

April 5th 1826

10 O'clock Am, The Court met pursuant to adjournment Present all the members

Capt. Gantt

President

Lieut^s Clay & Alston

Members

and proceeded to the trial of Robert A.

Page who being previously asked if he had any objections to any of the members named in the order constituting the Court and replying in the negative was arraigned on the following Charges & Specifications.

Robert A Page of Comp^y K is charged with Disobedience of orders Specification In this that the said Page did when ordered by the orderly Sergeant of his Company to go into the cook room of said Company and assist in cleaning it, disobey the order by immediately leaving his Company & going to the Comp^y's store, where he remained till sent for by a file of men, this at Fort Atkinson on or about 1 April 1826.

Witnesses { Sergt. Almy (Signed) E Shaler
{ Corpl. M^cCready Capt 6 Inf

To which Charge and specification the prisoner pleaded "Not Guilty" Sergt. Almy a witness for the prosecution being duly sworn says: at the time and place mentioned in the specification of the charge I ordered the prisoner Page to go into the Cook room and assist in cleaning it, he immediately left the Comp^y. and proceeded towards the Comy's store, I sent a Corpl. and a file of men after him, who brought him back. I was Orderly Sergeant of the Comp^y. at the time. I twice ordered the prisoner to go into the Cook room for the purpose above mentioned.

Corp^l. M^cCready a witness for the prosecution being duly sworn says: on or about the 1 April 1826 at Fort Atkinson I heard Sergeant Almy (Orderly Sergeant of C^o K) order the prisoner Page to go into the Cook room of said Comp^y and assist in White washing it—I do not know whether he obeyed the order or not.

Private Happy of (K) C^o a witness for the prisoner being duly sworn says: on or about the 1st April 1826 at Fort Atkinson the prisoner was ordered to assist in White washing the Cook room of C^o K, he went into the room and remained there about ten minutes, & having no tools to work with he left the room. I do not know where he went to.

Sergeant Haverty a witness for the prisoner duly sworn answers the following question by the prisoner.

Question by the prisoner—On the first of April 1826 at Fort

Atkinson was or was I not on detail (on extra duty) at the Comp^y. Store and had I or had I not been dismissed from that detail.—

Answer: The prisoner was on detail at the Compy store and had returned about two O'clock PM at the time mentioned in the question with a cart load of Beef, he had not been dismissed from that detail nor had any orders been given to that effect.

The Court being then cleared and the proceedings being read over to the Court they pronounce the following sentence. The Court after deliberation on the testimony adduced find the prisoner Page Guilty of the specification leaving out the words "by immediately leaving the Comp^y and going to the Comp^y's store where he remained till 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 fifteen days, but from the circumstances of the case the Court is induced to recommend him to the Com^g Officer for a remittance of the sentence awarded against him.

The Court next proceeded to the trial of Private John Jenness of Company C 6th Inf. arraigned on the following Charges and Specifications:

Charge 1st Disobedience of Orders

Specification In this that he Private John Jenness of C^o C 6 Inf did when ordered by Serg^t Riley (Orderly Serg^t of said Co) to put his Blanket on his bunk neglect and refuse so to do so and telling Serg^t Riley he had no blanket to put on his bunk, this at Fort Atkinson on or about 2nd April 1826.

Charge 2nd Lying

Specification In this that he private John Jenness of the Comp^y and Regiment aforesaid did tell a willful lie to Serg^t Riley by saying he had no blanket at the same time, he the said Jenness had two in his possession at Fort Atkinson on or about the time above stated.

	{ Serg ^t Riley }	(Signed) W ^m W. Eaton
Witnesses	{ C ^o C }	
	{ Corp ^l Ripley }	Lt. 6 Inf

Serg^t Riley a witness for the prosecution being duly sworn says: I ordered the prisoner to put his blanket on his bunk several times, he neglected to obey the order and said he had no blanket, he at that time had two in his Chest but I don't know whether they belonged to the prisoner or not—he is charged with a blanket & accountable for one.

Corp^l Ripley of C^o C 6 Inf, a witness for the prosecution being duly sworn says: on or about the time and place mentioned in the charge

Serg^l Riley ordered the prisoner to put a blanket on his bunk, he neglected to do so—I know the prisoner has a blanket in his possession.

The Court being cleared and after mature deliberation on the testimony adduced find the prisoner guilty of the specification of the 1st Charge leaving out the words “or refuse”—Not Guilty of the specification of the 2nd Charge—Guilty of the 1 Charge—Not Guilty of the 2nd Charge and sentence him to undergo a stoppage of five days rations of his whiskey to appropriated to the use of the company to which he belongs. The Court then adjourned Sine die

J Gantt
Captain 6 Inf
and
President of the Court

The proceedings of the Court Martial where of Capt Gantt was President are approved in the case of Private 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 record that Private John Jenness of Battⁿ Comp^y C has been put to his plea, he will be discharged from confinement and return to duty. The Court is dissolved, Fort Atkinson 5th April 1826.

AR Wooley
Lt Col Commg

Proceedings of a Regimental Court Martial convened by virtue of the following order:

Orders
H^d Q^{rs} 6th Infantry
Fort Atkinson 8th April 1826

A Regimental Court Martial will convene to day for the trial of such prisoners as may be brought before it—to consist of—Lt. Palmer President—Lt^s Waters & Anderson Members.

By order of Lt. Col. Woolley
(Signed) Tho^s. Noel Adj^t 6 Reg^t

The Court met pursuant to the above order Present—Lt. Palmer Lt^s. Waters & Anderson Members. The Court being then duly sworn in the presence of the prisoners they being previously asked if they had any objections to any of the members of the Court and replying in the negative, the Court proceeded to the trial of Private Powers of Comp^y (E) on the following charge.

Private Edward Powers of Battallion Company (E) 6th U.S. Infantry is charged with being so much intoxicated at Fort Atkinson on the 7th of April 1826 to render him unable to attend drill.

(Signed) J.J. Anderson Lt. by B^t 6th Inf
To which Charge the prisoner pleaded “Guilty”.

The Court after mature deliberation find the prisoner guilty as charged and sentence him as follows:

Sentence . . . To have one dollar of his monthly pay stopped and his whiskey rations subjected to stoppages for the period of twenty days—both to be appropriated to the benefit of the Company to which he belongs.

Private John Cape a soldier in Rifle Compy (B) 6th U.S. Infantry was next tried on the following charge:

Private John Cape a soldier in Rifle Comp^y (B) 6th Inf^y. is Charged with being so much intoxicated while at work as a Tailor as to be perfectly stupid—and did fall asleep on the table, this at Fort Atkinson on or about the 8th of April 1826.

(Signed) E. Shaler
Capt. 6th Inf.^y

To which charge the prisoner pleaded “Not Guilty.”
Capt. Shaler a witness for the prosecution being duly sworn says: The prisoner was at work in my kitchen on the 8th April 1826—it was reported to me he was intoxicated—I then stepped into the room where I found him leaning back on the table—having his ^{eyes} partly closed as if he was asleep—with his work laying beside him—He appeared to be perfectly stupid as stated in the charge—on speaking to him I discovered that he was so much intoxicated as to render him unable to perform any kind of duty.

Sergeant Almy a witness for the prosecution was next sworn who says: I saw the prisoner Cape at work in Capt. Shaler’s

kitchen on the morning of the 8th April 1826—he appeared to be so much intoxicated as to render him unable to perform the duties in which he was then engaged—he was considerably stupid and drowsy.

The Court after mature deliberation on the testimony adduced find the prisoner guilty of being so much intoxicated as to render him unable to perform his duty and do sentence him as follows:

Sentence To have one dollar of his monthly pay stopped and his whiskey rations subjected to stoppage for the period of twenty days to be appropriated to the benefit of the Company to which he belongs.

The Court then adjourned Sine die

Z.C. Palmer Lt. &
President of Court

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 Companies B and E will see that the whiskey stoppages are made. Powers and Cape will be discharged from confinement and return to duty. The Court whereof Lt. Palmer is President is dissolved. Fort Atkinson 8th April 1826

AR Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Ft. Atkinson in virtue of the following order:

Orders

No 77

H^d. Q^{rs}. 6th Reg.^t

Fort Atkinson 9th April 1826

A Regimental Court Martial will assemble this morning for the trial of such prisoners as may be brought before it. The Court will consist of Major Ketchum President Lt^s Wickliffe & Nichols Members.

By order of Lt. Co^l. Woolley
(Signed) Tho^s. Noel
Adj^t 6th Regt

April 9th 1826 The Court met pursuant to the above order
Present Major Ketchum Pres^t., Lieut^s Wickliffe and Nichols
Members The Court having been sworn in presence of the prisoners who
having been previously asked if they had any objection to any of the members
named in the order & replying in the negative, the Court proceeded to the
trial of Private Elias Swartwood of Battⁿ C^o C 6th Inf on the following
charge preferred against him by Lt. Palmer of the 6th Reg^t. Inf.

Charge. Private Swartwood of Battⁿ Comp^y C 6th Regt Inf is
charged with stealing from the Public Soap house at or near Fort
Atkinson on or about the 6th of April 1826 a quantity of Pork about
50 pounds belonging to the Subsistence Department and selling the same
to private Evans or his wife of Battn Co I 6th Inf. for fifty cents
and did receive that amount of money for the same—he the said Swartwood
well knowing it to be public property.

(Signed) ZC Palmer

Lt & Act. Ass. Comm^y. Subs^{ce}

To which the prisoner pleaded Not Guilty
Sergt Haverty of the 6th Regt Inf. a witness for the prosecution being
duly sworn says: on the latter part of last month a quantity of pork
consisting of one hundred & eighty five & and a half pounds condemned by a
board of Survey was placed in the Soap house on this day (9th April) I
examined it, and found it contained only 136 leaving a difference of
48 1/2 lbs.

Private Kenny of Light Company (A) 6th Inf a witness for the
prosecution being duly sworn says: Three or four days ago I saw the prisoner
bring some pork to Private Evans quarters—I should not think there
was more than 16 or 17 pounds. The prisoner informed Private Evans that
he wished to sell the pork and I saw him receive from Mrs. Evans 50 cents
as a full compensation for the pork—I examined the pork, it was damaged
salt pork. I do not know where the prisoner got the pork.

Private Evans of Battⁿ Company (I) 6th Reg^t Inf a witness for the
prosecution being duly sworn says: Three days ago the prisoner came to
my house with a quantity of Salt pork about 15 or 20 lbs and told me
he had obtained a furlough and drawn his ration of pork for 14 days, but
as he could not carry it with him he (the prisoner) wished to sell
the pork, he laid it on the table and my wife paid him 50 cents for
the pork. At the time the prisoner placed the pork on the table I
did not examine it. I soon after looked at it and found the pork

so much damaged that I was obliged to throw it into the river. I do not know where the prisoner got the pork.

The testimony on the part of the prosecution having been closed and the prisoner having no testimony to bring before the Court or any thing to offer to the Court in his defence, the Court was cleared and the proceedings read over and the following sentence pronounced—Sentence—The Court after mature deliberation on the testimony adduced find the prisoner Private Swartwood of Battⁿ Comp^y C 6th Inf Guilty of selling 15 or 20 pounds of damaged pork and receiving fifty cents for the same from Laundress Evans of the 6th Inf and not guilty of the rest of the Charge and do sentence him to refund to Laundress Evans the sum of fifty Cents.

The Court next proceeded to the trial of Private Mount of Battn Company E 6th Inf a Musician on the following Charge & Specification viz

Charge & Specification preferred against Thomas Mount a Musician of Battn. Company E 6th Reg^t Inf

Charge . . Theft

Specification In this that he the said Thomas Mount a musician of Battⁿ Comp^y E 6th Inf did on or about the morning or evening of the 19th or 20 Sept. 1825 take in a clandestine manner from Andrew Parker of Battⁿ C^o F 6th Regt a Buffaloe robe valued at \$5 ⁰⁰/₁₀₀, the said Buffaloe robe the aforesaid Mount sold at the time specified to Capt. Shaler of the 6th Regt Inf this at Fort Atkinson

(Signed) J Nichols

Lt 6th Inf^y

To which Charge & Specification the prisoner pleaded Not Guilty

Private Parker a witness for the prosecution was called and objected to by the prisoner on the grounds of having been a deserter. The court was cleared and it was decided that the witnesses testimony should be spread upon the records of the Court.

Private Parker of Battⁿ C^o F 6th Inf a witness for the prosecution being duly sworn says: on or about the time specified I lost a Buffaloe robe from the gun house near the quarters of Co F on thursday last I went over to Capt. Shaler's quarters, I saw the Buffaloe robe hanging in front of his door. I knew the robe to be mine from particular(s) that were on it—as a white spot, a cut in the head part of the skin and a string put in to tye up a particular part of robe. I was so well convinced that it was my robe, that I went to Capt. Shaler

and told him I had seen a Buffaloe robe I had lost hanging in front of his door—

Capt Shaler told me that he had bought it from Moun (the prisoner)

The prisoner confessed to me when I first spoke to him about the robe that he did steal it from me & if I would not say any thing about it he would pay me for the robe next pay day.

Question by the prisoner Did I not ask you at the time you first told me I had stole your robe to go with me to Capt. Shaler's and see if either of the robes I sold to Capt. Shaler was yours and did you not refuse to go.

Answer—The prisoner never asked me to go to Capt. Shaler's he took me to another place to look at some robes he had sold, but neither of them was mine—the prisoner told me he had only taken small Calf skin to Capt. Shaler for his son Oliver.

Private Walker of Battn Co F 6th Infantry a witness for the prosecution being duly sworn says: on or about the time specified Private Parker had a Buffaloe robe stolen from him—private Parker a few days ago found the Buffaloe robe—I examined it and believed from a few particular marks on the robe (as a white spot, a string and a cut, the string was used to tie the cut close together) to be the same robe which Private Parker had stolen from him on or about the time specified.

Private Chase of Battn Co F a witness for the prosecution being duly sworn says on or about the time mentioned in the charge private Parker and myself having our Buffaloe robes on the Bastion to dry, Parker hung his robe on the gun house I hung mine on the railing of the shed—3 or 4 days after we went to get the robes and we found they were gone—a few days ago Parker came to me and asked me if I should know the Buffaloe robe if I could see it—I told him I believed I could because there was a particular ~~mark~~ white spot on the robe & that his robe was cut and a string fixed to tie up the cut. Parker then told me he had got his Buffaloe robe again, that he obtained it from Capt. Shaler, who bought it from Mount (the prisoner) I examined the robe Parker had obtained from Capt. Shaler and found it was the same robe Parker had lost.

The testimony on the part of the prosecution having been heard and the prisoner having no testimony to bring before the court or any thing to say in his own defence the Court heard the proceedings read over and

pronounced the following sentence

Sentence The Court after mature deliberation on the testimony adduced find the prisoner Thomas Mount a musician of Batt Comp (E) 6th Inf. Guilty of the charge and Specification preferred against him and do sentence him to have five dollars of his pay stopped & his ration of whiskey stopped for the period of thirty days. The pay and whiskey to be appropriated to the use of the company to which he belongs.

The Court will reconvene and revise its proceedings in the case of private Swartwood

A R Woolley
Lt. Col Comg

12th April 1826 The Court reconvened agreeable to the order of the Commanding Officer and proceeded to reconsider the sentence of Private Swartwood of Battⁿ. Comp^y. C 6th Inf and do further adjudge that the sum of 50 cents (fifty cents) to be refunded to Laundress Evans shall be deducted from private Swartwoods pay.

Agreeable to an order of the Commanding Officer of the post verbally communicated to the President of the Court by the Adj^t. of 6th Reg^t. of Inf the court proceeded to the trial of the following prisoners viz. Private Stanley of C^o. K—Private Brown of C^o. B Private Davis of said Comp^y. – Private Francis of C^o. J—Private Lowder of said Comp^y.—Privates Ridge, Wile and Ford of Battⁿ. C^o. K 6th Reg^t. 6th Inf. who were separately arraigned on the following Charges preferred against them by Thomas Noel Lt and Adjutant of the 6th Reg^t of Inf

Charge . . . Privates Brown and Davis of Comp^y. B Privates Francis and Lowder of Comp^y. J Privates Ford, Stanley & Ridge of Comp^y. K all of the 6th Reg^t. of Inf. are charged Severally [sic] with being absent from drill without permission on the afternoon of the 11th. April 1826 at Fort Atkinson

By order of Lt Col Woolley
(Signed) Tho^{ms}. Noel
 Lt. & Adj^t. 6th Infantry

Privates Ford, Ridge & Wile of Company K 6th Inf. are charged severally with being absent from dress parade without permission on the evening of the 11th April 1826 at Fort Atkinson

By order of Lt. Col. Woolley

(Signed) Thoms Noel

Lt & Adj^t. 6 Reg^t Inf

Private Stanley of Comp^y. K 6 Infantry was first arraigned and pleaded Guilty (as charged). The Court confirm the plea of the prisoner Private Stanley and do sentence him to have his ration of Whiskey stopped for the period of ten days to be appropriated to the use of the Comp^y. to which he belongs.

Private Brown of Light Comp^y. (B) was not arraigned and admitted the facts set forth in the charge—but pleaded sickness.

Sergeant Winningham of Light Comp^y a witness for the prisoner being duly sworn says at the time specified the prisoner came to me about half an hour after drill and informed me that he was unable to attend drill on account of his being sick with the ague—when the prisoner reported to me he had every appearance of a sick man—I asked the prisoner why he had not reported to the Comm^s. Officer of the Company if he was sick—he said he could not find him.

All the testimony having been heard in the case—The Court find the prisoner Brown a private of Light Comp^y. B was absent from drill as Charged but from the circumstances of his case set forth in the testimony attach no criminality to the prisoner and therefore do acquit him.

Private Davis of Light Comp^y. B 6th Inf. was next arraigned and pleaded Guilty (as charged). The Court confirms the plea of the prisoner and sentence him to have his ration of whiskey stopped for the period of 10 days (ten days) to be appropriated to the benefit of the Company to which he belongs—

Private William Francis of Battⁿ. Co J 6th Reg^t. Inf was next arraigned and the prisoner admitted the facts set forth in the charge but stated to the Court that he was unable to attend drill from having been detained by other duties.

Private Streeter of Battⁿ. Comp^y. F 6th Reg^t. Inf being duly sworn says I was teamster and sent to the Iron wood bottom for wood we had loaded and was returning to the garrison—when our team got mixed & we were detained in helping each other out of the mud—I was helped

out of the mud hole by Private Francis of Company (J) and having a horse team I was enabled to arrive at the garrison before Francis (a private of Company J) who had an ox team and could not travel as fast as my team.

The testimony for the prisoner having been heard and there being no testimony on the part of the prosecution the Court proceeded to make the following finding. The Court find the fact as set forth in the charge but from the testimony spread on record of the case and the circumstances therein contained—the Court attach no criminality to the prisoner and therefore acquit him.

Private Lowder of Batt. Comp^y J 6th Reg^t. Inf. was next called before the court and pleaded Guilty of the fact set forth in the charge, but that he was detained by other duties from attending drill.

Private Streeter of Batt. Comp^y. F 6th Reg^t. Inf. a witness for the prisoner being duly sworn, says, the teamsters, Lowder was one of them went out to the Iron wood bottom to get wood we had loaded and was returning to the garrison when our teams got mixed and we were detained in helping each other out of the mud—we doubled our teams as soon as I had got ~~mine~~ my team & load out of the mud hole. I drove faster than the others as I had a horse team and got into the garrison a little after drill commenced—the other teams could not travel as fast as my team.

The whole of the testimony for and against the prisoner. The Court find the fact as set forth in the Charge but from the circumstances spread on the record of the case attach no criminality to the prisoner and therefore do acquit him.

Private Ridge of Battⁿ. Comp^y. K was next arraigned before the Court—the prisoner admitted the fact of his being absent from drill & absent from dress parade, but plead that sickness was the cause of it.

Sergt. Almy of Company K a witness for the prisoner being duly sworn says: The prisoner was on the sick report but was marked for duty yesterday and at the same time ordered to take medicine—however I do not know whether he took the medicine or not—it has been the custom whenever the D^f. marked on the sick report of the Company, “for duty”, opposite a mans name that the man is subject to detail and that he shall attend to duty. The whole of the testimony in the case having been heard by the Court, the following sentence was pronounced viz

Sentence: The Court after mature deliberation find the prisoner guilty of absenting himself from drill and from dress parade and guilty of both charges and do sentence him to have his ration of whiskey stopped for the period of (20) twenty days to be appropriated to the use of the Company to which he belongs.—

Private Ford of Battallion Company K 6th Regiment Infantry was next arraigned on the aforementioned charges, and admit the facts set forth in the charges, but pleads his having been on Command to being up the River the Sutlers boat, and not having orders to report to his company for duty he did not think he was to attend or parade

Sergt Almy a witness for the prosecution being duly sworn says: the prisoner was still reported on Command. I have no orders to report him for duty—

The testimony being closed in this case the court proceeded to finding the prisoner as follows: 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 Wile of Battallion Company K, was next arraigned on the above mentioned charges, to which the prisoner pleaded Guilty

The Court confirm the plea of the prisoner and do Sentence him to have his ration of whiskey stopped for the period of ten days, to be appropriated to the use of the company to which he belongs of D Ketchum Maj U.S. 6th President of the Court.

The Commanding Officer disapproves the Sentence of the Court in the Case of private Swartwood of Company (C) as the facts stand on the record the case is a flagrant one, much worse than that of Mount, upon which the Court laid a heavier hand, it there were any litigating circumstances they should have appeared in the proceeding in writing that the Commanding Officer Could have judged of three—the proceedings in the several other Cases see approved and the Sentences will be carried into effect; the Company 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 precedant, and must not be followed—There is a proper way of being excused from drill which should in all cases be adopted—The prisoners will be released and returned to duty—the Court whereof Major Ketchum is president is dissolved.

AR Woolley
Lt. Col Comg

Proceedings of a Regimental Court martial Convened at Fort
Atkinson the 15th day of April 1826 by virtue of the following Order
Orders
No 82} Head Qr^s 6th Regiment
Fort Atkinson 15 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 Captain Gantt President
Lieuts Palmer and Allston members
By order of Lt Col Woolley
Sign^d Thomas Noel
Adgt 6th Regiment

Saturday April 15th 1826

The Courts met pursuant to the above orders
Present Capt Gantt President

Lieuts Palmer & Allston members

The Court being duly sworn in the presence of the prisoners proceeding
to the trial of private Samuel Richmond of Battallion Company G
6th Infy, who being previously asked if he had any objections to the
members named in the above order and replying in the negative was
arraigned on the following charge preference against him by Lieut. R.
Holmes actg asst Q^r M^s. 6th Infy.

Charges . . . Positive disobedience of Orders—
Specifⁿ. 1st . . In this that he private Samuel Richmond of Battallⁿ.
Company G 6th Inf did at Fort Atkinson on or about the 11th April 1826
positively refused to take a hoe to the Blacksmiths shop when ordered
by Q^r M Sergt Cedars, he the said Richmond being then on the detail
for the Q^rMaster Department.
Specifⁿ 2^d In this that the said Richmond of the Company & Regt.
aforesaid at Fort Atkinson on or about the 11th of April 1826 did positively
disobey an order given him by Lieut R. Holmes Actg asst Q^rMaster 6th
Infy to this effect viz. take the hoe in your possession to the black—
smiths shop and get it repaired.
Specification 3^d In this that the said Richmond of the Company &
Regt. aforesaid at Fort Atkinson on or about the 11th April 1826 did
after the orders above specified was repeated again, positively disobey &
disregard it

To which Charge and Specifications the prisoner pleaded “not
guilty.”

Lieut. Clay's witness for the prosecution being duly sworn says, I was in the Q^r. Masters Office where the order was delivered by Lieut Holmes to Richmond to have his hoe repaired at the blacksmiths shop --he immediately returned to the Q^r Masters Office with the hoe in his hand without having Complied with the orders, this was on or about the 11th April 1826, at Ft. Atkinson.

Q^rM^sSergt. Cedars a witness for the prosecution being duly sworn says. . On the 11th April 1826 at Fort Atkinson the prisoner was on the Q^rMasters detail, he came to the Q^rMasters Store to turn in his hoe, it was bent. I ordered him to take it to the Blacksmiths shop and have it straightened, he refused to do it and laid it down on the sill of the door, and while I was receiving the tools from the rest of the party he took his hoe and carried it off and threatened to take it and report me to the Colonel because I would not receive it.

Lieut Holmes, a witness for the prosecution being duly sworn says, on or about the time stated in the 2^d Specification I sent for the prisoner to come to my quarters, he came and I ordered him to take the hoe in his possession to the blacksmiths shop and have it repaired. he requested permission to bring it to my quarters that I might see it. I told him that as he had been ordered once I would not see the hoe, he should take it down immediately. he then left my quarters and got the hoe and brought it to my quarters without taking it to the blacksmiths shop and instead of obeying the order repeated in that manner as strong as I could repeat it, very deliberately and coolly walked to the Colonels quarters and there remained until I sent for him, and utterly disregarded the Order which I had given him—There appeared to be no passion in the prisoner at the time, but a predetermination to disobey the order

The evidence on the part of the prosecution being closed, the prisoner was asked if he had any witnesses to be examined and replying in the negative the court was ordered to be cleared, and after mature deliberation on the testimony adduced find the prisoner Samuel Richmond guilty of the Charge and Specifications exhibited against him & Sentence him to have his pay and rations of whiskey stopped for one month to be appropriated to the use of the Company to which he belongs, and to be tied to a Stake in front of the guard house for six hours each day for three days in succession.

The Court next proceeded to the trial of private Evans of Battallⁿ

Company H 6th Infantry who being previously asked if he had any objection to any of the members named in the above order & replying in the negative was arraigned on the following charge preferred against him by Lt W. N. Wickliffe 6th Infty

Charge Disobedience of Orders

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 16th April 1826.

To which charge the prisoner pleaded “Not Guilty”

Lieut Wickliffe a witness for the prosecution being duly sworn says the prisoner has been on the sick report about eight or nine months most of the time in hospital—Not long since perhaps a month ago he was sent by the Surgeon to report to his Company Office but continued on the Sick report—The Surgeon informed me that I could employ him at any light work that was to be done in the Company and it would be of service to him—I have ordered him to no work until yesterday, when I directed the Corporal to take him to the Company garden for the purpose of preparing it for cultivation. It was reported to me that he positively refused to obey the Non C. Officer and did not go. Yesterday the Asst Surgeon informed me that he was fully able to perform the labour which I directed him to perform.

Corporal Evans of Company H, 6th Infantry a witness for the prosecution being duly sworn says. yesterday at Fort Atkinson I was ordered to take the prisoner to the Company Gardens to work. when I told him to go he said he would be damn’d if he would go that I might confine him as soon as I liked. I left him & reported him to Lt Wickliffe Commanding Company—

The evidence on the part of the prosecution having been closed, the prisoner was asked if he had any witnesses to be examined or any defence to make and replying in the negative, the court was ordered to be cleared and after mature deliberation on the testimony adduced, find the prisoner private Evans of Company H, guilty as Charged and Sentence him to have one half his pay stopped for one month and his rations of whiskey for fifteen days to be appropriated to the use of the Company to which he belongs—

The Court next proceeded to the trial of private William Rash of Battallion Company J 6th Infty who being previously asked if he had

any objections to the members assigned in the above order and replying in the negative was arraigned on the following Charge preferred against him by Captain J. Gantt 6th Infy.

Charge . . . Throwing stones or other Missiles at private Thomas Bird of Battallion Company (G) 6th Infantry with a malicious intention to maim or otherwise injure the said Bird, at Fort Atkinson on or about the 30th March 1826.

To which the prisoner pleaded guilty of throwing a stone at private Bird but not guilty of doing it with a malicious intention to injure the said Bird.

Doctor Gale a witness for the prosecution being duly sworn says

On or about the time Specified at Fort Atkinson, private Thomas Bird of Company (G) was brought into the hospital with a compound fracture of the right leg, while I was setting the limb he informed me that the injury was occasioned by a stone thrown by Rash the prisoner.

Question by the Court . . . Did Bird appear to believe the stone was thrown by the prisoner with a malicious intent.

Answer . . . I asked Bird if he thought Rash injured him intentionally—he replied that he believed he did.

Private Enoch Horton of Company G 6th Infy a witness for the prosecution being duly sworn says, about two weeks ago Bird and myself was on detail together at this post. The prisoner Rash was employed in shovelling ashes into a cart at the soap house, as Bird and I were passing the soap house where Rash was at work the prisoner threw twice some lumps of what I supposed to be dirt after he had thrown twice Bird threw back at him when I arrived near the gate of the esplanade Bird was a little behind me. he called to me and told me his leg was broke—I told Corporal Johnson, he sent some men to carry him to the Hospital. I saw nothing in the prisoner that appeared malicious. I supposed them to be in play. I heard no words pass between them that appeared like ill nature or ill will.

The evidence on the part of the prosecution being closed the prisoner was asked if he had any witness to be examined or any defence to make replied in the negative—the Court was ordered to be closed and after mature deliberation on the testimony adduced find the prisoner

William Rash guilty of throwing a stone at Private Bird which produced a Compressed 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 permission to the Sutler, and also be deprived of the privilege of going past the Chain of Sentinels except on duty for one month.

The Court next proceeded to the trial of James Davis a private of light Company B, 6th Infy who being previously asked if he had any objections to the members of the Court named in the above order and replying in the negative was arraigned on the following charges preferred against him by Lieut. M.W. Batman 6th Infy

Charge

Being drunk and Seulking and secreting himself in the garret lofts of Company B. quarters at Fort Atkinson on the 13th & 14th Ap^l. 1826

Said Davis is charged with selling or otherwise disposing of a pattern for a pair of pantaloons valued at \$2.00 the property of private Carmichael of Company B. 6th Infy for one dollar or more this at Fort Atkinson on or about the 13th or 14th April 1826.

Said Davis is also Charged with selling or otherwise disposing of a vest pattern and trimming valued at \$1.75 the property of private Burford of Company B, 6th Infy this at Fort Atkinson between the 14th March and the 15th April 1826

To which the prisoner pleaded “not Guilty”

Sergt Winningham a witness for the prosecution being duly sworn says—On or about the time specified at Fort Atkinson the prisoner Davis was so much intoxicated as to render him inca—pable of performing any kind of duty, and also secreting himself in one of the Company lofts of Company B, and did there remain the most of the time for two days—during the time I believe he attended one roll call only—he was on the Sick report on the morning of the 13th and was struck off by the Doctor. He reported sick again on the morning of the 14th and was again struck off by the Doctor—On the 14th I ordered him out of the loft which he neglected to obey.

Private Burford of Company B, a witness for the prosecution being duly sworn says, near two months ago I gave the prisoner a

vest patterns which he promised to make into a vest for me I have since frequently asked him for the vest pattern and he has always refused to return it. The vest pattern was of value to me \$1.25. I saw his chest examined yesterday and the vest pattern was no where to be found. Day before yesterday the prisoner attended Sick Call, when he returned he was drunk—he went up into the loft and when he came down he was so drunk he could not stand, he fell down the ladder in descending

Private Carmichael of Company B 6th Infy a witness for the prosecution being duly sworn says—yesterday I was detailed to go to the 1st Regiment Cantonment—This morning I was for guard and going to my chest for tools to shave I missed the pattern for a pair of pantaloons I had in my chest. I understand that the prisoner had sold a pattern of the kind to Sergt Morgan—I went to Sergt Morgan to examine the pattern that Davis had sold him and found it to be of the same materials as the one I had lost—I had no marks on mine. I am therefore unable to swear that it was the same—Davis the prisoner has his Chest in the same loft and from circumstances I am induced to believe that it was my cloth he sold to Sergt Morgan.

Sergt. Morgan of light Company A, 6th Infantry a witness for the prosecution being duly sworn says—yesterday morning the prisoner Davis came to me with a pattern for a pair of pantaloons and told me he wanted to Sell it, and asked me if I wanted to buy it, he offered it to me for one dollar Seventy five cents. I gave him \$1.50 and told him to call to day and I would give him the other 25 (cents) for it.

The evidence on the part of the prosecution being closed, the prisoner required the evidence of Mr. Alfred Sougrand in his defence— Mr. A Saugrand a witness for the prisoner being duly sworn answered the following interrogatory
Question by the prisoner—Did I purchase from you at the Sutlers Store within the last week three yards of white Drilling
Answer—he did not purchase any thing of the kind.

The evidence having been closed the Court was ordered to be cleared and after mature deliberation on the testimony adduced find the prisoner James Davis Guilty of the 1st Charge—guilty of the Second Charge, and guilty of disposing of a vest pattern the property of Burford in value \$1.25 and not guilty of the vest of the 3^d Charge

and Sentence him to the stoppage of one months pay and rations of whiskey, that \$3.00 be paid to Carmichail, that \$1.25 be paid to Burford, and the remainder of pay & rations of whiskey revert to the use of the Company to which he belongs, and that he be Confined thirty days to the Cells and subsist on bread and water and the balance of his rations revert to his Company

There being no further business before the Court, the Court adjourn^d
Sine die

J Gantt
Capt 6 Inf &
President

Head Qrt. 6th Regiment
Fort Atkinson
16th April 1826

The Commanding Officer approves the proceedings of a Regimental Court martial whereof Capt Gantt was president, and directs that the Sentences in each and every case be carried into full effect, except so much of the Sentence in the case of private Richmond of Battallion Company G, as Subjects him to be tried to a stake in front of the Guard house which is hereby remitted. The stoppages of pay will be marked on the muster rolls which the respective com—
—pany commanders will see to, as also that the whiskey stoppages are made— The Court is dissolved

AR Woolley
Lt Col Comg.

Proceedings of a Regimental Court Martial Convened at Fort Atkinson on the 17th April 1826 by virtue of the following Order
Head Qrs. 6th Regt
Fort Atkinson 17th April 1826

Order

A Regimental court martial will convene immediately for the trial of such prisoners as may be brought before it

Lieut Waters President
Lieut Nute and Batman members

By order of Lt Colonel Woolley (Signed) Thomas Noel
Adj 6th Infy

The court with pursuant to the above orders present all the members and after having duly sworn in aforesaid of the Prisoner who being previously asked if he had any objections to the Court and answering in the negative proceeded to the trial of private Robert Baird of Rifle Company B, 6th Regiment Infy on the following charge and specifications viz—Private Robert Baird of Rifle Company B 6th Regement is charged with conduct prejudicial to good order and military discipline

Specification . . In this, that said Baird did when ordered by L^t Clay his Company Commander to return to one of the said Company rooms did resist the authority of the said L^t Clay, and by sudden flight neglect to obey the aforesaid order this at Fort Atkinson on the 7th April 1826

By order of Lt. Col. Woolly
(Signed) Thomas Noel
Adj^t 6th Regt

To which charge and Specification the prisoner pleaded Guilty
The court confirm the plea of the prisoner Robert Baird, and find him guilty as charged and sentence him to 30 days solitary confinement in the cells, to subsist on bread and water for the same period to forfeit the remaining part of his rations to go to the Company to which the Prisoner belongs—

The Court having no other business before it adjourned Sine die

Geo. W. Waters
Lt. & Pres Regt
C.M.

The proceedings of the Court are approved, and will be carried into effect. The Officer of the day is Charged with the execution of the Sentence

The Court is dissolved
A R Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial convenes by virtue of the following orders.

Orders

Head Quarters 6th Regiment
Fort Atkinson 19th April 1826

A Regimental court martial will convene immediately for the trial of such prisoners or may be brought before it, the Court will consist of Lieut Wickliffe President

Lieuts VanSwearengen & Anderson members

By order Lt Col. Woolly
Sign^d Thomas Noel
Asst 6th Regiment

The Court met pursuant to the above order
Present Lt. Wickliffe President

Lts. Van Swearingen & Anderson members.

The Court being thus duly sworn in the presence of the prisoners who being previously asked if they had any objections to the members named in the Order, and replying in the negative, private George Greer was arraigned on the following charge

Private George Greer of Battallion Company J. 6th Infy is charged with being intoxicated on or about the 16th April 1826 at Fort Atkinson at Guard mounting to such a degree as to incapacitate him for the performance of his duty as a Sentinel

J. Nichols
Lt. Officer Guard

To which charge the prisoner pleaded "Not Guilty"
Lieut Palmer a witness for the prosecution being duly sworn says About the time stated in the charge I was Officer of the day when the new Guard was dressing on the old in the act of relieving Lt Nichols Officer of the Guard directed the prisoner to fall to the rear I discovered as he was passing to the rear that he staggered, when the Corporal was taking his arms and accoutrements I was decidedly of the opinion from his actions and expressions that he was too much intoxicated to discharge his duty as a Sentinel

Corporal Evans being next sworn as a witness for the prosecution Says: On or about the time and place stated in the Charge I was acting as Sergeant of the police Guard. Immediately after the new guard has taken its post I Saw the prisoner, he staggered in the ranks and did not dress promptly. It is my opinion he was so much

intoxicated, though not too much as I believe to perform his duty as a Sentinel About the half of an hour afterwards the prisoner was placed on police duty: he did not thou appear to be much intoxicated

Corporal Yarborough a witness for the prosecution being duly sworn Says: About the time and place stated in the Charge I saw the prisoner. I thought he had been drinking, yet I am of the opinion that he was not too much intoxicated to discharge the duties of a Sentinel. He was placed on fatigue duty about twenty minutes afterwards, he was then I know sufficiently sober to discharge that duty.

Lieut Nichols being next sworn as a witness for the prosecution says. . . On the 16th of April I was Officer of the Police Guard presented at Fort Atkinson. The prisoner was one of the Guard detailed for the day—I discovered when I inspected the Guard that he was somewhat under the influence of liquor, but it was then appa=
=rently so slight I took no notice of it. Whilst marching from the parade ground to the guard house, I discovered that the prisoner could not walk steadily in the ranks. From his whole appear—
—ance I was decidedly of the opinion that the prisoner was too much intoxicated to perform his duty as a Sentinel I therefore had him relieved.

The Court after the most mature deliberation on the evidence ad=
=duced find the prisoner guilty as charged and do Sentence him to have his whiskey rations stopped for the period of twenty days, to be appropriated to the benefit of the Company to which he belongs.

The Court adjourned to meet tomorrow at ten Oclock

The Court met pursuant to adjournment. Present all the members

The Court next proceeded to the trial of private Cahoon of Battallion Company (E) 6th Infantry, on the following Charge and its Specification Charge “Disobedience of Orders”

Specification In this that he the said Cahoon of Company & Regt aforesaid, did when ordered by Sergeant Clark to turn out and go to work positively refuse so to do, he being at the time on the farming party, and Sergt Clark a Non Commissioned Officer thereof This at Fort Atkinson on or about the 17th April 1826

Sign^d W.W. Eaton

Lt 6th Infantry

To which Charge and its Specification the prisoner pleaded “Not Guilty” Sergeant Clark a witness for the prosecution was duly sworn says “On the 17th April 1826 immediately after the fatigue drum after Dinner had been sounded. I went to the Q^r Masters store where the men received their tools. Cahoon one of the farming party of which I was, and one Sergt. was not there. I asked some of the men belonging to Company E where he was. I was answered, he is in his quarters and that he said he would not go to work as he had not got his dinner—immediately on receiving this information I set out to his quarters in Company (E) on arriving there I found he had left them. I then started on my return to the Quarter Masters Store but just before I left the north gate I met the prisoner. I asked him why he did not go to work, he said because he could get no dinner—I then told him if he did not go to work, I should put him in the guard house. He said I might then. I asked him the second time if he would go to drill, he replied he would not, whereupon I went to Lieut Eaton and reported to him the circumstances. he directed him to be confined.

The Court after due deliberation on the evidence produced find the prisoner private Cahoon guilty as Charged and do Sentence him as follows . . . Sentence

To have two dollars and fifty cents of his monthly pay stopped, & the whiskey part of his rations also subjected to stoppage for the period of two days, both to be appropriated to the benefit of the Company to which he belongs.

Private John Smith of Battallion Company J, 6th Infantry was next tried on the following Charges and three Specifications

Charge 1st . . .”Unsoldierlike Conduct”

Specification. In this that he the said private John Smith of Battallion Company J 6th Regt U.S. Infy did talk in the ranks on Company drill in the morning of the 19th April 1826 at Fort Atkinson

Charge 2^d Lying

Specifications In this, that he the said private John Smith of Company and Regiment aforesaid whilst on drill and when asked by Lt Waters his immediate Commanding Officer if it was him that was talking, say to him (Lt Waters that it was not) this at Fort Atkinson on or about the 19th April 1826

Specification 2^d. In this that he the said private John Smith

of Battallion Company (J) 6th Infantry did at the time and place above stated, when asked a Second time by Lt Waters if it was him that spoke, say to him Lt Waters “I do not recollect of speaking. I might have Spoken

Signed G W Waters
L^t 6th Regt Infy

To which Charges and Specifications the prisoner pleaded “Not guilty” Sergeant Morgan a witness for the prosecution being duly sworn says ~ On the 19th April 1826 I was in Command of the platoon on drill to which the prisoner on that occassion belonged. I heard some one Speak whilst I was marching in front of the platoon, I took it to be Smith therefore I cant be positive. He said the air is damn’d Keen or words to that effect. Lt Waters turned round and asked him if it were he that spoke. The prisoner replied “it was not” In putting the Same question to him a second time he said “if I did speak I am not aware of it”

Private Quin being next sworn a witness for the prosecution says On the time stated in the specifications of the charges Lieut. Waters came up to the Prisoner and asked if he had spoken he replied he had not. On being asked by L^t Waters again if he did not recollect to have Spoken the prisoner replied “I do not make it a practice to Speak in the ranks”. Lieut Waters then said it was very much like your noise Private Lathram being sworn as a witness for the prosecution Says . . . I was on drill on the morning of the 19th April 1826 I heard some one speak in the ranks. I am not certain who it was. Lieut Waters halted the column and asked who spoke He then asked Smith the prisoner if he had spoken. He asked others also, all denied having spoken. He then asked Smith if he did not Speak, to which the prisoner replied. “I dont make it a practice to Speak in the ranks and if he had Spoken he was not aware of it.

Beckworth (private) being next sworn a witness for the prosecution says. On the 19th April I was on drill, Smith the prisoner was next to me in the ranks, he said it was a very sharp or keen morning—immediately after he had Spoken Lt Waters halted the Company—he then asked who had been speaking. he asked me—I said I had not—he then asked

Smith he replied he had not. Lieut Waters said by the Sound of the voice I think it was you. Smith then said “if I spoke I dont recollect it”—Lt Waters said you must have a very short memory to forget whether you have spoken or not within the last minute—Smith also said “I dont make it a practice to speak in the ranks—The evidence here closed.

The Court after the most mature deliberation on the testimony adduced find the prisoner as follows.

Guilty of the Specification of the 1st Charge Guilty of the 1st Charge
Guilty of the 1st & 2^d specifications of the 2^d Charge. Not guilty
of the 2^d charge and do Sentence him to have his whiskey rations
stopped for the prisoner of thirty days

The Court adjourned Sine die

Wm. N. Wickliffe
Lt. & Presdt.

Head Quarters 6th Infantry Fort Atkinson
20th April 1826

The proceedings of the Regimental Court martial of which Lieut Wickliffe is president and approved, and will be carried into effect,—The prisoners will be released and return to duty

The Court is dissolved

A R Woolley
Lt Col Comg

Proceedings of Regimental Court Martial held at Fort Atkinson
in virtue of the following order

Orders

No 95

H^d Q^r 6th Infantry

Fort Atkinson April 26th 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. L^{ts} Folgers and Nichols Members—

By order of Lt. Co^l Woolley
Signed Tho^s. Noel
Adj^t 6th Inf.

April 26th 1826
Present

The Court met pursuant to the above order
Major Ketchum President
Lieut Folger and Nichols Members

The Court being duly sworn in the presence of the prisoners who were asked if they had any objections to the members named in the order & replying in the negative, the Court proceeded to the trial of private Green of Comp^y H 6th Inf. who was arraigned on the following Charge preferred against him by Lt. Holmes of the 6th Reg^t of Inf.

Charge Green of Company (H) 6th Infantry is charged with Drunkenness on or about the 22^d of April 1826 at Fort Atkinson
Signed R Holmes

Lt 6th Inf^y.

To which the prisoner pleaded Guilty The Court confirm the plea of the prisoner and find him guilty as charged and sentence him to have the ration part of his whiskey stopped for the period of Fifteen days to be appropriated to the use of the company to which he belongs.—

Before the same Court Private Gaskin of Battⁿ. Company (D) 6th Regt. Infantry was arraigned on the following Charge preferred against him by Lt. Waters of the 6th Reg^t. of Infy.

Charge. Private Gaskin of Battⁿ. Company (D) 6th Reg^t. US Inf^y is charged with being drunk while on duty as a Sentinel of the police guard at Fort Atkinson on the 22^d. April 1826.

Signed G.W. Waters L^t and
Officer of the Guard

To which the prisoner pleaded Not guilty
Serg^t. Brown of Battⁿ. Comp^y. E 6th Reg^t. Inf a witness for the prosecution being duly sworn says: At the time specified in the Charge I was Sergeant of the police guard, the prisoner was at the time a sentinel of the Guard, he was on post N^o 1 walking in front of the guard room I thought him considerably intoxicated whilst on post—the prisoner was so much intoxicated that I saw him reel several times whilst on post and was relieved off post in consequence of it by the Officer of the guard.

Corp^l. Grumlick of Company (G) 6th Regt. Inf. a witness for the prosecution being duly sworn says: on or about the time specified I was Corp^l. of the police guard and the prisoner was a sentinel of the guard and was in some degree intoxicated whilst on post—so much so that he staggered or rested whilst walking his post.

The evidence on the part of the prosecution being closed and the

prisoner having no testimony to offer or any thing to say in defence the proceeding was read over to the Court and the following sentence pronounced, viz.

Sentence . . the court after mature deliberation on the testimony adduced find the prisoner private Gaskin of Battⁿ. Comp^y. D 6th Infantry guilty as charged and sentence him to have Two Dollars and fifty cents of his monthly pay and the whiskey part of his ration stopped for the period of thirty days to be appropriated to the use of the Company to which he belongs.

Musician Alexis Ruelle of Battn Comp. J 6th Infantry was next arraigned on the following Charge preferred against him by Lt.

Thomas Noel 6th Infantry

Charge. Musician Alexis Ruelle of Battn. Compy J 6th Infy is charged with intoxication on duty.

Specⁿ. In this that the aforesaid Ruelle was intoxicated on parade at Troop beating on the morning of the 26th of April 1826 at Fort Atkinson.

Signed Tho^s. Noel
Adj^t. 6th Reg^t.

To which Charge and Specification the prisoner pleaded Guilty.—
The Court confirm the plea of the prisoner and find him guilty as charged and sentence him to have the whiskey part of his ration stopped for the period of twenty days to be appropriated to the use of the Company to which he belongs.

Charge Private John Cape of Rifle Company B 6th Reg^t. Inf was next arraigned on the following Charge preferred against him by Lt Batman of the 6th Reg^t. Inf.

Charge. Private John Cape of Rifle Comp b 6th Reg. Inf is charged with procuring whiskey by illicit means and getting so much intoxicated as to render him incapable of performing his duty on Battⁿ. drill on or about the morning of the 26th April 1826 at Fort Atkinson.

Signed M.W.Batman
Lieut & Com^d. Comp^y
B 6th Infantry

To which charge the prisoner pleaded Not guilty and in disposition that while he was on drill he was troubled with a severe tooth ache—
Sergt. Winningham of Light Company (B) 6th Reg^t Infantry

a witness for the prosecution being duly sworn says on or about the time specified the prisoner Cape was so much intoxicated as to render him incapable of drilling in my opinion—I do not know in what manner the prisoner obtained the whiskey.—

Private Crowl of Rifle Comp. B 6th Reg^t. Inf. a witness for the prosecution being duly sworn says: at the time specified I took notice of the prisoner while on drill, I perceived that he was unable to march steady and reeled considerable. I believe from his appearance that he was intoxicated. I am unable to say in what manner he got his whisky.—

The testimony on the part of the prosecution being closed and the prisoner having no witnesses or any thing to say in defence, the proceedings having been read over to the Court the following sentence was pronounced.

Sentence. 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 incap—
—able of performing his duty and not guilty of the rest of the charges and do sentence him to have the ration part of his whiskey stopped for the period of twenty days to be appropriated to the use of the Company to which he belongs.

The Court adjourned to met [sic] again half nine O'clock tomorrow morning.

April 27th 1825 [sic] The Court met pursuant to adjournment

Present Major Ketchum President
Lieut Folger and Nichols Members

The proceedings having been read over & the Court having no further business before them adjourned Sine die

D Ketchum Major USA
President of the Court

The proceedings of the Court are approved and the ^{several} sentences will be carried into effect, the Commander of Comp. D will see that the stoppages of pay in the case of private Gaskin is marked on the muster rolls, the Company Comm. to which the prisoners respectively belong will see that the stoppage of whiskey are made in each case.

The prisoner will be released from arrest (to wit Green, Gaskin, Ruelle, Cape) and return to duty. The Court will reconvene tomorrow morning at 10 O'clock.—

ARWoolley
Lt Col Comg

Proceedings of a Regimental Court Martial Convened at Fort Atkinson in virtue of the following Orders

Head Qrs. 6th Regt
Fort Atkinson April 27th 1826

Orders

The Regimental court martial of which Major Ketchum is president will reassemble for the trial of Connelly of Grenadier Company (A) and such other prisoners as may be brought before it

By order of L^t Col Woolley
(Signed) Thomas Noel
Adj. 6th Regt.

Head Q^{rs} 6th Regiment
Fort Atkinson April 26th 1826

Orders 95

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

Lieuts Folger & Nichols members
By order of Lt Col Woolley
Signed Thomas Noel

Adj. 6th Regt.
April 27th 1826

The Court met pursuant to the above Orders

Present

Major Ketchum President
Lieuts Folger & Nichols Members

The court being duly sworn in the presence of the prisoners, who being asked if they had any objections to the members named in the order, & replying in the negative, the Court proceeding to the trial of Private James Connelly of light Company A 6th Regiment US Infy on the following Charges preference against him by Lt Waters of the 6th Regt US Infantry

Charge 1st Disobedience of Orders

Specification in this that he the said private James Connally of Light Company A 6 Regiment US. Infantry did on the 18th of February 1826 at Ft. Atkinson Council Bluff, after having been ordered by his immediate commanding Officer (Lt. Waters) to go to the guard house in Charge of a Non Commissioned Officer and whilst on his way there did turn from the Non Commissioned Officer and 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 2^d Drunkenness

Specification—In this, that he the said private James Connolly of the Company and Regiment aforesaid, was intoxicated on wine, or Spiritous liquors on or about the time and place Specified

Sign^d G.W. Waters

Lt 6th Infantry

To which charges and Specifications the prisoner pleaded Guilty Lieut G.W. Waters of the 6th Infantry a witness for the prosecution being duly sworn says, On or about the time specified in the Charge, I placed the prisoner in Charge of a Non Commissioned Officer to be conducted to the Guard house, after proceeding a short distance the prisoner had a dispute with the Non Commissioned Officer whether he would go or not, and was returning towards the quarters of Company A,—On seeing me in front of my quarters he turned and proceeded towards the Guard house again—As relates to the Second charge the prisoner was on or about the time Specified Considerably intoxicated

The testimony on the part of the prosecution having been heard, & the prisoner having no defence to make, the following Sentence was pronounced—

Sentence

The Court after mature deliberation Confirm the plea of the prisoner and find him guilty of the Specification of the 1st Charge and Guilty of the 1st Charge—Guilty of the Specification of the 2d Charge & Guilty of the Charge and Sentence him to have five dollars of his monthly pay and his ration of whiskey stopped for thirty days to be appropriated to the use of the Company to which he belongs

Private Hayduck of the Genadier Company 6th Infy was next arr—
—aigned on the following charges preferred against him by Lieut Nichols of the 6th Infantry

Private Hayduck of the Grenadier Company 6th Infy is charged with Theft Specification, In this that he the said Hayduck of Grenadier Company 6th Infy did steal from Corporal Harrington of Company K, 6th Infy a uniform coat at Fort Atkinson on or about the 18th April 1826—The said Hayduck is also Charged with ripping the Chevrons off the aforesaid uniform coat while otherwise materially injuring it at Fort Atkinson on or about the 18th April 1826 he the said Hayduck will knowing at the same time to whom the coat belonged

(Signed) J Nichols
Lieut 6th Infy

To which charges and Specification the prisoner pleaded “Not Guilty”—

Corporal Yarborough of the Grenadier Company 6th Infy a witness for the prosecution being duly sworn says, on the 25th April I saw the prisoner have a uniform coat with chevrons on it, he enquired of me if I knew who the coat belonged to, and said that he had found it in one of the company lofts of Company A, I told him I thought it was Corporal Harringtons as his name was written on the coat, he said of the owner called for the coat, he might have it, that he should not injure it.

Corporal Harrington of Battallion Company (K) 6th Regt Infy a wit—ness for the prosecution being duly sworn says, on or about the time specified, the coat was taken from the front of Company (K) quarters. I cannot say who took the coat—yesterday I found it in the possession of the prisoner—the chevrons were ripped off, and the coat much injured by being cut, the wings were off the coat and appeared to have been torn off, the coat was also torn, the coat had the initial of my Christian name, an my sir name wrote in full on the lining of the folds of the coat, also the Letters of the Company and Regiment to which I belong—

Question by the Court—was the coat injured in any manner when it was taken from you?

Answer. It was not.

Private Lowlu (or Lorlu) of the Grenadier Company 6th Infantry a Witness for the prisoner being duly sworn says, on the 26th April 1826 the prisoner went into one of the lofts of Company A, and brought down a coat from the loft, he asked me if I knew whose coat it was. I took the coat and examined it. I discovered that Corporal

Harringtons name was wrote in full on the Coat, the prisoner also said Corporal Harringtons name. However, he took the coat & went with it into the next room saying as he went out of the door that he would go and see if any one in the Company knew who owned the Coat, and if he could not find out, that he should wear the Coat himself—Soon after the prisoner came back to the room and observed that no one would own the coat, and commenced ripping off the chevrons & Wings belonging to the coat.

The testimony having been hence for and against the prisoner the proceedings were read over and the following Sentence pronounced.

Sentence

The Court after mature deliberation on the testimony adduced find the prisoner Guilty of the Specification of the 1st Charge & Guilty of the Charge—Guilty of the Second Charge and Sentence him to have five dollars of his monthly pay stopped three dollars of which to be appropriated to Corporal Harrington to remunerate him for the damage done his Coat, and two dollars to be appropriated to use of Company A, 6th Infy—Also, to have the whiskey part of his ration stopped for the period of thirty days, to be appropriated to the use of the aforesaid Company

The court adjourned to meet again tomorrow at 9 O'clock

28th April 1826

The Court next pursuant to adjournment

Major Ketchum President

Lieuts Folger and Nichols, Members

The Court having closed the business before them adjourned

Sine Die

DKetchum Maj ?

President Court

Head Quarters 6th Regiment

Fort Atkinson 28th April 1826

The further proceedings of a Regimental Court martial whereof Major Ketchum is President are approved and will be carried into affect except so much of the Sentence in the case of private Connelly of Company (A) as subject him to a stoppage of pay

of five dollar which upon the intercession of Serg Alstoy; hereby remittive—The Commander of the Grenadier Company will cause the stoppage of pay in the case of private Hayduck to be marked on the muster Rolls, and see that the stoppage of whiskey are made in both cases—Connelly and Hayduck will be discharged from confinement and return to duty

AR Woolley
Lt Col Comg

Proceedings of a Reg^t. Court Martial held at Fort Atkinson in virtue of the following order viz.

Orders N^o 95

H^d. Q^r. 6th Infantry
Fort Atkinson 26th 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

Lieut. Folger and Nichols Members

By order of Lt. Co^l. Woolley

Signed Tho^{ms} Noel

Adj^t. 6th Reg^t.

Hd. Qr. 6th Regiment

Fort Atkinson 28th April 1826

Orders

The Regimental Court Martial of which Major Ketchum is President will reconvene this morning for the trial of such prisoners as may be brought before it.

By order of Lt. Co^l. Woolley

Signed Tho^s. Noel

Adj^t 6th Reg^t.

April 28th 1826 The court met pursuant to the above order—present Major Ketchum president Lieuts. Folger and Nichols Members—Lieut. Folger having stated to the court that he was too unwell to set on the court—the court adjourned to meet again tomorrow at 9 Oclock.

April 29th 1826. The Court met pursuant to adjournment, Present Major Ketchum president Lieuts. Folger and Nicholls, Members
The Court having been duly sworn in presence of the prisoners—who

were asked if they had any objections to the members named in the above order and replying in the negative—The court proceeded to the trial of Private Streeter of Battⁿ Comp F 6th Reg^t. Inf on the following charges preferred against him by Lt. Eaton of the 6th Inf.

Charges. Private Streeter of (F) Company is charged with im—properly lending a public horse of which he had charge to Serg^t. Fleming of the aforesaid Comp^y.—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 or near Fort Atkinson on or about the 27th April 1826

Signed Wm. W. Eaton
Lieut. 6th Infantry

To which the prisoner pleaded as follows—Guilty of so much of the Charge as relates to the lending of a public horse—not guilty of being intoxicated.—

Private Wisnell of Company (C) 6th Infantry a witness for the prosecution being duly sworn says: on or about the time specified the prisoner was under the influence of liquor but not so much so as to render him incapable of performing his duty if he had been set about it. The prisoner was a public teamster, the day specified was very wet and the teamsters had no other duties than those of taking care of their teams.

Private Montgomery of the Rifle Company 6th Inf a witness for the prosecution being duly sworn says: I saw the prisoner at the time specified he appeared to have been drinking. I cannot say that the prisoner was intoxicated, I did not think him so much intoxicated as to render him incapable of performing his duty—as he could find and take care of his horses.—The testimony on the part of the prosecution having been heard & the prisoner having no witness to bring before the Court or any thing to say in defence—the following sentence was pronounced viz. Sentence The Court after mature deliberation on the testimony adduced, (confirm the plea of the prisoner) and find him guilty of so much of the charge as relates to his improperly lending a public horse to Serg^t. Fleming as specified, but not guilty of the remainder of the Charge and do sentence him to have one half of his monthly pay stopped for one month.—

Serg^t. Fleming of Battⁿ. Company (F) 6th Infantry was arraigned to the following charge preferred against him by Lt. Noel Adj^t. 6th Inf.

Charge

Charge and specification preferred against Sergt. Porter Fleming
C^o. F 6th Reg^t. U.S. Inf

Charge—conduct highly to the prejudice of good order and Military discipline.

Specification—In this that he the said Serg^t. Fleming of Company and Regt. aforesaid did borrow or hire from Streeter a private soldier of said company a public horse he the said Serg^t Fleming well knowing the said soldier Streeter had no right to loan or hire the horse aforesaid—this at Fort Atkinson on or about the 27th April 1826.—

By order of Lt. Co^l. Woolley

Signed Thom^s. Noel

Adj^t. 6th Regt.

To which Charge and Specification the prisoner pleaded Not guilty

Private Streeter of Battⁿ. Comp^y. (F) 6th Reg^t. Inf. a witness for the prosecution being duly sworn says: on the 27th April 1826 Segt. Fleming asked me if I could get him a horse to ride—I told him there was a horse in possession of an Indian—the horse formerly belonged to Lt. Homes which I thought I could get—I endeavored to get the horse that I had mentioned to Serg^t. Fleming but could not find him I then took one of the public horses I had charge of to Serg^t. Fleming—I did not inform Serg^t Fleming that it was not the Indian horse I had promised ~~him~~ to obtain him.

Question by the Court.—Was there any mark on the horse that you took to Serg^t Fleming by which Serg^t. Fleming might have might have known him as a public horse or did the horse resemble an Indian horse?

Answer—I never noticed any particular mark on the horse but I believe the letters U.S. are branded on the horse because all the public horses are branded in like manner—but I never noticed the brand on the particular horse—I think the horse does not much resemble an Indian horse.—

Question by the Court.—Did you receive any compensa—
—tion for the loan of the horse, if so what was it.

Answer. Serg^t. Fleming promised me that if I would get him a horse he would give me a dollar—when the Serg^t returned I was confined and have not received it.

Question by the prisoner—Did I not ask you where there was a private horse that you could get for me.

Answer He did

Question by the prisoner. Was not the horse you mentioned in your testimony—and the one you promised to obtain for me, a horse of the American breed of horses and one that formerly belonged to the Quarter master which he gave to an indian.—

Answer. The horse I promised get for him is of the American breed of horses, the Quarter master formerly owned the horse.

Question by the Court. Did you at the time you gave the horse to Serg^t. Fleming—give the Sergt. to understand directly or indirectly that it was the horse the horse [sic] owned by an Indian and the same horse you had promised to obtain for the Serg^t. —

Answer. I only mentioned to the Serg^t. that the horse was ready for him to ride—I said nothing more to him—

Question by the Court. What was the colour of the horse you furnished Seg^t. Fleming.

Answer. The horse was of a dun colour

Question by the Court. What was the colour of the horse owned by the Indian which you promised to get for the Serg^t prisoner.

Answer. A Chesnut sorrell

Private Wisnell of Battn. Co (C) 6th Inf. a witness for the prosecution being duly sworn says: on the evening of the 27th April 1826 one of the public in charge of Private Streeter was missed from the stable—The horse was found next morning in the stable yard. I know nothing more of the Charge or Specification.—

Private Montgomery of Company B 6th Inf. a witness for the prosecution being duly sworn says: I know nothing of the Charge or specification. The testimony having been heard on the part the prosecution and the prisoner having no witness or any thing to say in defence, the whole of the proceedings were read over to the Court and the Court proceeded to make the following finding viz: The Court find the fact that the accused did hire a public horse of Private Streeter but there being no testimony before the Court showing that Serg^t. Fleming know the horse belonged to the public attach no criminality to the case and therefore acquit the prisoner, Serg^t. Fleming of the Charge exhibited against him.

The Court adjourned to meet again tomorrow morning at (10) Ten O'clock.—

The court met pursuant to adjournment Present Major
Ketchum president, L^{ts} Folger & Nichols Members.—
The Court adjourned Sine die D Ketchum, Major &
President of the Court

H^d. Q^{rs} 6th Regiment
Fort Atkinson 30 April 1826

The commanding Officer approved the proceedings of the
Regimental Court Martial where of B^t Major Ketchum is president
in the case of Private Streeter of Battⁿ. Comp^y (F) but inasmuch
as the Sergeant by whose advice and procurement he was induced to
commit the offence has gone clear, the Comm^g Officer is pleased
to remit the punishment, & Private Streeter will be released from
arrest and will return to duty on the Quarter Masters detail and he
is advised to keep sober and know well what he is about—whether on
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 Sergeant ^{Porter} Fleming of Battⁿ. Comp^y. (F) is disapproved
with the remark that remarks on such proceedings would be
useless and that it behoves the Quarter Master to look well to the
public horses and 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 innocence on the
part of the Sergeant. The court where of B^t. Major Ketchum
is president is dissolved

ARWoolley
Lt. Col Comg

Note. To be read twice on parade and a copy furnished
to Lt. Holmes A. Qmaster.

Proceedings of a Regimental Court Martial held at Fort Atkinson
by virtue of the following

Hd Qrs 6th Regiment

Fort Atkinson 3rd of May 1826

Orders

A Regimental Court Martial will assemble immediately
for the trial of such prisoners as may be brought before it.

Capt. Gantt President

Lieut^s. Waters and Clay Members

By order of Co^l. A. R. Woolley

T Noel Adj. 6 Reg

The Court met pursuant to the above order present

Capt Gantt President

Lieut^s. Waters and Clay Members

The Court being duly sworn in presence of the prisoners proceeded to the
trial of Private John Cape of Rifle Comp^y. B 6th Reg^t. Inf who
being previously asked if he had any objection to either of the members
named in the above order and replying in the negative was arraigned on
the following charge preferred against him by Lt. Clay.

Charge. Private John Cape of 1 Rifle Comp^y. B 6th Reg^t. of Inf is
Charged with disobedience of orders in absenting himself from drill
without permission this at Fort Atkinson on the morning of the 1st of
May 1826.

Signed J. Clay Lieut. 6 Inf.

To which Charge the prisoner pleaded "Not guilty"

Lieut. Clay a witness for the prosecution being duly sworn says: on the
time and place set forth in the Charge the prisoner John Cape of Rifle C^o.
B 6th Reg^t of Inf was absent from drill without permission. The prisoner
applied to me to be excused from drill in consequence of indisposition
I did not grant the request as I considered him intoxicated rather
than sick.

Sergt. Winningham a witness on the part of the prosecution being
duly sworn says: on the time and place mentioned in the Charge the
prisoner Came to me and said he was sick. I told him to report it to
the Commanding Officer of his company. He did not appear on drill.
He was in his quarters and in my opinion so much intoxicated as to
incapacitate him from performing his duty

Questⁿ. by the Court. Did the prisoner report himself to you sick
previous to the morning report being made, or at the time the sick usually

report.

Answer. He did not report himself sick until the report had been sent in 25 or 30 minutes.

The evidence being closed and the prisoner having no defence to offer the following sentence was pronounced.

Sentence

The court after mature deliberation on the testimony adduced find the prisoner private John Cape guilty as charged and sentence him to have half of his pay stopped for one month and to have the whiskey part of his rations stopped for one month, likewise to ride the wooden horse for the succession days two hours each day—said stoppages to be appropriated to the use of the Comp^y B.

The Court next proceeded to the trial of Private Twist of Battⁿ. Company (K) 6th Inf. on the following Charge.

Charge. Disobedience of orders

Specⁿ. In this that he Daniel Twist of the Company & Regt. aforesaid when ordered by Sergt. Almy (Orderly Sergt. of Company K) to work in the Company gardens, did positively refuse ^{and neglect} so to do this at Fort Atkinson on or about the 1st of May 1826.

Signed J. Nichols

Lt. Comman^d. Comp

To which charge the prisoner pleaded “Guilty”

The Court confirm the plea of the plea [sic] of the prisoner and sentence him to have the whiskey part of his rations stopped for twenty days and to be confined to the Guard house from Retreat until Revillie for five days and to ride the wooden horse two hours each day and while not con—
—fined in the Guard house to be employed on the most menial police duties of the garrison.

The Court then adjourned to meet again on the 4th May 1826 at 9 O'clock Am

4th April 9 O'clock Am

The Court met pursuant to adjournment: present

Captain Gantt president

Lieut^s. Waters and Clay Members and proceeded to the trial of private Doyle of Co. C 6 Inf on the following Charge in the prisoner being previously asked if he had any objections, to any of the members ~~named~~ of the Court and replying in the negative

Private Doyle of Bⁿ C^o (C) is Charged with being

intoxicated at Fort Atkinson on on or about the 3rd May 1826.

Signed Wm W. Eaton
Lt. 6 Inf.

To which Charge the prisoner pleaded “Not Guilty”

Serg^t. Clute a witness for the prosecution being duly sworn in presence of the prisoner says: on the 3rd May 1826 I ordered the prisoner to go to work in the gardens, he said he was unable so to do in consequence of being lame, he appeared to have been drinking but I cannot testify that he was intoxicated.

The Court being cleared and after the most mature deliberation on the testimony adduced find the prisoner Doyle Not Guilty of the Charge exhibited against him and do therefore acquit him.

The court next proceeded to the trial of Austin Deforest a private of C^o. C 6 Infy who being previously asked if he had any objections to any of the members of the Court and replying in the negative was arraigned on the following charge

Private Deforrest a private of C^o. C 6th Inf is charged with being intoxicated at Fort Atkinson on or about the 3^d May 1826.

Sign^d W. W. Eaton
L^t 6th Infy

To which charge the prisoner pleaded Guilty

The Court being cleared and after mature deliberation confirm the plea of the prisoner & find him guilty as charged, and Sentence him Deforrest to undergo a stoppage of fifteen days rations of whiskey to be appropriated to the use of the Company to which he belongs.

The Court next proceeded to the trial of private George Whipple of D. Company 6th Infy who being previously asked if he had any objection to any of the members of the Court & replying in the negative was arraigned on the following Charge.

Charge & Specifications preferred against private George Whipple of Battallion Company D. 6th Infy

Charge—Disobedience of Orders and insubordinate Conduct.
Specifⁿ. 1st—In this that he private Geo. Whipple of D, Company and when ordered by Sergt Daily (orderly Sergt. of the Company to keep silence when making use of insulting language by saying, “I will not who are you that I shall be silent for” or words to that effect at Fort Atkinson on or about the 4th May 1826
Specfⁿ. 2—In this that he the said Whipple of the aforesaid compy.

when informed by Sergt Daily that the Non Commissioned Officer of his party must come & receive the whiskey part of his ration did say in a provoking manner the reason you wont give my rations of whiskey to me is your Contraryness or words to that effect at Fort Atkinson on or about the 4th May 1826

Sign^d D. Ketchum
Major US. Army

To which charge the prisoner pleaded “not Guilty”
Sergt Dailey a witness for the prosecution being duly sworn in pursuant of the prisoner says—On or about the time specified on the charge the prisoner came to me and asked for his rations of whiskey, and said he was going on Command—I told him it must be received by the Non Commissioned Officer of the party, and not by the individuals—He replied you could give it to me if you felt disposed, and it is nothing that your Contraryness makes you refuse or words to that effect. After repeating the same I ordered him to be silent, when he advanced towards me and said who are you that I should be silent you, the same with a very insulting tone and air

Question by the prisoner—Did you not repeatedly damn me before I said, who are you that I should be silent you.

Answer No. Not to my recollection—

Private John Poiner of Battallion Compy D, a witness for the prosecution being duly sworn says—I was in the room when Sergt Bailey ordered the prisoner to be silent, but I did not hear distinctly the answer of the prisoner—I heard Sergt Daily inform him that Sergt. Wyatt was to receive the rations of whiskey for the party.

Question by the Court—Did you hear the prisoner make use of insulting language towards Sergt Daily—

Answer—I did not—Sergt Daily & the prisoner being out of doors and I was engaged at the desk not paying attention to their conversation The evidence being closed, the Court after the most mature deliberation on the testimony adduced find the prisoner guilty as charged, and do Sentence him to be reprimanded by his Company Commander, and to forfeit twenty rations of his whiskey to be appropriated to the use of D. Compy

No further business being before the Court, the Court adjourned Sine Die

J Gantt

Capt 6 Inf
President

Head Q^{rs} 6th Regiment
Fort Atkinson 5th May 1826

The proceedings of a Regimental Court Martial whereof Captain Gantt is President are approved, and the several sentences will be carried into effect with the exception 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, and Whipple & also Rash will be discharged from Confinement and return to duty. Company Commanding will be particular in seeing the stoppages of whisked made—

The Court is dissolved.

A R Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort Atkinson by virtue of the following Order

Head Qs. 6th Regt

Extract—Order N^o 104 Fort Atkinson 5th May 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 Lieut Wickliffe President

Lieuts Nute & Allston members

By order of L^t Col Woolley

Signed Thomas Noel

Adj^t 6th Regt

The Court met pursuant to the above Order

Present— Lieut Wickliffe President

Lieut Nute and Allston members

The Court being duly sworn in presence of the prison who being previously asked if he had any objections to the members mentioned in the above Order, and replying in the negative was arraigned on the following Charge.

Musician Woolley of Battallion Compy (G) 6th Infy is charged with destroying public property, by cutting some of the timbers of the old mill, at or near Fort Atkinson on or about the 5th May 1826

(Signed) R Holmes Lt
& Act asst QrMaster

To which charge the prisoner pleaded “Guilty” but requested to introduce the testimony of Laundress Evans, which was accordingly granted— Laundress Evans a witness for the prisoner being duly sworn says—On or about the 5th Inst. there was a stick of timber before my door, put there for fuel by Swartwood of Company C. 6th Inf I asked the prisoner Woolley to cut it for me, he commenced cutting it, and was told by Sergt Cedars that it was some of the old Mill timber, and he immediately stopped cutting it—I do not believe that the prisoner knew the stick of timber belonged to the Old Mill, or that it was for any particular use other than fuel.

The evidence in the case being closed, and the prisoner having no defence to make, the court was cleared when the following was the finding and sentence of the court— 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 course of the trial, the Court attach no criminality to the prisoner and do therefore acquit him.

The Court having no further business before it adjourned Sine Die

W^m N. Wickliffe
Lt & Presdt.

Approved—Woolley will be released and return to duty

The Court is dissolved.

A R Woolley
Lt Col Comg }

Proceedings of a Regimental Court Martial Convened by virtue of the following order
Orders N^o 106

Head Qrs. 6th Regiment
Fort Atkinson May 8th 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 Major Ketchum President

Lieuts Batman & Anderson Members

By order of Lt Col Woolley

Signed Thomas Noel

Adjt 6th Regiment

The Court met pursuant to the above order
Present Maj Ketchum President
Lieut^s. Batman & Anderson Members

The Court being duly sworn in the presence of the prisoners, who being previously asked if they had any objections to the members mentioned in the Order, & replying in the negative, private Tiner was arraigned on the following Charge & Specification

Charge Disobedience of Orders & neglect of duty
Specification—In this that he the said Lewis Tiner of Company (D) 6th Infy did when ordered by Serg^t. Daily to get ready & prepare himself for inspection neglect so to do, and absented himself from his Company and remain absent until sent for & brought back—This at Fort Atkinson on or about the 7th May 1826
Sign^d D. Ketchum

Maj US. Army

To which charge & Specification the prisoner plead Guilty
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 twenty five days, to be appropriated to the benefit of the Company to which he belongs

Private Nobbs was next arraigned on the following charges
Private Nobbs of Battallion Company (E) 6th Infy is charged with being beastly intoxicated on the evening of the 7th May 1826 at Fort Atkinson

To which Charge the prisoner plead Guilty
The Court confirm the plea of the prisoner and find him guilty as charged, and do sentence him to have his whiskey rations stopped for the period of twenty five days to be appropriated to the benefit of the Company to which he belongs

No further business being before the Court, it adjourned Sine Die
D Ketchum Major &

President of the Court

The proceedings of the Court are approved and will be carried into effect—The prisoners Tiner and Nobbs will be released and return to duty—The court is dissolved

Fort Atkinson 8th May 1826 { A R Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort Atkinson
by virtue of the following order

Head Qr. 6th Regiment
Fort Atkinson 6th May 1826

Order

A Regimental Court martial will assemble this morning
for the trial of such prisoners as may be brought before it—The Court
to consist of Lieut Folger President

Lieuts Nichols & Van Swearingen Members

By order of Lt Col Woolley

Sign^d Thomas Noel

Adj 6th Regiment

The Court met pursuant to the above Order

Present Lieut Folger President

Lieuts Nichols & Van Swearingen members

The Court being duly sworn in the presence of the prisoners, proceeded
to the trial of Corp^l William Nation of Rifle Company B, 6th Infy
who being previously asked if he had any objections to the members
named in the Regimental Order, and replying in the negative was
arraigned on the following charge preferred against him by Lieut Clay
of the 6th Infantry

Charge Disobedience of Orders

Specifⁿ. In this, that he Corporal William Nation of Rifle Company D. 6th
Infantry did neglect to obey the order of Lt Clay, to proceed to the Compy
garden, this at Fort Atkinson on or about the 8th May 1826

Specifⁿ. 2^d In this that the said Corporal William Nation of the
Company & Regiment aforesaid did go beyond the limits of the post
of Fort Atkinson on or about the 8th May 1826 without obtaining permission
so to do

Sign^d J Clay

Lt 6th Infy

To which the prisoner pleaded not guilty

Lieut Holmes of the 6th Regt Infy, a witness for the prosecution being duly
sworn says, On or about the time stated in the 1st and 2^d Specification
I heard L^t Clay ask the prisoner what was the matter with him, the
prisoner replied not much if any now. Lt Clay then told him he
had better go up to the garden—very soon after that I saw him or a
man I took to be him in a boat, he pulling an oar and the boat
went down in the bend, about a mile and quarter, or a mile and a half

from the Garrison, he had no permission as he must have obtained it before Lt Clay directed him to go to the gardens.

Lieut Clay of the 6th Regt of Infy a witness for the prosecution being duly sworn says . . . At the time and place set forth in the Charge, I directed Corp^l. William Nation to go to the garden, which he neglected to do, but on the contrary he employed himself with the business of the Sutler—With regard to the 2^d Specification I cannot testify positively that it was Corp^l William Nation the distance the boat was from me, which I considered to be beyond the limits of the Garrison—

Question by the Court—At what distance were you from the prisoner when you ordered him to go to the Garden.

Answer—I was within ten feet or less, or within hearing distance as I conversed with him as respected his health

Question by the Court . . . Did the prisoner reply to you when you gave him the order to go to the garden—

Answer___I did not hear him

Question by the Court—Did you believe it possible for the prisoner not to have heard your order—

Answer___It might have been possible but not probable

Question by the Court. What was the distance you say the prisoner from the Garrison

Answer—I judged it to be beyond a mile

Mr Saugrain, Citizen, a witness for the prosecution being duly sworn Says—On or about the time Specified, I was going down the river in a boat for Sand, he went down with me for the pleasure of sailing up—I do not think it to be a mile, as it was on the point opposite of the lower Company gardens

Ass^t Surgeon Nicoll as witness for the prisoner being duly sworn

Question by the prisoner, Was I on the sick report on or about the time specified—Answer—yes

Question by the prosecutor—Did you conceive that the prisoner was Capable of performing light duty, such as gardening

Answer—The prisoner was not marked for light duty; and those marked so, are at the request of the Company Officer—It is my opinion the prisoner was qd. for light duty at that time

Lieut HoLmes a witness for the prisoner being duly sworn

Question by the prisoner—Do you believe I was within hearing

distance when Lt Clay ordered me to go to the Company Garden—
Answer—yes, the distance was I believe about twenty or twenty five
feet__ The Court adjourned to meet tomorrow morning
at half past nine Oclock

May 11th 1826

The court met pursuant to adjournment

Present Lieut Folger President

Lieuts Nichols & Van Swearingen members

Lieut Clay a witness for the prisoner being duly sworn

Question by the prisoner—what has been my General Character
as a soldier since you commanded Rifle Comp^y (B) 6th Infy
Generally good, otherwise than in attention to police duty, his
appearance on parade has always been soldierlike & neat

Finding and Sentence

The Court after mature deliberation on the testimony adduced
find the prisoner Corp^l. William Nation Guilty of the 1st specification
Guilty of the 2^d specification, and Guilty of the charge, and do Sentence
him to be reduced to the station of a private Sentinel—but in
consideration of the circumstances attending the case, the court beg
leave to recommend the prisoner Corp^l. W^m Nation to the mercy of
the Commanding Officer

The Court adjourned to meet at two Oclock

The Court met pursuant to adjournment

Present Lieut Folger President

Lieuts Nichols & Van Swearengen Members

Before the same Court was tried private Moore of Battallion Company
C 6th Infy on the following

Charge—Neglect of duty, and disobedience of Orders

Specification (to both charges) In this that he the said private Moore
of Battallion Co (E) 6th Infy did absent himself from drill—and further
positively refuse to go thereto, having uttered and pronounced (and
persisted in the determination these in expression, until sent for by
a file of cleared men) when ordered by Corp^l. Thompson, his
Superior Officer to go to his quarters and did prepare for drill, the
following words to wit. “I wont come up ‘til dark” or words
to that effect—all this at or near Fort Atkinson, on or about the
10th of May 1826

To which the prisoner pleaded guilty to that part of the Specification

as relating to his absenting himself from drill and Not Guilty to the remainder.

Corpl. Thompson, a witness for the prosecution being duly sworn says—I was sent by Sergt Harris for the prisoner, I found him down at the Brick yard, I ordered him to go with me up to the Company as I was sent for him__He replied he would not go with me or any one else until dark—I again ordered him to come the second time and he refused and replying, “Ill be damnd if I will go”__they may put me in the guard house and do what they please with me” or words to that effect.

Sergt Harris a witness for the prosecution being duly sworn says All that I know was, he was absent from drill. I sent Corporal Thompson alone after the prisoner, and he refused to come, and after drill I sent Corporal Thompson with a file of men after the prisoner and brought him up to the quarters of Company E, on or about the time specified

Finding & Sentence

The Court after mature deliberation on the testimony adduced find the prisoner private Moore of Compy (E) Guilty of the Specifications & guilty of the charges exhibited against him, and do Sentence him to have one month of his monthly pay, and thirty days rations of whiskey stopped & to be appropriated to the use of the Company to which he belongs, and to undergo ten days solitary confinement and to live on bread & water for the same period

The Court adjourned Sine Die

G.W. Folger
Lt & president
Court

Head Qr^s. 6th Regiment
Fort Atkinson
12th May 1826

The finding of the Court in the case of Corporal Nation of the Rifle Company is approved__the sentence upon the recommen—
—dation of the Court is hereby remitted. Corporal Nation is released from arrest and will report for duty in his Company

In the case of private Moore of Battallion Company (E) the proceedings are approved, and the Sentence will be carried into effect, except so much thereof as Subjects the prisoner to undergo ten days solitary confinement, and to live on bread & water which is hereby remitted—The Commander of Company (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 returned to duty—The Court is dissolved

A R Woolley	<u>G.W. Folger</u>
Lt Col Comg	<u>6th Infy</u>
	<u>& president Court</u>

Proceedings of a Regimental Court Martial held at Fort Atkinson by virtue of the following Order:

Orders No 116 Head Qr^s. 6th Regiment
 Fort Atkinson 17th May 1826

A Regimental Court Martial will convene to day at half past 12 Oclock P.M. for the trial of such prisoners as may be brought before it. The court to consist of.

Capt Gantt President
Lieuts Waters & Clay Members

By order of Lt Col Woolley
Sergn^t Thomas Noel
Adj^t 6th Regt

The Court met pursuant to the above Order.

Present Capt Gantt President
 Lieuts Waters & Clay members

The Court adjourned to meet again to morrow at half past 11 Oclock—A.M.

The Court met pursuant to adjournment
Present Capt Gantt President
 Lieuts Waters & Clay members—

The Court being duly sworn in presince of the prisoner proceeded to the trial of Musician Thomas Mount of Company (E) 6th Regt who being previously asked if he had any objections to the members named in the Order, and replying in the negative was arraigned on

the following Charge.

Musician Mount of Company (E) 6th Regt Infy is charged with being intoxicated, and neglecting to attend the practice of the field Music on or about the 16th May 1826 at Fort Atkinson 2^d Musician Mount of Battallion Company E 6th US. Infy is further charged with having stolen a pair of pantaloons from private Powers of the same Company on or about the 5th May 1826 at Fort Atkinson

Sign^d J. J. Anderson

Lt By Brevt 6th Infy

To which charges the prisoner pleaded as follows, “Guilty of the 1st Charge—Not Guilty of the 2^d Charge”

Private Berry of Battallion Company (D) a witness on the part of the prosecution being duly sworn says. I was met last night by private Powers of Battallion Company (E) who claimed the pantaloons I had on. I informed him that I had procured them from Corp^l. Moore of Company (D) Powers replied, that they resembled a pair which he had lost.

Private Powers of Battallion Company (E) a witness on the part of the prosecution being duly sworn says: On or about the time specified in the charge, I lost a pair of Drab drilling pantaloons, which I did not discover ‘till last night, when I found them in the posses—sion of Berry of Battallion Company (D) who informed me he had procured them from Corporal Moore of Company (D) upon which I visited W^m. Moore who gave me a half a dozen of plated buttons which were in the pockets of the pantaloons at the time I lost them.

Corporal Moore a witness on the part of the prosecution being duly sworn says: on or about the 12th May I purchased from the prisoner a pair of drab pantaloons, for which I gave him one dollar and a half. The prisoner stated to me that they belongs to him, but afterwards claimed by private Powers of Battallion Company (E)

Private Maxwell a witness on the part of the prisoner being duly sworn says:—I saw Powers give the prisoner a pair of white cotton pantaloons US. property to sell for him for a part of whiskey, together with another pair belong to the Prisoner Mrs. Turber a Laundress of Battallion Company E, a witness on the part of the prisoner being duly sworn says—On or

about the time specified the prisoner requested me to permit him to leave a pair of white cotton pantaloons which he said Powers had given him to sell, this about 9 P.M. The prisoner then went into M^r. Kennerly's stable and endeavored to dispose of them to the negroes. I saw the prisoner give the pantaloons to Powers after retreat saying there was no chance to sell them—The evidence on the part of the prisoner being closed and the prisoner having no defence to make, the whole of the proceedings were read over when the Court after the most mature deliberation passed the following Sentence

Sentence

The Court confirm the plea of the Prisoner to the 1st Charge, and find him guilty of the 2^d charge, and do Sentence him to undergo a Stoppage of his rations of whiskey for thirty days, and to have five dollars stopped from his monthly pay to remunerate Powers and to be confined to the cells fifteen days on bread and water, the said stoppage of whiskey to be appropriated to Company (E)

The Court next proceeded to the trial of Corporal William Williamson of Battallion Company (F) 6th Regiment Infantry.

Charge Conduct unbecoming a Non commissioned Officer & Soldier—Specification In this that the said Corporal William Williamson of the Company and Regiment aforesaid did take from private John Bridges of Company (C) 6th Infantry a water barrel the property of the said Bridges, and did erase from the barrel the name of the said Bridges which was cut on the barrel, the said Corporal William Williamson well knowing at the time that the barrel was the property of the said Bridges, all this at or near Fort Atkinson on or about the 17th May 1826

Sign^d Wm. W. Eaton

Lieut. 6th Infy

To which the prisoner pleaded "Not Guilty"

Private Bridges of Battallion Company (C) a witness on the part of the prosecution being duly sworn says, on or about the time specified my name was erased from a barrel belonging to me which was reported to have been done by Corporal Williamson.

Question by the Court—When did you mark the barrel?

Answer. I marked it by notching at the time of the flood when I was obliged to remove them into the wash house of the hospital subsequent to which I cut my name in it. I think it was on the evening of the 16th.

Question by the Court Were there any other barrels in the wash house of a similar mark?

Answer—Not to my knowledge

Mus. Bridges a witness on the part of the prosecution being duly sworn says—On the night of the 16th Inst. I filled my barrel for the purpose of settling the water previous to washing, where I went to the river, and the morning Corporal Williamson Informed me that he had erased Bridges name from the barrel as it be=longed to him—

Question by the Court—how long have you had the barrel?

Answer: The barrel was procured from the commissaries about six weeks ago, and was marked with the notches on the head, and with a piece of blanket about the bung—

The evidence on the part of the prosecution being closed & the prisoner having no defence to make, the following Sentence was pronounced

Sentence

The court being cleared and the most mature deliberation on the testimony adduced, find the prisoner guilty of so much of the Specification as relates to cutting the name of Private Bridges off a water Barrel, and not Guilty of the Charge and do therefore acquit the prisoner Corporal Williamson

The Court then adjourned

Sine Die

J. Gantt

Capt. 6 Regt.

President

Head Q^{rs}. 6th Infantry

Fort Atkinson 18th May 1826

The proceedings of a Regimental Court Martial whereof Captain John Gantt is President are approved, did in the case of Musician Mount of Battallion Company (E) will be carried into full effect.

Corporal William Williamson of Battallion Company (F) having been acquitted, he is hereby released from arrest and will report for duty—

The Court is dissolved

AR Woolley

Lt Col Commg

Proceedings of a Regimental Court martial held at Fort Atkinson
23d May 1826, by virtue of the following Order.

Fort Atkinson 23d May 1826

A Regimental Court martial will assemble immediately for the trial
of such prisoners as may be brought before it. The Court to consist of

Lieut Wickliffe President

Lieuts Nute and Allston Members

By order of the Col Woolley

Sign^d Thomas Noel

Adj^t 6th Regiment

The Court met pursuant to the above order

Present

Lieut Wickliffe

President

Lieuts Nute and Allston members, and being duly

Sworn in presence of the prisoners, who being previously asked if they
had any objections to any of the members named in the above order, and
replying in the negative, proceeded to the trial of private Claiborne Boyd
of Rifle Company (B) 6th Regiment of Infantry on the following charge

Rioutous Conduct

Specification, in this, that he the said private Claiborne Boyd of Rifle
Company B, 6th Infy, did create a riot with private James Barnett of the
Company and Regiment aforesaid, in one of the Company rooms of Company
(B) this at Fort Atkinson 22^d May 1826.

To which Charge the prisoner pleaded “Guilty”

The Court after mature deliberation confirm the plea of the prisoner
and Sentence him to two days confinement in the Guard house, and
to wear a ball and chain for the same period, and to have his rations
of whiskey stopped for thirty days, to be appropriated to the use of the
Company to which he belongs—

The Court next proceeded to the trial of private James Barnet of
Rifle Company (B) 6th Infantry on the following charge

Riotous Conduct

Specification—Inthis, that he the said James Barnet of Rifle
Company B, 6th Infy, did create a riot with private Claiborn Boyd
of the Company and Regiment aforesaid, in one of the Company Rooms
of Company (B)—this at Fort Atkinson 22d May 1826.

To which the prisoner pleaded “not guilty”

Sergeant Winningham a witness for the prosecution being duly sworn says
on or about the time specified in the Charge I was passing in front

of the quarters of Company B, I heard a noise in one of the Company rooms which noise I supposed originated from fighting or quarrelling I immediately repaired to the room where the noise was. There I found prisoner Barnett clenched with Boyd, and as I supposed fighting I ordered them to desist which they did. Boyd struck at prisoner Barnett as often as twice after I had given the Order.

Private Cape of Rifle Company (B) a witness for the prisoner being duly sworn says—I know nothing of the commencement of the quarrel—I was requested by Boyd to call the prisoner back, who was on his way to the garden to work—I did not know what Boyd wanted of the prisoner—He returned to the Company room that Boyd belongs to, and commenced quarrelling, on which I left the room and before they commenced fighting I heard the prisoner request Boyd to let him leave the room.

The evidence being closed and the Court cleared, they then proceeded to pronounce the following Sentence:

The court after mature deliberation on the testimony adduced find the prisoner guilty as charged, but from the testimony adduced and the circumstances developed in the Course of the trial, are of opinion that Prisoner Barnett acted in self defence, and do therefore acquit him

The Court next proceeded to the trial of private Robert D. Baird of Rifle Company B. 6th Regiment Infantry on the following charges

Charge 1st Disobedience of Orders.

Specification—In this that he Robert D. Baird of Rifle Company B. 6th Infy. did refuse to work in the Company Garden of Company B 6th Infy when ordered so to do by Sergeant Stilson of said Company, this at or near Fort Atkinson 22^d May 1826.

Charge 2^d Insubordinate Conduct

Specification In this that he the said Robert D. Baird of the Company and Regiment aforesaid, did when Sergt. Stilson had informed Lieut Clay Commanding Company (B), that he the said Sergeant Stilson had ordered the said Private Baird to remain and work in the company garden of Company B, call Sergeant Stilson a liar; this at Fort Atkinson 22^d May 1826

Charge 3^d—Intoxication

Specification—In this that he the said private Robert D Baird of the Company and Regiment aforesaid was intoxicated on the 22^d May 1826 at Fort Atkinson

Sign^d J. Clay
Lt 6th Inf

To which Charges & Specification the prisoner pleads “Guilty”
The prisoner having nothing to alledge in his defence, the Court confirms the plea of the prisoner, and proceeded to pass the following Sentence

The Court after mature deliberation confirm the plea of the prisoner and Sentence him to have five dollars of his monthly pay stopped and thirty days rations of whiskey, to be appropriated to the use of the Company to which he belongs.—

The Court next proceeded to the trial of private Harvey of Company (H) 6th Infy on the following Charges

Charge Neglect of duty

Specifⁿ. In this that he private Harvey of Company H 6th Infy, did neglect to report the arrival of a Skiff at the landing of Fort Atkinson on or about the 19th May 1826.—

By order

J. Van Swearingen

Lt & Officer of the Guards

To which charge the prisoner pleaded “Not Guilty”

Lt Colonel Woolley a witness for the prosecution being duly sworn says on the evening of the 19th some twenty or thirty minutes subsequent to the taps after tattoo, I was standing out in rear of my quarters. I saw a boat apparently a Mackinaw built skiff row down the River. it approached from above, and came to along side of a Keel Boat which had arrived a few hours previous from the Sioux Country. The moon shone very bright, I cast my eyes down towards the Sentinel No 7, who was stationed almost immediately below me I saw him very distinctly, and noticed him particularly and kept my eye upon him, and from him to the boat, during the time that the men landed, and the boat was hauled to the shore, and on shore, the men who manned the boat came up some twenty or thirty feet from the shore where there was a fire, around which were several of the crew of the Keel boat—They commenced a conversation which I immediately recognized to be Canadian French—I at once concluded that it was a small boat that had descended from a keel boat which I had understood was coming down the river which had not reached them, and did not until the next day, that circumstance prevented me from taking further notice of the transaction at the time determining however to bring it to the notice of the Officer of the day, when he brought in his report next morning. The boat was not hailed

it could not have been or I should certainly have heard it.
The Corporal of the guard was not called, and I could not discover that the Sentry paid any attention to it whatever.
Sergeant Humbarson a witness for the prosecution being duly sworn says—On the 19th May 1826 the prisoner was Sentry on post No 7 between 9 and 11 PM during his watch a skiff arrived and its arrival was reported by calling for the Corporal of the guard by N^o. 3. I do not know whether the boat was hailed by the prisoner or not—

The Court then adjourned to meet to morrow at 9 O'clock
Fort Atkinson May 24th 1826

The Court met pursuant to adjournment
Present— Lieut Wickliffe President
Lieuts Nute and Allston Members

The evidence in the case of private Harvey being closed and read over, the Court then proceeded to pass the following Sentence
The Court after mature deliberation on the testimony adduced find the prisoner “Guilty as charge, and Sentence him to have fifteen days rations of whiskey stopped, to be appropriated to the use of the Company to which he belongs.

The Court having no further business before it adjourned Sine Die

Wm Wickliffe
Lt & President

Head Q^{rs}. 6th Infantry
Fort Atkinson 25th May 1826

The proceedings of a Regimental Court Martial whereof Lieut Wickliffe is President are approved and will be carried into effect. Barnett, Baird and Harvey will be released from Confinement, and will return to duty in their companies.

The Court is dissolved
ARWoolley
Lt Col Comg.

Proceedings of a Regimental Court Martial held at
Fort Atkinson by order of the following order

Orders Hd Q^{rs} 6th Regiment
Fort Atkinson 28 May 1826

A Regimental Court Martial will assemble
immediately for the trial of such prisoners as may be brought before
it. The Court will consist of

Major Ketchum President
Lts Batman & Van Swearingen Members
By order of Lt. Col. Woolley
Thomas Noel
Adj. 6th Regt.

The Court met pursuant to the above order

Present Major Ketchum President

Lts Batman and Van Swearingen Members

The Court adjourned to meet tomorrow morning at ½ past 7 O'clock
May 29th 1826. The Court met pursuant to adjournment

Present Major Ketchum President

Lts Batman & Van Swearingen Members

The Court being duly sworn in the presence of the prisoners
proceeded to the trial of Wm. Vidler a Musⁿ. of Battⁿ. Comp. F
6th US Inf, who being previously asked if he had any objections to the
members named in the above order and replying in the negative
was arraigned on the following charges preferred against him by
Lt Nute Officer of the Guard

Charges

Charge 1st Disobedience of orders

Specⁿ. In this that he the said Musⁿ. W^m. Vidler of Battⁿ.
C^o. F 6th Inf did whilst drummer of the police guard at Fort
Atkinson on or about the evening of the 27th May 1826 between 9
and 10 O'clock PM leave said guard without the knowledge of
the Officer of the Guard or either of the Non Commissioned Officers
of the Guard

Witness }Sergt. Humberson
}Corpl. Nation
Charge 2nd. Riotous conduct

Specⁿ. 1st. In this that he the said musⁿ. Vidler of the Comp^y. and
Regt aforesaid did on the evening and about the time above specified
create a riot and noise [sic] in front of the quarters of C^o. F 6th Regt^l. by

beating or otherwise maltreating Laundress Millet of Co F 6th Inf.
 at Fort Atkinson after the taps had been given to extinguish the
 lights in the garrison

witnesses	Major Ketchum {	(Signed) Lev. Nute
	} Lt Folger	Lt & Off. Guartd
	} Private Connell	

To which the prisoner pleaded guilty to the first charge & Specifici—
 —cation and not guilty to the 2nd Charge & Specification.

P^{te} Connell of C^o F a witness for the prosecution being duly
 sworn says: On or about the time specified I was lying in my
 Company quarters. I heard a woman scream out and cry murder
 I ran out then, I saw the prisoner whipping Laundress Millet with
 his drum belt. I tried to prevent it and the prisoner appeared furious
 I gave back. I entreated him to stop and so did Laundress Millet—
 He did not stop until stopped by Major Ketchum.

Major Ketchum a witness for the prosecution being duly sworn
 says at the time and place specified in the charge I was Officer
 of the day, the prisoner was the drummer of the police guard. Near
 ten oclock in the evening I heard a scream from some person in
 front of Comp. F quarters. I ran there and on my way I heard
 repeatedly blows, on my arrival at the place I found some of the
 guard who had preceeded me to the place. I found the prisoner
 and Laundress Millet there—I did not see the prisoner strike
 Laundress Millet but was informed by those present the noise was
 caused by those two persons.

The Court confirm the plea of the prisoner to the first charge and
 find him guilty of the first Charge & Specification. The Court after
 mature [sic] on the testimony adduced find the prisoner guilty of the 2nd
 Charge and specification and do sentence him to have two dollars and
 fifty cents of his monthly pay stopped & to have his rations of whiskey
 stopped for the period of thirty days, both to be appropriated to the use
 of the Comp^y to which he belongs.

Before the same Court was tried private Fitzgerald of Comp K
 6th Inf on the following Charges

Quarrelling

Thomas Fitzgerald a private of Comp^y K 6th Inf is charged with
 quarrelling with private Laundress of the same Comp. and Regiment at
 Fort Atkinson or or about the 23rd May 1826.—

Witness	Signed J. Nicholls
Corpl. Harrington	Lt. 6 th Inf
Prts Logan and Happy	

To which the prisoner pleaded “Not guilty”
Pt^e. Logan a witness for the prosecution being duly sworn says I do not know any thing more than I saw Saunders strike the prisoner on or about the time and place specified.

Corp^l. Harrington a witness for the prosecution being duly sworn says: I was awakened by a noise and found the prisoner and Saunders clinched on the floor, on or about the time specified.

Private Happy a witness for the prosecution being duly sworn says: On or about the time specified, the way the quarrel commenced, Saunders came into the Cook room, Fitzgerald asked him his business, Saunders replied it was none of his business he would go out whenever he pleased, there was a few words more that passed which I did not hear, Fitzgerald called Saunders a little Cox comb son of a bitch, Saunders struck him, they were parted soon after and sent to the guard room.

The Court after mature deliberation on the testimony adduced find the prisoner guilty as charged and do sentence him to have twenty days rations of whiskey stopped, to be appropriated to the use of the Company to which he belongs.

Before the same Court was also tried Private Saunders on the following Charge.

Joseph Saunders a private of Comp K 6th Infantry is charged with quarrelling and fighting with private—Tho^s. Fitzgerald of the same Comp. and Regiment at Fort Atkinson on or about 23rd May 1826.

To which the prisoner pleaded Not guilty
Private Logan a witness for the prosecution being duly sworn say: I saw the prisoner strike Fitzgerald on or about the time specified, I saw nothing more.

Private Happy a witness for the prosecution being duly sworn says: on or about the time specified the prisoner Saunders Came in the Cook room of C^o. K to which Fitzgerald belonged Fitzgerald asked the prisoner what was his business, the prisoner replied it is none of your business, then Fitzgerald ordered the prisoner out of the room, the prisoner told Fitzgerald he would go whenever he pleased, some more words passes between them which I did not hear. Fitzgerald called the prisoner a little coxcomb son of a bitch, the prisoner struck Fitzgerald, he staggered back and fell on the floor, whilst the prisoner was

in the act of getting on Fitzgerald they were parted
The Court after mature deliberation on the testimony adduced find the
prisoner guilty of the charge and do sentence him to have his rations
of whiskey stopped for twenty days, to be appropriated to the use of the
company to which he belongs.

The Court adjourned and Sine die D Ketchum Maj and the
President of the Court

H^d. Q^{rs} 6th Infantry
Fort Atkinson 29 May 1826

The proceedings of a Regt. Court Martial whereof Major Ketchum
is President are approved and will be carried into full effect.

Vidler, Fitzgerald and Saunders will be released from confine-
ment and return to duty. The Court will reconvene tomorrow
morning at 11 O'clock

ARWoolley
Lt Col Commg

Proceedings of a Regimental Court Martial convened at
Fort Atkinson on the 1st June 1826 by virtue of the following order

Head Quarters 6th Regt.
Fort Atkinson 1st June 1826

Orders

A Regimental Court Martial will convene im-
—mediately for the trial of such prisoners as may be brought before it
The Court to consist of Lt. Folger President, L^{ts} Nichols & Anderson
Members

By order Col. Woolley
Thomas Noel
Adj^t 6th Reg.

The Court met pursuant to the above order present Lt Folger

President Lieuts Nichols and Anderson Members

The Court being then duly [sic] sworn in the presence of the prisoner Jenness who being previously asked if he had any objections to the members mentioned in the order and replying in the negative was arraigned on the following Charge and specification

Charge and Specification preferred against Private Jenness of Battallion Company (C) 6th Regiment U.S. Inf

Charge Disrespectful and Insubordinate conduct

Specification: In this that the said Jenness of Company & Regiment aforesaid did express himself in an insubordinate and disrespectful manner towards Lt. Eaton by ~~saying~~ hearing Sergeant Grubb make an observation that he did not believe that any man in the Regiment aforesaid had malice enough to strike a horse with an axe or tomahawk (belonging to Lt. Eaton), say that he Jenness had, and that he would do it—and would “by God” thereby exhibiting an insubordinate disposition and willfulness—all this at Fort Atkinson on or about the 31 May 1826

Signed WW Eaton

Lt. 6 Regiment

To which charge and specification the prisoner pleaded “Not Guilty” Corpl. Enright a witness for the prosecution being duly sworn says:--On or about the 31 May 1826, happening to be in the Cook room of Company (C) I heard Corporal Ripley ask Sergeant Grubb if Lt Eatons horse was hurt badly and whether he would recover—Sergeant Grubb replied that he thought the horse would recover, and further remarked that Lt Eaton had said that he did not believe there was a soldier in the Regiment who would injure his property—yes says the prisoner there is—Corporal Ripley remarked to Jenness he should not speak in that manner—the prisoner then said “Yes I do by god” or words to that effect.

Question by the Court.—Did you hear the prisoner say he bore Lt. Eaton sufficient malice to do as is specified and that he would do it?

Answer I did not hear him say that he bore Lt. Eaton sufficient malice to do it but would do it—

Question by the prisoner—Did you not think I had bee drinking and so much as to render me incapable of uttering my cool and sober sentiments?

Answer—I did not

Sergt. Grubb a witness for the prosecution being duly sworn says: On or about the time specified I was talking to Corporal Ripley in the Cook room of Company (C)—I said to Corporal Ripley that I did not believe there was a man in the Regiment who bore Lt Eaton so much malice as to injure his horse- - The prisoner made answer there was—Corporal Ripley asked him who was the person, he replied “I”—I did not hear the prisoner say that he would—as I left the room immediately.—

Corporal Ripley being next duly sworn a witness for the prosecution says: On or about the time specified I heard the prisoner say, being in the cook room of (C) Company in answer to Sergeant Grubb’s remark that he didn’t believe there was a man in the Regiment who would injure Lt. Eaton’s horse, or who bore him sufficient malice to do so, that he did—I did not hear the prisoner say that he would do it.

The evidence here closed.

The Court after the most mature deliberation on the testimony adduced find the prisoner guilty of the specification to the Charge, guilty of having uttered and pronounced “insubordinate and disrespectful” language, but not guilty of the Charge and do sentence him, To be held in confinement underguard for the period of ten days with a ball and chain attached to his leg—and to have his whiskey rations stopped for the same period to be appropriated to the benefit of the Company to which he belongs

The Court adjourned without day [sic]

G.W. Folger
Lt 6th Infy &
President

H^d Q^{rs} 6th Inf Fort Atkinson 2nd June 1826

The proceedings of the Reg^l. Court Martial where of L^t.

Folger is President are approved in relation to the finding

the prisoner guilty of the specification but disapproved in acquitting him of the charge

The Comm^{ng} Officer considers the conduct

of the prisoner highly disrespectful and insubordinate. The sentence will be carried into full effect.

The Cour is dissolved

ARWoolley
Lt Col Comg.

Proceedings of a Regimental Court Martial convened at Fort Atkinson on the 6th June 1826 by virtue of the following orders:

Orders No.

H^d Q^{rs} 6th Regiment
Fort Atkinson 6th June 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

Captain Gantt President
Lieut^s. Waters and Clay Members

By order of Lt. Co^l. Woolley

(Signed) Thomas Noel

Adj^t. 6th Reg.

Monday 6th June 1826 10 O'clock AM

The Court met pursuant to the above order present all the members and proceeded to the trial of private Middleton of Company E 6 Inf on the following charge, who being previously asked if he had any objections to any of the members named in the order constituting the Court and replying in the negative was arraigned.

Charge: Highly insubordinate conduct

Specification In this that the said Middleton of Company E 6 Inf did on or about the 5th June 1826 at Fort Atkinson when ordered by Serg Harris orderly of said Company to come below (he being then in the loft of C^o. E) and go to work refuse positively so to do and again this circumstance being reported to Lt. Anderson through the aforesaid Orderly Sergeant to the same effect instead of promptly complying with the order thus given and repeated without words the said Middleton did abuse in the most willful

disrespectful and scandalous manner without just cause or provocation the aforesaid Orderly Sergeant Harris of C^o E and the said Middleton's superior officer.

Witness		Signed J.J. Anderson
Sergt. Harris	}	Bvt. Lt. USA
Private Maxwell	} C ^o E	Com ^g . C ^o . E

Sergt. Harris of Battⁿ. Comp. E a witness on the part of the prosecution being duly sworn says: on or about the time specified in the charge I ordered the prisoner to descend from the loft of one of the Company rooms and to to work. He refused so to do alleging that he was on the sick report. After the circumstances were reported to Lieut Anderson and ordered by him to the same effect through me—did again refuse to comply and did treat me with marked disrespect by calling me a d—m white livered son of a bitch.

Ques. by the prisoner. Did I positively refuse to come down when you ordered me?

Answer. He said he was on the sick report & could not work Private William Maxwell of Battⁿ. Comp. E a witness on the part of the prosecution being duly sworn says: while on the parade of C^o. E I heard Serg Harris order the prisoner to go to ~~work~~ the garden to work. He replied that he was on the sick report. Serg Harris informed him the Surgeon had not entered his name on the books of the hospital. The prisoner then requested the Serg^t. to ~~Co~~ permit Corp^l. Lacey to go with him to the dispensary which Serg Harris refused upon which the prisoner called him a d—m white livered son of a bitch.

The evidence being closed and the prisoner having no defence to offer the Court was cleared and the proceedings read over by the recorder when the following sentence was pronounced.

Sentence. The court after the most mature deliberation on the testimony adduced find the prisoner guilty of the specification with the exception of the words (“to come below he being then in loft of C^o. (E)”)—Guilty—of the charge and do sentence him to undergo the stoppage of the whiskey part of his rations for one month and monthly pay for half the same period—and to be confined to the Guard house for 15 days with a ball and chain attached to his leg—the aforesaid stoppages to be appropriated to the use of the Comp

to which he belongs—but in consideration of the former good conduct of the prisoner recommend him to the clemency of the Commanding Officer for a remission of that part of the sentence which relates to wearing a ball and chain during his confinement.

The Court next proceeded to the trial of private W^m. Smith of Comp. A 6th Regt. U.S. Infantry

Charge. W^m Smith of Comp. A 6th Reg US Infantry is charged with being intoxicated while a sentinel of the police guard at Fort Atkinson on or about the 4th June 1826

(Signed) GW Waters

Lt. & Off. Guard

Lieut. Waters a witness on the part of the prosecution being duly sworn says on the morning of the 4th June 1826 I was Officer of the police guard of which the prisoner was a sentinel I discovered the prisoner could not keep step of the music—I observed him for some distance and ordered him to march correctly. I found it was impossible for the prisoner to do so as he was much intoxicated. I halted the guard and he still appeared highly intoxicated too much so to perform his duty as a sentinel.—

The evidence being closed and the prisoner having no defence to make the court passed the following sentence. The Court after the most mature deliberation on the testimony adduced find the prisoner guilty as charged and do sentence him to undergo a stoppage of the whiskey part of his rations for thirty days and his monthly pay for on half the same period.—the said stoppages to be appropriated to the use of C^o A.

No further business being before the Court The Court adjourned “Sine die.”

J Gantt Capt 6 Inf
and
President

The findings and sentences in both cases are approved and will be carried into full effect. The Court is dissolved
Smith will be discharged from confinement and return to duty
Fort Atkinson 7 June 1826

ARWoolley
Lt Col 6 Infy

Fort Atkinson 17th June 1826

Proceedings of a Regimental Martial held at Fort Atkinson
by virtue of the following order.

Orders Fort Atkinson June 17th 1826

A Regimental Court Martial will assemble this
morning for the trial of such prisoners as may be brought before it
The court to consist of

Capt. Riley President
Lt. Hutton and Allston Members
By order of Lt. Col Woolley
Signed Thos. Noel
Adj. 6 Regts.

The Court met pursuant to the above order

Present Capt. Riley President
L^{ts}. Hutton and Allston Members

The Court being duly sworn in presence of the prisoner who being
previously asked if he had any objections to either of the members
named in the above order & replying in the negative, then proceeded
to the trial of Private Clayborne Boyd of Rifle Co 73 6th Inf
on the following Charges viz:

Charge 1st Neglect of Duty

Specⁿ. 1st In this that the said Clayborn Boyd of Rifle C^o B
6th Regt Inf did at Fort Atkinson on or about the 16th June 1826
while cook for said Rifle Co B throw the fresh beef which was
drawn as rations for said C^o into a barrel containing a quantity
of dirty salt brine which occasioned the fresh beef to become so
sour as to be unfit for use.

Specⁿ. 2nd In this the said Boyd of the C^o and Reg^t.
aforesaid did on or about the 16th June 1826 at Fort Atkinson
while cook for said Rifle C^o B 6th Inf go to sleep in said
cook room of Rifle C^o. B and neglect to wash the dishes & clean
up his cook room when he will knew it was his duty so to do.

Charge 2nd Intoxication

Specn. In this that the said private Boyd of the C^o and Reg^t afore=
=said did at Fort Atkinson on or about the 16th June 1826 while
cook for Rifle C^o. B got so much intoxicated as to render him
unfit for attending to his duty as Cook

Witnesses }Sergt Wunningham
 }Pts Baird Signed B. Riley Capt. 6 Inf
 } “ Hayden

To which Changes and Specification the prisoner pleaded Guilty
The prisoner having no defence to make the Court was cleared and
the whole proceedings read over—The Court after mature deliberations
confirm the plea of the prisoner and do find him Guilty as charged
and do Sentence him to solitary confinement for five days and to be
fed on bread and water for the same period.

There being no further business before the Court it adjourned
Sine die

B Riley
Capt. 6th Inf. Prst

Hd Qrs 6th Infantry
Fort Atkinson 17th June 1826

Approved. The sentence will be carried into effect. The
Court is dissolved

A R Wooley
Lt. Col Comg

Proceedings of a Regimental Court Martial convened at
Fort Atkinson Council Bluffs on the 19th June 1826 by virtue of the
following order

Orders

No 134

H^d. Q^{rs} 6th Inf

Fort Atkinson 19th June 1826

A Regimental Court Martial will assemble
this morning for the trial of such prisoners as may be brought
before it. The court will consist of Lieut. Wickliffe president,
Lieuts. Batman and Crossman Members

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

The court met pursuant to the above order present Lt. Wickliffe
president, Lts. Batman & Crossman Members and being duly sworn
in presence of the prisoners who being previously asked if they had
any objection to either of the members mentioned in the order and
replying in the negative, proceeded to the trial of Sergt. Robt. Ferguson
of Co. H 6th Inf on the following charge viz

Sergeant Ferguson of Co H Sergeant Clute Co. (C) Sergeant Clark Co (J) Sergeant Elkins Co (G) and Corporal Maine Co (J) all severely charged with riotous conduct and holding a tumultuous assembly at or near the Council house in the vicinity of Fort Atkinson between 2 and 3 O'clock Am of the 18th June 1826.

Fort Atkinson
19th June 1826

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

Lieuts. Wickliffe & Batman } Witnesses
Corpl. Evans Co. (H) Pt Wilcox (H) Pt. Willis Co (I) }

To which charge the prisoner pleaded Not Guilty

Lieut. Wickliffe a witness for the prosecution being duly sworn says—on or about the time specified, I was Officer of the Day, a member of the Non Commissioned Officers had permission to hold a Ball, which was held at the Council house, permission was signed by the Officers of the different companies to which the men belonged and I believe countersigned by the Commanding Officer of the post ~ About 12 O'clock at night I visited the Guard; some time after 12 O'clock I heard a considerable noise which appeared to be between the Council house and the Garrison, I do not know who made the noise but was informed by the Officer of the Guard that it was those who were at the ball and that he had been Compelled to send a file of men to put a stop to it.

Lieut. Batman a witness for the prosecution being duly sworn says:—As the evening of the 17th June a Convivial party was held at the Council house by some of the Non Commissioned Officers of the 6th Inf by permission or sanction of the Commanding Officer and between 2 and 3 O'clock on the morning of the 18th ins. being Officer of the Guard I heard a noise in the direction of the Council or Band house and sent the Corpl. of the guard with a file of men with orders to dispense the meeting to their quarters and to take in charge any who were refractory and bring them to the Guard house—The Corporal returned shortly after and informed me that the noise had been made by the meeting at the Council house, but that they had them dispensed to their quarters—I did not see the prisoner at this time or during the night.

Corporal Evans a witness for the prosecution being duly sworn says—on the 18th Inst being Corpl. of the Guard I was directed to go to the Council house with a file of men with orders from ~~the orders from the~~ Officer of the Guard to quell a noise which was made by a party of men of the 6th Regt. at the Council house among whom was the prisoner—I

ordered them to stop their noise and disperse to their quarters they did so.

Question by the Court Was the meeting you speak of so being held at the Council house of a Riotous and tumultuous nature or not?

Answer.—When I arrived at the Council house the men were dancing but were not Riotous or tumultuous.

Question by the prisoner. At the time specified did you see me engaged in a Riot or tumult at the Council house?

Answer.—No I did not

Private Wilcox a witness for the prosecution being duly sworn says At the time specified I was one of the Patrols sent by the Officer of the Guard to go and quell a noise in the direction of the Council house, there were several Non Commissioned Officers and privates among whom was the prisoner engaged in dancing a Reel when I went into the Ball room ~ I saw nothing there of a Riotous or tumultuous nature—Before going there I heard in that direction a considerable noise, apparently made by hallooing and beating on a drum, but the noise ceased before I arrived at the Council house.

Private Willis a witness for the prosecution being duly sworn says: —I was one of the men sent from the Guard house as Patrole to stop a noise in the direction of the Council house—On my way there I heard some noise but when I went into the Ball room there was no Riotous or tumultuous noises—The prisoner was then dancing with the rest.

The testimony on the part of the prosecution being closed the prisoner was asked if he wished to make a defence when he submitted a paper of which the following is a copy, to the inspection of the court wishing it to be entered as testimony in his favor so far as to show that he had permission to join the Ball at the Council house viz “We the undersigned Non Commissioned Officers of the 6th Inf do hereby solicit the permission of our Company Commanders and of the Commanding Officer of the Regiment to hold a Ball at the Council house on the evening of the 16th June 1826 and also request the indulgence of the Col. Commanding to burn candles until the hour of—Oclock and to purchase four Gallons of Whiskey, One Gallon wine and four Gallons Porter and six Bottles of Cordial.”

Signed Sergt Ferguson }
“ Elkins } Managers
“ F. Brown }

“D. Enright, Charles Ripley, N.C. Dimmick, Simon Foote, D. Moore”

L. Cogall, Jus. Hatter, John Hassins, J. Clark, C. L. Brown, and James Sloan, Isaac Harrington, Thos. Stilson and J. Maine at Fort Atkinson

15th June 1826

Signed: G.W. Waters Lt. 6th Inf B Riley Capt. 6th Inf G.W. Folger Lt. 6th Inf
Wm. W. Eaton Lt. 6th Inf Wm W. Wickliffe J Gantt, Capt. 6th Inf
D. Ketchum Maj. USA

(to which is offered in the hand writing of Col. Wooley, on the 17th June.”

Signed A. R. Woolley
Lt. Col. Com^d.

The court after ~~matue~~ due deliberation on the testimony adduced find that it does not support and prove the charge and in consideration of the above permission signed by several Officers Commanding Companies of the 6th Inf and countersigned by the Commanding Officer of the Post do therefore honorably acquit the prisoners Sergeant R. Ferguson of Company (H) of the Charge preferred against him.—

The Court then proceeded to the trial of Sergeant Clute of Company (C) Charges as before mentioned with “Riotous conduct and holding a tumultuous assembly at or near the Council house in the vicinity of Fort Atkinson between 2 and 3 Oclock Am of the 18th June 1826.

Fort Atkinson By order of the Lt. Col. Woolley
19th June 1826 Signed Thomas Noel
Adgt. 6th Regt

To which Charge the prisoner Sergeant Clute plead not guilty
Lt. Wickliffe a witness for the prosecution being again sworn testifies precisely to the same as in the foregoing case of Sergeant Ferguson

Lt. Batman a witness for the prosecution being again duly sworn testifies to the same as in the foregoing case of Sergeant Ferguson except that “I did see the prisoner Sgt. Clute that night and passed him into the Garrison while the Patrol was absent at the Council house.”

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the foregoing case of Sergeant Ferguson.

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the foregoing case of Sergeant Ferguson.

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the foregoing case of Sergeant Ferguson.

The testimony on the part of the prosecution being closed the prisoner

here referred the Court to the “permission for a Ball” & already before the court and of which the foregoing in the proceedings of the trial of Sergeant Ferguson is a copy.

The Court after due deliberation on the testimony adduced find that it does not support the charge and in consideration of the permission above referred to, do therefore honorably acquit the prisoner, Sergeant Clute of Company (C) of the charge preferred against him.—

The court then adjourned to meet again tomorrow morning at 9 O, clock

Fort Atkinson 20th June 1826

The Court met pursuant to adjournment, present Lieut. Wickliffe Pres. Lieuts. Batman and Crossman members and proceeded to the trial of Sergeant Clark Company (J) charged as before stated, to which charge the prisoner Sergeant Clark plead Not Guilty

Lieut. Wickliffe a witness for the prosecution being again duly sworn testifies to the same as in the proceeding cases of Sergeant Clute and Sergeant Ferguson

Lieut. Batman a witness for the prosecution being again duly sworn testified to the same as in the proceeding case of Sergeant Ferguson.

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the proceeding cases Sergeants Ferguson and Clute

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the proceeding cases of Sergeants Ferguson and Clute.

Private Mills a witness for the prosecution being again duly sworn testifies to the same as in the proceeding cases of Sergeant Ferguson except that “the prisoner was not dancing.”

The testimony on the part of the prosecution being closed the prisoner was asked if he ~~had~~ wished to make a defence when he begged leave to refer the court to the written “permission” before quoted, resting, his defence on the paper

The court find that the testimony adduced on the part of the prosecution does not support the Charge and the consideration of the permission above referred to do honorably acquit the prisoner Sgt Clark of Company (J), of the Charge preferred against him

The Court then tried Sergeant Elkins of Company (G) charged as before stated, to which Charge the prisoner plead Not Guilty

Lieut Wickliffe a witness for the prosecution being again duly sworn testifies to the same as to the former case of Sergeant Clark

Lieut Batman, ^{a witness for the prosecution,} being again duly sworn testifies to the same as in the former case of Sergeant Clark.

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergeant Clark

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergeant Clark

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergeant Clark.

The testimony for the prosecution being closed the prisoner was asked if he wished to make any defence when he referred the Court to the written “permission” before quoted resting his defence on that paper.

The court find that the testimony adduced on the part of the prosecution does not support and prove the Charge and the Consideration of the permission above referred to, do honorably acquit the prisoner Sergeant Elkins of Company (G) of the Charge preferred against him.

The court next tried Corporal Maine of Co. (J) charged as before sates to which charge the prisoner Corporal Maine plead Not Guilty

Lieut Wickliffe a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Sergeant Elkins

Lieut Batman a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Sergeant Elkins.

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Sergeant Elkins.

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Sergeant Elkins.

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Sergeant Elkins.

The testimony on the part of the prosecution being closed the prisoner was asked if he wished to make a defence when he referred the court to the written “permission” before quoted resting his defence entirely on that paper.

The Court find that the testimony adduced on the part of the prosecution does not support and prove the charge and in consequence of the “permission” above referred to do therefore honorably acquit the prisoner Corporal Maine of Co J, of the Charge preferred against him.

The Court then proceeded to the trial of the following named men

privates of the 6th Inf Charged as follows viz.

Privates Dailey of Co G, Zooke of Co H, and Desmon of Co J and Musician Baker severally [sic] charged with Riotous conduct and holding a tumultuous assembly at or near the Council house in the vicinity of Fort Atkinson between 2 and 3 O'clock Am of the 18th June 1826

Fort Atkinson

By order of Lt. Col. Woolley

19th June 1826

Signed Thos Noel Adj. 6th Reg.

Witness Sergrts Wickliffe & Batman

Corpl. Evans

Priv. Wilcox

“ Willis

Private Daily of Co (G) being arraigned before the Court on the same charge plead Not Guilty

Lt. Wickliffe a witness for the prosecution being again duly sworn testifies to the same as in the former cases of Sergeant Ferguson & Corporal Maine.

Lieut Batman a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergeant Ferguson

Corpl Evans a witness for the prosecution being again duly sworn testifies to the same as in the previous case of Sergeant Ferguson

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergrt. Ferguson ~~except that~~

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the former case of Sergrt. Ferguson except that “the prisoner was playing the fiddle for the rest to dance.”

The testimony being closed, the Court find that the evidence adduce on the part of the prosecution does not support and prove the charge and in consideration of the “permission” before quoted and which was offered by the prisoner as his defence, do therefore acquit the prisoner private Dailey of (G) of the charge.

The court then tried private Zooke of Co H charged as before stated, to which charge the prisoner Zooke plead Not Guilty

Lieut Wickliffe a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of private Dailey—

Lieut. Batman a witness for the prosecution being again duly sworn testifies to the same as in the proceeding case of private Daily.

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the preceding case of Private Dailey—

Private Wilcox a witness for the prosecution being again duly sworn

testifies the same as to the preceeding case of private Dailey of Co. G

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the case of private Dailey except that instead of playing the fiddle for the others to dance “the prisoner was then with the others.”

The whole of the testimony on the part of the prosecution being closed the prisoner was asked if he wished to make a defence when he begged leave to call the attention of the Court to the “permission” before quoted, resting his defence on this paper.

The Court find that the evidence adduced on the part of the prosecution does not support and prove the charge and in Consideration of the “permission” before quoted do therefore acquit the prisoner private Zooke of Co. H of the charge preferred against him

The court next tried private Desmon of Co. (J) charged as ^{follows} before stated, to which charge the prisoner private Desmon plead Not Guilty

Lieut. Wickliffe a witness for the prosecution being again duly sworn testifies to the same as in the case of private Zooke of Co H

Lieut. Batman a witness for the prosecution being again duly sworn testifies to the same as in the case of Private Zooke of Co. H.

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as in the proceeding case of private Zooke _____

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the preceeding case of private Zooke of Co H.

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the preceeding case of private Zooke of Co H.

The whole of the testimony on the part of the prosecution being closed the prisoner was asked if he had a defence to make before the court—when he called the attention of the Court to the “permission” before quoted, resting his defence on that paper.

The Court find that the evidence adduced on the part of the prosecution does not support and prove the charge and in consideration of the “permission” above referred to do therefore acquit the prisoner Pt. Desmon of Co. (J) of the Charge preferred against him.

The court next tried Musician Baker charged as before stated, to which charge the prisoner plead Not Guilty

Lieut. Wickliffe a witness for the prosecution being again duly sworn testified to the same as in the preceeding case of private Desmon of Co. J

Lieut. Batman a witness for the prosecution being again duly sworn

testifies to the same as in the preceeding case of Private Desmon of Co. J

Corporal Evans a witness for the prosecution being again duly sworn testifies to the same as to the case of private Desmon of Co. J,

Private Wilcox a witness for the prosecution being again duly sworn testifies to the same as in the case of Private Desmon of Co (J)

Private Willis a witness for the prosecution being again duly sworn testifies to the same as in the preceeding case of private Desmon of Co. (J)

The whole of the testimony on the part of the prosecution being closed the prisoner called the attention of the Court to the “permission” before quoted resting his defence on that paper.

The Court find that the evidence adduced on the part of the prosecution does not support and prove the charge and in consideration of the “permission” above referred to, do therefore acquit the prisoner Musician Baker of the Charge preferred against him.

The court next tried Musician Vidler of Co. F charged with “Riotous and Disorderly conduct and language.”

Specification. In that he Musician Vidler of Batt. Co. (F) 6th Inf. when hailed by the sentinel No. 2 of the police Guard did answer in a loud, boisterous and unsoldierly manner and when ordered to the Guard house by the Officer of the Guard did creat [sic] a riot & noise by cursing and damning &^c&^c and when informed by the Officer of the Guard that he would not have his blanket, did say that he would not lay on the boards like a damn’d dog—all this at Fort Atkinson on or about the night of the 7th June 1826.

Lt. Batman	}		
priv Connell	}	Witnesses	Sign ^d M.W. Batman
Corpl Evans	}		Lt. & Off Guard

To which Charge and Specification the prisoner plead Guilty The court confirm the plea of the prisoner Musician Vidler of C^o F and sentence him to a stoppage of whiskey for fifteen days and be muld of two dollars and fifty cents of his pay the whole for the use of his Company

The court then tried private Francis Burns of Battl. Company D 6th Inf charged with Drunkeness

Specification In this that he private Francis Burns of Battn (D) 6th Inf was so much intoxicated as to incapacitate him from attending Sunday inspection on the 18th June 1826, this at Fort Atkinson

Major Ketchum	}		(Signed) D. Ketchum
Sergt. Dailey	}	Witness	Maj. USA

To which charge and specification the prisoner plead Guilty

The Court confirm the plea of the prisoner private Francis Burns and sentence him to a stoppage of the rations of whiskey for twenty days—to to be given to his Company.

The Court then adjourned to 1 O clock pm. The Court met pursuant to adjournment present Lt. Wickliffe president Lieut. Batman and Crosman member and proceeded to the trial of private Richard Gess of Batl. Co G charged with Insubordinate conduct & o. viz.

Private Richard Gess of Company (G) 6th Regt. U.S. Infantry is charged with insubordinate and disrespectful conduct towards his superiors in refusing to obey the orders of Sergeant (Orderly Sergeant) and making use of highly insubordinate and disrespectful language to Said Sergt. Brown on or about the 18th June 1826 at Fort Atkinson

Col. Woolley } Witnesses

(Signed) J. Gantt

Sgt. Brown }

Capt. 6th Inf

To which charge and specification the prisoner plead Guilty
The court confirm the plea of the prisoner private Richard Gess of Co (G) and sentence him to a stoppage of 20 days rations of whiskey for the benefit of his Company.

The court then tried Musician William Huston 6th Regt. U.S. Inf. charged with neglect of duty

Specification 1st. In this that he William Huston did neglect to attend parade on the afternoon of the 18th June 1826 thus neglecting his duty.

Spect. 2nd. In this that he Wm. Huston did neglect or refuse to attend the afternoon parade and drill—said Wm. Huston lying in his bunk drunk thus neglecting his duty This at Fort Atkinson on or about 18th June 1826.

Witness—Sgt. O Riordan—

(Signed) Tho^s. Noel Adjt. 6th Reg.

To which charge and specification the prisoner plead Guilty
The court confirm the plea of the prisoner William Huston and sentence him to a stoppage of his rations of whiskey for twenty days for the benefit of the Company to which he belongs.

The Court then adjourned Sine die

Wm. N. Wickliffe

Lt. 6th Infy Presd.

Further proceedings of a Regimental Court Martial of which Lieut Wickliffe is president reassembled at Fort Atkinson by virtue of the following order

Orders

The Regimental Court martial of which Lieut. Wickliffe is president will reassemble this morning for the trial of such prisoners as may be brought before it.

By order of Lt. Co^l. Woolley
(Signed) Thos. Noel Adj. 6th Regt.

The court convened in obedience to the foregoing order, present Lieut. Wickliffe president Lieuts. Batman & Crosman members and adjourned to meet again at 1 O'clk pm.

The court met pursuant to adjournment, present all the members and proceeded to the trial of private Twist of Battn. C^o. K 6th Infantry charged as follows

Charge 1st Repeated Disobedience of orders

Specification 1st. In this that he the said Twist of the Company and Regiment aforesaid when ordered by Sergeant Alery (who was acting in compliance with orders received from his Company Commander) to cook for said Company positively refuse so to do, uttering at the same time several profane oaths to substantiate his resolution of persisting in his disobedience—this at Fort Atkinson on or about 19th. June 1826.

Charge 2nd Abusive and Insubordinate language.

Spec. In this that he the said Twist of the Company and Regiment aforesaid when ordered by Corporal Harrington of Comp. K 6th Inf to come down from the loft of one of the company rooms and go for Ice did in a highly disrespectfully and insubordinate manner abuse the said Corpl. and say, “that if he came again into the loft he would beat his brains out” or words to that effect—at Fort Atkinson on or about 20th June 1826.

Spec. 2nd to Charge 1st. In this that the said Twist of the Company and Reg^t. aforesaid when ordered by Corporal Harrington of Co. (H) 6th Inf. to come down from the loft of one of the rooms and go for Ice positively refuse so to do—this at Fort Atkinson on or about the 20th June 1826.

Charge 3rd. Unsoldierlike Conduct

Spec. In this that he the said Twist of Battn. Company K 6th Inf when forced down from the loft and again ordered by the aforesaid Capt. Harrington to go for Ice reply “I will go” and immediately left the Garrison and concealed himself in the bushes some hundred yards

below the Brick yard and did remain there until brought back at
Fort Atkinson on or about 20th June 1826

Witnesses Sergt. Alery } (Signed) J Nichols
 Corpl. Harrington } Lt & Comg Compy.
 Priv Kelly, Ford & Shefer }

To which charges and specification the prisoner private Twist plead Guilty
The court confirm the plea of the prisoner private Twist and sentence him
to hard labor with a ball and chain attached to his leg for the period of
thirty days, to forfeit five dollars of his pay and his rations of Whiskey
for one month both of which to be given to his company.

The Court then tried Musician Daniel McLane of Co. (I) 6th Inf
Charged with

1st. Unsoldierlike Conduct

Specification 1st. In this that the said Daniel McLane Musician
of the Company & Regt. aforesaid did go on the Sick report to spite as he
termed it “Old Coutelle” to evade his duty in the performance of
Martial music in the Regt—thus acting in an unsoldierlike manner.

Spec. 2nd In this that the said Daniel McLane of the Company
and Regiment aforesaid did frequently and exultingly say in the Band
house of the Regiment on the appearance or in the hearing of the Field
Music turned out for drill or other duty—“ha!” he has not me this
morning—I want on the sick report to get clear of him God damn
him” or words to that effect, thus using language highly unsoldier—
—like and in the presence of Sergeant OReardon his immediate Com—
—manding Non Commissioned Officer.

Charge 2nd Disobedience of Orders

Spectn. 1st In this when ordered by Sergeant OReardon at the
practice take of the Regt.—to pay attention and preserve silence—“ he
the said Danial McLane of the Company and Regiment aforesaid did
still persevere in making a noise by talking loud though repeatedly
ordered by the said Sergeant OReardon to be silent—thus disobeying
orders and an example to the rest of the music assembled at the
time for instruction.

Specn. 2nd. In this that he the said Daniel McLane Musician
of the Company and Regiment aforesaid did when ordered by Sergeant
OReardon and after a tedious course of instruction and attention to
said McLane refuse to perform his part on the Clarionett by laying
or throwing it on the practice table and replying “he could not play

it then”—though Sergeant O’Reardon’s attention was chiefly directed towards him at the time, for the correct performance of a piece of music intended for troop that morning—this disobeying orders and setting an example of insubordination highly detrimental to the service.

Specn. 3rd. In this that the said Daniel M Lane of the company and Regiment aforesaid did leave the Band house without permission during the hours of instruction on the morning of the 21st June 1826 and absent himself therefrom, thus disobeying orders and setting an example subversion of Military discipline, all this at Fort Atkinson on or about the morning of the 21st. June 1826.

}	Sergt. OReardon	Signed	Tho ^{ms} Noel
Witnesses }	Priv. Farming		Adj ^t 6 th Regt.

To which Charges and specifications the prisoner Daniel McLane plead Not Guilty Sergeant OReardon principal Musician of the Band and a witness for the prosecution being duly sworn says—as to the 1st Specn. 1st Charge I heard the prisoner say frequently some days since in the Band house that he had gone on the sick report to spite old Contelle the Drum Major and likewise that he the Drum Major had nothing then to do with him ~ “On the 2nd. Specn. When the Field Music turned out for drill or practice I have frequently heard him the prisoner make use of the expressions mentioned in the Specn. “On the 1st. Specn. 2nd Charge” Yesterday evening I wrote a new march and told McLane the part which had been assigned to him—by the aid of Millet, who was well qualified for such a task I examined McLane this morning and he McLane had made some or very little progress in it—I told him to continue at it and not leave the practice table—notwithstanding this order he frequently left the table afterwards and the last time I ordered him he replied that he was on the sick report and would not play which was not the fact he being there for duty ~ I ordered him to keep silence but he still continued to make a noise by talking so loud as to disturb the performance of the rest of the Musicians— “2nd Specn” I ordered him to leave his part off as I should instruct him—but he threw his Clarionet in a violent manner on the practice table and said he could not play it—“3rd Specn” The prisoner absented himself from the practice room contrary to my order which order had been given to him by me as principal Musician—all this occurred at the Band house this morning.

Private Farming, a witness for the prosecution being duly sworn says I know nothing of the facts contained in the 1st. Spec. Charge 1st. —I know nothing of the facts contained in the 2nd Spec. to Charge 1st On 1st Spec 2nd Charge—A short time before troop beating this morning I heard Sergeant OReardon order the prisoner to keep silent—they were both at the time talking low—The prisoner did not obey the order but continued talking in a loud tone of voice—As to “Spec. 2nd At the time and place specified I heard Sergt. OReardon order the prisoner to play a part which had been assigned him—The prisoner replied that he would—upon which he attempted to play but could not his hands trembling at the time violently caused as I believe by passion—the prisoner observed that he could play it but not then and put the Clarionet on the table—as respects spec. 3rd. Charge 2nd the prisoner was absent this morning from the practising room and I heard Sergeant OReardon enquire for him but do not know whether McLane had permission or not.

The Court after mature deliberation on the testimony adduced find the prisoner Musician Daniel McLane guilty of the 1st and 2nd Specifications of the 1st Charge and guilty of the 1st Charge. Guilty of the 1st and 2nd and 3rd Specification to the 2nd Charge and guilty of the Charge.

The Court sentence the prisoner Musician ^{Daniel} McLane to a stoppage of thirty days rations of whiskey and to forfeit two dollars and fifty Cents of his pay for the benefit of the Company to which he belongs.

The court then proceeded to the trial of private Benjamin Car—
—man of Battn. Comp. H 6th Inf Charged as follows viz:

Private Benjamin Carman of Battn. Compy. (H) 6th. Inf is Charged with absenting himself from drill and Battn. dress parade on the 20th June 1826 at Fort Atkinson—He is also charged with deceiving his Company Officer by telling him that he Carman was on the sick report at the time and place above stated.—

A.S Doct. Nichols }	(Signed) G.W. Waters
Sergt. Sutherland } ^{Witnesses}	Lt. 6 th . Inf.

To which Charge and specification the prisoner private Carman plead Not guilty.

The Court then adjourned to meet again tomorrow morning at 9 Oclk
Fort Atkinson June 22nd. The Court met pursuant to adjournment
present Lieut. Wickliffe President Lts. Batman & Crossman Members

and proceeded with the trial of private Carman of Co H

Ass. Surgeon W^m. H Nicoll of U.S. Army a witness for the prosecution being duly sworn says—the prisoner Carman was not on the sick report on the 20th. Ins^t. the time specified.

Sergt. Sutherland orderly Sergt. of Co (H) says—the prisoner Carman was absent from drill and parade at the time and place specified.

Surgeon J Gale U.S. Army a witness for the prisoner being duly sworn says: at the time and place specified the prisoner Carman came to me and reported that he was unable to drill, I examined him and believe that he was too unwell to drill—this took place after the Sick report had been made out for that day.

The Court after maturely considering the matter before them find the facts as set forth in the Charge and Specification except “deceiving his Company Commanders”—but attach no criminality to them and do therefore acquit the prisoner private Crosman of C^o. H of the Charge preferred against him.

The Court then adjourned Sine die

Wm. N. Wickliffe
Lts. Presdnt.

H^d. Q^{rs}. 6th. Infantry
Fort Atkinson 22nd June 1826

The commanding Officer in reviewing the proceedings of the Regimental Court Martial whereof Lt. Wickliffe is President is Constrained by a sense of duty to remark, that an officer of the day and an Officer of the guard must be very remiss and in attentive to their duty when such a noise tumult and disturbance could take place in a garrison or at the very verge of the chain of sentinels without they being able with all their accustomed vigilance to fix it on the guilty persons. The list of the names of the persons accused was handed to the Comm^g. Officer, by the Officer of the day who is president of the Court—and Lieut. Batman a member of the Court was Officer of the guard, the Comg Officer cannot bring himself to the belief that there was any privity or counivance on the post

of either of those Officers to an outrage so disgraceful to the army and of which three fourths of the members of the Regiment were apprised by being awoke out of sleep at 3 O'Clock in the morning by a noise that beggars all description. The prisoners are acquitted however and they will be discharged from their respective arrests and confinements and return to duty.

The proceedings, the loose and lame proceedings and the manner of investigating the evidence in the trials of those concerned in the tumult are disapproved in toto. The sentences in the respective cases of Musician Vidler of Battⁿ C^o. F private Burns of Battn. C^o D, private Gess of Battn C^o. G, Musician Huston of Rifle Company, Private Twist of Battn C^o. K and Musician McLane of Battⁿ. C^o I will be carried into effect, they as well as Carman of Battn. C^o. H will be released from confinement and return to duty.

The Court is dissolved

AR Woolley
Lt. Col Comg

Proceedings of a Court of Inquiry convened at Fort Atkinson on the 22nd June by virtue of the following order

Orders
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H^d. Q^s. 6th Regt.
Ft. Atkinson 22nd June 26

At the request of private John Ready of Battn. Comp D, a Court of Inquiry to consist of Capt. Gantt pres^t. Lieuts Nute and Van Swearingen members and Lt. Anderson Recorder, will assemble this morning to investigate the report alledged against ~~him~~ the said Ready. The Ct. will give an opinion whether the charge is proven or otherwise.

By order of Lt. Col. Woolley
Tho. Noel
Adj. 6 Regt.

The Ct met pursuant to the above order. Present
Capt. Gantt President
Lieuts. Nute ^{and} }
Van Swearengen } Members
and Lt Anderson Recorder

The Ct being then duly sworn, proceeded to investigate the accusation against private Ready, as set forth in a letter to the Com^g. Officer F^t. Atkinson, in the following words, to wit

Fort Atkinson

22nd June 1826

Gen.: Certain Reports having been circulated prejudicial to my character, viz, copulating with a beast, by private Thomas Powell of Co. D 6th Inf I respectfully request of the Comg. Officer a Ct of Inquiry to investigate the said accusation and give their opinion on the case.

I have the honor to be

Lt. Col. AR Woolley

Very respectfully

Com^g. Fort Atkinson

John Ready

Private Thomas Powell being duly sworn says: On or about the 20th June 1826 I went down to the stable to take Lieut. Van Swearingen's—I put the horse in the stable and fed him—in returning from the stable I saw Ready running after a cow—I stopped a few minutes—I couldn't think what he wanted with the cow—He tried to drive her in Capt. Riley's stable yard, the cow broke from him—He run after her again, and tried to drive her in the same stable, she broke from him again and run through Major Ketchum's stable yard—he then drove her in Capt. Shaler's stable, ~~yard~~ there were no horses in Capt. Shaler's stable, the cow was drove up behind the horses—he took the door which was off the hinges, lying on the ground and placed it against the door case. He then went into the stable—A part of the chinking of the stable being out, I saw him, being at that time setting down on some logs in Maj. Ketchums stable yard. I got up from that and went to the stable and lifted the door away and saw him standing right upon the cow—I spoke to him and asked him what he was doing: he replied that he was sleeping—As I spoke to him he stepped from the cow holding her tail on her back with one of his hands. The thing was in the thing (rear in re). He then came out the stable and buttoned up his breeches, the cow immediately followed him out. I commenced shaming him, and about this time Bates of Comp G came up, when he heard me shaming him he (Bates) says, for gods sake say nothing about it.

Question by the Court: Did you see the penis of the accused, either enter or come out the cow, and if you did, whether the accused motioned his body or not?

Answer. I saw it come out, I saw no motion.

Question by the Recorder—what induced you to watch the prisoner?

Answer: Because I wondered what he could want with the Cow, when he was sent for the oxen.

Question by the Recorder. Did you suppose it very extraordinary that the prisoner should be running after a cow?

Answer: I did

Question by the Recorder. Would you consider it a circumstance so extraordinary as to induce you to watch any body who might, be running after a cow?

Answer—No, but the prisoner was so singular about it.
question by the Recorder. What was it you noticed so palpably singular in the conduct of the prisoner?

Answer. His running so much after—and heading the cow so often.

Question by the Ct. Had you sufficient time to have stopped him from what you said he did, if you had thought proper so to do.

Answer. I had

Question by the Court. What distance do you suppose it is from the logs on which you sat to Capt. Shaler's Stable?

Answer. I suppose about fourteen or fifteen yards

Question by the Ct. How large do you suppose the hole is, through which you say you said the accused whilst you were setting on the logs in Maj. Ketchum's Stable yard.

Answer. I suppose it is about five inches by twelve.
I being there demanded of the accused if he had any questions to put to the witness, he submitted to the Court the following:

Gentlemen. I have an objection of Powells swearing against me for reasons, he has been guilty of theft and convicted of the same which I believe is recorded in the Adjutants Office and ever since his trial has borne me a spite and swore he would beat me if even he caught me alone. I can bring proof

Signed John Ready

which being read, the Court after some deliberation resolved to

hear evidence on the subject.

The Ct. then adjourned 'till tomorrow at 10 O'clock
The Court met pursuant to adjournment present all the members
The Court then proceeded to hear evidence on the objections of the
accused.

Private Dennis of D Company being sworn says:
Some time previous I cant recollect the precise time—I heard
Powell say that the first time he met the accused alone, he
would beat him or take satisfaction of him as he had not yet
forgotten what the accused did to him last summer—I didn't pay
much attention to what Powell said, I am therefore unable to say
what he had reference to, about last summer.

Question by the Court. Can you state whether the accused
and Powell have been on friendly terms for some months past.

Answer. I have not noticed them speaking together for
some months past.

Private Poincier being duly sworn, says: On or about the
25th of July 1825, Powell stole from private Black of Comp (B)
a P^r. of boots—He was tried, convicted & underwent his sentence
(The Court having sent for the Court Martial Book found the
evidence of the witness in paragraph 111 page 66 confirmed)

The evidence in relation to the objections of the accused
against Powell's testimony here closed.

The witness Poincier being then asked if he knew any thing in
relation to the allegation against the accused says: As I was
passing by the stables—in returning from the fields for drill,
on the 20th June 1826 I saw the accused setting in his cart
before the stable—Powell was in the stable of D Company
at the same time—Just as I got opposite the Public
stables the first call for drill blew—I saw no cow.

Private ^{Jones} was next sworn

Question by the Court. Were you at the stables on the
19th of June—if you were at what time and how long?

Answer—I was—I went there immediately after dinner
and remained there, 'till the first call for drill.

Question by the Court—Did you see the accused at the
stables—and if you did what was he doing?

Answer—I saw him there—and when I started for the

barracks immediately after the first call for drill, he was walking between the grave yard and the Council house in search of his oxen

Question by the Court. How long was it from the time you first saw him, to the time when you saw him walking between the Band house and grave yard.

Answer. About twenty five minutes.

question by the Recorder. Could the accused have driven a cow from the stable yard of Comp B through the stable yard of Company D into the stable of Com K—without you being able from the situation in which you were—to see him—If not—state what you saw, if any thing the prisoner do.

Answer. He could not have done so without my seeing him—I saw the prisoner do nothing—moreover the bars of the Stable yard of Comp K were up.

Private Bates of Comp. G was next sworn.

question by the Court—Did you see the accused and Powell at the stables on the 19th June 1826—If you did, did Powell tell you that the accused had been copulating with a cow? and at what time?

Answer. Shortly after the first ^{drill} call being on my way to the dairy I met Powell not far from the Stables—he told me the accused had been busy with a cow—The accused was then standing at the bars of Major Ketchum's stable yard, though he was out of sight of Powell and myself—Powell said nothing to the accused when I was with him. When I left Powell I met the accused who asked me if I had seen his oxen.

Powell being again called before the Court—the following question was submitted to him.

Question by the Ct. Was it before or after the first call for drill that the prisoner was guilty of what you assert he was?

Answer—It was after the first—between the first and second calls.

The evidence was here closed.

The Court after the most mature deliberation on the testimony adduced are of opinion that the allegation against Private Ready of Battallion Company D is not proven & is without foundation.

The Ct. adjourned without day [sic]

J. Gantt
Captain 6 Inf
and
President of the
Court

H^d. Q^{rs}. 6th Inf.
Fort Atkinson 23rd June 1826

The Com^s. Officer approves of the proceedings & opinion of a Court of inquiry whereof Capt. Gantt is President in the case of Private John Ready of Battⁿ. Comp^y D—Ready will be discharged from confinement and report for duty. The Court is dissolved.

AR Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort Atkinson Council Bluffs by virtue of the following order.

H^d. Q^{rs}. 6th Reg.
Fort Atkinson
June 28th 1826

Orders

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 Capt. Riley President, Lieut^s. Waters & Nute Members

By order of Lt Col. Woolley
Signed Tho^s. Noel
Adj. 6th Reg^t.

June 28th 1826. The Court met pursuant to the within order

Present Capt. Riley President Lieut. Water & Nute members
The court being duly sworn in the presence of the prisoners who being previously asked if they had any objections to the members named in the within order and replying in the negative proceeded to the trial of private Archibald McCullough of Grenadier Comp A 6th U.S. Inf on the following charges & Specification preferred against him by Lt. R Holmes 6th Inf
Charge 1st Making a false report

Specification 1st In this that he private Archibald McCullough of Grenadier C^o A 6th Inf at or near Fort Atkinson on or about the 26 June 1826 did twice report to Lt. Holmes A.A. QMs 6th Inf that he was unable to hoe corn on account of his having a swelling or lameness in his groin.

Charge 2nd Disobedience of orders & disrespect to his superior Officer Specification 1st. In this that the said private McCullough of the Comp^y & Regt. aforesaid did disobey the orders of Lt. R Holmes A. AQRMs 6th Inf in not leaving the Hospital dispensary promptly after having been declared not sick or unable to work by the Surgeon of the post this at Fort Atkinson on or about the 26th of June 1826

Specification 2nd. In this that the said McCullough of the Comp^y. & Regt. aforesaid did disobey the orders of Lt. R Holmes A.A QrMs. 6th Inf by continuing to talk in the ranks after having been twice ordered not to speak at Fort Atkinson on or about the 26th June 1826.

Specification 3rd In this that the said McCullough of the Regt. aforesaid at Fort Atkinson on or about the 26th of June 1826 was disrespectful to his superior officer Lt. Holmes in saying that he “knew his rights” or words to that effect and by muttering to those near him in defiance of Lt. Holmes orders for him to be silent

Surgeon J. Gale, Lt. R Holmes	}	Signed R Holmes
Qrms Sergt. Cedars	Pts. Stiles (C) }	Witnesses Lt. 6 Inf
	“ Thomas (A) }	

To which Charges & Specifications the prisoner pleaded as follows:
 Not Guilty of the 1st Charge & its specification, Not Guilty of the 2nd Charge, Guilty of the 1st and 2nd specification to the 2nd Charge
 Not Guilty of the 3rd Specification second Charge.

Surgeon J. Gale a witness for the prosecution being duly sworn says on or about the time specified in the specification to the first Charge at Fort Atkinson the prisoner (McCullough) reported to me that he was unable to work in the Corn fields in consequence of a lameness or swelling in the groin, I directed him to strip and examined him but could discover no swelling or appearance of disease, he then informed me that the seat of his disease was at the neck of the bladder. I observed that the prisoner appeared partially intoxicated, from all the circumstances connected with his conduct at the time I believed he was not sick and gave that as my opinion to Lt. R Holmes ^{AA Qmst} who

was with him at the Hospital dispensary at the time.

Lt. Homes 6th Inf a witness for the prosecution being duly sworn says, as regards the 1st specification of the 1st. Charge on the morning of the 26th. June 1826 in the Corn field near this post the prisoner, McCullough, reported to me that he was unable to work not thinking he was sick or lame I directed him to continue at the labor he was at and he did so until dinner time apparently with the same Cheerfulness & effect as the other men—Just before fatigue drum in the afternoon he again reported to me that he was unable to work, he made use of very positive terms with respect with respect [sic] to the lameness or swelling in his groin and insisted on my examining him or being sent to the Hospital to be examined by the doctor, I accordingly with some other men who reported sick took him to the Hospital myself and the Surgeon of the post in my presence pronounced the prisoner McCullough, not sick or lame and declared he was able to work, as related to the 3rd Specification second Charge after the prisoner having been brought to me by a file of men I directed him to fall in the ranks and go out to the field with the party & work the same as the other men or I would punish him, he made some reply I do not know what it was. I ordered him to be silent, he continued talking or muttering something about his “rights” I could not hear distinctly what he said until he was sent to the Guard house.

Private Wm. Thomas of Grenadine Compy. A 6 Inf a witness for the prosecution being duly sworn says: on or about the time specified in the 3rd specification second Charge I was in the ranks of a party formed to work in the Corn field, the prisoner (McCullough) was also one of the party and after Lt. Holmes had ordered him to be silent did continue talking & muttering that he knew his rights or words to that effect. Private Stiles of Co. E 6 Inf a witness for the prosecution being duly sworn says on or about the time ^{specified} mentioned in the third specification second charge I was in the ranks with the prisoner (McCullough) I heard him after Lt. Holmes had ordered him to be silent continue to mutter something but I could not hear distinctly what he said.

The testimony on the part of the prosecution being closed and

the prisoner having no evidence to produce or defence to make
The Court after mature deliberation on the testimony adduced find
the prisoner private Archibald McCullough of Grenadier Comp^y
A 6th Inf Guilty of the charges & Specifications exhibited
against him and sentence him to undergo fifteen days solitary
Confinement in the cell, to be fed on bread and water for the same
period, the remaining part of his rations to be appropriated to the
use of the Comp^y. to which he belongs with the additional
stoppages of fifteen days rations of whiskey and five dollars
of his monthly pay to be appropriated to the use of the Comp^y.
to which he belongs.

The court next ~~tried~~ proceeded to the trial of Private Matlow
of Co. H 6th U.S. Inf on the following Charges & Specifications
preferred against him by Lt. M. W. Batman 6th US Infy
Charge 1st Drunkeness on Duty and Insubordination
Spec. 1st. That he Matlow aforesaid was so much intoxicated at
Guard mounting as to render him incapable of performing his duty
correctly he being then one of the police Guard at Fort Atkinson.

Spec. 2nd When spoken to by the Officer of the Guard relative
to his being unfit for duty did reply in an Insubordinate
manner “If you think me unfit for duty, releive [sic] me from
it, I ask no favors.”

Charge 2nd Disobedience of Orders

Spec. That he Matlow when ordered by the post Corporal
to turn out with the prisoners for fatigue did positively refuse
to obey said order all this at Fort Atkinson on the 25th June 1826

Signed M.W. Batman

Lt & Offr. Guard

Witnesses to the within Charge—Sergt. Walker Comp^y.G
6th Inf Corporal Robinson Comp B 6 Inf & Corporal Lacount
Comp F 6th Inf.

To which Charges and specifications the prisoner (Matlow)
pleaded as follows “Not Guilty” of the 1st Charge and its first
specification, “Guilty” of the 2nd Specification to the first charge

Not Guilty of the 2nd Charge and its specification.

Corporal Lacount of Com F. 6th Inf a witness for the prosecution
being duly sworn says on the 25th of June 1826 I was post Corpo—
—ral to the police guard at Fort Atkinson—the prisoner (Matlow)

was one of the guard and he was so much intoxicated as to render him ^{unable} incapable to do his duty correctly as a sentinel of said guard and as relates to Charge 2nd I ordered him to turn out and go with the police Corporal he positively refused to obey the order, I ordered him a second time to go with the police Corporal & he positively refused to do so. I then informed the Officer of the guard of this circumstance. Sergt. Walker a witness for the prosecution being duly sworn says on the 25th of June 1826 I was Sergt. of the Police Guard at Fort Atkinson—the prisoner (Matlow) was one of the Guard I think he was so much intoxicated as to render him incapable of performing his duty correctly I know nothing as relates to Charge 2nd.

The evidence on the part of the prosecution being closed and the prisoner having no testimony to offer on his part or defence to make the Court was cleared, the proceedings read over the following sentence was pronounced. The court after mature deliberation on the testimony adduced find the prisoner Private Matlow Co. H 6th Inf Guilty of the Charges and specifications exhibited against him and do sentence him to undergo thirty days solitary confinement in cells to be fed on bread and water for the same time the remaining part of his rations with the stoppages of five dollars of his monthly pay to be appropriated to the use of the Compys. to which he belongs. There being no more business before the Court

The Court adjourned Sine die

B. Riley Capt. and Prs.

H^d. Q^{rs}. 6th Infantry
28th June 1826

The proceedings of a Regt. Court Martial whereof Capt. Riley is President are approved and will be carried into full effect. The Court will reconvene tomorrow morning at 10 O'clock.

ARWoolley
Lt. Col Comg.

Proceedings of a Regimental Court Martial reconvened by
virtue of the following order

H^d. Q^{rs} 6th Reg^t.
Fort Atkinson 28th June 1826

Orders

The Regimental Court Martial of which Capt. Riley
is President will reconvene tomorrow morning at 10 O'clock

By order of Lt. Col. Woolley
Signed Thomas Noel
Adj. 6th Regt.

The Court met pursuant to the above order present Capt. Riley
President Lieut^s. Waters and Nute members. The Court being duly
sworn in presence of the Prisoner who being previously asked if they
had any objections to the members named in the order constituting
the Court and replying in the negative, Sergt. R. Ferguson of Battn.
Co. H 6th Inf was arraigned on the following Charges & Specifications
preferred against him by Lt. G. W. Waters 6 U.S. Inf

Charges & Specifications preferred against Sergeant Robert Ferguson
of Battn. Co. H 6th Inf

Charge 1st Neglect of Duty

Specn. In this that he R. Ferguson of Battn. Co. H 6th US Inf did
neglect to attend Reveillie roll call and morning drill on the 29th
June 1826 at Fort Atkinson Council Bluffs

Charge 2nd Unsoldierlike Conduct

Specs. In this that he the aforesaid Sergt. R. Ferguson of the
said Co. and Regs. and at the time and place above stated did
report sick previous to the morning drill and afterwards neglect
to have his name born on the sick report of that morning or
even presenting himself to the Dispensary at the sick call (on
the same morning) for examination thereby setting a bad exam—
—ple to the Non Commissioned Officers and privates of Co. H, he
Sergt. R. Ferguson being Orderly Sergeant to said Company
at the time

Witness Lt. Waters

Sergt. Sutherland & Corp^l. Foote C^o. H 6 Infy

Signed G.W. Waters

Lt. 6th Inf

To which Charges and Specification the prisoner (Sergt. R. Ferguson)
pleaded "Guilty" but begged leave of the Court an indulgence until
evening, to make his final defence which was accordingly granted.

The Court next proceeded to the trial of John Smith a private

of Grenadier Comp A 6th Inf on the following charges preferred against him by Lt. Nute 6 Inf

Charge 1st. Disobedience of orders

Spec. Charge 1st In this that he private John Smith of Grenadier Comp A 6th Inf after having been ordered to the corn field ^{belonging to} by the said Comp^y by his Compy. Commander Lt Nute did fail to comply with said order and go to the Compy garden and lay down and go to sleep instead of obeying the orders of his Compy. commander this at Fort Atkinson on the 28th of June 1826.

Charge 2nd Drunkenness & Neglect of Duty

Spec. 1 In this the aforesaid John Smith of Grenadier Comp. A 6th Inf. did get so much intoxicated on the 28th June 1826 as to render him incapable of performing his duties as a soldier this at Fort Atkinson.

Specn. 2nd In this that he the aforesaid John Smith or Gren—
—adier Comp. A 6th Inf did absent himself from Battn. drill on the evening of the 28th of June 1826 at Fort Atkinson.

Witnesses Sergt. Humberson (A) Signed L M Nute
Sergt. Morgan (A) Pt. Meyers (A) Lt. 6 Inf

To which Charges and Specifications the prisoner Private John Smith Comp. A 6th Inf pleaded “Guilty”.

The Court being cleared confirmed the plea of the prisoner and do sentence him to have the ration part of his whiskey stopped for thirty days and one half of his monthly pay stopped for one month to be appropriated to the use of the Comp^y to which he belongs, but, in consequence of his former good conduct beg leave respectfully to recommend him to the clemency of the Com^d. Officer.

The court next tried private Thomas Young of Grenadier Comp^y A 6th Inf on charges preferred by Lt. Nute 6th Inf

Charge 1st Drunkenness on duty

Specn. 1st. In this that he Private Thomas Young of Grenadier Comp A 6th Inf did get so much intoxicated on the 28th June 1826 as to render him incapable of marching correctly from the Comp^y parade ground to that of the Battallion this at Fort Atkinson

Charge 2nd Insubordination

Spec^t 1st In this that he private Thomas Young of Grenadier Comp. A 6th Inf did say, when his Company Commander ordered Ser^g^t. Morgan of the same Company to put a ball and chain on

him “If I did do such a thing, he would break them off” or words to that effect, this at Fort Atkinson on the evening of the 28th of June 1825

Witnesses Sergt Humberson } L. M. Nute
 Lt. Nute 6th Infy } Lt. 6th Inf

To which charges and specifications the prisoner “Thomas Young” pleaded as follows “Not Guilty” of the 1st charge and its specifications “Guilty” of the 2nd Charge & its specifications.

Lt. Nute a witness for the prosecution being duly sworn says: on the time specified at Fort Atkinson I was going to drill I met the prisoner (Young) near the west gate returning to the Garrison he (Young) had been sent from the ranks of the company on their march to the Battallion parade by the Orderly Sergeant he was then in my opinion so drunk he could scarcely walk—Sergts Humberson of Comp A. 6th Inf a witness for the prosecution being duly sworn says on the 28th. June 1826 I was marching Co A 6 Inf from the Comp^y. parade to the Battn. at Fort Atkinson, the prisoner (Young) was in the ranks he was so drunk he could not march correctly.

The Court being cleared and the proceedings read over do find the prisoner Thomas Young of Grenadier Comp^y A 6th Inf “Guilty” of the 1st Charge and its specifications are confirm the plea of the prisoner as relates to the second Charge and its Specifications and do sentence him to be confined 10 days in solitary confinement to be fed on Bread and Water for the same period the remaining part of his rations for the same time to be appropriated to the use of the Comp^y. to which he belongs, with the additional stoppages of 20 days rations of whiskey with one half of his monthly pay for one month to be appropriated also to the use of the Comp^y to which he belongs.

Before the same Court was tried Private James Gamble of Battl. Comp. D 6th Inf on Charges preferred against him by Lt. Allston 6th Inf

Charge Riotous Conduct

Spec. In this that he James Gamble of Battn. Comp. I 6th

Spec. In this that he James Gamble of Battn. Comp. I 6th

Inf did create a riot by striking and abusing Private Gibson of said Comp^y and Regt. with a spade and striking him with his fist several times this at Fort Atkinson on the 29th June 1826

Witnesses Pts. Poinier }
 Ward } D Comp^y Signed L.R. Allston Lt C^o D
 Gibson }

To which Charge and Specification the prisoner Private James Gamble of Battⁿ. C^o. D 6 Inf pleaded “Guilty”

The court confirm the plea of the prisoner and do sentence him to have the whiskey part of his rations stopped for 30 days and one half of his monthly pay stopped for one month to be approximated to the use of the Comp^y to which he belongs.

Was next tried Private Nathaniel Gibson of Battⁿ. Co. D 6 Inf on charges preferred against him by Lt. L.R. Alston 6 Inf Charge. Riotous Conduct

Specification In this that he Nathaniel Gibson of Battⁿ. C^o. D 6th Inf did create a riot by striking and abusing Private James Gamble with his fist or otherwise this at Fort Atkinson on or about the 27th June 1826.

witnesses Poincier, Ward } Signed L. R. Alston
Gamble } D Comp. Lt. Co. D

To which Charges & specification the prisoner private Gibson of Battⁿ. Comp^y. D 6 Inf Plead “Not Guilty.”

Poincier a Private of Battn. Comp. D 6 Inf a witness for the prosecution being duly sworn says: on or about the time specified I did not see Gibson strike Gamble but I heard a dispute between them about the white wash, one said it was too thick the other too thin, from this resulted a quarrel, Gamble struck Gibson with a spade and his fist.

Ward a private of Battⁿ. C^o. D 6th Inf a witness for the prosecution being duly sworn says: I was not there at the commencement of the quarrel but on entering the Comp^y room I saw Gamble strike Gibson with a spade & his fist.

The Court being cleared and the proceedings read over pronounced the following sentence: —the court after mature deliberation on the testimony adduced find the prisoner private Nathaniel Gibson of Battⁿ. C^o. D 6 Inf “Not Guilty” of the charge & Specification exhibited against him and do therefore acquit him.

The court then adjourned to meet again at ½ past 2 Oclock in the afternoon.

The court met pursuant to adjournment present all the members.

Capt. Riley President L^{ts}. Waters & Nute members.
The Court previous to hearing the defence of Serg^t. R. Ferguson.

of Battn Comp. H 6th Inf took into consideration the following laid before them by the Recorder. Whether a prisoner after having plead guilty to all the charges and specification against him could be allowed to make them a defence in his behalf. The court being cleared “declared that he could” The Court being again opened and the prisoner Sergt R. Ferguson of Battⁿ. C^o. H 6th Inf admitted, laid before the Court the following defence.

To the Honorable the President and Gentlemen of the Court Martial now in session.

I have been arraigned before you on charges to which I have plead Guilty, and beg leave to state my reasons for my conduct this morning—I was late in the night taken very ill and immediately after rising this morning went to the Dispensory and took medicine expecting that in a short time that it would relieve me—I however had occasion to go out and left others with one of the men of the Comp^y. to request Sergt. Sutherland to have the morning report signed and to inform the Company Commander (Lt Waters) that I did not wish to be reported sick on account of having so much writing to do, and so near muster and that I expected in a short time to be able to perform my duty. The medicine failed of relieving me as soon as I expected and had I gone to drill I should have been under the necessity of being relieved, and the Gentlemen of the Court will I trust be convinced that so far from willful intending to neglect my duty I was over anxious to perform it.

Very Respectfully

(Signed) R. Ferguson

The court being cleared confirm the plea of the prisoner Sergt. R. Ferguson of Battⁿ. Comp. H 6th Inf and do sentence him Sergt. R. Ferguson of Battⁿ. C^o. H 6th Inf to be reduced to the station of Private Sentinel. The court having no more business before it adjourned Sine die

B Riley Capt and Prst.

H^d Q^{rs} 6th Inf

Fort Atkinson 30 June 1826

The Comg. Officer approves of the proceedings of a Regt. Court Martial whereof Capt. Riley is President and the sentence respectively will be carried into full effect with the exception of the sentence in the case of Private John Smith of the Grenadier Comp^y. which upon the recommendation of the Court is hereby remitted Sergeant Ferguson of Battn. Compy. H is reduced to the station of Private Sentinel, Privates John Smith, James Gamble and Nathaniel Gibson will be discharged from confinement and return to duty—

The Court is dissolved

AR Woolley
Lt Com Comg.

Proceedings of a Reg^l Court Martial held at Fort Atkinson July 5th. 1826 by virtue of the following order—

Orders

Fort Atkinson 5th July 1826

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 Lieut. Hutter President

Lieut^s. Clay & Allston Members

By order of Lt. Col. Woolley

(Signed) Thos. Noel

Adg^t. 6th Regt.

The Court met pursuant to the above order

Present Lt. Hutter President

Lieut^s. Clay & Allston Members

The court being duly sworn in presence of the prisoner who being previously asked if he had any objections to any of the members named in the above order and replying in the negative, proceeded to the trial of Private Deforrest of (C) Comp^y 6th Inf on the following Charge viz:

Private Deforrest of (C) Comp^y. is charged with being intoxicated on or about the 3rd. July 1826 at Fort Atkinson.

Lieut. Eaton }

(Signed) W^m. W. Eaton

Sergt. Clute } ^{Witnesses}

Lt. 6th Inf

To which charge the prisoner pleaded Guilty.—

The Court confirm the plea of the prisoner and after mature

deliberation proceeded to pass the following sentence—The Court find the prisoner Guilty as charged and sentence him to have his whiskey stopped for twenty days to be appropriated to the use of the company to which he belongs. No further business Coming before the it [sic] adjourned Sine die

George C Hutter
Lt. & President

H^d Q^{rs}. 6th Inf
Fort Atkinson 5th July 1826

The proceedings of a Regt. Court-Martial whereof Lt. Hutter is President is approved and will be carried into effect—private Deforrest of Comp^y. C will be discharged from confinement and return to duty. The Court is dissolved

ARWoolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort Atkinson Council Bluffs by virtue of the following order

H^d. Q^{rs} 6th Reg^t.

Orders No 159 Fort Atkinson 7th July 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 Lt. Wickliffe President L^{ts} Nichols & Eaton Members

By order of Lt Colⁿ Woolley
Signed Thomas Noel
Adj. 6th Regt

The court met pursuant to the above order present Lieut. Wickliffe President L^{ts} Nichols & Eaton Members. The Court being duly sworn in presence of the prisoners who being previously asked if they had any objections to any of the members and replying in the negative proceeded to the trial of Priv^{te}. George Stilson of Battn. C^o. C 6th Regt. on the following Charge

Charge. "Stealing"

Specification In this he the said Stilson of the Co & Regt. aforesaid did take a hat the property of Priv^{te} Mills of (G) C^o. 6th Regt. and sell the same to priv^{te} Murden of Rifle C^o B 6th Reg. for a certain Consideration, this at Fort Atkinson on or about the 5th July 1826.

Priv. Murden B. C^o (Signed) Wm. W. Eaton
Mills G C^o Witnesses Lt. 6th. Inf

To which Charge and Specⁿ. the prisoner (Stilson) pleaded "Guilty." The Court confirms the plea of the prisoner P^{te}. G. Stilson of Battⁿ. C^o. (C) and sentence him to undergo ten days confinement (under guard) to have thirty days rations of whiskey stopped to be appropriated for the benefit of the C^o. to which he belongs.

On account of the illness of the President Lt. Wickliffe—the Court is adjourned to meet again on the 8th July at 9 O'clock

July 8th—The court met pursuant to adjournment present Lt. Wickliffe President L^{ts} Nichols & Eaton Members.

The court proceeded to the trial of P^{te} Tho^s. Fitzgerald of Battⁿ. Co. K 6th Reg. on the following Charges & Specifications

Charge 1st "Unsoldierlike conduct"

Specⁿ In this that he p^{te}. Tho^s. Fitzgerald of Battⁿ. C^o. K 6th Reg^t did clandestinely break open a chest belonging to Douthett a private of the aforesaid C^o. and Reg^t. at Fort Atkinson on or about the 5th. July 1826.

Charge 2nd. "Disobedience of Orders."

Specⁿ. In this that he P^{te}. Fitzgerald of the C^o. & Reg^t. afore—said did disobey dthe order of Lt. J. Nichols his company Commander by neglecting to go to the Comp^y. Corn field after having been ordered so to do at Fort Atkinson on or about the 5th July 1826.

Charge 3rd "Insubordinate Conduct"

Specⁿ. In this that he P^{te}. Fitzgerald of the C^o. & Reg. afore said did at Fort Atkinson on or about the 5th July 1820 take hold of Corp^l. McCready of the aforesaid C^o. & Reg^t in a threatening manner

Charge 4th Lying

Specn. In this that he Prv^t. Fitzgerald of the C^o. & Reg^t. afore—said did utter a willful falsehood to the aforesaid Corp^l. Mc

Cready by stating that the Com^g Officer (Lt. Co¹. Woolley) had excused him from obeying the order alluded to in the Specⁿ. Charge 2nd

Corp¹. McCready K }
P^{te} Bagley A Ferrill K } witnesses

Signed J. Nichols

Lt. 6th Inf

To which Charge the prisoner plead as follows. “Not Guilty” 1st Charge & Specⁿ. “Guilty” 2nd Charge Specⁿ. “Not guilty” 3rd Charge & Specⁿ. “Not guilty” 4th Charge & Specⁿ.

Corp¹. McCready being duly sworn States—on or about the time specified, the prisoner was ordered to go to the cornfield he started and went as far as the west gate, where he sat down, said it was the 5th July and that would go no further I took his hoe from him, pushed him & told him to go on, he immediately clenched me by the throat, when the sentinel who was at the West gate ordered him to let me go, that he would not have ~~no~~ quarrelling near his post—I immediately went and Reported the Circumstances to my Company Commander Lt. Nichols—Lt Nichols went with me to the gate, when we arrived there the prisoner was gone—I went to the Corn field, but could not find him—when I returned to the Garrison for dinner I found him in the quarters of C^o. K. I was ordered by Lt Nichols to set him at work in the garden—he then told me that he had been excused from work that day by Lt. Co¹. Woolley.

Private Bagley of C^o. A being duly sworn stated, on or about the time specified I was on post at the West gate—The prisoner & Corp¹. McCready come to the gate, some words passed between them the purport of which I did not understand. Corp¹. McCready walked towards the prisoner when they immediately clenched each other—I immediately ordered them from my post. Priv^t. Ferrill being duly sworn states (in relation to Charge 1st) on or about the time specified I was in a loft of Co K as was also the prisoner—The prisoner asked one of the men below to hand him a bayonet—which was handed him—he proceeded to break open a chest belonging to Douthett of said C^o. which he effected.

Lt. Co¹. Woolley a witness for the prosecution being duly sworn states—some time on the 5th July the prisoner came to me—told

me that he had been high and that he was unable to work and that he wished me to excuse him from going to the Corn field. I ordered him to his quarters—but did not intend to excuse him from going to the Corn field but rather to repel the application.

The testimony for the prosecution being heard and the prisoner having none to produce in his favor or defence to make, the court was cleared, the testimony read, & the following is the finding of the Court.

The Court after mature deliberation on the testimony adduced find the prisoner P^{te}. Tho^s. Fitzgerald of Co. K “Guilty” of each & every charge exhibited against him & do sentence to undergo the stoppage of five dollars of his monthly pay & thirty rations of whiskey to be appropriated for the benefit of the C^o. to which he belongs Was next tried private Edward Glennon of Battn. C^o. D 6th Reg^t. on the following Charge & Specⁿ.

Charge “Intoxication.”
Specⁿ. In this that he P^{te}. E^d. Glennon of Battⁿ. C^o. D 6th Reg^t. was so much intoxicated on evening dress parade as to incapacitate him from performing his duty correctly—this at Fort Atkinson on the 7th July 1826

Witness
Lt. J. V. Swearngen
Serg^t. Daily Pr^{ts} Hancock & Fish C^o. D

Signed D. Ketchum
Maj US Army

To which the prisoner pleaded “Guilty”
The court confirm the plea of the prisoner Ed Glennon of Battⁿ. C^o. D & sentence him to forfeit fifteen rations of whiskey for the benefit of the C^o. to which he belongs.

The business before the Court being closed the court adjourned
Sine die

William N Wickliffe
Lt 6th Regt. Presd^t

H^d Q^{rs} 6th Inf
Fort Atkinson 8th July 1826

The proceedings of a Regl. Court Martial whereof
Lieut. Wickliffe is President are approved and the sentences
will be carried into effect—P^{te}. Fitzgerald of Comp. K

and P^{te}. Glennon of Comp D will be released from confinement and return to duty, the Court is dissolved.

AR Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial convened, at Fort Atkinson July 9th 1826 by virtue of the following order

H^d. Q^{rs}. 6th Reg.

Orders No 163

Fort Atkinson July 9th 1826

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. Gantt, President, Lts Batman and Crosman Members

By order of Lt Col. Woolley
Signed Tho^{ms} Noel
Adj. 6th Reg

The court convened agreeably to the above order present Capt. Gantt, President and Lt^s Batman & Crosman members and being duly sworn in presence of the prisoner, who having been previously asked if they had any objection to either of the Members mentioned in the order and replying in the negative proceeded to the trial of Private Bull of Battⁿ. Comp (F) 6th US Inf^y charged with Improper conduct and neglect of duty on Post

Specifⁿ 1st. In this that he private Bull of Battⁿ. C^o. F 6th Inf did at Fort Atkinson on or about the evening of the 8th of July 1826 whilst a sentinel on post at the North Gate stop Lt. R. Holmes when passing peaceably near his post within the Garrison and detain him until ordered by the Corporal of the guard to let him pass.

Specⁿ. 2nd In this that the said Private Bull of the Company and Reg aforesaid did at Fort Atkinson on or about the evening of the 8th July 1826 he being in the situation and station before mentioned again stop and detain Lt. R. Holmes (after having been once ordered by the Corp^l. of the guard to let him pass) until he was again ordered to let him pass by the Corp^l. of the Guard.

Witnesses

{ Lt. Holmes
{ Corp^l. Strouse

Signed R. Holmes
Lt. 6th Inf

To which Charge and Specifications the prisoner plead Not Guilty

Lieut. Holmes is witness for the prosecution being duly sworn states as follows—“on or about the time mentioned in the charge I had occasion for a candle in my room, —I left my room and went towards Company (C) for the purpose of lighting one—Immediately as I unmasked myself near the prisoners post (who was sentinel at the North gate) I being at the time inside the garrison I was asked “who goes there” to which I replied “a friend passing”— the prisoner directed me to “stand” and called “the guard”—I was detained by him until the Corp^l. of the guard came who directed him to let me pass—I then passed on to the cookroom, of Comp^y (C) and returned immediately when I was again stopped & detained as before by the prisoner notwithstanding two minutes had not elapsed since he had been ordered by the Corporal of the guard to let me pass.

Corporal Strouse a witness for the prosecution being duly sworn says: —at the time and place specified in the Charge I was on guard or Relief Corporal—about 2 or 3 Oclock in the morning I was “called” by sentinel No. 5 who was posted at the North gate—I went to the sentinel and he told me he had a “friend” in charge I saw that it was Lt. Holmes whom the sentinel the prisoner had detained and immediately let him pass I then returned towards the Guard house but had not gone more than one hundred yards when the prisoner again called out for me—I returned and again found Lieut. Holmes in the custody of the prisoner when I again ordered the prisoner to let him pass the second time—As I did not place the prisoner on post I do not know what orders he might have had but my orders were to let no one pass after the countersigned had been given out except the Officer of the Day, Rounds, Officer and Non commissioned Officers of the guard.

Capt. B. Riley a witness for the accused being duly sworn says at the time and place specified in the Charge I was Officer of the day—with regard to the prisoner having stopped Lt. Homes I know nothing—The guard had orders from me to let no person pass after tattoo with or without the Countersign—These instructions were given by me in obedience to a Regimental No. 158 dated Fort Atkinson July 7th 1826 of which the following

is an extract viz “After tattoo no person will be permitted to pass even with the countersign but at the body of the Guard.” I visited the guard sometime after 12 Oclk at night and had those same orders given to me by the sentinels on post.

The testimony being closed the Court after maturely considering the matter before them find the facts as set forth in the 1st and 2nd Specifications of the Charge but from the evidence that the prisoner was acting in obedience to the orders of the Officer of the day do therefore attach no criminality to him.

The Court find the prisoner private Bull of Comp^y F not guilty of the charge of “neglect of duty & ^c” and do therefore acquit him of the Charge and specifications preferred against him

The court then proceeded to the trial of Privates William Huston and Thomas Reardon of the 6th Inf Charged with “Neglect of Duty”.

Specification In this that the above William Huston did lose or destroy a brass key of a Bassoon, the property of the 6th Reg. of Inf to the probable amount of One dollar—thus neglecting his duty.

Specification—In this that the above named Thomas Reardon did lose or destroy or make way with a brass key belonging to a Bassoon the property of the 6th Regt. Inf to the probable amount of one dollar thus neglecting his duty all this at Fort Atkinson between the 1st March & 9th July 1826.

Signed A.R. Woolley

Witness Sgt. OReardan

Lt. Co^l. Com^d.

Srgt. OReardan a witness for the prosecution being duly sworn says—Privates Huston and Reardon had received from me for their use two Bassoons Complete—some time between the 1st March and 9th of July 1826 I discovered that one of the keys or a part of a key to each Bassoon was missing—I told the accused Huston and Reardon that they must find the keys to their Bassoons or I should put charges against them—they did not find or produce the keys and I put Charges accordingly

The testimony being closed in the foregoing cases of Huston and Reardon the Court after maturely considering the matter before them find the prisoners Pt^s Huston & Reardon Guilty a charged and sentence each of them to pay one dollar

Swearingen and Anderson Members

By order Col. Woolley
Signed Thoms Noel
Ad. 6th Regt.

The Court met pursuant to the above order: present
Capt. Riley President Lt Van Swearingen & Anderson Members

The Ct being duly sworn in the presence of the prisoners
Hezekiah Smith of Battallion Comp. D 6th Infantry—who being
asked if he had any objections to the members mentioned in the
order and replying in the negative was arraigned on the following
Charge and Specification

Charge Disorderly Conduct
Specification In this that he the said Hezekiah Smith of
Battⁿ. Comp^y D 6 Infantry did create a noise and disturbance
in one of the rooms of Comp^y. D by striking with an earthen
pitcher Margaret Smith a Laundress of said Company and
Regiment, this at Fort Atkinson on or about the 9th July 1826

Signed D. Ketchum
Maj. US Army

To which Charge and Specification the prisoner pleaded “Not Guilty”

Lt. Nichols being duly sworn for the prosecution, says: on or
about the time and place specified, being on guard, I was so situated
as to observe whatever passed in front of the quarters of Comp^y D—
some time in the latter part of the day, I overheard something
like the cracking of crockery—this was immediately followed by
the scream of a woman—I sprung from the guard tent and
observed the woman herein specified at the door of one of the
rooms of Company D. As she came out I observed her face
was covered with blood—she was immediately followed by the
prisoner—she had her hands in the act of covering her face
she did not appear to notice the accused—the prisoner seized her
by one of her arms and endeavored to draw her back again in
the room, which he did with considerable violence—I im—
—mediately ordered the Corporal of the guard to confine the accused
for improper conduct and disturbing the quiet of the camp—

Question by the prisoner. Did you not hear me tell Mrs.
Margaret Smith when you saw me with her that I did not
intentionally hit her.

Answer. I did not hear the prisoner say so, and in fact his whole appearance indicated the most inveterate rage.

Mrs. Margaret Smith being duly sworn for the prosecution says, on or about the time and place stated in the specification the prisoner Smith did strike me with a pitcher

Question by the Court—Did you suppose that the prisoner hit you with the pitcher intentionally

Answer. I am unable to say positively—but should suppose as he threw the pitcher at me, he did so intentionally.

Question by the prisoner. Did you not hear me say, that I did not hit you intentionally

Answer He did say so

Question by the prisoner. Do you not recollect when the prisoner threw the ~~pitcher~~^{pitcher} at you, whether the handle stuck to his hand or not

Answer. I did'nt [sic] notice

The Ct after maturely considering the evidence adduced find the prisoner guilty as charged and do sentence him, to have his whiskey rations stopped for fifteen days—but in consideration of his former good conduct the court recommend him a remission of the sentence.

The Ct. adjourned without day (sic)

B Riley Capt and Prst

Approved, Smith will be discharged from confinement and will report for duty.

The Court is dissolved

AR Woolley

Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort Atkinson on the 19th July 1826 by virtue of the following order

Orders H^d Q^{rs}. 6th Regt.

No 172

Fort Atkinson 19th July 1826

A Regimental Court Martial will convene this morning for the trial of such prisoners as may be brought before

The court to consist of Lt. Hutter president, Lts Waters & Nute Members

By order of Lt. Col. Woolley
Signed Thom. Noel
Adj^t 6th Regt

The Court met pursuant to the above order present Lt. Hutter President Lts Waters & Nute Members

The Court being duly sworn in the presence of the prisoners who being previously asked if they had any objections to the members named in the above order, replying in the negative, Corpl. W^m. Williamson of Battⁿ. C^o F 6th Regt. U S Inf was arraigned on the following charges & specifications preferred against him by Lt. W. N. Wickliffe 6th Reg
Charge 1st Neglect of Duty

Specification In this that he the said Corpl. W. Williamson did neglect to attend Reveillie roll call on or about the 17th July 1826 at Fort Atkinson.

Charge 2nd Conduct unbecoming a Non Commissioned Officer and Soldier.

Specification In this that he the said Corpl. Williamson did tell Serg^t Fleming Orderly Sergt of the foresaid Compy. that he was too unwell to attend Reveillie roll call and when reported sick on the morning report of said Compy by the said Sergt and taken to the Dispensary for examination say to the Ass Surgeon that he was not sick and that he had not reported as to the said Sergt. Fleming all this at Fort Atkinson on or about the 19 July 1826

Witness {Lt. Wickliffe & Doct. Nicoll } Signed W. N. Wickliffe
{Sergt. Fleming } Lt. 6th Regt.

To which Charges and Specifications the prisoner Corporal W. Williamson pleaded "Not Guilty."

Lt. Wickliffe a witness for the prosecution being duly sworn says on or about the time specified in the specification to the 1st Charge I attended Reveillie roll call the accused did not answer to his name when the Compy roll was called, the Orderly Sergt. reported him absent but said he was absent in consequence of sickness a short time afterwards, the morning report of the Comp^y was brought to me and the accused was reported sick. I signed the report and sent it to the Adjutants Office, subsequently I spoke to the Ass surgeon who told

me that the accused was not on the Sick report and had told him at the Dispensary that he was not sick.

Sergt. Fleming a witness for the prosecution being duly sworn says on or about the time specified in the specification to the charge after the Company was formed for Reveillia roll call the prisoner Williamson told me he was too unwell to stand on parade while the roll was called I told him to go to his room I made out the morning report and reported him sick, when the sick call beat I attended the at the Dispensary, his name was called and he was not present. I told the Doct. I expected he was too unwell to attend as he was very sick at Reveillia—I went to the prisoner Williamson's room and told him his name had been called at the Dispensary—he said he did not intend to go on the sick report, I ordered him to report to Doct. Nicoll he started [sic] I do not know whether he reported.

Question by the prisoner. Did I request you to place my name on the list of sick on the morning specified

Answer He did not—but being absent from Retreat on the evening, before he was absent from Reveillia—on account of sickness I presumed he would report sick.

Ass. Surgeon Nicoll a witness for the prosecution being duly sworn says the prisoner Williamson did not accompany the Sergt to the dispensary—I asked for the Sergt where he was he told me that he was either too sick to attend or he did not know where he the prisoner was. the prisoner Williamson came to me after I had done prescribing and told me he was not sick I understood him to say that he had been sick in the morning but did not tell the Serg. to place him on the sick report—the prisoner having no evidence to produce or defence to make the court being cleared and the proceedings read over and after the most mature deliberation pronounced the following Sentence The court find the prisoner Corporal W. Williamson of Battⁿ Compy F 6th Inf “Not Guilty” of the first Charge and its spe—cification but guilty of the facts set forth in the specification to the 2nd Charge “Not guilty” of the 2nd Charge and do attach no criminality to his conduct.

Was next tried private Loyde of Rifle Comp. B 6 Inf on the following Charges preferred by Lt. R Holmes 6th Inf^t

Private Stough a witness for the prisoner being duly sworn says
Question by the prisoner. Did you not hear me say on or about
the morning of the 14th of July 1826 if I felt as sick in the
afternoon as I did then I should have to report sick, this
before private Martin Master Carpenter

Answer. I did but do not recollect whether Martin was
present.

Question by prisoner. Was I on the morning of the 14th or
about that time intoxicated.

Answer I left the shop about 10 O'clock, then the prisoner
was sober and at his work.

The evidence on the part of the prisoner being closed and the
prisoner having no defence to make, the Court being cleared
and the whole of the proceedings read over, do after the most
mature deliberation pronounce the following sentence. The
Court find the prisoner "Not guilty" of getting drunk previous
to his leaving his work, but "guilty of leaving his work with—
—out permission and do sentence him Private Loyd of Rifle
Comp^y. B 6 Inf to have the ration part of his whiskey stopped
for twenty days to be appropriated to the use of the Company
to which he belongs.

Was next tried Private Lewis Tiner of Battⁿ. D 6th
Inf on the following Charge & Specification.

Charge. Neglect of Duty and Disobedience of orders
Specification In this that he Lewis Tiner of Battⁿ Comp^y D
6th Inf did neglect to attend drill on the morning of the 15th July
1826 thereby neglecting his duties and disobeying the orders of
his Comm^g Officer, this at Fort Atkinson on the 15th July 1826

Witnesses Serg^t. Dailey

Signed D Ketchum

Pt. Poincer

Maj. USA

To which Charge & Specification the prisoner pleaded "Not Guilty."
Serg^t. Dailey of Battⁿ Comp D 6th Inf a witness for the prosecution
being duly sworn says on or about the time specified in the
specification to the Charge I was orderly Serg^t. of Comp^y D 6th
Inf and on forming the Comp^y. for drill the prisoner Tiner was
absent, I marched the Comp^y to the usual parade ground for
drill, the Comp^y. drilled a few minutes then returned. I found
the prisoner in one of the lofts of the Comp^y. I asked him why he

was not at drill he made me no reply.

Private Poinier a witness for the prosecution being duly sworn says on the time specified in the specification to the Charge, the prisoner Tiner neglected to fall in with the Comp^y. for drill, after the Comp^y. had left the garrison for drill I saw the prisoner Tiner in the Comp^y loft. I asked him why he did not go to drill, he made me some reply but I do not recollect what it was.

Major Ketchum a witness for the prisoner being duly sworn says
Question by the Prisoner. How long have you known me and, what has been my general conduct since.

Answer I have known the prisoner since 1821, his general conduct as a soldier has been good. I have however known the prisoner to absent himself from parade and drill, when I thought he had not sufficient excuse for so doing, since the time I have known the prisoner he has belonged to my company.

The evidence on the part of the prisoner being closed and the prisoner having no defence to make, the Court was cleared, the proceedings read over, pronounced the following sentence, the Court after mature deliberation on the testimony adduced find the prisoner Private Lewis Tiner of Battⁿ. Comp^y. D 6th Inf “Guilty” as Charged and do sentence him to have One half of his monthly pay stopped for one month to be appropriated to the use of the Comp^y to which he belongs.

Was next tried Private Burns of Battⁿ Com^y D 6th Inf on the following Charges & Specifications preferred against him by Lt. Batman 6th Inf.

Charge “Theft”

Specification In this that he Private Burns of the aforesaid Regiment did clandestinely enter the garden of Comp^y. I 6th Regt. did steal and take here from a quantity of Cucumbers, this at Fort Atkinson on or about the 15th July 1826.

Said Burns is also charged with trafficking cucumbers to the men of C^o. D and F 6th Reg^t. Inf at Fort Atkinson on or about the 13th or 14th July 1826.

Corpl. McCourt	I }		Sergt. Abbot F	Signed M.W.Batman
Pte Gamble	D }	witnesses	}	Lt. 6 Inf

Fort Atkinson

July 7th 1826

To which Charges and Specifications the prisoner Private Burns of
of [sic] Battⁿ. C^o. D 6 Inf pleaded “Not Guilty”.

Corpl. McCourt of Battn. Co. I 6th Inf a witness for the prosecution
being duly sworn says as I was going to the garden on
that morning I found the prisoner in the Cucumber patch be—
—longing to C^o. I 6th Inf, he had three or four cucumbers in his
hands he told me he had got them out of C^o. I garden.

Private Gamble a witness for the prosecution being duly sworn
says: I know nothing of either of the Charges or their Specifications

Serg^t. Abbott a witness for the prosecution being duly sworn
says: I only heard some of the men in C^o F 6th Inf say that
Private Burns had offered Cucumbers to some of the men of
that Comp^y. for sale, but I do not recollect who they were

The evidence on the part of the prosecution being closed and
the prisoner having no testimony to offer or defence to make
the Court was cleared, the proceedings read over pronounced the
following sentence. The Court after mature deliberation on
the testimony adduced find the prisoner private Burns of Battⁿ.
C^o D 6th Inf guilty of the first Charge and its Specifications
“Not Guilty” of the 2nd Charge and its specifications and do
sentence him to undergo fifteen days solitary confinement in
the cell to be fed bread and water for the same period, to
have the remaining part of his rations for the same period stopped,
with the additional stoppages of fifteen days rations of whiskey
and one half of his monthly pay for one month, all of
which to be appropriated to the use of the Company to which
he belongs.

Was next tried Private J. W. Allen of Battⁿ. C^o. C 6th US Infy
on the following Charges & Specifications
Charge. Disobedience of orders and Insubordinate conduct
Specification. In that the said J.W. Allen of Battⁿ. C^o. C 6th Inf
did at Fort Atkinson refuse to obey the orders of Serg^t. Enright
his immediate Com^d. Non Commissioned Officer, when ordered to
assist in cleaning up the Comp^y. room to which he belongs,
refuse so to do by saying “By God I wont do it” or words to
that effect thus showing a disposition subversive of good order
and military discipline at Fort Atkinson on or about the 15th July
1826

witnesses } Sergts. Enright C Wm Carter I Signed Wm. W. Eaton
 } Pvt. Rosseau C Lt. 6th Inf

Serg^t. Enright of C^o. C 6th Inf a witness for the prosecution being duly sworn says on or about the time specified in the specification to the Charge I ordered the prisoner to assist in Cleaning the room to which he belongs he rose up and said “By God I wont” or words to that effect.

M^{rs}. Carter a Laundress of C^o. I 6th Inf a witness for the prosecution being duly sworn says on or about the time specified I was in the cook room of Comp C 6th Inf, I heard Sergeant Enright order the prisoner to go to his room to help scrub it, the prisoner replied I have been ordered by Serg^t. Clute Orderly Sergeant, to remain in this room until I have cleaned up the Knives and room and not to leave it. Serg^t. Enright, again ordered the prisoner to go immediately, he again replied I will go as soon as I clean this knife I have in my hand—the Serg^t said you must not wait to clean it but go now—he said I will go as soon as I have cleaned this knife.

Private Rosseau of Battⁿ. Comp^y (C) 6th Inf a witness for the prosecution being duly sworn says: On or about the time specified in the specification to the Charge I was Cook for Comp^y (C) 6th Inf—Serg^t. Clute ordered the prisoner to remain with me and help clean up the knives and Cook room, he was seated on a bench in the cook room with me cleaning knives when Serg^t. Enright ordered him to go and help clean up the room to which the Serg^t. & prisoner belonged of the same Company, the prisoner replied to the Serg^t Enright I will go as soon as I have cleaned up the knife and that Serg^t. Clute had ordered him not to leave the room until he had helped to clean it up, Serg^t. Enright then got his sword and took the prisoner to the guard house.

The evidence on the part of the prosecution being closed and the prisoner having no testimony to offer or defence to make the Court was cleared the proceedings read over pronounced the following Sentence. The Court after mature deliberation find the prisoner Private J. W. Allen of Battⁿ. Comp^y C 6th Inf “Not Guilty” of the Charge and specification exhibited against him and do therefore acquit him of each of them.

Was next tried Serg^t Porter Fleming of Battⁿ. Comp^y F 6th Inf^y on the following Charges and Specification exhibited against him by Lt. Wickliffe 6th Reg^t. Inf

Charge 1st. Conduct disgraceful to a Non Commissioned Officer & Soldier

Specⁿ. In this that he the said Serg^t. Fleming did attempt to smuggle a quantity of whiskey into the garrison on or about the 12th of July 1826.

Charge 2nd. Conduct subversive of good order & military discipline
Specⁿ. In this that he the aforesaid Serg^t. Fleming did engage Certain private soldiers of the 6th Reg. to assist him in smuggling a quantity of whiskey in the vicinity of Fort Atkinson on or about the 12th of July 1826.

Witnesses Pts Cook & Bates (G) Signed Wm N Wickliffe
“Robinson (A) Lt. 6th Inf

To which Charges and Specifications the prisoner Serg^t. Fleming pleaded “Not Guilty”—

Private Cook of C^o G 6th Inf a witness for the prosecution being duly sworn says on or about the time specified in the specification to the Charge Robinson of Co A 6th Inf and myself on our way with our teams from the woods, we met the prisoner near a place called Hale’s Bridge on horse back with a keg that I think would hold ten gallons on the horse before him, he the prisoner asked us if we would take the keg for him on our team towards the garrison as far as Coal pit hollow, we told him we would and did so, here we stopped and he gave us a drink from the keg and then asked us to take it still further towards the garrison as far as the lower gate, we brought the about 100 yards this side of the gate, the prisoner then took charge of it the next morning passing the same place I saw the keg in the weeds near the load I took a drink and placed the keg on the opposite side of the fence, in the evening on our return Robinson and myself took a bottle each from the keg. I have not seen it since. The keg had at the time I saw it about 5 or 6 gallons of whiskey in it.

Question by the Prisoner did I request you to keep it a secret that I was taking the keg to garrison.

Answer. The prisoner did not.

Private Bates of Battⁿ. Comp^y. G 6th Inf being duly sworn says on or about the time specified I was going to my work I met the prisoner with privates Cook & Robinson 6th Regt. Inf at the Coal pit hollow. At the foot of the hill I heard the prisoner say to private Cook go up and bring that down—Cook soon returned with a

keg on his shoulder that I think would hold about 10 gallons, the prisoner then said we will take a drink I went on about my work

Private Robinson of Grenadier Co. A 6th Inf a witness for the prosecution being duly sworn says on or about the time specified in the specification to the Charges Cook and myself met the prisoner near Hale's Bridge on horse back with a keg on before him, he asked, ~~me~~ us if we would take it with our team to Coal pit hollow, we told him we would and did so, at this place the prisoner gave us some of the whiskey from the keg to drink, he then asked us if we would take the keg for him up to the lower gate, we brought it about 100 yards this side of the gate the Sergt. then took charge of the keg. The next morning passing this place I saw the keg in the weeds near the road, and drank some whiskey from the keg & Cook placed it on the opposite side of the fence, that night returning I saw the keg again and filled my bottle from it, the prisoner came to me that night and asked me where the keg was I told him I had not seen it since. It would hold about 10 gallons but I think there was in it at the time ^{I saw} about 5 or 6 gallons in it.

The evidence on the part on the prosecution being closed Capt. Wickliffe 6th U.S. Inf was called on by the prisoner who being duly sworn answered the following question by the prisoner

Question by the Prisoner. How long have you known me and what has been my general character as a soldier since.

Answer. I am not positive but I think I have known the prisoner since the fall of 1823. his conduct has not Come par—
—ticularly under my observation until within the last three months, previous to the task mentioned time his character so far as came under my observation until the last three months, previous to the last mentioned, time his character so far as came under my observation stood very fair within the last three months, he has acted as [paragraph is sic] orderly Sergeant to the Comp^y I commanded, his conduct has been highly satisfactory until the report reached me for which he is now on trial of which I have no personal knowledge.

The testimony on the part of the prisoner having closed and the prisoner having no defence to make, the Court was cleared and the proceedings read over pronounced the following sentence. The Court after the most mature deliberation on the testimony adduced find the

prisoner Sergt. Porter Fleming of Battⁿ. Comp^y F 6th Inf, guilty of the Charges and Specifications exhibited against him and do sentence him to be reduced to the ranks of a private Sentinel, but a consequence of the very favourable testimony of Capt. Wickliffe 6th US Inf the Court beg leave very respectfully to recommend him to the Clemency of the Commanding Officer.

Charges appeared before the Court against Private T. Powell of Comp^y D 6th Inf but from the nature of the Offence the Court are of opinion it does not come within the cognisance of a Regimental Court Martial.

No more business appearing before the Court, The Court adjourned
Sine die

George C Hutter
Lt. & President

Proceedings of a Regimental Court Martial reconvened at
Fort Atkinson on the 21st of July 1826 by virtue of the following order
H^d Q^{rs} 6th Regiment
Orders Fort Atkinson July 21st 1826

The Regimental Court Martial of which Lt. Hutter is
President will reconvene this morning for the trial of such prisoner as
may be brought before it.

By order of Lt. Col. Woolley
Signed Tho^{ms} Noel
Adj^t 6th Reg^t.

The Court met pursuant to the above order present Lt Hutter
President L^{ts} Waters & Nute Members. The court being duly sworn
in the presence of the prisoner who being previously asked if he had
any objections to any member named replying in the negative was
arraigned Private David Jones of Grenadier Comp^y A 6th Inf on the
following Charges exhibited against him by Lt. Nute 6th Inf.

Charge 1st Drunkenness

Specⁿ. In this that he private David Jones aforesaid did get so
much intoxicated on the evening of the 20th July at Fort Atkinson
1826 as to render him incapable of performing his duties as Cook
of said Company.

Charge 2nd Neglect of Duty

Specⁿ In this that the aforesaid David Jones did neglect to wash and put in order the Mess utensils & of said Comp^y A and did likewise neglect to clean & put in proper order the room of said Company, he the said Jones having Charge at the same time of the said Cook room

Charge 3rd Misapplication of Company property

Specⁿ. In this that he the aforesaid Jones did at Fort Atkinson on or about the evening of the 20th of July 1826 while cook of said Grenadier Comp^y A sell dispose or otherwise make way with two Earthen plates and two case knives the property of said Company

Witnesses 1st & 2nd charges

Signed L. M. Nute

Serg^{ts}. Morgan & Humbertson

Lt. 6th Inf

3rd Charge Sergty Morgan

To which Charges and Specifications the prisoner pleaded as follows “Guilty” of the first Charge & its specification, “Guilty” of the 2nd Charge & its specification “Not Guilty” of the 3rd Charge and its specification.

Orderly Sergeant Morgan of Grenadier Comp^y A 6th Inf a witness for the prosecution being duly sworn says: on or about the 19th day of July I placed the prisoner in the Cook room of Grenadier Comp^y A as cook. I turned over all the Mess furniture and utensils belong—
—ing to the Comp^y the evening of the 20th July 1826 when the prisoner was confined. I found there was absent from the room two Earthen plates and two case knives. I made search for them but they could not be found. The evidence on the part of the prosecution being closed and the prisoner having no evidence to offer or defence to make the Court was cleared the proceedings read over pronounced the following sentence the Court confirm the plea of the prisoner of the 1st charge & its specification, they confirm his plea as to the 2nd Charge & its specification and also find the prisoner guilty of the 3rd Charge and its specification and do sentence him the prisoner David Jones of Grenadier Comp^y A 6th Inf to undergo fifteen days confinement in the cell to be fed on bread & water the remaining part of his rations to be appropriated to the use of the Comp^y. to which he belongs, to have also stopped one half of his monthly pay for one month to reimburse the Company for the property misapplied.

There being no more business before the Court, The Court

adjourned Sine die

George C Hutter
Lt & President

Head Q^{rs}. 6th Inf.^{ty}
Fort Atkinson 22nd July 1826

The proceedings of a Regimental Court Martial whereof Lt. Hutter is President are approved in the several cases of Corporal William William son of Battⁿ Comp. F, private Loyd of Rifle Comp^y B, private Tiner of Battⁿ C^o. D Private Burnes of same Company and Private David Jones of Grenadier Company and the sentences will be carried into full effect except so much of the sentence in the case of private David Jones as subjects to fifteen days confinement in the cells & to be fed on Bread and water which is hereby remitted.

The Commanding Officer approved the sentence in the case of Serg^t. Porter Fleming and altho' he is disposed to pay great respect to the recommendation of the Court he directs the sentence to be carried into execution Sergeant Porter Fleming of Battⁿ. C^o. F 6th Reg^t Inf^y is therefore reduced to the station of a private sentinel.

It not appearing by the record that private J. W. Allen of Battⁿ. Comp^y C has been put to his plea before the Court, the proceedings in his case are disapproved, he will be released from confinement and return to duty

Corporal William Williamson is released from arrest and will report for duty

Privates Tiner and Jones will be discharged from Confinement and return to duty.

Sergt. Abbott a witness in the case of Burns should not have been examined as to what he heard others say about Burns disposing of cucumbers, hearsay evidence is not the best evidence and is inadmissible.

The court is dissolved

AR Woolley
Lt Col Comg

Proceedings of a Regimental Court Martial held at Fort
Atkinson on the 23rd July 1826 by virtue of the following order viz.

H^d. Q^{rs} 6th Regiment

Orders

Fort Atkinson 23rd July 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 Lt. Pentland President and Lts. Clay and Alston Members

By order of Lt Col Woolley

Signed Tho^{ms} Noel

Adj^t 6th Regt

The Court met pursuant to the above order, all the members present and
the prisoners having no objection to any of the members named in the above
orders.—The Court then proceeded to the trial of Corpl. Joseph Maine of
Company J 6th Inf on the following Charge.

Corp^l. Maine of Company J 6th Reg^t US Inf is charged with forcing
or breaking open a chest or box belonging to private Willis of Company
J and taking therefrom a quantity of Whiskey (say 42 gills) belonging to
a fatigue party under charge of Private King of company (J) who had
deposited the Whiskey with Willis for safe keeping, this at Fort Atkinson
on or about the evening of the 16th July 1826.

Corp^l. McCourt, pts King, Rogers }
Pts Willis, Bowers, N. Smith }^{Co. J}

Signed M W Batman

Lt. 6th Inf

Said Corp^l. Maine is also charged with being drunk on the 16th July
1826 at Fort Atkinson

Witness (as above)

Signed M W Batman

Lt 6th Inf

To which Charges the prisoner pleaded “Not Guilty”

Corp^l. McCourt a witness for the prosecution being duly sworn, says,
on or about the 16th July 1826 at Fort Atkinson the prisoner gave me a
keg containing Whiskey which Willis of C^o. J said belonged to him,
but, whether he broke the chest open or took the keg therefrom I am unable
to say.

Private Willis a witness for the prosecution being duly sworn says on my
return from the hospital to my Company quarters on or about the 17th
July 1826 I found my chest broken open and a quantity of Whiskey taken
therefrom—the quantity of was about forty two gills, belonging to a
fatigue party in charge of Pt King of C^o J 6th Regt.

Private Powers of C^o. J a witness for the prosecution being duly

sworn says “I know nothing about the case, at the time specified in the Charges I was absent from the garrison.”

Private King of Company J 6th Inf a witness for the prosecution being duly sworn says, “I know nothing about the charges, at the time specified I was absent from the garrison in charge of a fatigue party I left with private Willis about forty two or three gills of Whiskey.”

Private N. Smith of Company J 6th Inf a witness for the prosecution being duly sworn says “I know nothing of the Charges.”

Private Rogers of Company J a witness for the prosecution being duly sworn says, “I saw the prisoner (Corpl. Maine) at the time and place stated in the charge, break open a chest belonging to private Willis of Company J 6th Inf, and take therefrom a keg, I know nothing further of the facts set forth in the charge.”

The prisoner having no defence to make, and the Court being cleared and the whole of the testimony read over they pronounced the following sentence. The Court find the facts as set forth in the specification 1st Charge, but from the testimony they do not think that Corpl. Main intended to steal or make way with the whiskey, the Court find the prisoner Not guilty of the 2nd Charge. They only sentence him to be suspended from his rank for one month and a stoppage of \$1.6 cts to be paid in equal proportions to the men belonging to the Fatigue party in Charge of Private King.

The Court then proceeded to the trial of Corpl. McCourt of C^o J 6th Regt. on the following charge viz: Corpl^l. McCourt of Company J 6th Regt. is charged with breaking or forcing open/ or being accessory thereto) a box or chest belonging to private Willis of Company J 6th Regiment and taking therefrom a quantity of Whiskey say (42 gills) and drinking selling or otherwise disposing of the same, said Whiskey belonging to a fatigue party under charge of Private King of Company J 6th Reg^t. this at Fort Atkinson on or about the 16th July 1826

Witness P^{vt}s King, Rogers, Willis } Signed M. W. Batman
“ Bowers & N. smith } Co J Lt. 6th Inf

To which Charge the prisoner (Corpl McCourt) pleaded “Not Guilty”

Private Willis of Company J 6th Inf a witness for the prosecution being duly sworn says, the prisoner told me on or about the 17th July 1826 while I was sick in hospital “I have taken the liberty of taking some of your whiskey I took the keg containing it from Corpl. Maine after the chest was broken open, the whiskey belonged to a fatigue party

under private King.

Question by the prisoner—Did you not say you were satisfied for the whiskey I had taken?

Answer: The prisoner offered me a watch (as he said) to satisfy me for the Whiskey—I replied, “it is nothing to me, but I will keep the watch until private King returns, to who the whiskey belongs, and if he is satisfied I am also.

Private N. Smith of Company J 6th Regt a witness for the prosecution being duly sworn says “I know nothing of the charge.”

Private Bowers of Company J 6th Reg^t. a witness for the prosecution being duly sworn says “I know nothing of the Charge, at the time specified in the Charge I was absent from the Garrison.”

Private Rogers of Company (J) 6th Reg^t. a witness for the prosecution being duly sworn says, I saw, on or about the time and place specified in the Charge Corp^l. Maine give a key to the prisoner, which was taken by said Corpl. Maine from a Chest belonging to private Willis of said Company.

The prisoner having no defence to make and the Court being cleared and the whole of the testimony read over, they pronounced the following sentence. The Court find the prisoner McCourt Guilty of so much of the Charge as relates to his being an accessory to the facts alledged in the Charge, but as they do believe from the testimony that the prisoner did not intend to steal or make way with the Whiskey they only sentence him to be suspended from his rank for one month & to a stoppage of \$1.6 cts to be paid to the Fatigue party in Charge of Private King.

The Court then proceeded to the trial of Private Thomas Doyle of Company (C) 6th Regt. on the following Charge vis:—Private Doyle of Comp^y (C) 6th U.S. Inf is charged with being intoxicated while one of the police guard at Fort Atkinson on the 22nd July 1826

Witness	Lt. Crossman	Signed G.H. Crossman
	Corpl. Richardson Co C	Lt & Officer of the Guard
	Sergt Enright “ C	

Fort Atkinson 22nd July 1826

To which Charge the prisoner’ pleaded “Guilty”
The Court after mature deliberation confirm the plea of the prisoner Private Thomas Doyle of Company (C) 6th Regt and pronounce the following sentence “The Court find the Prisoner Doyle Guilty

as charged and sentence him to have his whiskey stopped for the month to be appropriated to the use of the company to which he belongs.

The Court next proceeded to the trial of Private Austin Deforrest of Battn. Comp'y (C) 6th Reg^t. U.S. Inf on the following Charge vis:

Private Austin Deforrest of Battallion Company (C) 6th U.S. Inf. is charged with being drunk on evening parade at Fort Atkinson on or about the 22nd of July 1826.

Witness Lt & Adj^t. Noel

Signed R. Holmes

Serg^t. Clute C^o. (C)

Lt. 6th Inf

Fort Atkinson 22nd July 1826

To which Charge the prisoner pleaded "Not Guilty"—

Serg^t. Clute of Company (C) 6th Reg^t a witness for the prosecution being duly sworn says, "At the time and place specified in the Charge the prisoner (Deforrest) appeared to me to be intoxicated, so much so, that he could not stand steady."

Adj^t Noel of the 6th Reg^t. a witness for the prosecution being duly sworn says "At the time specified in the Charge I saw the prisoner on evening parade and he appeared to me to be intoxicated so much so as to be incapable of performing his duty."

The prisoner having no defence to make and the Court being cleared and the whole of the testimony read over, they pronounce the following sentence, the Court find the prisoner guilty as charged and sentence him to have his whiskey stopped for fifteen days to be appropriated to the used of the Company to which he belongs.—

The Court next proceeded to the trial of Private J. Rogers of Genadier Company A 6th Reg^t. on the following Charge & Specification viz

Charge. Positive Disobedience of Orders

Specification. In this that he private Rogers of the Company and Regiment aforesaid did refuse to obey the orders of Serg^t W. Humbertson his Superior Non Commissioned Officer, when ordered to assist in cleaning the Company room to which he belongs by saying "that he would be darned if he would do it." this thus showing a con—
—duct subversive of Military discipline and good order, all this at Fort Atkinson on or about the 22nd July 1826

Witness Serg^t Humberson }

Signed L. M. Nute

Cap^t. Johnson } C^o. A

Lt. 6th Inf

Pt^e Bagley }

Fort Atkinson 22nd July 1826

To which Charge & Specification the prisoner pleaded “Not Guilty”
Serg^t. Humberson of Grenadier Company A 6th Reg^t. a witness for the
prosecution says, “At the time and place specified in the Charge, I
ordered the prisoner to clean his room, he replied “I’ll be damned if
I will do it.”

Cap^t. Johnson of Grenadier Company A 6th Reg^t. a witness for the prosecution
says, “On or about the time and place specified in the Charge I heard
Serg^t. Humberson order the prisoner to clean his room he replied “I’ll
be damned if I will do it,” I did not have to clean the room but to
clean myself”

The prisoner having no defence to make and the Court being cleared
and the whole of the testimony read over, they pronounced the following
sentence. The court find the prisoner guilty as charged and sentence
him to have his whiskey stopped for one month to be appropriated to the
use of the Company to which he belongs.

The Court then proceeded to the trial of Privat Richard Newman of
Company (I) 6th Regt. on the following Charge viz.

Richard Newman a private of Battⁿ C^o. I 6th Inf is Charged with
neglect of duty.

Specification In this that he the said Newman did on or about
the 2nd day of June 1826 at Fort Atkinson whilst a sentinel on post
No 3 sit down and continue sitting until the Relief Corporal came
with the Relief for 11 O’clock at night which conduct was highly
neglegent and prejudicial to good order and military discipline.

Witness Corp^l. Robinson C^o B
P^{te} Bagley “ A

Signed Z.C. Palmer
Capt 6th Inf

To which Charge the prisoner pleaded “Guilty” but submit in
his defence that he was very unwell at the time and place mentioned in
the Charge, and so informed the Relief corporal and afterwards the Officer
of the Day (Lt Folger)

Corp^l. Robertson of Rifle Company B 6th Inf a witness for the
prisoner being duly sworn says “at the time and place specified in
the Charge, on my return to the Guard house, he reported to me and
also to Lt Folger (Officer of the Day) that he was very unwell and
that it was the cause of his sitting down on post.

The prisoner having no defence to make and the Court being cleared
and the whole of the testimony read over they pronounced the following
sentence, the Court confirm the plea of the prisoner and sentence him

to be confined in the Guard house for twenty days with a with a “Ball and Chain” affixed to his leg and to have and to have (sic) his whiskey stopped for one month, to be given to the Company to which he belongs.

The Court next proceeded to the trial of Private Powell of Company (D) 6th Reg^t. on the following Charge and Specifications vis.

Charge Disorderly and Unsoldierlike Conduct

Specⁿ. 1st. In this that he the said Private Thomas Powell of Battⁿ. Comp^y. D 6th Inf did at Fort Atkinson on or about the evening of the 18th July 1826 create a riot and noise in front of one of the Company rooms of Rifle Company B 6th Inf by shaking his fist in the face of Private Richard Parsons of said Rifle company and calling him “a damned son of a bitch” and also saying that he would take his the said Parson’s life or words to that effect.

Specⁿ. 2nd In this that he the said Private Powell of the Company and Regiment aforesaid did at or near Fort Atkinson on the evening of the 18th July 1826 after enticing the said Parsons out of the garrison for the pretended purpose of speaking to him, go into the stable of D Company and get a pistol and present the said pistol cocked at the breast of said Parsons and swear that if he (Parson) opened his mouth, he would blow his brains out or words to that effect.

Witnesses	Sergt. Winningham	Signed B. Riley
	“ Stilson & Sergt Wyatt	Capt. 6 th Inf ^{ty}
	Pt ^e . Barnett	
	“ Montgomery	

To which Charge & Specifications the prisoner pleaded “Not Guilty.” Sergt. Winningham of Rifle Co. B or witness for the prosecution being duly sworn says, “on or about the time specified in the Charge, the prisoner was in front of Company B’s quarters and some words passed between him and Parsons, the prisoner called Parsons a liar and no gentleman and said he could whip him, I was in front or near the room where the affense took place.

Question by the Court. Do you know whence originated the quarrel between Parsons and the Prisoner?

Answer: The report I believe was that the prisoner struck a child of my wife’s in Parsons’ presence—I know nothing further relative to the quarrel, and also nothing of the 2nd Specification.”

Serg^t. Stilson of Rifle Co. B 6th Inf. a witness for the prosecution

being duly sworn says, “At the time and place specified, the prisoner was in front of Company B quarters, Parson told the prisoner he had struck Sergt. Winnings child, thereupon the prisoner abused Parsons by calling him a liar and asked him if he would walk out with him—I know nothing of the 2nd Specification—I did not hear the prisoner call Parsons “a damned son of a bitch” nor did I see him shake his fist in the prisoners face.”

Sergt. Wyatt of Rifle Company B 6th Inf a witness for the prosecution being duly sworn says “on or about the time specified I was sitting in front of a room of Company B 6th Inf he (Parsons) saying something to Sergt. Winningham about striking his child stepped up and said “Powell you need not deny it, I did not see you flog the child, but I saw it come out crying. Powell replied “ I did not flog the child and if you say so, you tell a falsehood” or words to that effect. Parsons then said I saw a club thrown at the child out of the room when Powell stepped up to Parsons shook his fist at him and dared him out. I then ordered them to desist saying I would have no noise about the Company quarters. I did not hear the prisoner threaten his life or call him a damned son of a bitch.” I know nothing of the 2nd Specification

Private Barnett of Rifle C^o. B 6th Inf. a witness for the prosecution being duly sworn says, At the time specified in the charge I was absent from the garrison and know nothing of the 1st Specification. I met the prisoner and Parsons walking towards the stables, after passing them a short distance I met Montgomery and turned back and we followed them to the Stables—they as I supposed were preparing to fight when Powell ran to the wood pile and took up a stick of wood I told him not to strike, the prisoner said Parsons had seconds and ran to the stable and came out with a pistol in his hand—In the meantime Parsons had seized a stick and the prisoner threatened to shoot him if he did not drop it—Parsons dropped his stick and Powell took him prisoner, they returned to the Stables.

Here the Court adjourned to meet tomorrow morning at 10 O’clock
The Court met pursuant to adjournment, present, all the members.
The Court then continued the trial of Private Powell of Comp. B 6th Inf

Private Montgomery of Rifle Comp. B 6th Inf a witness for the prosecution being duly sworn says, at the time specified in the Charge I saw the prisoner shake his fist in Parsons’ face in front of C^o. B^s quarters I heard him say that he would whip him, I did not hear him call Parsons “a damned son of a bitch” or threaten to take his

life, he afterwards asked Parsons to walk out with him, they went out together towards the stables. I supposed they went out to fight I followed them, on arriving at the stables they prepared to fight, I was then near them, Powell seized a stick, Parsons then ran to take one, on this Barnett of Compy (B) who was with me cried out to Powell, they may fight as long as they choose, but not to pick up a stick. Powell then ran to the stables and returned with a pistol (I do not know whether the pistol was loaded) Parsons ran out of the Stable yard. Powell followed, and ordered him to stand or he would blow him through Parsons obeyed him and on Powells order went to the stable, Parsons following him. I know not what passed there.

The testimony for the prosecution being closed Major Ketchum of 6th Inf a witness for the prisoner being duly sworn says: At the time specified in the Charge I was in Company with some other Officers at a fishing party, the prisoner was with me. I took with me the pistol for striking fire, the pistol was a peculiar one, one of a pair I believe there none like it in the garrison, when I returned to the garrison, the prisoner who took care of my horse was absent. I sent my horse to the stable in Charge of another man and forgot to take the pistol out of the holster, the pistol was not loaded—towards the evening of the same day I told the prisoner to bring up the pistol, when he turned the horse out, he did so, when the pistol was returned I was absent from my quarters, on entering my quarters the prisoner brought me the pistol and asked me to examine it and see if it was as I had left it, the pistol was not loaded and apparently had not been loaded for the oil with which it had last been cleared was still on the inside—the prisoner stated as his reason for requesting me to examine the pistol that he had used it to alarm Parsons of Comp^y. (B) and mentioned that he had had a difference with him.—

The prisoner having no defence to make and the Court being cleared and the whole of the testimony read over, they pronounce the following sentence

The Court find the prisoner Guilty of so much of the first Specⁿ. 1st Charge as related to his riotous & noisy conduct in front of C^o. B Qrs. & threatening gestures towards Private Parsons, but not guilty of calling said Parsons a “damned son of a bitch” & “threatening to take his life” or words to that effect. The Court find the prisoner guilty of the 2nd Specⁿ. except the words “enticing said Parsons out of the room for the pretended purpose of speaking to him.” The Court do

sentence the prisoner to be confined in the guard house five days & to a stoppage of whiskey for 10 days for the use of his Compy.

The Court then proceeded to the trial of Private Stanton of Battⁿ. C^o. E 6th Inf on the following Charges viz.

Charge 1 Private Stanton of Battⁿ. C^o. (E) 6th U.S. Inf is charged with disobedience of orders in reporting himself to the Comm^{dg} Officer or Surgeon when ordered so to do by Q^tMast. Sergeant Cedars at or near Fort Atkinson on or about 20th July 1826.

Charge 2nd Private Stanton of Battⁿ. C^o. (E) 6th U.S. Inf is charged with Drunkenness on duty at or near Fort Atkinson on or about the 23rd July 1826.

Q.M^s. Sergt. Cedars }
Corp^l. Thomson of C^o. E }witnesses

Signed R Holmes

Lt. 6th Inf.

To which Charges the prisoner pleaded as follows, Not guilty of Charge 1st guilty of Charge 2nd

Q.M. Sergeant Cedar a witness for the prosecution being duly sworn says, at the time in the Charge I saw the prisoner near the corn field bridge I asked him if he was on the hay party detail, he answered yes, but said he was sick and had reported sick to Private King of Co. (J) who had charge of the party. I ordered him to report to the Commanding Officer and to obtain his permission to see the Surgeon. When I returned I asked Stanton if he had reported to the Colonel or Surgeon, he said no

The prisoner having no defence to make and the Court being cleared and the whole of the testimony read over, they pronounce the following sentence viz: The Court after mature deliberation on the testimony adduced find the guilty of Charge 1st and confirm his plea relative to the 2nd Charge and do sentence him to a stoppage of whiskey for fifteen days to be appropriated to the use of the Comp^y. to which he belongs.—

The Court then proceeded to the trial of Private Lacount of Battⁿ. Comp^y (E) 6th U.S. Inf on the following Charge viz:

Private Lacount of Battⁿ Comp. E 6th U.S. Inf is charged with disobedience of orders in leaving the lime party without permission at or near Fort Atkinson on or about 23rd July 1826

QrMast. Sergeant Cedars }
Corpl. Thomson (E) }witnesses

Signed R. Holmes

Lt. 6th Inf.

To which Charges the prisoner pleaded “Guilty”

The Court after mature deliberation confirm the plea of the prisoner and

sentence him to have his whiskey stopped for ten days, to be appropriated to the use of the company to which he belongs.

The court then proceeded to the trial of Private Baird of Battl. Comp^y (F) 6th Reg^t US Inf on the following charge viz:

Private Baird of Battn C^o (F) 6th Reg^t. U.S. Inf is charged with being intoxicated while a sentinel of the police guard at Fort Atkinson on or about the 23rd July 1826

Witness Serg^t. Humberson C^o A
Corp^l. Morris J

Signed G.W. Waters
Lt & Off. Guard

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 to have his whiskey stopped for one month to be appropriated to the use of the Comp^y. to which he belongs.

No further business coming before the Court it adjourned Sine die

J. Pentland
Lt Pres. Court

H^d Q^{rs}. 6th Inf^y
Fort Atkinson 25th July 1826

The Commanding Officer disapproves of so much of the findings of a Reg^t. Court Martial whereof Lt. Joseph Pentland is President in the cases of Corporals Main and McCourt as acquit them of the intention to steal, there was in the opinion of the Commanding Officer evidently a felonious intent manifested, the breaking open and taking under the circumstances and the offer of the watch as a reward for concealment evince strongly a dishonest and concealed object in the first act. Corp^l. McCourt the accomplice should not have been admitted a witness against Corp^l. Main and afterwards prosecuted for an offence of the same degree and in which offence they were participants, his testimony should only have been admitted under the understanding that if he made a full and fair disclosure of all the circumstances of the crime for which the other was tried and in which he had been concerned in concert with him, he the witness should go clear, but as there is abundant evidence in both cases to convict without that of Corporal McCourt, the sentences respectively will be carried

into effect.

The sentences in the respective cases of Privates Doyle & Deforrest of Battn Compy (C) Private Rogers of the Grenadier Company Private Newman of Battn. Comp^y. (J) Private Powell of Battⁿ. Comp^y D and Privates Stanton & Lacount of Battⁿ. Comp^y E are approved and will be carried into effect.

The Commanding Officer discovers in them a wildness throughout and he hopes that the Guilty may not be thrown away or misapplied—these cases ~~business~~ ^{exhibit} jokes and bad faith on the part of the soldiers of almost every variety and should such practices continue severe discipline will become absolutely necessary.

Privates Doyle, Rogers, Stanton & Lacount will be discharged from confinement & return to duty.

Comp^y Comm will see that the stoppages are made and that no whiskey permission is given to those under stoppage of whiskey

The Court is dissolved

ARWoolley
Lt Col Comg

Proceeding of a Regimental Court Martial held at Fort Atkinson by virtue of the following order

Orders

Hd Qr 6th Regiment

No 185

Fort Atkinson 5 Aug 1826

A Regimental Court Martial will convene at 10

O'clock this morning for the trial of such prisoners as may be brought before it—the Court will consist of Lt. Folger president Lieuts. ^{Batman} & VanSwearingen Members

By order of Lt. Col. Woolley
Signed Tho^{ms}. Noel
Adj^t. 6th Reg^t.

The court met pursuant to the above order Present Lt. Folger president Lts. Batman & VanSwearingen Members. The Court being duly sworn in the presence of the prisoners proceeded to the trial of Private James Davis of Rifle C^o. B 6th Infantry who being previously asked if they had any objections to the members named in the above order and replying in the negatives was arraigned on the following Charge preferred against him by Capt. Riley 6th US Infantry.

James Davis a Private of Rifle C^o. B 6th Inf is charged with being repeatedly intoxicated while on the sick report between the 28th July & 1st of August 1826 at Fort Atkinson

Witness

Corpl. Murden
Pts. Carmichal
Sergt. Winningham

Signed

B. Riley

Capt. 6th Inf

To which the prisoner pleaded Guilty—The Court after mature deliberation confirm the plea of the prisoner private James Davis and do find him guilty as charged and do sentence him to have the whiskey part of his rations stopped for the period of thirty days to be appropriated to the use of the company to which he belongs.

The Court then proceeded to the trial of Sergeant Wyatt.

Charge Disobedience of Orders and Neglect of Duty

Specn. In this that the said Sergt. Wyatt of Rifle Co B 6th Inf did when ordered by Sergt. Winningham Orderly Sergt. of said Comp^y. to have the room of which he had Charge put in the best possible police and also to have the Bunks well made up and the Blankets brushed down so that they might pass the most minute inspection disobey said order & neglect to have it down after having been ordered three times by the said Orderly Sergt. and did also leave his room and go off at Fort Atkinson on the morning of the 4th August 1826.

Witnesses Capt. Riley

Signed B. Riley

Sergt. Winningham

Captⁿ. 6th Inf

To which the prisoner plead Not Guilty

Serg^t. Winningham a witness for the prosecution being duly sworn says: on or about the time specified I went into the room commended by Sergt. Wyatt and directed him to have his room policed, the Bunks made up & brush the Blankets down which orders he did not obey. After giving him the first order I left the room and was gone about eight or ten minutes. I returned to the same room & still found the police in bad order. I gave the accused the second order to the same effect I also stated to the accused if he did not obey the orders which I gave him I would report him to the Comm^s. Officer of the Company—this all took place before guard mounting. I then reminded my guard on the parade ground I returned to the Company where dismissed by the Adj. and visited the room of the accused and found it in bad police the accused was absent—I reported it to Capt. Riley the situation of the room & requesting him to visit the room.

Questⁿ. by the accused. Whether Capt. Riley had gave an order to have the blankets brushes down with a brush or not. Ans^w. Capt. Riley never positively ordered me to use brushed, but he would hold me unaccountable for the good police of the rooms & to use any slight means to do so.

Capt. Riley a witness for the prosecution being duly sworn says: since my return to the Bluffs I have gave orders to my Non Commissioned Officer to have the rooms which immediately after reveille every morning & directed my Orderly Serg^t. to have that order carried into effect—the Orderly Serg^t. reported the accused frequently for bad police in his room which caused me to speak to the accused & to report the orders once or twice myself—On the 4th the

Ord^t. Sergt. reported to me the accused room in bad police & requested me to walk to the room of the accused and look at it myself. I said so and found the room in bad police and the Bunks had not been sufficiently attended to in making them up. I also found considerable dirt under the Bunks and in the corners of the room—the accused was absent at that time.

The evidence on the part of the prosecution being closed Private Robert Parsons a witness for the accused being duly sworn says: I heard Serg^t. Winningham tell the accused to have his bunks fixed & blankets brushed down—the accused ordered the men to do so and it was done—the room was swept & the hearth was painted.

Richard Parsons a witness for the accused being duly sworn says: on or about the time specified I was in the room at the time Sergt. Winningham came in & told the accused he would have to report him for not obeying the order to have the bunks brushed down—the accused immediately ordered the men to do so—this was early in the morning before breakfast—the room was swept, I believe the accused done it himself.

Questⁿ. by the accused—Did I not order you to paint the hearths & carry out the ashes.

Answer Yes & I done so

Private Loyd a witness for the accused being duly ~~duly~~^{sworn} says: On or about the time specified I heard Sergt. Winningham tell the accused to have the blankets of the Bunks brushed down—the accused turned around to the men and told them to do so—I went and brushed mine down and Burford done the same—he ordered Montgomery to come down out of the loft and brush his blankets down. I then left the room, the room was swept—I believe the accused done it himself, the hearth was painted—this was about five or six O'clock in the morning.

Montgomery a witness for the accused being duly sworn says: on or about the time specified I heard the accused order the men to brush their Blankets—that was ~~done~~^{done} on the Bunks & he ordered me down out of the loft to brush the Blankets down my bunk which I did with my Clothes brush, the room was swept out and after guard mounting the room was swept by the orders of Serg^t. Winningham, the accused being absent from his room.

Questⁿ. by the accused. Did you hear Serg^t. Winningham order Huston to sweep the room and was it swept clean or not.

Answer. I heard Serg^t. Winningham order Huston to sweep the room and he done so, this was after Guard mounting.

Lt. Hutter a witness for the accused being duly sworn says on or about the time specified I ordered the accused immediately on my return from breakfast to go out with the haying party—he did so and did not return but a short time before retreat.

The Court after mature deliberation on the testimony adduced find the accused Serg^t. Wyatt Not Guilty as charged and do acquit him.

The Court next proceeded to the trial of private Roach—Charge—Theft—Specⁿ. In this that Luke Roach a private of Battⁿ. C^o. (C) 6th Infantry at Fort Atkinson did on the evening of the 27th July 1826 enter the Comp. garden of C^o. A 6th Inf and clandestinely pull up and carry away from said an Onion or a number of Onions from the Comp. garden above mentioned this at Fort Atkinson at the time and place specified.

Witness John Whitty

Signed L. Nute Lt 6th Inf

To which the prisoner pleaded Not guilty.

John Whitty a private of Comp A a witness for the prosecution being duly sworn says: On or about the time specified I went down in the Comp (A) garden to pull some corn, I saw a man stooping down in the Onion bed. I went up to him and found him to be accused, he spoke to me and said he had been a pilfering, he said he might as well have took the two as the one—he had on a Cartridge box and went into the Guard room

The Court after mature deliberation on the testimony on the testimony adduced find the prisoner guilty as charged with the exception of the words sentinel and do sentence to be confined five days in the Guard house to be employed in the most menial police of the garrison and to have the whiskey part of his rations stopped for thirty days to be appropriated to the use of the Com—pany to which he belongs.

The Court next proceeded to the trial of Private Matthias Marsh Charge and Specifications preferred against Private Mathias Marsh of Rifle C^o. B 6th Inf—Charge 1st Unsoldierlike Conduct—Specⁿ. In this that the said Private Marsh of the Comp^y and Reg^t. aforesaid did while Sergt. Daily orderly Serg^t. of Comp^y D 6th Inf was calling the roll of said C^o. D at Breakfast call walk between said Serg^t. Daily and said C^o. D with a hand barrow while the said Sergt. Daily was standing about three feet in front of said Comp^y at Fort Atkinson on the 1st August 1826

Charge 2nd Disobedience of Orders

Spec. In this that the said Marsh of the Company and Regiment afore—said did when ordered by Serg^t. Daily of Comp^y. D 6th Inf to stop

and go in rear of him while the said Sergt. Dailey was calling the roll of Comp. D at Breakfast call, before to do so until taken hold of by Sergt. Dailey and turned back at Fort Atkinson on the 1st August 1826

Witness Baird, Pioneer Signed B. Riley
Serg^t. Dailey, Ward Capt. 6th Inf

To which the prisoner pleaded Not guilty Serg. Daily and witnesses for the prosecution being duly sworn says: On or about the time specified I was calling the roll of C^o. D—the accused and another man of Comp. D came along with a hand barrow & a barrel of water on it, the accused was in front I judge I was three or four feet in front of the company I was so close to the Comp. that the accused could scarcely pass between me and the Company after he got opposite to me I ordered the accused to go in the rear of me he paid no attention to what I said to him but proceeded—I took hold of him and pulled him back.

Private Baird a witness for the prosecution being duly sworn says: on or about the time specified I was carrying the hand barrow with the accused he was in front—the accused went in between Serg^t. Daily and the Company whilst Serg^t. Daily was calling the roll—Serg^t. Daily told the accused to go back and go in rear of him, he no sooner told the accused to go back then he took hold of him and pulled him round in rear of him. Questⁿ by the accused—How far was Serg^t. Daily in front of his Company Answer About four feet

Questⁿ by the Court—Was there sufficient room in the rear of the Company to pass Answer—There was sufficient The court after mature deliberation find the prisoner guilty as charged and do sentence him to have the whiskey part of his ration stopped for the period of twenty days to be appropriated to the use of the Company to which he belongs.—

Before the same Court was also tried Private Wm Williams of Grenadier Co. A 6th Inf is Charged with saying when he was told by Corp^l. Johnson orderly to the Commanding Officer that his permission was not signed that he would be damned if he would do any thing more to day. This at Fort Atkinson the 5th August 1826

By order of Lt. Col Woolley
Signed Tho^s Noel
Adj^t 6th Inf

To which the prisoner pleaded Guilty

The court after mature deliberation confirm the plea of the prisoners & find him guilty as charged and do sentence him to undergo ten days

of solitary confinement and to have the whiskey part of his ration stopped for the period of thirty days to be appropriated to the use of the Company to which he belongs

The Court adjourned Sine die

G.W. Folger
Lieut & Prest

Orders

No 186

Head Quarters 6th Infantry

Fort Atkinson 6th August 1826

The proceedings of a Regt. Court Martial where of Lt. Folger is President are approved and the several sentences will be carried into ^{full} effect. Serg^t. Wyatt is released from arrest and will report for duty, Privates James Davis and Matthias Marsh of the Rifle Company will be discharged from confinement and return to duty

The Court is dissolved

AR Woolley
Lt. Col Comg

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