commanders will see that the stoppages are made. It is very questionable whether the excuse of Brown ought to have been taken, it is a bad precedent and must not be followed, The prisoners will be released and return to duty--

The Court whereof Major Ketchum was President is Dissolved

By order of Lt. Col. Woolley

(Signed) Thos. Noel Adj. 6th Regt.

Head Qrs. 6th Regt.

Orders

No. 81

Fort Atkinson ? April 1826

The Comdg. Officer conceives? that the good of the service requires that the fatigues should not at this time intermit, they will therefore Continue.

Drills and dress parades are dispensed with untill Monday? also? Inspection on Sunday, such of the sick as the Surgeon proper to work for light Duty, will be employed in the Company Gardens. No time should be lost in preparing the Grounds & Compy Gardens for Cultivation==

Private Emerson of Co F is transferred to Compy D he will be reported and Mustered as a fifer--Private Kelly of compy G will be reported & mustered as a Drummer in said Company--

By order of Lt. Col. Woolley

(Signed) Thos. Noel Adj. (torn)



Orders  
No 3  
Head Qrs. Western Department  
Cincinnati [sic] Ohio 24th Feby 1826

The following Documents purporting to the proceedings of a Genl. Court Martial together with the subjoined remarks, and extracts? are exhibited to the Officers of the Western Department.

The former as record of error or Irregularity which to the unprejudised [sic] and Intelligent needs but to be seen to be guarded against. The latter as a reasonable words of Admonution [sic] of which the intemperate and the negligina should profit.

Proceeding of a General Court Martial held at Fort Atkinson Council Bluffs by virtue of the following Orders.

Orders  
No. 18  
Adjutant Genls Office  
Head Qrs Louisville Kety.  
1 October 1825--

A General Court Martial to consist of 7 members "a? greater number cannot be convened without prejudice to the Service" will convene at Fort Atkinson Council Bluffs on the 18th of November next or thereafter as soon as practible for the trial of Capts Gray & Pentland and Lt. . Waters, of the 6th Infantry and of such other prisoners as may be brought before it. Brevet Lt. Col. Woolley of the 6th Regt. President--Lt. R. Holmes of 6th Infy Special Judge Advocate--

The Commanding Officer at Fort Atkinson will detail the intermidiate members and Supply such vacancies as may afterwards unavoidably occur.

By Order of Major Genl Scott-  
(Signed) P H Galt ADC & AAA

Orders  
Head Qrs 6th Regt Fort Atkinson  
November 4, 1825

Agreeably to Department Orders dated at Louisville dated October 1st 1825 The following detail is made to Constitute a General Court Martial which is to Assemble at Fort Atkinson Council Bluffs on the 10th day of November Inst. at 10 oclock A.M.

Brevet Major Kearny 1st Infy  
Capt. Shaler. 6th " } Members  
Lt. Day 1 " Lt. Gwin 1st "

By Order of Lt. Coll. Woolley  
Signed Thos. Noels Adjt 6th Regt

The Court met? pusuant to the above orders--  
Present----Brevet Lt. Coll. Woolley President

Brevet Major Kearney Capt Mason  
Capt. Shaler }Members{ Capt. Gant  
Lt. Day? Lt, Gwin



from Confinement and return to duty==

The Court is Dissolved==  
By Order of Lt. Col. Woolley  
(Signed) Thos Noel Adj. 6th Infty  
Head Quarters 6th Regiment  
Fort Atkinson 28th March 1826

Orders  
No. 64

A Regimental Court Martial will Convene Immediately for the Trial of  
of [sic] such Prisoners as may be brought before it==

Capt---Shaler--- President  
Lts. Wickliffe & Nichols---Members==  
By order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6 Regt.  
Head Quarters 6th Regiment  
Fort Atkinson 29th March 1826--

Orders  
No. 65

The Order of the 3rd Instant is Countermanded--The Sutler is perm-  
itted to sell to the Elisted [sic] men one gill of whiskey daily per man with a Special--  
Sanction in writing in every case of the mans Company Commander who will not sign  
permission for extra or Daily duty men?==

The Drills will recommence this afternoon==

The first Bugle will sound at 1/2 past 2 and in ten minutes after the 2nd Bugle  
will sound--When the Drill will immediately Commence---In the morning the  
1st Bugle call for Drill be at 1/2 past 5 and in 10 minutes there will be the 2nd call  
'for the Drill to Commence--both morning and Afternoon Drill will continue full  
2 Hours each Drill--

The School of the Soldier and Company will be dealt on untill  
Expertise and Accuracy in the Execution have been Attained--Squad Drills will  
be at least once every other Day--Battl. Drills will be on Thursdays and Sundays--  
Untill further Orders. Commencing with that Drill next sunday morning.==

By order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt.

Orders  
No 66

Head Quarters 6th Regiment  
Fort Atkinson 29th March 1826

At a Regimental Court Martial Convened at Fort Atkinson on the 25th Instant  
of which Court? Capt. Shaler was President was tried Private Thomas Steward of Battl.  
Compy (D)? 6th Infty-- Charged with Drunkenness [sic].

Specification In this that he the said Private Thomas Steward of Battl.  
(D) 6th Regt. U.S. Infty was so much Intoxicated as to be unable to per-  
form? duties assigned him, this at Fort Atkinson on or about the 25th March 1826--

To which the Prisoner plead not Guilty===

The Court after mature deliberation on the testimony adduced find find [sic] the fact of the Prisoner being under the Influence of Spiritous [sic] Liquor on or about the time specified but not so much as to render him Incapable of performing his duty--

Not Guilty of the Charge and Specification and do therefore Acquit him.==

Was next Tried Peter Germain Private of Battl. Company (F) 6th U.S. Infantry==

Charged with Drunkenness [sic]==  
Spefn In this that he Prt. Peter Germain of Batt. Compy. (J)? 6th Regt. U.S. Infty. was so much intoxicated on the morning of the 25th Instant at Fort Atkinson as to be Incapable of mounting his tour of Guard Duty he being warned? for that Duty the evening previous==

To which Charge the prisoner plead not Guilty  
The Court after mature deliberation find the Prisoner Private Peter Germain Guilty of the Charge and Specification exhibited against him and sentence him to have the ration part of his whiskey stopped for the period of 30 days to be Appropriated to the benifit [sic] of the Company of which he belongs==

The Comdg Officer disapproves the findings of the Court in the case of Private Thomas Steward of Battl. Compy (D) --A man who cannot stand study is more fit for his Bunk then for any duty, whatever--  
The proceedings in the case of Germain, of Compy (F) Are Approved and will be carried into Effect==

By Order of Lt. Col. Woolley  
(Signed) Thos Noel. Adjt 6th Regt.  
Head Quarters 6th Regt.  
Fort Atkinson 31 March 1826

Orders  
No. 67

A Regimental Court Martial will convene this morning for the trial of such prisoners as maybe brought before it--The Court will consist of --Capt. Gant President

Lts. Clay & Allston } Members

By Order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt 6th Regt  
Head Quarters 6th Regiment  
Fort Atkinson 1st April 1826

Orders  
No 68

The Commanding Officer deems it necessary for the good of the service to revive Regimental Order no 27? dated 3rd October 1824 which directs that the sale of Whiskey by the Commissary to Officers be limited? (torn) to the Amount of their Ration allowed by Law.==

purpose of furnishing the Company to which he belongs with wood and water, he being at the time Reported as Company teamster--All this at Fort Atkinson on or about the 1st March 1826==

To which the Prisoner pleaded Guilty==

The Court after mature deliberation Confirm the plea of Prisoner and Sentence him to have his rations of whiskey Stopped for 30 days to be Appropriated to the use of the Compy. to which he belongs==

Was next tried Privt Thomas Stewart of Battl. Co (D) 6th U.S. Infty--on the Following Charge

Charged Drunkenness [sic] on Duty==

Specf In this that he Privt Thomas Stewart of Battl Co (D) 6th U. S. Infty. was on or about the 26th & 27th Feby 1826 while on the Coal party In the Vicinity of Fort Atkinson So much Intoxicated as to be unable to Perform his duty--

To which Charge and Specification the prisoner plead not Guilty-- The Court after mature deliberation on the Testimony adduced find the Prisoner Thomas Stuart Guilty as Charged--and sentence him to be confined in the Guard house for 10 days to have the Whiskey part of his rations stopped for 30 days to be appropriated to the use of the Compy of which he belongs==

Was next Tried A Benjamin Carman of Battl. Co. H 6th U.S. Infty--Upon the Following Charge--

Charge Drunkenness [sic]==

Spefn In this that he Privt. Benjamin Carman of Battl Co (H) 6th U.S. Infty--was at or near Fort Atkinson on or about the 1st March 1826 so much Intoxicated as to render him incapable of performing his duty==

To which the prisoner pleaded Guilty

The Court confirm the plea of the prisoner, and Sentence him to have the whiskey part of his rations stopped for 20 days--to be Appropriated to the benefit of the Compy of which he belongs--

Was next tried Jesse W Siddins of Battl Compy (D) 6th U.S. Infty on the following Charge--

Charge--Drunkenness [sic]

Specifn In this that he private J. W. Siddons of Battl Co. (D) 6th U.S. Infty was at or near Fort Atkinson on or about the 1st March 1826. So much Intoxicated as to be unable to perform his duty in the Carpen-==ters shop

To which the Prisoner pleaded Not Guilty==

The Court after mature deliberation on the testimony adduced find the Prisoner Jesse W. Siddins Guilty as Charged==and sentence him to have the Whiskey part of his Rations stopped for 20 days to be Appropriated to the use of the Compy of which he belongs--

The proceedings of A Regimental Court Martial Whereby? Lt. Bateman was President are Approved==The stoppages of whiskey in the Several cases of Privates Wm. Swords of (E) James Gamble of (D) Philip L. Brown of Light Compy (A) George Stitson of (C) Thos. Stewart of (D) Benjamin Carman of (K) and Fifer Siddens of (D).=

Company Commanders, will see that they are made Respectively.---- Hard Labour and Confinement in the Guard house is Remitted in each and every Case, Where it forms a part of the Sentence?

The Prisoners above named will be Released from Confinement and Return to duty.==

The Court is Dissolved ==

Orders  
No 45  
By Order of Lt. Col. Woolley  
(Signed) Tho. Noel Adj. 6th Regt  
Head Quarters 6th Regt  
Fort Atkinson 4 March 1825

The Resignation of Fleming Crump as Corporal of Lt. Compy (A) is receipted and he will be Reported Accordingly.-- So much of the sentences of a Regimental Court Martial in the Cases? of Peter Brown of Light Compy (B) and Burk. of Compy (E) as Remains? carried into effect are remitted--they will be released from Confinement and return the duty to the Band of the Regiment.==

Orders  
No. 46  
By order of Lt. Col. Woolley  
(Signed) Thos. Noel Adj. 6th Regt.  
Head Quarters 6th Regt  
Fort Atkinson 5th March 1826--

A Regimental Court Martial will convene to day at 12 oclock for the trial of each Prisoners as may be brought before it

Capt---Shaler----President--

Lts. Richardson & Anderson Members--

By order of Lt. Col. Woolley--  
(Signed) Thos. Noel Adj. 6th Regt.

Orders  
No 47

Head Quarters 6th Regiment  
Fort Atkinson 7th March 1826

At a regimental Court Martial convened at Fort Atkinson on the 4th March 1826 of which Court Capt Shaler was President--was tried Sergt. Fielding G. Brown-----Charged as follows==

Charge 1st Drunkeness [sic]--

Specifications Is this that he Sergt Fielding G Brown of Battl Co (E) 6th Infty. was at Fort Atkinson on or about the 4th March 1826. Intoxicated whilst having in Charge one of the Company rooms of Co. (E) 6th Infty..

Charge 2nd. Neglect of duty

Specif. In this that he Sergt Fielding G Brown of Battl Compy (E) 6th Infty did a [sic] Fort Atkinson on or about the 4th March 1826 permit Musician Burke and some of the men of Said Company to remain drunk in the Room for which he had Charge of and not report the same to the Compy Commander==

To which Charges & Specif the Prisoner pleaded not Guilty..

The Court after due deliberation of the testimony adduced find the prisoner Sergt Fielding G. Brown--

Guilty of the Specifications of the 1st Charge

Guilty of the charge

Guilty of the Specifn of the 2nd Charge

Guilty of the 2nd Charge and do sentence him

to be reduced to the station of a private Sentinal. [sic]==

The Court however in Consideration of the very fair Character g? him by Lt. Holmes his immediate Commanding Officer, Recommend the re? of the sentence==

Was also tried Corpl. Wm. Hatton of Battl Co. E 6th Infty==

Chard with Drunkeness [sic]==

Specif. In this that he Corpl. Wm. Hatton of Battle (Co (E) 6th Infty was at Fort Atkinson on or about the 4th March 1826 so much Intoxicated as to be unable to perform any kind of duty==

To which Charge and Specif.. the prisoner plead Guilty

The Court after mature deliberation on the testimony adduced and the plea of the prisoner find him Guilty as Charged and sentence him to be reduced to the Station of a private Sentinal [sic]---But in consideration of his general good conduct Recommend A remission of his sentence.==

Was also tried Corpl Anderson of Battl Co (E) 6th U. S. Infty

Charged with drunkeness [sic]--

Specif: In this that he Corpl Anderson of Battl Co (E) 6th U.S. Infty was at Fort Atkinson on or about the 4th March. Intoxication in one of the Company Rooms of Compy (E)---To which charge and Specf. the prisoner plead not Guilty

The Court after mature deliberation on the testimony adduced find the prisoner Corpl Andrew Anderson Guilty as charged and do sentence him to be reduced to the station of a private sentinal [sic]==But in consideration of his Uneaxiptable? good conduct further Recommend that his sentence be remitted.==

Was also tried Daniel C Brown of Rifle Compy B 6th U.S. Infty Infty--Charged with Drunkeness [sic]--

Specfn In this that he the said Private Daniel C Brown of Rifle Co. (B) 6th U.S. Infty. was at Fort Atkinson on or about the 5th Instant 1826. So much Intoxicated as to render him incapable of Appearing in Cos. parade for Inspection In a Soldier like manner--

To which Charge the prisoner pleaded Guilty  
The Court after mature deliberation on the Testimony Adduced confirm the plea of the Prisoner and do sentence him to be confined to the guard house for the period of 15 days to have his whiskey rations stopped for 30 days to be Appropriated to the benefit of the Compy of which he belongs.==

Was also tried Muscian [sic] Richard Burk of Battl Co E 6th Infty Charged with Drunkeness [sic] to the Grosist? degree.== Specification In this that he Mus. Richard Burk of Battl Co (E) 6th Infty at Fort Atkinson on or about the 4th March 1826 having just left the Guard house by virtue of Lt. Col. Woolley remission of the sentence passed on him by Regimental Court Martial.--for contempt of Court and Drunkeness [sic] did ? (torn) so Completely [sic] Intoxicated. As to loose not only the power of utterance but the sense of Recollection.--

To which Charge and Specfn. the Prisoner pleaded Guilty  
The Court after due deliberation on the testimony adduced Confirm the plea of the prisoner--and do sentence him to be placed for the period of 15 days in Solitary Confinement to be fed on bread and water his rations of whiskey to be stopped for 30 days to be Appropriated to the benefit of his Company--

Was also Private Jessie W. Siddins of Battl Co (D) 6th U.S. Infty.--Charged with being Intoxicated and absenting himself from Tatoo Roll call on or about the 3rd March 1826 at Fort Atkinson.

To which Charge the prisoner pleaded Guilty==

The Court after mature deliberation on the Testimony Adduced Confirm the plea of the prisoner, and do sentence him to be Confined to the Guard house for the period of 15 days to have his whiskey rations stopped for 30 days, to be Appropriated to the use of the Company of which he belongs.==



The finding and Sentences of a Regimental Court Martial Whereof Capt. Shaler was President are Approved--In the Respective cases of Sergt. Brown, Corpl Hatten, and Anderson, and musn. Burke of Battln. Compy (E) Private Daniel C Brown of Compy (B) and Private James W. Liddens of Battl. Compy (D)==

Upon the Recommendation of the Court the sentences of the just named cases are remitted. Sergt. Brown and Corpl Hatten and Anderson are released from Arrest and will return to duty.--The sentences Burke, Brown and Siddens, will be carried into execution. Compy Com- =anders of E, B and D. Respectfully will see that the stoppages of whiskey are made.-- The officer of the days is Charged with the Execution of the other parts of the sentences.==

The Court is Dissolved.==

By order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt. 6th Regiment  
Head Quarters 6th Regt Fort Atkinson  
March 9, 1826

Orders  
No 48

A Regimental Court Martial will convene this morning for the trial of such Prisoners as may be brought before it-- Lt. Palmer--President=  
Lts. Waters & Clay Members--  
By order of Lt. Col. Woolley--  
(Signed) Thos. Noel Adjt 6th Regt.

Head Quarters 6th Regt Fort Atkinson  
March 10 1826

Orders  
No 49

Before a Regimental Court Martial Convened at Fort Atkinson the 9th March 1826 of Which Court, Lt. Palmer was President--Was tried Private John Martey of Comp (A)? U.S. Infty.--

Charged with neglect of Duty  
Specification In this that the said Martey of the Company and Regiment aforesaid did neglect to attend Troop Beating on the morning of the 7th March 1826 at Fort Atkinson.

To which the Prisoner pleaded not Guilty=

The Court after the most mature deliberation on the Testimony Adduced find the the [sic] Prisoner Guilty as Charged and sentence him to the stoppage of 50 Cents of his monthly pay to be Appropriated to the use of the Band.==

This Also tried Private James Davis of Rifle Co. B 6th Infty

Charged with repeated Drunkenness [sic]--

Specification In this that he the said Private James Davis of Rifle Compy B 6th U.S. Infty ban? at Fort Atkinson between the 1st and 7th of March 1826--and particularly on the? (torn) of the 7th March 1826, So much Intoxicated As to render him totally unfit

for performing any kind of Duty

To which the Prisoner pleaded Guilty

The Court after the most mature deliberation Confirm the plea of the Prisoner and find him Guilty as Charged and sentence him to the stoppage of whiskey for one month and his pay for one half of the same Period, to be Appropriated to the use of the Company of which he belongs.==

Was also tried Private Wm. Maxwell of Batt Compy (E) 6th Infty. Charged with Drunkenness [sic] and Insubordination== Specification 1st In this that he Private Wm. Maxwell of Battl. Compy (E) 6th U.S. Infty at Fort Atkinson on or about the 7th March 1826 was Intoxicated in one of the Company rooms of Company E 6th Infty-- Specification 2nd In this that he Private Wm. Maxwell of Battl. Compy (E) 6th U.S. Infty at Fort Atkinson on or about the 7th March 1826 did when ordered to be Silent and make less noise by Sergt Harris of said Company "say I dont care for you or Lt. Homes" or words to that effect and did totally disregard the aforesaid order of Sergt Harris and Furthermore when he was ordered to the Guard house by the said Sergt Harris in obedience to Lt. Holmes, order he said unto Sergt Harris you are a Damn son of a bitch or words to that Effect

To which the Prisoner pleaded Guilty

The Court after the most mature deliberation Confirm the plea of the Prisoner find him Guilty as Charged and Sentence him for the stoppage of one months whiskey and pay for half the same period likewise to be Confined to the Guard house 2 days during?(torn) which Confinement he will ride the wooden Horse 2 hours each day 1 hour in the?(torn) morning and 1 in the Afternoon with a gag in his mouth of one and a half inch in Diameter=

The proceedings of the Regtl Court Martial whereof Lt. Palmer was President are Approved and the Sentences will be carried into Execution with the exception of so much of the sentence in the case of Private Wm. Maxwell of Battl. Compy (E) as subjects him to the punishment of riding the wooden horse with a Gag in his mouth which is hereby remitted.=

The Company Commanders of G, B and E will see that the stoppages of whiskey and pay are made Accordingly--

The Court is Dissolved==

By order of Lt. Col Woolley  
(Signed) Thos. Noel Adjt 6th Regt.

Orders  
No 50

Head Quarters 6th Regiment  
Fort Atkinson March 13th 1826

Before A Regimental Court Martial convened at Fort Atkinson on the 13th of March 1826 of which Court Major Ketchum was President was tried--Private Bull of Compy (F) 6th U.S. Infy==

Charged with Intoxication on Duty.==

Spesf-In this that Private Bull of Compy (F) 6th Infy was Intoxicated Whilst in the ranks and paraded for Company Inspection. This at Fort Atkinson March 12th 1826.==

To which Charge & Specification the Prisoner pleaded not Guilty

The Court after mature deliberation find the Prisoner Private Bull of Compy (F) 6th Infy.--Guilty as Charged, and sentence him to have the Whiskey part of his rations Stopped for 15 days to be Appropriated to the use of the Compy of which he belongs.==

Was next tried Private Thomas Young of light Co. (A) 6th Regt. U.S. Infy---Charged with disobedience of Orders.==

Specifn 1st In this that he Thomas Young a private of Light Company (A) 6th Regt U.S. Infy. did at Fort Atkinson on or about the 4th March 1826 when on duty as a Tailor altering Clothing for the Band of the 6th Regt U.S Infy refused to obey an Order to go to work by the non Commissioned Officer having the Sup=  
erintendance of the Tailors shop "Corpl. Buchanan."==

Specifn 2nd In this that the Aforesaid Thomas Young of the Compy & Regt. Aforesaid did positively refuse to obey the Order aforesaid, when at the time? (torn) he the said Young, knew that the order had emanated from the Adjutant of the Regiment.--To which Charge & Specifications the Prisoner plead Guilty==

The Court Confirm the plea of the Prisoner and find him Guilty as charged and sentence him to have his pay and the Whiskey part of his Rations stopped for one month. To be Appropriated to the use of the Company to which he the said Private Thos. Young belongs.==

Approved==

The Sentence will be carried into effect.==

The Commanders of Companies F & A. will see that the Stoppages are made--The Prisoners Bull and Young will be released and report for duty in their respective Companies.==

The Court is Dissolved==

By order of Lt. Col Woolley  
(Signed) Thos. Noel Adjt. 6th Regt.

Orders  
No 51  
Head Quarters 6th Regt.  
Fort Atkinson 16th March 1826  
A Regimental Court Martial will convene to day at such time and place as the President thereof may direct--for the trial of such prisoners as may be brought before it.  
Capt Shaler---President  
Lts Nichols & Eaton } Members  
By order of Lt. Col. Woolley  
(Signed) Thos. Noel Adjt 6th Regt

Orders  
No 52  
Head Quarters 6th Regt  
Fort Atkinson 17th March 1826  
At a Regimental Court Martial convened at Fort Atkinson, on the 16th March 1826 of which Court Capt Shaler was President--was tried Private Thos Billingsbee of Battl Compy (C) 6th Infty.==  
Charged with disobedience of orders and neglect of Duty, by letting Fry of Compy (F) have Communication with the Armourer while he was a Sentinal on Post at the Armoury Shop. This on or about the 15th March 1826 at Fort Atkinson

To which the Prisoner pleaded not Guilty--  
The Court after mature deliberation on the Testimony adduced find the Prisoner T Billingsbee of Compy (C) not Guilty as Charged and do therefore acquit him  
Approved  
Billingsbee will be released and report for duty--  
The Court is Dissolved.--

By order of Lt. Col. Woolley  
(Signed) Thos. Noel. Adjt 6th Regt--  
Head Quarters 6th Regt.  
Fort Atkinson 18th March 1826  
Orders  
No 53  
A Regimental Court Martial will convene to day at such time and place as the President thereof may direct for the trial of such prisoners as may be brought before it.--

Lt. Palmer--President  
Lts. Richardson & Anderson ] Members  
By Order of Lt. Col. Woolley  
(Signed) T Noel. Adjt 6th Regt

Special Orders  
No 11  
Adjutant Genls. Office Washington  
18th Jany 1826  
The furlough heretofore? Granted to Lt. J. Pentland 6th Infty by the Commanding Genl. of the Westn. Department is hereby extended to include Three Additional months at its expiration [sic] he will join his Company  
By Order of the General ? (torn)  
A. Jones Adjt. (torn)

(This page is very torn and stained)

? Infantry?

2nd H? W. Akwandu? 31st October 1825 viu? Resigned

Brevet 2nd Lt.? Thompson to be 2nd Lt 1st July 1824

6th Regiment of Infantry

(promoted)

Lt. Col. Abraham R. Woolley Major to be Lt. Col. 15th Dec 1825 besec? Leavenworth

Brevet Major W. R. Davenport Capt. 7th Infy to Major 15th Dec 1825 via? Woolley promoted

7th Regiment of Infantry

1st Lt. Benjamin E. Bonneville to be Capt. 4th Oct 1825 vice Wash deceased--

1st Lt. Suree? Butter to be Captain 15th Dec. 1825 Vice Davenport Promoted--

1st Lt. ? R. Stearns to be 1st Lt. 4th Oct. 1825 vice Bonneville promoted

2? Lt. Thomas Johnson to be 1st Lt. 16th Dec. 1825 vice Butter Promoted--

Brevet 2nd Lt Washington Sewell to be 2nd Lt 1 July 1825

(torn) 2nd Lt. Lawrence F. Carter of the 4th Infy to be 2nd Lt. 1st July 1825

George Coghnan (KP)? to be Inspector Genl 21st Dec 1825

George Dutton Lt. of Engineers to Asst. Commissary of Subs. 4th Oct. 1825

P. Morrison Lt 4th Infy to be Asst Commissary of Subs 4th Oct 1825

Giles Porter Lt 1st Artlry to be Asst Commissary of Subs 13th Oct 1825?

W. W. Outlaw Lt. 7th Infy to be Asst Commissary of Subs. 25th Oct 182?

Seth. Johnson Lt. to be Asst. Commissary of Sus. 20th Oct 1825

S. B. Dusionary? Lt. of 4th Artly to be Asst Commissary of ? (torn)

Harvey Brown 4th Artl. to be Asst Commissary of Subs. 22 (torn)

Thomas ? to be Apt Surgeon 5th October 1825

2ne? ? are changed by promotions ? (torn)

? (smudged) "unless their absence be sanctioned by (torn)

? ? quarters of the Regiments as will ?

?

Announced by Order of Major Genl

(signed) A. Jones Adj. G

Head Right? ?

Order

No. 1

General Atkinson Assumes Command of the ? Wing

(Remainder of the page is washed out and torn)

Orders  
No 34  
Brevet 2nd Lt Alston having Joined is attached to Brevet Major  
Ketchums Compy, and will be reported Accordingly

Head Quarters 6th Regt  
Fort Atkinson 22 Sept? 1826  
By Order of Lieut Co. Woolley  
(Signed) Thos. Noel adjt. 6th Infty

Orders  
No 55  
Head Quarters 6th Regiment  
Fort Atkinson 22nd Feby 1826

At a Regimental Court Martial convened at Fort Atkinson on the 15th Feby 1825 of which Brevet Major Ketchum was President, was tried Corporal Ripley of Battl Comp 6th Regiment-- Charged with being so much intoxicated on the 7th Instant ? him incapable of performing duty, and to such a degree as to bring him into contempt and disrespect

To which Charge the prisoner pleaded Not Guilty

The Court after the most mature deliberation on the Testimony adduced find the Prisoner Corpl? Ripley Guilty of Intoxication but not to the degree specified and do sentence him Corporal Ripley of Battl. Compy (C)6th U.S. Infty to be suspended from Rank for the period of ten days and to perform the duty of a Private Sentinal for the same period--

Was also tried Private Giss of Battl Compy (G) 6th Infty--  
Charge 1st Disobedience of Orders

In this that he the said Richard Giss of Compy (G) 6th Infty whilst Intoxicated ? (torn) Fort Atkinson and having under his Charge Hagerman a Convict with ?suffer the said Hagerman to become completely Intoxicated on or about the 13th July 1825--

Charge 2nd Neglect of Duty-


Specification in this that he the said Giss of Compy (G) 6th Infty did neglect his duty ? Sentinal of the Police guard at Fort Atkinson by Suffering? Hagerman a Prisoner under? ? to get Intoxicated on or about the 19th Feby 1826

To which Charge and Specifications the Prisoner pleaded Guilty

The Court after mature deliberation on the Testimony adduced--  
the Prisoner private Richard Gess not guilty as Charges.==

In receiving the Proceedings of a Regiment Court Martial Whereas?  
Ketchum is President. The Commanding officer ?

(Last part cannot be read as it is washed out and torn)



Fort Atkinson Records from Missouri Historical Society