

6-30-1797
212

A Pay Roll of a detachment of Militia Infantry Stationed at Fort Washington, Fort Berien and War-hill under the command of Lieutenant Joseph Lane, and ordered the service of the State of Georgia by his Excellency Jared Irwin Governor- from the 3rd of March 1797, to the 30th of June 1797 both days included-

N ^o of each grade	Names	Rank	Commencement of Service or dates of Enrollment	Expiration of Service or dates of discharge	Time of Pay pr. service month		Amount of Pay.	
					Month	Days	Dollars	Cents
1	Joseph Lane	Lieut ^t	March 3	June 30	3	27	26	101 40
1	John Lafferty	Serg ^t	April 4	June 30	5	26	8	30 10
1	Sam ^l M ^c Kee	Corp ^l	March 3	June 30	5	27	8	29 10
1	Henry Gorden	Priv ^t	March 3	May 31	2	28		22 50
2	John Shields	"	March 3	June 30		120		30 00
3	Sam ^l Shields	"	March 3	April 3		31		7 75
4	Drew Shields	"	March 3	April 3		31		7 75
5	Alexd ^r Willie	"	March 3	June 30		120		30
6	Mathew Barber	"	March 3	June 30		120		30
7	Heace Barber	"	March 3	June 30		120		30
8	James Wiatt	"	March 3	June 30		120		30
9	Will Hamock	"	March 3	June 30		120		30
10	Laz ^s Sumerlain	"	March 3	June 30		120		30
	Jn ^o M ^c Kee	"	April 4	June 30		56		14
	Jn ^o Kirkpatrick	"	March 17	June 30		73		18
	Johnson Smith	"	June 1	June 30		30		7

This is to certify that the above service has been perform'd and that the above Roll is a true statement of the same

Joseph Lane Lt

John Berrien- S.J.

Note: On margin-

Pay Roll, Joseph Lane, L^t - 3 March to 30th June 1797 (Infantry)

\$460.03

Examined

John Berrien- S.J.

PROCEEDINGS of a

Board of Officers convened at Louisville on the 25th of
July 1797, under a concur'd Resolution of the 6th of
February 1797, for the purpose of hearing the complaints
& Evidences of A. C. G. Elholm, & the Evidence of Those
concerned in The Trial - &c & ec

John Berrien Secty

Tuesday, Louisville, July 25th 1797 -

At a board of Officers, convened at Louisville by his Excellency the GOVERNOR, agreeably to a concur'd Resolution of the honorable the GENERAL ASSEMBLY of the 6th febr'y last past, for the purpose of hearing the complaints & Evidences of A.C.G. Elholm and also the Evidence of those concern'd in his Trial,

PRESENT

1. His Excellency the GOVERNOR,
2. Major Gen^l John Twiggs, - 3, Maj^r Gen^l John Clarke,
4. Brigd^r Gen^l John Morrisson, - 5, Brigd^r Gen^l John Stewart,
6. Leuit^t Col^o John Watts - 7. Leuit. Col^o William Melton,
8. Leuit. Col^o Thomas Lamar & 9. Leuit. Col^o Wylly Pope.

The Board proceeded to business & appointed John Berrien Secretary -

On motion RESOLV'D - That the secretary do notify A.C.G. Elholm esquire, - General George Mathews & Gen^l Thomas Glascock, or such of them as may be now attending, that they have met, & will adjourn till Nine OClock tomorrow morning to meet in the Senats Chamber in the Statehouse, for the purpose of proceeding on business agreeably to the intention of the aforesaid Resolution of the 5th february last -

The board then adjourn'd till Nine OClock tomorrow morning -

WEDNESDAY, July 26th 1797 -

The board met agreeably to adjournment,

PRESENT, as yesterday -

The Secretary by direction of the board administered the

following Oath to the President & Members -

VIZ;

"You will vote & truly examin & enquire,
"according to your evidence, into the matter now
"before you, without favor or Affection"

"So help you God"-

And the President administed to the Secretary on Oath
as follows - VIZ - "You do Swear, that you will

"according to you best Abilities, accurately & impartial

"by record the proceedings of the board of Officers now

"assembled, & the Evidences to be given in the case in

"hearing" "So help you god"

On motion, Ordered - That the Secretary be direct - to
call on the Executive & request that the board be furnished
with the proceedings of a Court Martial, orderd by Gov^r
Mathews late Governor for the Trial of A.C.G. Elholm, of
which Brigd^r General Glascock was President, & all other do-
cuments relative to the case now in hearing -

A.C.F. Elholm, & Brigd^r General Glasscock attended the
board agreeably to a notification from the Secretary, & Seats
were favorably assignd them within the bar -

The proceedings of the Court Martial of which Brigd^r
General Glascock was President ordered for the trial of A.C.G.
Elholm, together with Sundry documents & letters produced on
the said trial & filed with the proceedings, were laid before
the board by the Governors Secretary M^r Meriwether, which were
read in order -

An Extract from Governor Mathews' message dated Janu-
ary 14th 1796 to the General Assembly, and a General Order for
reconsidering the charges & proceedings, had thereon in the

In the House of Representatives 3d January 1797

It was proposed and seconded to amend the foregoing report to read as follows.

The Committee to whom was refered the petition of Augustus C. G. Elholm complaining of certain grievances imposed on him during the administration of the year 1795 are of opinion the investigation of the subject would be too tedious, and lengthy, and would too much impede the necessary business of the Session to be entered on by the Legislature and therefore recommend the following resolution

Resolved that his Excellency the Governor be authorized, and requested to convene at Louisville at such time or time as he may direct; two Major Generals two Brigadier Generals, and four Colonels, who with his Excellency the Governor are authorized to hear the complaints and evidences of the said Augustus C. G. Elholm, and also the Evidence of those concerned in his trial, and provided it shall appear that partiality injustice or oppression was practiced at the said Trial, the Governor, with the advise of a majority of the aforesaid officers may grant him a new Trial which shall be conducted agreeably to the Militia Law of this State and the Articles of war.

Extracts from the Minutes

Signed James M. Simmons Clerk

In senate 6th of February 1797
The amendment taken up and agreed on)

Signed W. Robertson Secy

(Reverse)

The hon^{ble} Majr Genl McIntosh

Fort Mathews 24th June 1793

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N^o 59 (Means this was document #59 used in the trial of Adj. Gen. Elholm.)

Sir

I have sent to you by Express the Weekly Return of My troop ordered in to Service by Brigadier general John Clarke, I have collected the Daily provisions and Forage, Returns from the Contractor, and Delivred to him a general one for the old, I have Send you the Daily Return and the Copy of the same that I have Delivred to the Contractor at fort Mathe(wa)
to-you, I have arived from the Scout Monday I have been till Burkes Station and Returned Back By the Flaat Shouls on the occoneey I have neither here or See any Indians Signs. This day I am Discharged by order of Brigadier general Clarke. Sir I Will be Very glad when I shall have the honor to See you, and to have one opportunity to Inquire from, on the occation of the abieusement I have Receiv from Pitter Williamson, I have Raily onderstood you Wrong, But I understand that you Sayd that I Did not Wish to understand you, Wich per My honor the first of your Expretion I Did not understood you. But next When I come to you there I understood that you Did Wishes for me to Clair my Caracter if Not I Should not have a commision in the State of Georgia Sir I think that it Would have ben Wery Much Licke Militairy for me to Draw My Sowrd on him, no far from that- I Should Do Such thing. but I was Determined to have Satisfaction here after and at a nother place. that Day where wee noond I Whent to general Clark I ask of him to give me Satisfaction that Pitter Williamson ad abieused me and he vas inferior officer and young man Wich I Did not think that I should put him in a parel With me and I thought he Should be arested. General Clarke ansred that he could Do nothing in the Case I Whent to my Camp and send aRest to Lut Pitter Williamson by My Luitenant and ordred him to give up his sourd Wich he did & then I send the accusation to the Commandant Wich I found that I vas Wrong in Sending him the arest but I Did Not Consider, ^{then} Brigadier General Clark ordred a Court of Inquiry, Wich they had that Same knight, and Lut Pitter Williamson Could not prove any thing Licke he did Wishes to prove

Weeth Esteem I am
Sir your Most Humble Ser^t
F. PHINIZY CAP^{tn}

On reverse

To the Adjutant General
of the State of Georgia

p^r: Express { Augusta

Trial of Lt Col^o Carr of Camden dated 3^d January 1794, were
call'd for & read -

A.C.G. Elholm was then call'd forward to state to the
board the complaints which he had to exhibit, & such Evidence
to bring forward as he thought proper to produce, which State-
ment he deliver'd in writing & is as follows -

"To his Excellency the President, & the honorable
"the Gentlemen of The Court of enquiry - The
"following are the complaints which I beg leave respect-
"fully to submit to the Judgement of the honorable the
"Court of enquiry now sitting of which His Excellency
"The Commander in Chief is President - VIZ:
"1st General Mathews Then Governor of the State
"of Georgia did wantonly, maliciously, & without
"cause, impeach your Complainant as Adjutant Gen^l
"of the State, in his communication to The Senate
"of the 4th November 1794, and contrary to the
"true intent and meaning of the resolution of the
"Said Senate passed the 25th December ending, did
"withhold a Court of enquiry from your Complainant
"whereby he woud have had it amply in his power
"to confute The said impeachment -

2^{ndly}

"Gen^l Mathews Then Governor as aforesaid, did
"on the 23^d day of March 1795, order an arrest of
"your complainant as adjutant General, for insolence
"to, & ungentleman like behavior in the presence of the"
"Commander in Chief, and for disobedience of Orders,
"of which charges your Complainant avers he is not

"guilty, as by a General order of the 15th January 1795

"he was not in actual Service as adjutant General,

"and therefore by the Laws of the United States, & the

"Militia law of this State, was not amenable to a

"Martial Court -

3^{dly}

"General Mathews then Governor as aforesaid

"on the 26th March 1795, did make an additional

"charge to the arrest of your complainant as adjutant

"General which was as follows. For calling on the 27th of

"January 1795, for returns of the Militia - agreeably to Law

"to a General order of the 20th of August 1793, and in

"conformity to what the complainant, conceived to be

"his duty - and here let it be observ'd that the General

"order which forbid your complainant to act as Adjt.

"General was not received by him until the 10th

"of february following, as Certified on the said

"Genl order by James Meriwether Secty of the

"Executive -

4^{thly}

"That General Mathews then Governor aforesaid

"did by a General order compel your Complainant

"to submit to a Military Tribunal of his own

"picking & selecting, without his consent or acquies-

"ance, and appointed Officers to sit on the Court

"Martial out of regular routine, contrary to all

"Military usages & customs, and further That a

"great proportion of the Officers that composed the

"Court before which your complainant was arraigned

"were of inferior rank to your complainant, contrary

"to the 11th article of the administration of Justice
 "& that the said Governor attended the Trial person-
 "ally, & gave direction to the Court - and permitted
 "The President to appoint a Judge Advocate inca-
 "pable to perform That duty - and sufferd with
 "impunity nine Officers of said Court to change their
 "Oath, within lock'd doors, where they formd ano-
 "ther for their meer convenience at will -

5thly

"That Gen^l Mathews then Governor as aforesaid did ap-
 "prove of the Sentence of the Court-Martial
 "who sat on The Trial of your Complainant, in
 "time of peace, altho he was the prosecutor
 "contrary to the True Spirit & meaning of the
 "2nd article of the administration of Justice
 6thly That the aforesaid General Mathews then
 "Governor did approve of the Sentence of the
 "Court Martial by which your complainant
 "was tried & condemnd because he (your complain-
 "nant) had challeng'd Gen^l Glascock, two days
 "after the Court was dissolv'd of which he (Gen^l
 "Glascock) was president, which if ever admitted
 "to be a crime, as your Complainant was not arraignd
 "for it, was a stretch of power in the Then Governor
 "forbidden by the 13th article of the articles of war,

7thly

That the aforesaid Court Martial after
 "having compeld your complainant to come to
 "Trial refus'd him a short time to make his
 "defence, VIZ: from Two OClock one day

"until the next day, altho' it was at that
 "time known to the President of the Court
 "that, thro' his neglect, or otherwise, a principal
 "witness in favor of your Complainant had not been
 "brought forward -

(Signed)

A.C.G. Elholm

Louisville July 26th 1797-

The board then adjourn'd till nine OClock to-
 morrow morning -

Thursday July 27th 1797 -

The board met agreeably to adjournment -

Present as yesterday -

General Glascock being call'd on made few remarks
 on some Evidence which had been offer'd by A. C. G. Elholm -
 & sat down - The board then proceeded to take under con-
 sideration, the complaints & evidences of A. C. G. Elholm,
 and all the documents which relates to the case & that had
 been read on the hearing before the board in the presence of
 the parties, were again read and also the General Militia laws
 of the State

The board then adjourn'd till 9 OClock tomorrow
 morning -

Fryday July 28th 1797 -

The board met agreeably to adjournment,

PRESENT, yesterday -

On motion, Resolv'd - that the complaints of A. C. G.
 Elholm, be favorably read - which was done accordingly - & in
 course of the reading all the Evidence applicable to the en-
 quiry, was again call'd for & read - and the board enterd into
 a deliberate & full discussion of the subject before them, when

the following Question was put by the President - VIZ:
Are you of Opinion, that partiallily injustice or opposition
was practiced in the trial of A. C. G. Elholm, & that he be
admitted to a new trial under the concurd resolution of the
6th february 1797 -?

When the Votes were taken, begining with the Junior
Officer, & appeared as follows, VIZ:

Yeas - -	Nays -
Major Genl Twiggs -	Majr Genl Clarke
Brigdr Genl Morrison 2	Brigdr Genl Stewart
	Lt Colr Watts
	Lt Colr Melton
	Lt Colr Lamar
	Lt Colr Pope -6-

So it was carried in the Negative -

On Motion, Resolvd,

That the Secretary be directed to have
the foregoing proceedings fairly engrossd & presented to the
President for Signing - after which the Secretary is further
directed to deliver the same to The Executive to be filed in
This Office -

The Board then adjournd, Sina Die

Attest
John Berrien
Secretary

Jared Irwin President

(Reverse)

Proceedings of a Board of Officers commaned to hear
the complaints of A. C. G. Elholm. Ordered to be fill'd 2d Aug-
ust 1797.

Court - Martial

By experience it is found that an adjutant general is in all armies a necessary and useful officer; but even among those, who have made arms their profession, there are but few who are well qualified for that appointment, it is perculiarly unfortunate for this State that a man should have been appointed, who in my opinion does not possess Talents equal to the task. - in support of this opinion I enclose you one of his reports. - it appearing to me that little or no advantages would be derived from his services. I continued him in pay no longer than the 29th May and to which time I drew warrants on the Treasurer in his favor - this measure I thought myself perfectly justified in as the law only provides pay for him whilst in actual service - Should your honorable body deem his services essentially necessary you will please to delineate the duty he is to perform, as I cannot place any confidence in him I shall not entrust him with my orders --

Extract from the Governors Communication, filed in Senate 4th Novem 1794

Wm Robertson Secy.

Reverse:-

M. Elholm
Certificate

Nº 1

To The hon^{ble} The President, and members of the Senate!
And the hon^{ble} The Speaker, and members, of the House, of
Representatives:

The Petition of Augustus, Christian George, Elholm
humbly showeth;

That your Petitioner by a Law of the State was appointed Adjutant General, and have at all times executed the Duty required of him by General Orders; received from the Executive of this State; as well as the Duties required by the Laws of the United States; And in the execution of those important trusts; his time, - attention - and, Labour, has been constantly engaged - notwithstanding which it is with singular regret that he finds himself, compelled to trouble the hon^{ble} the Legislature, in a case so trivial, as that of the obtaining the Arrearage of Pay due to him as Adjutant General of this State as p^r account rendered and for which a special Appropriation was made by the Legislature during the late Session.

Nothing short of the necessity by which he is urged; could ever have induced him to trouble your hon^{ble} Body; and more particularly at this time when matters of the greatest concern are engaging your attention

Your Petitioner therefore humbly prays that his case may be taken under consideration, at such time; and in such manner, as you in Your wisdom may see fit.

And your Petitioner as in
duty bound will ever pray

Augustus Christian Geo. Elholm

Augusta
Nov^r the 15th 1794

State of Georgia

Debtor to Augustus

Christian George Elholm Adj^t Gen^l

To Services as Adjutant Gen^l
from the 29th of May to the 3^d) L 73-14-8^d
instant being 158 days 9-4^d)

Augustus C. Geo Elholm

Adj^t Gen^l

15 Nov^r 1794

Nº 141

In Senate 20th Decem 1794

By experience it is found that an adjutant Gen^l in all armies, is a necessary and useful officer, but even among those who have made arms their profession, there is but few who are well qualified for that appointment It is peculearly unfortunate for this State that a man should have been appointed, who (in my opinion) does not possess talents equal to the task, in support of this opinion - I enclose you one of his Reports it appearing to me that little or no advantage would be derived from his Services - I continued him no longer the 29th May and to which time I drew Warrants on the Treasurer in his favor This measure I thought myself perfectly justified in, as the Law only provides pay for him while in actual service Should your Honorable Body deem his services essentially necessary you will please delineate the duty he is to perform as I cannot place any confidence in him - I shall not instruct him with any of my Orders

Extract from the Governors Communication of the 1st Decem 1794 -

W. Robertson
Acting Sec'y

Novm^r 19th 1794

Nº 140

Sir,
agreeable to your Request I have made as near a calculation of the number of effective men in the County of montgumery as my memmory will admit of which is one hundred and sixty

I am with due respect
Your Hbl serv^t
Benj^m Harrison Capt

George Elholm
Adj^t Gen^l

State House Augusta

23^d March 1795

G. O

The Adjutant General will consider himself
under an Arrest for insolence to, and ungentlemanlike
behaviour in the presence of the Commander in Chief.

Attest

J. Meriwether Sy E D

(Reverse)

An Arrest

Gen^l Order

N^o 8

State House Augusta 23 March 1795

Sir

You will please to notify the Adjutant General
of an additional charge to his arrest, to wit,

Disobedience of Orders

I am Sir

Your Mo Hble Serv

J Meriwether Sy. E. D.

(Reverse)

Gen^l Order N^o 6.)

Maj^r James Pearse

329
State House Augusta 26th March 1795.

An additional charge against the Adjutant General - for assuming to himself the command of a part of the Militia of this State by ordering Captain Fauche to make him a return of his Troop in Actual Service without orders from the Commander in Chief for that purpose.

Attest

J Meriwether Sy. E.D.

(Reverse)

Genl Order

Nº 5. -

Augusta April 15th 1795.

Sir

I received yours by Major Gen^l Twiggs in answer to mine of this morning, and viewed it with the contempt it deserves.-

Sir! you know what is done, & that Light admits of no ignorance My Letter which you have answered points out facts not to be denied I have a full view of the injury you duty might have kept of from me, and your silly plea of ignorance shall not protect you - and reminds your attention strictly to my Letter of this Morning handed to you by my friend Major Gen^l Twiggs.-

I am yours etc.

Augustus C. Geo Elholm

The hon^{ble})
Brig^{dr} Gen^l)
Glascock)

(Reverse)

Letter N^o 3.)

Augusta Apl 15th 1795

Sir,

I received yours by Genl Twiggs, I do not recollect acting out of the line of my duty as President during your trial; if I did, it was not intentional -

I am yrs &C

Thomas Glascock

Coll Elholm.

(Reverse)

Colonel Elholm.

Letter N^o 2

April the 15th 1795

a Copy

Sir

My conversation with you yesterday, I am confident must have Breathed a discovery to you of having been feeling-ly uttered by injured man! It is therefore meerly requisite for the present to communicate to you that your conduct as president on my trial (inspite of every Effort of moderation) excites a Demand to render the occasional atonement for your Glaring connivance at; and Offered insult whilst being a Prisoner in your arrogated Power. - - and my Friend Majr Genl Twiggs will fix with you the time and place. I shall be armed as usual on the occasion.

I am yours etc.

Augustus C. Geo. Elholm

The honble)

Brigdr Genl)

Glascock)

(Reverse)

Letter N^o 1

332

State of Georgia)
Richmond County)
) Personally came before me Captain B.
) Pool adjuant of Richmond Militia, who had
the care of the door of the room where the Court Martial sat to
try A. C. G. Elholm Adjutant Gen^l & made Oath that Nine Members
met, (Gen^l Glascock Presid^t.) on the 30th March last, and took the
Oath Agreeable to the Federal Martial Law of the United States,
Administrated by Seaborn Jones who Acted as Judge Advocate, - And
that on friday the 3^d Ap^l ensuing the s^d Court met Agreeable to
Adjournment with the Addition of three members and as the s^d
Court was going to take Another Oath, this deponant was directed
to clear the room & shut the door, & that the Adjutant Gen^l was
one of the Number ordered by the Court to leave the room - And
this deponant further saith, that while the door was shut, His
Excellency the Governor directed him to give his Compliments to
the Court & to Adjourn to some further day & have the Court Com-
plete Agreeable to the Adjutant Gen^l with, or in words to that
affect, which this deponant did Agreeable to orders, and this
deponant further saith, that after this the Court examened the
Witnesses Against the Adjutant Gen^l the Governor was present as
prosecutor, & that only twelve members were present --

Sworn to before me)
)
this 22nd Apr^l 1795)
)
John Willson J. P.)

B Pool A R M

(Reverse) Cap^t Pool's
 Affidavid N^o 2
 Fourth

State of Georgia

Hancock County

Personally Come before me Maj^r Charles Abercrombie, (Being duly Sworne) deposeth and Saith, in the begining of Febuary last a Seale^d letter as he thought^t at the Reception, from the manner it was Adresse^d to Adj^t Gen^l, Come into the hands of the sai^d deponent, And to the Best of his Recollection, the Eighth^{or} tenth of March last, the Adj^t Gen^l Called at this deponents house at which time he Deliver^d Sai^d letter as he still Conceiv^d it to be; to the Adj^t Gen^l upon Which the Adj^t Gen^l immediately Open^d and peruse^d, And then handed it back to this deponent saying You will see by this the Governor has Shut the Office of Adj^t Gen^l or Words to that Efect, And he this deponent further Saith that by the perusal he found it to be the following Gen^l order, Augusta 15 Jan^y 1795 The Adjutant General is Not on Aney pretence to call on the Officers of the, Militia for returns, make aney kind of Arragnement for, or in aney Manner interfier with the Militia, unless he shall Receive an express order from the Commander in Chieffer that purpose, Attest, J. Marwether, S. E. D.---further the Deponent Saith not.-----

Cha^s Abercrombie

Sworne to before me

this 1st day of May 1795

J^HON MITCHELL, J.P.

(On Reverse)

Affidavit of Charles Abercrombie

Does not belong here

335

State of Georgia

Hancock County

Personally appeared David Adams

before me and being duly Sworn Saith, that on
of tant, he with a member of other Citizens
Crossed the oconee River, and that his business was to persuade
a Cap^t Robert Harper, Lieutenant Cheney M^c Clendon and others
from their Lawless proceedings against this State, and to put
to Rites Some mistakes that was said to have been made and he
was treated with a probrious language. and was ordered to
Leave the ground by Cap^t Harper, who informed this Deponant
that they were an independant people. then a pistol was
brought out of the foart by one of the men, which was taken
from him. then Lieutenant Cheney ordred his guard to fly to
their arms imediately. and since this Deponant asked Lieu-
tenant Cheney ordred what he ment by ordering his men to arms,
and Cheney, answered if he Could have got his men from amongst
this Deponant and the other people that was with him, he would
have paid fired amongst the thickest of them. and this De-
ponant Saith he has heard Lieutenant Cheney Repetedly Say,
that if he was obliged to Leave that foart, he would go and
Join the Indians, and Come ag-ainst the frontiers, and that
he would have Negroes and property plenty.

Sworn before me this

David Adams

13 th Day of September 1794.

Ja^s. Adams J.P.

(On Reverse)

Copy This

Georgia
Richmond County)

Personally appeared before me Abraham Jones

one of the Justices of the Peace for the

County aforesaid William J Hobby who being duly sworn saith,
that he was present at Mrs Fox's in Augusta on or about 13th
of April last, when a Court Martial was setting for the tryal
of the Ajutant General on certain charges exhibited against
him - and that he to the best of his recollection heard, the
Ajutant General say he wished the court to call & interrogate
the witnesses against him, that the court might thereby be
possessed of just information as the witnesses could give res-
pecting his conduct towards the Governor. This deponent
farther saith that to the best of his recollection he heard the
Ajutant General say that he was not guilty of the charges against
him, - that his witnesses had not appeared & that he therefore
begged a further indulgence of the court, as he was not now
prepaired for tryal that he requested the court at least to in-
dulge him til^l the next day, that he might have his witnesses
if possible & a military counsellor to assist him - that he
wished to establish his innocence by unquestionable testimony -
& that in his present unprepaired situation should the court pro-
ceed it would be impossible that impartial justice should be done.

W^m J. Hobby

Sworn to before me

this 4th day of May 1795

Abram Jones J .P.

"Reverse"

Mr. Hobby
Affidavits

Georgia)
Richmond County) Personally appeared before me one of the
Justices of the peace for the County afore-
said William Spencer, who being duly sworn sayeth, (that on
the 13.th April, last, at a Court Martial held at M.^r Foxe's
for the trial of the Adjutant General, Augustus Christian
George Elholm) to the best of his knowledge, that he heard
the Adjutant General make use of words to this effect: - That
it was a matter in its nature singular (and perhaps the first
instance ever known in this State) the trial of an Adjutant
General - it was of great importance that gentlemen should under-
stand the nature of his offence, and the Law, so as to inflict
punishment or to acquit him; he had no doubt, being conscious
of his innocence, but that they would acquit him with honor -
yet he did not think the Court competent to try him - as many
of them had experienced but little service, and could have but
little knowledge of Martial Law: - He, however, observed that
was he to be tried in a Civil Court for his life, he would not
object to any of those gentlemen, as jurors, on the solemn oc-
casion: - But, in a point when the honor of the Adjutant General
was to be tried, and which had been acquired in the Field in the
general struggle for the Rights of Man, Americans particularly,
that the Court would be setting a precedent that might involve
many in misfortune. This deponent further sayeth, that he often
heard the Adjutant General assert his innocence - that he was not
guilty of the charges exhibited against him, and that he was

confident the Court would acquit him with honor; but such was his sense of the privileges and rights of man, that he would not yield, voluntarily, to a precedent that endangered, not only himself, but the right of every Officer and Citizen throughout the State: - That they, the Court, ought to be cautious how they decided, that every thing would appear on record, and the world would have it in the power to judge of their conduct.

William Spencer

Sworn to before me this 17th day of May 1795

Abram Jones J P

Mr Spencers affidavit

I hereby certify that on an application, which was made to me from Col.^l Watkins, for the purpose of my certifying that Capt.ⁿ Stiles did serve at a Court Martial, on a charge against Col.^l Gordon, I did give unto Col.^l Watkins on or about Tuesday the 12th inst my Certificate that Capt.ⁿ Stiles had served or sat on s^d Court Martial; but speedily after, recollecting that Capt.ⁿ Stiles had not sat on said Court Martial, I within about three hours after having given said Certificate, waited on Col.^l Watkins and informed him of my mistake made in said certificate, as Capt. Stiles had not served on s^d Court Martial as was by me therein expressed.- Witness my hand at Augusta June 18th 1798. -

B - Pool late A. R. M.

(Reverse) Cap^t Pooles
Certificate

I hereby certify that on an application, which was made to me from Col^l Watkins, for the purpose of my certifying that Captⁿ Stiles did serve at a Court Martial, on a charge against Col^l Gordon, I did give unto Col^l Watkins on or about Tuesday the 12th inst my Certificate that Captⁿ Stiles had served or sat on s^d Court Martial; but speedily after, recollecting that Captⁿ Stiles had not sat on said Court Martial, I within about three hours after having given said Certificate, waited on Col^l Watkins and informed him of my mistake made in said certificate, as Capt. Stiles had not served on s^d Court Martial as was by me therein expressed.- Witness my hand at Augusta June 18th 1798. -

B - Pool late A. R. M.

(Reverse) Cap- Pooles
Certificate

Georgia) Zephaniah Franklin maketh Oath that he was a Soldier
in Captn Sam Beckcom's Company of the late State Troops
that he served his time faithfully agreeably to the terms of his
enlistment that he was not a Substitute & that he never has re-
ceived any compensation for his said services

Sworn to this 11th Octo 1797 Zephaniah Franklin
before Thos Johnston Dep Treasr

Captn Sam^l Beckcom maketh Oath that Zephaniah Franklin
was a Soldier in his Company of the late State Troops, that he was
not a Substitute that he served his time faithfully agreeably to
the terms of his enlistment & that he has never received any com-
pensation for his said Services

Swornto this 11 October 1797
before Thos Johnston Dep Treasr Saml Beckcom

I do certifie that Zephaniah Franklin a Soldier in my Company of
the late State Troops delivered up his Arms agreeably to Law
Saml Beckcom

Montgomery

State of Georgia

Personally appeared Cormick Higgins before me and being Duly sworn, and sayeth that on the Twenty fifth of November he the Deponant was in company with James Ford who informed him that he had rec^d. Two advertisements from Major Gaster pointing out a time for holding an Election for a Cap^t in Lieu of Jesse Embree Resigned, and the the Said Ford Declared that he would keep the Said advertizements Secret untill a Day or two before the Election &c

Cormick Higgins

Sworn to before me this 15th of November
Jesse Embree P

Preseant Electors

James Ford

Nilas Twilla

John Ford Jr

John Ford Sr

William Johnston

William Ford

Alen Johnston

George Hinson

Elisha Baker x

Richard Horn x

Zachariah Pain

Thomas Pressneed

Abraham Higgs

Candattes

James Ford 13

This may certify that that on the ninth of December 1797
James Ford was Duly Elected in the place of Jessey Embree
as Capt.

Henry Gaster, J. P.

Abraham Bird, J. P.

(REVERSE)

His Excellency the Govenor

Lieuusvail

Return and Poll for Ford as Captain in Montgomery N^o 3
Higgin's Affidaved
of advertisements secreted - N^o 7

12-31-1797
342a

Muster Roll of a Detachment of Militia Dragoons call^d into service of the State of Georgia by order of his Excellency Governor Jared Irwin garisoned at Wilkins under command of Lieut Rob^t Montgomery from the 15 of June to the 31st of December 1797 both days included

Number	Grade	Names	Rank	Remarks and alterations
1		Robt Montgomery	Lieut	
1		Richman Terrel	Serg ^t	
1		William Robins	Dragoon	
2		Owen J Bowen	"	
3		Joseph Johnson	"	
4		Sam ^l Hollingsworth	"	
5		Hamilton Montgomery	"	
6		Benjamin Fife	"	
7		David Sanders	"	
8		Joel Raburn	"	
9		William Case	"	
10		Isaac Hendricks	"	Discharged
"		John Cox	"	
"		Isaiah Hayly	"	Discharged
"		John Yong	"	

I hearby certify that the above Roll is a true State of the Detachment of Militia Dragoons under Command of Lieut Robt Montgomery as mustered by me this 31st of December 1797

Clement Wilkins Com^{dt}

Reverse:— Muster Roll Rob^t Montgomery Lt 15th June 31st Dec. 1797
Acted on 11th May 1797
(dragoons)

also see Vol 10 p 67

Pay Roll for a detachment of the Louisville Company of Militiary from the 1st August to the 30th November 1797 both days inclusive - Ordered into Service as a Guard at the State House

Names	Rank	Time of Service	Pay per Day	Amount of Pay
Thomas Johnson	Captain	122 days	\$1	\$122
John Mackey	Private	122	87½	106.75
Davis Jamieson	do	122	-	106.75
Geo Johnson	do	122	-	106.75
Jacob Peterson	do	122	-	106.75
				<u>\$549.</u>

30th Nov.
Louisville ~~1st October~~ 1797
Thomas Johnson
" Captain

(Reverse)

Pay Roll
Capt Johnson
\$549.
Order taken
15th Decemb^r 1797

Pay Roll for a detachment of the Louisville Company of Militiary from the 1st August to the 30th November 1797 both days inclusive - Ordered into Service as a Guard at the State House

Names	Rank	Time of Service	Pay per Day	Amount of Pay
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				<u>\$549.</u>

30th Nov.
 Louisville ~~1st October~~ 1797
 Thomas Johnson
 " Captain

(Reverse)

Pay Roll
 Capt Johnson
 \$549

Order taken
 15th Decemb^r 1797

Recapitulation

Casualties	Lieutenant	Serjeant	Dragoons	Total	
Present fit for Duty	1	1	11	13	the men who were succeeded are not stated Discharged and those stated present, are returned but once, where two names makes but one number
on command	"	"	"	"	
sick absent	"	"	"	"	
Discharged	"	"	"	"	
Aggregate of this Detachment	1	1	11	13	

I hearby certify that the above contains a true Statement of the Detachment under my command-

31st 1797

Fort Wilkins December

Robt Montgomery Lieut

State of Georgia,

1797,

To Valentine Geiger D^r

December 31st

For the following Supplys, furnishd to several detachments of Militia Stationd at Forts, Washington, Berrien & the War-hill, in 1797, as p^r abstracts rendered - Viz;

1,323, bushels & 18 qt ^s of Corn at 50 C ^t s	\$661.78
Commissions at 5 P ^r Cent on the above	33.08
6,734, rations a 11 $\frac{1}{2}$ Cts	774.41
5 Quire of paper at 37 $\frac{1}{2}$ Cts	1.87 $\frac{1}{2}$
2 Bottles Sp: Turpentine \$2 - 6 lbs Sugar \$1.50	3.50
99 days hire of Waggons for hauling	
the Corn to the Several Stations @ \$3.00 -)	297.00
5 days hire of ² Waggons to haul timber for the	
Fort - a \$1.50	15.00
	<u>\$1786.64$\frac{1}{2}$</u>

A charge for loss in remeasuring Corn of 19 $\frac{1}{2}$ bushels amount^s to \$9.75 is Submitted to His Excellency the Governor whether or not it shall be added to this Account —

(Reverse)

The Statement on the other Side taken from one Sent from the Executive Office, & only corrected in the Calculations, & in the price of the Ration 15 $\frac{1}{2}$ Cts is now charg'd instead of 12 $\frac{1}{2}$ - in the other acc^t & Submitted —

John Berrien

344 B

Treasury Office, Louisville, Febry. 6th 1798

Sir,

I have the honor to return to the Executive Office the pay & Muster Rolls of Lieutenants Lane & Montgomery, with the account of Valentine Geiger as Contractor for furnishing the detachments under the aforesaid officers, referd to me by your Excellency for Inspection- I have corrected the calculations where I discovered them erroneous, & have reduced the Estimate of the Ration from 12½ to 11½ cents, but for this, I am only Sanctioned by or against from several individuals not having any Legal or Official information to vindicate the measures but as the party concerned, does acquiesse willingly in the measure, I pre-sume the deduction to be just - To the Account of Valentine Geiger I subjoin the Certificate of Lieutenant Montgomery to Validate the charge of Waggonhire, which together with a charge for a loss on remeasurement of Corn are respectfully submitted to your Excellencys consideration- I also Add a General Statement of the several pay rolls & account of V. Geiger - should I have omitted any part of the duty which your Excellency intended to have been performed I will chearfully amend my report whenever requird - & will conclude by observing That in the Muster Roll of L^t Lanes Infantry there is no Sarjant included, & that in the pay roll, for a certain time, a Sarjant is chargd for, the commencement of the charged is a month after the muster - That this pay roll is generally so incorrect, as to be hardly intitl'd to be filed in any office - & it is not signed by the officers, its having been referd under both Legislature & Executive Authority, forbid me to doubt its validity, otherways I should not have certified its examination - I have the honor to be

Respectfully, your Excellency

ob servant --

John Berrien

(On Reverse)

His Excellency; James Jackson
Governor of Georgia

His Excellency.
James Jackson

General Statement of the Pay Rolls of Lieut. Montgomery
& Lane, & the Account of Valentine Geiger, referd by
His Excellency the governor to the order written by
an Executive Order of the 5th. February 1798-

Viz:

Pay Roll of a detachment of Infantry under the command
of L^t Lane from 3^d of March, to the 30th June 1797

\$ 460.03

ditto, of a detachment of dragoons under the command
of L^t Lane from 5 July to 10th december 1797-

1,767.16 $\frac{2}{3}$

ditto, of a detachment of dragoons under the Command
of L^t Montgomery from the 15th June to the 31 Dec. 1797

2,107.25

Vincent Geiger Acc^t as Contractor exclusive of
wastage in remeasurement of Corn-----

1,786.64
\$ 6,121.08

Louisville Feb^{ry}. 6th 1798 - John Berrien

(On Reverse)

General Statement-

State of Georgia

To Valentine Geiger Dr

Dec ^r 31 st 1797	To 1320 Bushels 14 quarts of Indian Corn @	
	50 Cents p ^r Bushel	660.23
	To 19 $\frac{1}{2}$ Bushel lost in the measuring	9.12 $\frac{1}{2}$
	To 5 percent on the forgoing amount	32.75
	To 99 Days Waggonage at 300 Cents per Day	297.
	To 673 $\frac{1}{2}$ Ration at 12 $\frac{1}{2}$ cents	841.75
	To five Quires Paper at 37 $\frac{1}{2}$	1.87 $\frac{1}{2}$
	To Two Bottles, Spirits of Turpentine	
	Charge to the Hospital Department at	
	100 cents	2.—
	To C ^w Sugar @ 25	1.50
	To five Days Waggonage for hawling	\$ 15.00
	Timber to Build a ford @ 3	
		\$1861.23

19 $\frac{1}{2}$
9.75

The above furnished the Troops Stationed at
Fort Washington, Berrian War Hill, an Fort
Wilkins by me

Valentine Geiger

Amt^d to \$1786.64 $\frac{1}{2}$ - besides the charge for loss
on the remeasurement of Corn —

See Statement annexd

Reverse

V. Geigers Acc^t for Supplies-1797—

To detachments at Forts Washington, Berrien & War-hill—with
Lt Montgomerys Cert. annexd & a Certified statement—
by John Berrien \$1786.64 $\frac{1}{2}$ acted on 7 Feby 1798

Fort Wilkison 6th of January 1798

346

His Excellency Jared Irwin Esq^r

S^r

We are Just preparing for a start from this place. We will be escorted by a small Detachment of Coll^l Gather Troops - Together with four or five Indian Commissioners. We are not of opinion that any thing can be done as to apprehending of those who killed the Indians. they have so secreted the property that it cannot be found, yet still it appears they suspicion of the persons who did the mischief is well founded - we will Go up this side the river (torn) part of the way, but will cross over into (torn) and go through Greensborough. At this time this (torn) Intended rout. Everything is quiet as yet, and we hope will continue so. We have nothing further as yet to communicate.

Wishing you health and success, we are with Esteem

Your Excellency Most Obedient and very humble Servt.

And^w Burns

Jn^o Clemmings

REVERSE

Burnes & Jn^o Clements

6 Jany 1798

Commissioners 6th Jan 1798

His Excellency Jared Irwin Esq.

(torn)