

[This trial followed that of Private Patrick M^c Donald, 47th Regiment, dated Head Quarters at Dewar's House 24 August 1777. Court president and members are the same]

George Hundred Mark Private Soldier
in the 9th Reg^t was brought before the Court to be tried for
quitting his Post when Centinel without being regularly relieved,
& for Desertion.

Serjeant John M^cKenzie of the
9th Reg^t being Sworn to Interpret faithfully the Prisoner was
asked if he was guilty or not guilty of the Crimes laid to his Charge
He says not Guilty.

The Judge Advocate in Support of the Charge
calls on the following evidences

William Paston private Soldier in the
9th Reg^t who being dully sworn Diposes that he was till[?] [?]
lately a Serjeant in the Company that the Prisoner belongs to,
that he knows the Prisoner to have joined the Regm^t the 6th
of December last, that he has received Cloathing as a Soldier
& that he has given him money on account of pay

John Parnell Private Soldier in
the

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the 9th Regm^t being duly sworn deposes that he acted as Corporal to the Picquet on Thursday night last & Posted the Prisoner Centinel he believes at about 9'oClock and that when he went with the next relief, the Prisoner was not at his Post.

Q. by C^t Did you search for him about his Post.

A. yes, but did not find him

Serjeant James Dixon of the 9th Regm^t being duly sworn Deposes that he was Serjeant of the Picquet on Thursday night last, that he saw the Prisoner go out in the Relief which went out with John Parnell who acted as Corporal to the Picquet at about 9 oClock, that when Parnell went out with the next r~ Relief he staid a little longer than usual, & on his return told this Deponent he could not find the Prisoner, that thinking the Corporal might have missed the Post as it was in a Wood, he took the Man whom the Prisoner had relieved with him & went to it, that the Man was sure of being at the right place when they came there & that they searched all about but could not find the Prisoner

M^r Samuel Adams being duly sworn Deposes that he was on Command with a Scouting Party on friday last, in the afternoon, that he found the Prisoner on the road to Bennington on the east side of White Creek, about 20 miles off, & made a prisoner of him, that when he took him the Prisoner told him in English (sufficiently plain for the Deponent to understand him) that his design was to go to see his Brother at or near Boston.

Q. by C^t

Q. by C^t Is the Prisoner now on his trial the Person
you took

A. It is.

Q. by C^t Had the Prisoner his Arms & Accoutrements.

A. He had

Q. by C^t Did he make any Resistance.

A. No but he did not comply with my Order to lay
down his Arms till I had presented my piece at him.

Q. by C^t Had he his Regimentals on

A. yes.

Gideon Adams being duly sworn

deposes that he was with M^r Samuel Adams on Friday last
in the afternoon when they found the Prisoner on the road to
Bennington on the South east side of white Creek about 20
miles from this, & took him Prisoner.

Q. by C^t Did you hear the Prisoner tell M^r Adams
that his design was to go to see his Brother at or near
Boston

A. No I was at some distance.

Q. by C^t Was the Prisoner Armed.

A. yes.

Q. by C^t Did he make any Resistance.

A. He was very loth to throw down his Arms but
did not make any other Resistance.

Q. by C^t Is the Prisoner on his trial the Person
you have deposed to have taken.

A. He is.

The Judge Advocate resting the Prosecution on
the forgoing evidences, the Prisoner was put on his defence
who says, that the Promises which were made him when he

Inlisted

Inlisted have not been kept, that he was promised 6 pence pr Day, that on that promise he went on board Ship, that it was promised him that he should receive every year a Coat, Waistcoat, a pair of Shoes, a pair of stockings a Shirt and a hat, that on the faith of these promises he took the Oath and came to Quebec, that an Officer at Quebec gave him a Shilling & told he would get the money that was due to him when he came to the Regiment, that when they joined the Regim^t they were divided in the different Comp^s that he did not see an Officer for 3 Weeks & on asking the Serjeant if there were no Officer to the Company he received no Answer that after being with the Regiment three Weeks the Farmers would not keep them in their Houses because they were quite naked the Vermin on them was disagreeable that when the Compa^y found that they gave him a Shirt, a p^r of Shoes, & a pair of stockings, that he has never seen his Accounts to this day, that when the Regim^t left Winter Quarters he received a Shirt a pair of Shoes and a pair of stockings, that at Crown point his shoes were entirely wore out and he went a fortnight bare foot that on asking the Commanding Officer of his Comp^y for shoes he told him he had none for him, that on a Second Application for Shoes, his Officer gave him an old pair of his own, throwing one of them at him which struck him on the head, so that he was Stunned for a Quarter of an hour, that it is the Custom of the Company for the Women to wash for the Men, that on giving some Shirts to the only two Women who are with the Comp^y & wash they flung them back and said they did not wash for Dutchmen, that he got no Soap from his Officer, that he was obliged to wash his own Shirts and could not keep them clean, that when he was on his Post the Reflecting
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on these hardships & the treatment he received in the Comp^y which was more like that of a Dog than a Soldier made him Melancholy & Drove him to the resolution of Deserting. the Prisoner further says, he has never had the Articles of War explained to him in German, that at Chamblee during the Winter at an execution something was read to him which he did not understand.

The Prisoner calls on **Frederick Siffart** who being Duly sworn deposes that, the two Women who wash for the Comp^y both refused to wash for him and the Prisoner saying they did not wash for Dutchmen.

Serj^t Will^m Barry being called upon & duly Sworn was asked if the Prisoner has ever seen his Acco^t or signed it since he has been in the Reg^t

A. Not to my knowledge.

Q. by C^t Do you know that he has not.

A. I cannot say.

Frederick Siffart already sworn called on by the Prisoner and asked if he had ever seen his acc^t since he joined the Reg^t says he has not.

Q. by C^t Do you know if the Prisoner has seen his Acc^t

A. I know that none of the Germans that are here present of the Comp^y we belong to have ever seen their Acco^{ts}

Willhelm Ephraim Lobe private Soldier in the 9th Reg^t called on by the Prisoner & Duly sworn & asked if he has ever seen his Acc^t since he joined the Reg^t

says

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Says No.

Q by C^t Has the Prisoner seen his Acc^t

A No, No German of the Comp^y we belong to have seen it.

The Court having maturely considered the Evidences Addressed by the Judge Advocate in Support of the Charge against the Prisoner George Hundredmark together with what he has said & the Evidences he has brought in his Defense, is of Opinion that he is guilty of Quitting his post when Centinel without being regularly relieved and of Desertion, in Breach of the 6th Article of the 14th Section and of the first Article of the 6th Section of the Articles of War. The Court does therefore Adjudge the Prisoner George Hundredmark to be Shot to Death at such time and place as His Excellency the Lieut^t General shall appoint.

John Lind Lieut Col 20th Reg^t
Pres^t

James Henry Craig
Dep Jud. Adv^{te}

The above Sentence is confirmed having first enquired into the facts alleged by the Prisoner in his Defence & found them to be groundless.

J Burgoyne.

[End]

British National Archives, WO 71

Transcript by Eric Schnitzer. Pagination, line spacing, and spelling per original document.