British National Archives, WO 71 Transcript by Eric Schnitzer from photographs of original trial transcript. Pagination, line spacing, and spelling per original document.

At a General Court Martial held at the HorseGuards on Tuesday the 5th of May 1772 and continued by several Adjournments to Friday the 9th of the same Month, by Virtue of His Majesty's Special Warrant bearing date the 31st day of March 1772.

General John Earl of Loudoun, President.

Lieutenants General

Hon^{ble} George Boscawen Lord Robert Bertie Daniel Webb William A Court Ashe Sir Jeffery Amherst K.B. Sir Charles Montague K.B. Hon^{ble} Robert Monckton Stadholme Hodjson **Edward Sandford** John Lambton John Parslow William Browne Lord Frederick Cavendish Sir John Sebright, Bar^t Hon^{ble} George Cary John Clavering

Charles Gould Judge Advocate General.

The Members being assembled and duly

Sworn,

Lieutenant General William Strode
Colonel of His Majesty's 62^d Regiment of Foot came Prisoner
before the Court, and was Accused of having Wronged
several of the Non: Commissioned Officers Drummers and
Private Soldiers of the said Regiment under his Command
by withholding from them the Cloathing, to which they
were intitled for the year 1769, the Cloathing which
appeared to have been delivered to them in the said year

1769 upon their arrival in Ireland from the West Indies being no other than that which was of Right due them for the year preceding:

And the following thirteen Serjeants eight Drummers and Sixty nine Corporals and Private Soldiers were declared to be those, whom he is particularly charged to have so wronged.

Serjeants

Charles Cunningham

Robert Elliot

James Holland

Jeremiah Ormsby

James Ilsley

John Smyth

Robert Laffin

John Valentine

John M^c Cance

William M^c Masters

Drummers

Richard Bowden William Logan
John Hart John Pask
Joseph Isgrove Daniel Phillips
Daniel Long John Stubbs

Rank & File

Walter Adkins Joseph Collier
James Andrews Joseph Chapel
John Balderston John Camber
Joseph Balderston John Drylin
Robert Campbell John Davison
Barnard Cavana John Davis
Patrick Connol Alexander Frazer

William

Rank & File

William Christy William Hazles John Craig James Herd Thomas Henvey Joshua Miller Patrick M^c Randall Patrick Hart John Hill John Pulley **Edward Huff** John Phiffin Abraham Horner Thomas Phillips John Kyle Grenada Pigott Joseph Leadbeater Joseph Robinson Joshua Land Robert Spencer John Seeler Thomas Lawrence William Shutter John Morris Robert Moor Richard Sladdin Thomas M^c Laughlin Mathew Shaw

Robert M^c Fale Alexander Thompson
Arthur Murphy William Thomas
Edward Magee Hugh Thornpson
James M^c Grath Samuel Wall
Robert M^c Wharter Charles White
John Mooney James Wilson
James Macklin Charles Watson

Bromby Midworth

Thomas Arburthnot

Hugh Carrol Joseph Daniel Thomas Freelove

John Jess

John Carry

William Laing

Thomas Musgrove John Murphy

John Murphy John Major Andrew Reay Alexander Scott Lieutenant General William Strode admitted, that he is and was at the time in question Colonel of the 62^d Regiment of Foot;—and the usage of the Army and Duty of a Colonel with respect to the Providing of Cloathing for his Regiment, as well as the Right, which Non: Commissioned Officers, Drummers, and Soldiers of every Regiment have to their Cloathing in consequence of the Stoppages made from their Pay was also admitted.

Lieutenant Colonel John Deaken was then Sworn and examined:

Q. Whether the several noncommisioned Officers, Drummers and Private Soldiers of the 62^d Regiment received their Cloathing for the year 1769, or whether any and which of them by name have any just demand for their Cloathing of that year?

In answer to this question he laid before the Court the Lists whereof Copies are annexed by way of Appendix (N°. 1) of several non commissioned Officers Drummers and Private Soldiers who had not been Cloathed for the year 1769, and to whom (or their Representatives) a Cloathing or compensation in lieu thereof is now due, together with Twelve Soldiers, who as the Deponent has been informed, have received such compensation from Captain Harnage, which Lists from an accurate examination of the Regimental Books and Cloathing Returns he avowed to be correct; and the same now being compared with the List of Complainants above Set forth, is found to include All the said Complainants except John Hart, a Drummer.

Q. Did the Men receive any Cloathing in the year 1769?

A. They were all Cloathed in 1769, for the year 1768. The Regiment landed in Ireland in May 1769, and soon after their Landing Major Bromhead joined it, and took the Command of it.

Q. Does he know of any Application made either by the Men themselves or on their behalf to Lieu^t Gen¹ Strode for Redress?

A. The Men did apply to him, the Deponent, and he in consequence did apply to General Strode; and several Letters passed between them upon the Subject. The Witness here produced to the Court some, which were admitted by Lieu^t General Strode and read, viz^t.

Copy of a Letter from Lieu^t Colonel Deaken to Lieu^t General Strode, dated Kinsale 1st July 1770.

'Sir,

- 'The Clothing &c are arriv'd and in good Order,
- 'every thing answers to the Invoice, but I have not yet
- ' ordered the Bales to be opened, the number is exact, and
- 'I suppose the Contents also are right. The nine Drums
- 'I have had taken to pieces by the Drum Major, and
- ' examin'd them myself very particularly, M^r. Horne the
- ' Drum maker has used you exceeding ill, having sent
- ' three old damaged Drums among the number, full as
- ' bad if not worse than the condemn'd ones, which I have
- 'sent him back, and hope Sir, you will Order him to
- 'send us new ones in lieu thereof, as I cannot report
- ' these new and fit for service. The rest of the Drums

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' may be new, but the Shells of two are length'd with hoops
' at top and bottom, and two others being fractured, are
' mended at the inside with pieces of wood or Canvas glued to
'the fractured places, and M<sup>r</sup>. Horne's Bills pasted over
' old Bills of two on the inside; in short there are but two
'that can be said to be perfect —— 3 pair of the Drum Sticks
' are already broke by beating, the wood they were made of
' being very bad and brittle —— the Drum Cords are in general
'ruff & bad, as may be seen by the three return'd Drums, and
' the Parchment so rub'd by being pack'd ill, that some heads
' have already fail'd; as you intended us new Drums, I sho<sup>d</sup>
' think myself deficient in Duty both to you and the State,
' was I not carefully to inspect the Appointments in
 general sent your Regiment, and faithfully to report the
 state thereof both to you and to head Quarters —— I
 suppose M<sup>r</sup> Horne imagin'd his Drums wo<sup>d</sup> not be so
 carefully examined, but he is mistaken, and had I
 employ'd him, he sho<sup>d</sup> hear from me in a very different
 manner, and have the whole return'd him; for thus
 deceiving you and disappointing y<sup>e</sup> Regiment. As I am
 sure Gen<sup>1</sup> you intend the appointments of your Regiment
 perfectly good, you may depend on it, I shall myself
' carefully examine whatever is sent us, that you may not
' be impos'd on, & I blamed by a Reviewing General. The
'accoutrements are in general good, but some of the 'Buff
'rather spungy —— The Gren Caps are very good, and I
'assure you y<sup>e</sup> Gren<sup>r</sup> Captain merits the best appointments,
' he being in every particular exact, generous, and very
' desirous to make his Company Appear well. I wish you
' would give us the same sort of Ornament to our Pouches,
' that other Regiments have, it wo<sup>d</sup> add greatly to their
'appearance, in short General except you feel for us as other
'Colonels do for their Regiments, it will be impossible for
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' your Reg<sup>t</sup> to make an equal appearance, though your
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- 'Officers labour wer so much. The enclos'd is a Copy of
- ' an Order I receiv'd some days ago, and as it is now in
- ' general imagin'd that the King supposes the Marching
- 'Regiments to have a Band of Musick, I sho^d be glad
- ' to receive your orders relative thereto; I dare say Sir, you
- ' will not suffer y Reg to be behind others, in whatever
- ' can set it off, and certainly nothing makes a Regiment
- 'appear to more advantage than a good Band of Musick,
- ' however I shall not attempt to do any thing relative thereto
- ' till I am honored with y^r commands. I have had
- ' the favor of y' letter dated the 5th Ult, untill the
- ' receiving of which I really did not know to what
- ' particular purpose the Cloathing now sent was design'd,
- ' as I imagin'd M^r Wybrants had contracted for the
- 'Clothing for 1770, long ago in Dublin; as I shall be
- ' ever glad to act agreeable to your intentions and the
- ' good of the Regiment, I hope you will excuse my being
- 'so particular relative to the Appointments, and that every
- 'thing may be perfectly plain and settled to the end of 1769,
- 'I have enclos'd you a particular State of the Cloathing to
- ' complete the Regiment to the end of 1769. The Wastcoats
- ' that were made for the Men are of three Prices, as the stuff
- 'they were of was of different prices; Vizt some of 3. d8 34 of each,
- 'some at ⁸4. ^d2 ½, and some at 4. 7 ½ —— the Flannel Sliders
- ' (or Drawers) cost s1. d2 ½ pr Pair, which the Men think would
- ' be very hard in being oblig'd to pay for, therefore please favour
- ' me with your Orders relative thereto. We now have several
- 'Recruits most miserably off for want of Clothing, having
- ' joyn'd us in raggs; what is to be done I know not as the
- 'Clothing for 1770 is not to be deliver'd out till next Oct^r.
- 'As other Reg^{ts} here always receive their full Clothing they
- ' have it in their power to Cloth Recruits as soon as joyn'd,

'indeed

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' indeed our Reg<sup>t</sup> in general begins to appear very Shabby,
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- ' but we must do the best we can; this year will be the
- ' most difficult to rub through, and the most expensive to
- ' you, but I hope in time to be able to pull it up, at least
- 'I do assure you General, there shall be nothing wanting in
- ' me both to make your Regiment appear as it ought, and
- ' with as little expense as possible to you, when a
- 'Regiment is once got into good Order, it will with care
- 'be easily kept so.

'I have the honor to be 'Sir

' Your most Obedient

' and most humble Servant

"To L^t Gen^l Strode."

"Jn° Deaken."

Letter from Lieu^t General Strode to Lieu^t Colonel Deaken, dated London 9th August 1770.

'Sr

'I rec d yrs of y e 17 th Ult o y e day after y e 20 th

- ' & y^t of y^e 1st inst^t. I imagin'd I had wrote to you
- ' fully in my last, finding I had not will answer y^{r}
- ' last according to ye dates yt of ye first mentions ye
- 'Cloath^g being Arriv'd in good Order & every thing answers
- ' to y^e invoice y^e contents has prov'd right. I have seen
- ' Horne the Drumaker & have sent y' Letter to him &
- ' when the Drums arrive he will answer it. I am Glad
- ' the Buff Accoutremts & Granad Capps prove good I
- ' will direct M^r Wybrants to order the Granad^r wast Belts
- ' & other deficiencies in ye Accoutremts to be sent with those
- ' for the Augmentation.

'The Musick by ye Copy of ye Order from

' y^e Dep^y Adj^t Gen¹ I suppose is to one man p^r Comp^y

- ' to be allow'd by governm' on ye Muster Rolls, & when
- ' I know what Plan you propose relating thereto I shall
- 'then be able to give my Answer. I sent Cloath^g to compleat
- ' ye Regimt for 1770 according to old numbers agreeable to ye
- ' returns of what was in Store & on the 17th March last
- 'I desired M^r Wybrants to direct M^r Nixon to make
- 'Cloath^g for y^e Augmentation for 1770 as I shou'd compleat
- ' ye Old numbers here ye Cloathg Patterns being approv'd on
- ' by y^e Board of Gen^l Officers here, therefore M^r Wybrants
- ' has done wrong if he has order'd Cloath^g for y^e present
- 'Establishment in Ireland & it must lay on ye Cloathier's
- ' hands for y^e late numbers till next year. Cap^t Shaw
- 'in his Letter to me dated 7th Decem^r 1769 Says y^e Box
- ' with y^e Accoutrem^{ts} is Arriv'd at Winchester I will take
- ' care it shall go y^e first opportunity "this was y^e Pattern
- ' Sett. They must certainly be among some of the Regimental
- 'Stores. M' Wybrants now informs me ye King's Letter for
- ' the amount of the Col^s Expenses for Accoutrem^{ts} & Small
- 'Mount^g for y^e Augmentation will according to y^e
- 'provision made by Parliament comes to £219 .. \$10 .. \$4 ½ he
- ' is told will soon Arrive & will shortly after be issued to
- 'each Col¹. I shall therefore immediately order M^r Wybrants
- 'to provide them in Dublin. I shall make no alteration
- ' to y^e Serj^t Major's Coat it being agreeable to His
- 'Maj^{ty's} Regulation therefore shall abide by his orders,
- Waj Regulation incretore shall ablue by his order
- ' neither shall make any alteration to the Drumaj^{rs}
- 'Coat. I thought I had explained myself in my last
- ' respecting y^e Flannell Westcoats and Drawers y^t was
- 'bought by the Majr's appointm' as the price was fixed
- by him, w^{ch} you may find in the Extract of his Letter in

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' my Letter to you of the 5^{th} June last to w^{ch} I refer. I
' desire you will send me a particular Acc<sup>t</sup> of y<sup>e</sup> same
'y' I may give Directions to y' Agent to remit y' Money.
'I shall desire Mr. Wybrants to bespeak 29 Grenad<sup>rs</sup> Swords
' to be made by ye Man yt makes the 14 for the
' Augmentation & agreeable to ye Pattern & Price as
'approved by y<sup>e</sup> governm' w<sup>ch</sup> is 5 a Sword y<sup>e</sup> Serj<sup>ts</sup> 10,
' but don't look upon myself oblig'd to furnish the Serj<sup>ts</sup>
' only for the Augmentation therefore I shall not. I
' know a Regim y^t y^e Serj furnish'd their own Swords w^{ch}
' came to £23 ... ' odd & when they were discharg'd or otherwise
' ye successor pays for ye same equal to the time it has been
'wore or goodness of it. I rec<sup>d</sup> a List of y<sup>e</sup> Recruiting Parties
' but not Sign'd. I rec<sup>d</sup> the Packet with His Maj<sup>ty's</sup>
' Orders to the L<sup>d</sup> L<sup>t</sup> dated y<sup>e</sup> 5<sup>th</sup> Feb<sup>ry</sup> 1770 this ought to
' have been sent to me some months ago w<sup>ch</sup> is a great
'Neglect. ye letter of ye 17th July incloses a Letter
' from R. C. your Adj' Gen As I find by ye
'List of the Army Col<sup>1</sup> Rob<sup>t</sup> Cunninghame is so in
'Answer to one you wrote him on receipt of my Letter
' of ye 5th June as I have ordered all ye Appointmts
' to be immediately provided as mention'd above. As to
'what is Due to ye Serjts Corpls Drums & Pt Men
'I propose paying two Guineas to the Serj<sup>ts</sup> Each in
' lieu of their Cloath<sup>g</sup> & half Mount<sup>g</sup> and one Guinea
'to each Corp<sup>1</sup> Drum & Private in lieu of their Cloath<sup>g</sup>
'& half Mount<sup>g</sup> for the years 1768 & 1769 If this
'agreeable I shall remit Money to pay them.
'As Gen<sup>1</sup> Lambton is gone into the Country pray direct
' under Cover to Gen<sup>1</sup> Lambton M:P: at Harraton near
' Durham. As the New Cloath<sup>g</sup> will be Del<sup>d</sup> out in
'Oct<sup>r</sup> next there is no manner of occasion for Jacketts. I am
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'Sr

'Y' very humble Serv^t

" W^m Strode."

Copy of a Letter from Lieu^t Col^o Deaken to Lieu^t General Strode dated Kinsale the 7th October 1770.

'Sir,

'I am honored with your Letter dated 17th

- ' ult. and have agreeable thereto inclosed the Return you
- ' desire, and hope you will find it right. From the most
- ' exact inquiry I could or can make I conscientiously think
- ' the Demands on you for Clothing most exactly just; you
- ' are to act as you please, I can only Report. The Men
- ' are uneasy in not being Accounted with thus long for the
- 'Clothing due to them, and which they think they have a
- ' Just claim to, in consequence of which I cannot oblige
- ' them to sign a Gen¹ Assignment to the Commanding
- 'Officers of Companies, as they ought at the expiration of
- ' every two Months, for all just Dues and Demands, and
- ' they also think that what they have assented to take
- ' in Lieu of their Clothing and Small Mounting is less
- ' than what they ought to receive. From the Situation
- ' your Regiment is in, to furnish the Men with Necessaries
- ' and put them in proper Order is and will be a very
- ' arduous task. This year we labor under great
- ' Difficulties, the Officers Commanding Companies have
- ' been at their own Expense oblig'd to buy Several Jackets
- ' for Recruits that joyn'd the Regiment almost Naked,
- 'I have been at last necessitated to send to Cork for
- 'Stuff to make Jackets for the Augmentation, as it
- ' would be Cruel to desire the Commanding Officers of
- 'Companies to do more than they have done; and since you
- ' have refused me Jackets for such Recruits as have not
- ' been clothed for 1769, also the Augmentation, for the

'Credit

- 'Credit of the Reg^t in their appearance next year, I shall
- ' furnish them with Jackets and pay for them in the
- ' best manner I can, while I have the honor of Commanding
- ' the 62^d Reg^t I shall to the utmost of my Ability and
- ' power do all I can for it's Advantage & Honor, Please
- 'God I hope next year to have the Regiment in good
- 'Order, and fit for Service in every particular, but without
- ' furnishing the Augmentation with Jackets to save their
- 'Clothing till next Spring, it would be impossible to
- 'appear on Dublin Duty but with Disgrace; for about
- ' s5 .. d 6 or 6 shillings I can have a tolerable good Jacket
- ' complete made of Red Stuff I got from Cork; As
- 'M' Wybrants writes me you have ordered him not to
- ' Send Waistcoats for the Augmentation, Pray Sir,
- ' where am I to get them, you see by one of the inclosed
- 'Orders, that the Troops on this Establishment are in
- 'General to put on their New Clothing the 25th of this
- ' Month, I shall therefore be Glad to receive your Orders
- 'relative thereto, nor have I yet Reced any Part of the
- 'Augmentation Clothing, I apply'd in time to M^r
- ' Wybrants for all the Appointments Wanting, if thay do
- ' not arrive in proper time it is not my fault. The 9th
- ' and 58th Reg^{ts} Quartered at Kinsale have long since
- ' received their full Clothing for the Augmentation, Why
- 'Ours is not arrived I know not —— Nor have we
- ' Drums sufficient for our young Drummers to Practice
- 'on, I therefore wish M^r Horne wo^d send the three Drums
- 'in lieu of those three I return'd —— As a War
- 'appears to be very near we ought to be compleatly
- ' ready Though I am certain His Majesty wishes
- 'His Regiments to have Musick, and happy therefore
- 'should I be to accomplish a Band for the 62^d Reg^t
- ' yet I shall from your Determination lay all thoughts

'thereof

- ' thereof aside, though I dare say in a short time there
- ' will not be a Reg^t on this Establishment but what
- ' will have a Band of Musick & how is it possible
- ' to defray the Extraordinary Expense without the Assistance
- ' of the Colonel? Was you General to see the Appointments
- ' of the Regiments on the Irish Establishment, I think
- 'you would indulge the 62^d at least with some, and in
- ' the end I think you would not be a loser, for believe me
- 'it merit's much, nothing being neglected by the Officers
- ' to make it a Respectable Corps. Young as our Men in
- ' general are, I have the pleasure of assuring you, they
- ' are much thought of, and I have some reason to think
- ' that already a very favourable Representation has been
- ' made of us to the King.
- 'I have enquired about the Swords you
- ' mention that were deliver'd into the King's Stores at Cork,
- ' and am inform'd they cannot be got back.
 - 'I am sorry you find the Accounts and
- 'Returns sent you so Contradictory to each other, whatever
- 'Returns I have had the Honor of sending you I think
- ' myself most justly Responsible for, and should be
- ' happy to have them most exactly examined, my
- 'Intentions General being to do you and the Poor Soldiers
- ' the Strictest Justice, and while I have the Honor of
- 'being Liu^t Colo^l to the 62^d Reg^t shall most Strictly
- 'Act on that Basis —— Nor do I mean to put you to a
- 'Shilling of unnecessary expense; but whatever is necessary
- ' to be done I shall always Report to you, His Majesty
- 'expects it from me, also to hear that the 62^d Reg^t is in
- ' as good order and as handsomely appointed as any other
- ' in His Service, who then is to do this but the Colonel, The

'Profits

- ' Profits arising from the Augmentation Clothing is a
- ' very good thing, and the Savings on the Clothing
- ' during the time the Regiment was in the West
- 'Indies are very great, as appears from the Returns
- ' of the Effectives Clothed there, It is impossible
- ' but a Colonel must be at some Extraordinary expense
- ' in the Appointments of a Reg^t the first year it is
- 'Raised, and also relative to the Augmentation sho^d it be
- 'Augmented —— I know it well, having had the Honor
- ' to Raise a Reg^t & was obliged to find all the
- 'Appointments without being allow'd a Shilling —— your
- 'Regiment, General, is at present in the exact State
- ' of a New raised one, and must consequently require
- ' an Additional expense to put it in a proper Condition
- ' for Service, but in time I doubt not of Saving you
- ' equal to any Expense I may put you to, as it
- ' shall be ever my attention to Act with the Strictest
- ' Justice and Honor to whatever concerns your Interest,
- ' but on the other hand I do expect to be put on the
- ' same footing that Lieu^t Colonels are in general on
- ' with their Colonels concerning the Appointments of their
- ' Regiments —— as I have before mentioned your Honor
- ' and the Credit of the 62^d Reg^t are my only motives in
- 'view, I wish not to put you to a farthing of unnecessary
- 'expense, but you must pardon me in mentioning and
- 'urging what I really think out to be done —— Captain
- 'Harnage our Paymaster is as good a one and as Honest
- ' a Man as any in the Army, he will I am certain
- ' perfectly Satisfy you as to Money Matters, I Shew'd
- ' him the Account you Stated in my Letter, and
- ' he will as soon as possible write to you relative thereto.
 - 'As you see by the inclosed Order to put on

- ' the New Clothing for 1770 the 25th of this Month, I
- ' beg to know how Recruits are to be Clothed that join
- ' the Reg^t between 25th Dec^r and the 25th October
- ' following being 10 Months, in Ireland as the Offreckonings
- ' commence in July all Recruits that joyn the Reg^t
- ' before that Month, are justly intitled to Clothing for
- ' the preceding year, so that properly and justly each
- ' year relative to the Clothing commences in July
- 'so that every Recruit that was approved of here for
- ' the 62^d Reg^t before July 1770 ought to be Cloth'd
- ' for 1769 —— therefore you will find that there are many
- ' more Men that have a Claim for Clothing in 1769, than
- ' have been demanded for, as I believe the last Date is
- ' in March. I have inquired very particularly of several
- 'Commanding Officers of Regiments on this Establishment,
- ' all whom agree among whom are some Colonels, that
- ' the year relative to Clothing commences in July, and
- 'that whenever a Recruit joins and is Approved of he 'ought to be immediately Cloth'd.

'I have the honor to be

'Sir,

'Your most Obedient
'and most humble Servant
'Jn^o Deaken'.

"Lieu^t Gen¹ Strode.

Letter from Lieu^t Gen¹ Strode to Lieu^t Col^o Deaken dated London 3^d November 1770.

'Sir,

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'I have rec<sup>d</sup> y<sup>r</sup> Letter of y<sup>e</sup> 7<sup>th</sup> Ult<sup>o</sup> w<sup>ch</sup>
'I inform'd you in mine of 23<sup>d</sup> however I now sit
'down to answer it particularly in mine of y<sup>e</sup> 17<sup>th</sup>
'I desir'd to have a particular Role of each comp<sup>y</sup> & y<sup>e</sup>
' names of y<sup>e</sup> 180 Recruits as they were placed to each
'Comp<sup>y</sup> & marked with R. this is not comply'd with
' as y<sup>e</sup> return you have sent does not distinguish y<sup>e</sup>
'Corp<sup>ls</sup> from ye private Men & makes 184 private &
'3 Drums Recruits instead of 180 formerly return'd
' consequently it cannot be a proper return of y<sup>e</sup> Men
'& Station in y<sup>e</sup> Regim<sup>t</sup> or particular Comp<sup>ys</sup> y<sup>e</sup> same
'return accordingly mark'd D & D. D makes me
' indebted to 14 Serj<sup>ts</sup> 6 Drums & 65 private Rank &
'File besides 1 Serj<sup>t</sup> & 4 Men who claim 2 years
'Cloathing my Letter above mention'd inform'd y<sup>t</sup> I had
' delivered Cloath<sup>g</sup> to 5 Serj<sup>ts</sup> 4 Corp<sup>ls</sup> 2 Drums and 2
' Private here, there is a wide difference likewise in
' y<sup>e</sup> numbers one return says 69 rank & File demands
'Cloath<sup>g</sup> y<sup>e</sup> former one only 53 what can be meaning
' of this difference, again by the return you mention
' all or best part of this Cloath<sup>g</sup> to be deliver'd at
'Kinsale therefore must own I am at a great loss to
'know what is y<sup>e</sup> neat demand y<sup>e</sup> Men have on me
' for Cloath<sup>g</sup> & what year. I wou'd have every one
'Satisfied & if they are not content with Customary
' Allowance (w<sup>ch</sup> I have made to them of 2 Guineas
' to a Serjt & one to ye Corpls Drums and Private) I
'shall order Cloath<sup>g</sup> for them from Dublin as soon as I
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' have

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' have a Return of the Claimants names & for what
' y V Cloath is demanded for at present I am at
' an Intire Loss things may appear to you plain
' being on ye Spot, I assure you they are not so to
' me here, I want to do Justice to all y<sup>e</sup> Men in y<sup>e</sup>
'Regim' & they shall have y' done them but if I am
' left in the dark how can I do it, there is hardly two
'Papers reced y<sup>t</sup> corresponds one with & another, perhaps
' on y<sup>r</sup> coming over you may be able to explain many
'things I am at present at a loss in, if so be assur'd
' no one Man in y<sup>e</sup> Regim<sup>t</sup> shall be a Sufferer by me
'& this I desire you will acquaint them with, but I
' must be Satisfied myself y<sup>t</sup> their Claims are just. My
' Letter desired to have ye names of those Men who had
'rec<sup>d</sup> Waistcoats & Sliders agreeable to my former Letter
' out of the Flannell purchas'd by the Maj<sup>r</sup> by my
' desire, & likewise those who have demands, but y<sup>r</sup> returns
'only says Men y' expect to be P<sup>d</sup> for Waistcoats &
'Sliders —— If this is y<sup>e</sup> whole demand I desire as I
' did before y<sup>t</sup> all Parties may be immediately Satisfied
'& when I have an Acco<sup>t</sup> will direct M<sup>r</sup> Wybrants
' to remit the same —— I am not afraid of any Reports
' yt can be made as I have done my Duty & Obeyd all
'Orders reced by me from His Majesty or ye Ld Lt &c
'respecting y<sup>e</sup> Regim<sup>t</sup> since it arrived in Ireland &
'shou'd there be any thing wanting am ready to comply
' with & make every thing compleat agreeable to any
'Orders from Governm' y' either have or may be issued
'I think I have done so, & do not desire to put one
' penny in my pocket, neither do I see there is reason
' for my being any out, unless I have any directions
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'from

' from the L^d L^t to make any particular alterations in ' any appointmts in ye Regimt if he gives any I am ' always ready to comply with the same. I look upon ' myself justified when I obey ye Orders laid down, ' but after I have comply'd with them & any faults ' arise those must be answerable who are to blame. 'I have given Orders for Waistcoats & every thing else ' agreeable to the Orders issued by Governm^t for y^e 'Augmentation. I have given directions for every ' thing to compleat for the Old numbers agreeable ' to y^e last returns, tho' not to my mind by not having ' proper & true Returns at first However y^t is now ' at an end & I know of no one thing wanting to ' be completed for ye Regim' I have not ordered 'agreeable to Orders of governmts regulation, should 'there I am very willing to make good all or any ' deficiencies am therefore not fearful of any Report. 'I may say I have had mention'd to me more 'than once Serj^t Smith claims Cloath^g for 1767 & ' 1768 I inclose you a Copy of a Certificate from 'L' Hall y' all the companies at Tobago reced their 'Cloath^g compleat for y^e 1767 likewise by a Return 'Sign'd by L^t Hawker acting Q^r Master it appears 'y' a Serj's Coat Breeches & Hat was delivered out ' for y^e year 1767 I desire to know who they were 'given to. The Volunteers to y^e 32 & 70th Regim^{ts} have ' only made a demand for the Customary Allowance in ' Lieu of their Cloath^g & half Mount^g of one Guinea 'P Man. As you wrote M' Horn particularly respecting ' ye Drums make no doubt but he has comply'd with y 'Orders. N. B. I shall Cloath y^e 5 Serj^{ts} & y^e 2 Drums

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' (y^t I cloath'd y^e last year) for the year 1770 y^e half
' Mount<sup>g</sup> is sent to you for them for s^d year. I am
' S^r
' Y^r very humble Serv<sup>t</sup>
' W^m Strode."
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Copy of a Letter from Lieu^t Colonel Deaken to Lieu^t General Strode dated Kinsale 11th Decem^r 1770.

"Sir.

'I have been some days honor'd with your 'Letter dated 3^d Ult. the receipt of which I sho^d have ' acknowledged sooner, but was desirous of having every 'thing appear to you as clear as possible, therefore ' had the Cap^s at Quarters (all whom were abroad ' with y^e Reg^t) to examine every thing exactly and ' particularly relative to the Men's Claims on you also ' to Settle the exact number; I therefore hope the inclosed 'Returns will thoroughly Satisfy you, have also examin'd ' them myself with great attention, and believe them to ' be just and right in every particular. I again ' offered your proposal to the Serj^{ts} and Men, all ' whom have refused taking less than what I before ' wrote you, that is each Seri^t two Guineas and his 'Small Mounting, and each private Man one Guinea ' and his Small Mounting, which they say is even less 'than what is paid in other Reg^{ts}. I am well inform'd that the custom in y^e 5th Reg^t of Foot is to pay each 'Serj' 2 Guineas and each Drum' & private Man one

'Guinea

- 'Guinea exclusive his Small Mounting. The 55th Reg^t
- 'pays a Serj^t 3 Guineas for his Clothing and Small
- 'Mounting & £1 .. *9 .. d6 Engh to each Private Man.
 - 'Captⁿ Hawker says the Serjeant's Coat, Breeches
- '& Hat you mention was improperly given to Corp¹
- 'Montgomery when made Serj^t by Lieu^t Hall at Tobago.
- ' As we have had several Men desert since the
- ' order for Cloathing, I beg you will let me know, how
- 'Recruits Inlisted in the Room of Deserters are to be
- 'Cloathed, and as I hope we shall be complete before next
- ' April, I dare say we shall have between this and
- ' that time many Deserters, tho' I assure you we have
- ' not half the number that many Regiments have —— I
- ' have done all that is Possible to prevent Desertion,
- ' and have had several taken, but without having any thing
- ' on Regimental, as the first thing a Man does when he
- 'Deserts is to get rid of his Regimentals.
- ' I am very much afraid I shall not be
- ' able to dispose of the Old Accoutrements having already
- ' done all in my power, but have not been offered any
- ' thing for them, therefore if you approve of it, part of
- ' the old Buff would Serve the Men very much in
- ' giving it to them to make Straps to their Napsacks,
- ' and for other necessary Uses. The Leather of the Pouches
- ' being rendered quite useless by the Climate of the
- 'West Indies they can be appropriated to no Use.
- 'The Buckles I can dispose of as old Brass —— I do
- 'assure you was it in my power I shod be happy to
- 'Save you everything material in every Article. I
- ' Endevour'd by a proper Application to get a Set of

- ' New Scabbards for the Bayonets of the old Establishment,
- ' but have been refused, so what is to be done I know not
- ' as our present ones are quite wore out and unfit for
- 'Service.
 - 'I beg leave to wish you a merry Xmass
- '& many happy years. I am with Respect

'Sir

- ' Your most Obedt
- ' & most h^{ble} Serv^t
 - ' Jn^o Deaken'.
- 'L' Gen¹ Strode.

Letter from Lieu^t General Strode to Lieu^t Col^o Deaken, dated London 31st Decem^r 1770.

'Sir,

- 'I reced y^{rs} of y^e 11th Instant cannot
- 'say ye Papers inclosed are Intirely Satisfactory to me,
- 'but as I may expect to see you in London soon perhaps
- ' you may then explain them to me yt they may appear
- ' more so, I mean to do every thing in Justice & to
- ' have no Man in ye Regim' ye least Sufferer by me,
- ' ye Article of Waistcoats & Sliders I have (I think)
- ' wrote fully about two or three times & desir'd they
- ' might be Satisfy'd I now desire it again agreeable to
- ' my former Letters, must own the different Returns
- ' respecting the Cloath^g on comparing them together
- ' puzzles me much in ye first Return I rec^d sign'd
- ' by the Acting Q^r Master & Examin'd by the Paymaster
- ' a Copy of wh^{ch} I reced Sign'd by you there appears to

' be Due to the Regim^t for Cloath^g for y^e Years Viz^t

	Serj	S	Drums	Rank & File	
1767	1			 1	
1768	1		5	 14 Recruits	N.B. Lowry 1 of y ^e 15
				7 Old Men	Recruits was Cloath'd by me.
1769	18		5	 53	
				====	
				75	
				====	

- ' & says this y^e Total demand of y^e 62^d Regim^t to y^e
- ' end of 1769 & by ye sd Return it acknowledges a Serjt
- 'Cloath^g was delivered for 1767 I do suppose it be
- 'Serj' Smith, if not I desire to know the name of ye
- 'Serj' & to whose Compy he belong'd. If Serj's Cloathg
- ' be sent over to Tobago & delivered improperly y^t is not
- ' my fault, it is the Command^g Officer's, & as L^t Hall
- 'was at Cork Serj^t Smith shou'd have demanded them
- ' from him. The Compleat Cloath^g for y^e Old Establishm^t
- 'I sent to Kinsale, & I hope ye Augmentation
- 'Claoth^g for y^e New Establishm^t has been sent from
- 'Dublin to Kinsale Viz^t 9 Serj^{ts} 9 Corp^{ls} 9 Drum^{rs}
 '2 Fifers & 126 P^t w^{ch} will compleat y^e Cloath^g for the
- 'new Establishm' for 1770 agreeable to y' Return &
- 'my Letters, I have said enough about ye Waistcoats
- ' & Sliders, & again abide by ye Majrs Letters & my
- 'Answers to him and you. In y^r & y^e Gentlemen's
- 'Court of inquiry into my Conduct (I think very
- ' particular) I have partly Answer'd y^t Court above tho'
- 'I must add something a little further Viz^t agreeable to
- 'Returns &c reced I compleated by what I sent over &
- ' what I have order'd from Dublin every thing agreeable
- ' to y^e Governm^{ts} Orders for y^e Regim^t If my directions
- ' are not follow'd not my fault. With respect to the
- 'Allowance to ye Serjts &c demands for their Cloathg I
- ' will not comply with, never was known M^r Oldham

'informs

- ' informs me either the War before last from 1739 to 1748
- ' last War or ever since the Peace or even now, more
- ' than what I have offered ye Pt Men in lieu of
- ' Cloath^g neither do y^e Men in the West Indies drafted
- ' to the 32^d & 70th Regim^{ts} demanded more than 2 Guineas
- ' a Serj^t & 1 Guinea a Drum & Rank & File for a
- 'Compleat Cloath^g. I will pay no more Cap^t Harnage
- ' Paid 12 Men no more than 1 Guinea each for their
- 'Compleat Cloath^g therefore why shou'd these Men
- ' receive more, the Men here are very well satisfy'd with
- ' their usual Allowance likewise for the Cloath^g due to them
- ' & I have P^d them accordingly, in answer to y^e Paragraph
- ' to furnish double Cloath^g if a Man deserts I think not.
- 'Ye Paragraph with respect to Cloathg I have answered
- ' above fully. Arburthnot of Capⁿ Farr^{lls} Comp^y reced
- 'Cloath^g 1769 in Money from Cap^t Harnage. I find
- 'Granada Piggot is mustered in my Comp^y & demands
- ' 2 years Cloath^g Men have a Right to Demand but
- ' not a Child about Six years Old, therefore will not
- ' allow of y^t Demand. I am

'Sir,
'y' very Humble Servant
'W'' Strode.'

- 'I desire you will Accept
- 'ye Complymts of ye Season.'

The Witness then proceeded to say, that when he found the Returns sent by him to Lieu^t General Strode were not Satisfactory and wished to have the Affair ended, if possible, and that the General might be Satisfied, he ordered four Captains, all of whom had

been

been abroad with the Regiment to Sit and inquire particularly into the Returns already Sent, and into the Men's Complaint, which they did and made their Report to him. Upon examining their Report, he found it to differ very little from what he had sent before; and he then Signed it also and inclosed it to the General, by no means with a view of insulting him, but to give him farther Satisfaction, than he thought his relying intirely upon his own Judgment might have done. He never understood the General disputed the claim of the Whole, or the greater Part of the Men, who were returned, as having demands. After the receipt of Lieu^t General Strode's Letter, which mentions a Resolution of giving no more than two Guineas to each Serjeant and one Guinea to each of the others in full for Cloathing and small mounting, he called the Men together and proposed to them this final answer from the General, when after consulting together, the Men said they had given him the Deponent a great deal of Trouble and for that reason, they would consent, very soon after this he wrote a Letter to Lieu^t General Strode to the following effect, dated Kinsale the 26th Feb^{ry} 1771.

'Sir,

- 'I am honored with your last letter and
- 'shall be always happy to have it in my power to act
- ' agreeable to your inclination. On the receipt of yours
- 'I again acquainted the Noncommissioned Officers and
- 'Soldiers with your Proposals of money in Lieu of
- ' their Cloathing due to them, and they have assented to

' take

- ' take the Sums you offer, tho' Regiments in Ireland
- ' have given more: They hope and expect you will order
- ' them a Sum for Wastecoats and Sliders they were obliged
- ' to have, equal to what has been Charged them in their
- 'Acco^{ts}.'

To this Letter he does not recollect having received any Answer.

Lieu^t General Strode here acknowledged to have received this Letter.

The Witness then proceeded; Things remained In this State, till the Regiment got to Dublin in May 1771, and in their State he left the Regiment. When he came to London, he waited (in July or August) upon Lieu^t General Strode, and upon talking over matters and the General alledging, he did not understand the Returns, which were incorrect, he desired leave to see the Return, which was signed by himself and the four Captains: It was upon the Table and the General shew'd it him, but seemed not pleased with the measure taken in that examination by the four Captains, which the Deponent endeavoured to explain to him, did not proceed from any disrespect. The Deponent expressed his wishes that the small Errors or Incorrectness, if any, might be pointed out, and the Men in general satisfied. The General answered, "you are deceived, you "are imposed upon," and insisted he had sent Cloathing sufficient to the Regiment at different times to answer every demand upon him. Finding, that the General was

not yet, satisfied the Deponent offered to write to the major of the Regiment, and took some minutes for that purpose, and accordingly did write to him, to send over some further Returns. The Major afterwards corresponded with Lieu^t General Strode: some Letters passed thro' his hands from the Major, which he rather thinks were Sealed.

Q. Was any mention made in the conversation between Lieu^t General Strode and him of the Letter of the 24th February, or of the Men having assented to the General proposal?

A. No.

Q. Was the Cloathing itself offered to the Men, in consequence of Lieu^t General Strode's Letter of the 3^d November 1770? And what was their Answer?

A. The Men were made acquainted with that part of Lieu^t General Strode's said Letter, which says if they were not Satisfied with the customary Allowance of two Guineas to a Serjeant and one Guinea to a Corporal and Private Man he would order Cloathing for them; to which they Answered, they had rather have money, tho' less that the Cost of the Cloathing; but by no means refused to take the Cloathing.

Q. Did the Deponent conceive he had a Power to Satisfy the Men, or did any thing happen to prevent it?

A. Major Bromhead ordered Money to be given to twelve Men, who were discharged, a Guinea

each

each, which Payment the Deponent had been informed the General had refused to allow, as not having been paid by his Orders; and the Paymaster had further told him, the Agent had said, he had direction to advance no money, without the General's positive Order; which was the Occasion of his not paying the Men.

Boardman Bromhead Esq^r late Major of the 62^d Regiment was Sworn and Examined;

Q. Does he know of any Complaint made by any of the Non Commissioned Officers, Drummers or Private Men of not having been duly Cloathed for the Year 1769?

A. When he joined the Regiment in June 1769 at Kinsale, he called for the Returns of the Cloathing, a part of which was brought from the West Indies: there were 29 Coats (5 Battalion Coats, and the remainder were for Grenadiers) sometime in July Cloathing was landed at Corke which was put on for the year 1768; it was a Cloathing which had been intended for a Warm Climate. In Dublin sometime in the month of July 1771, General Dilkes view'd the Regiment, and said, he would see them again the same week. The Soldiers having previous to this told the Deponent, they were tyred out with making remonstrances and wished to be Satisfied for Cloathing due, and having asked him in a modest manner, whether they might make a Complaint to General Dilkes, the Deponent did not object to it: they accordingly did apply To the General, when he reviewed them, who turned to the

Deponent

Deponent and said "you hear, what the Men say," and desired him to inquire into it. Of this the Deponent took the earliest opportunity of informing Lieu^t General Strode by Letter, in order that he might be prepared to exculpate himself, and might satisfy the several Claimants. He wrote him four Letters upon the Subject—Viz^t on the 20th September, the 4th and 19th October and the 6th November last but never received any Answer. Some of them he sent under Cover to Col^o Deaken, and as he thinks, upon that the Colonel might peruse them first—He offered to produce Copies of his said four Letters, but the receipt of the said Letters not having been acknowledged, and the delivery of them to Lieu^t General Strode not being established by Evidence, the same were not read.

Major Bromhead proceeded to say, that General Dilkes reported this matter to the Lord Lieutenant, who caused an Inquiry to be made by a Board of General Officers.

Q. Were any Men paid a Satisfaction for Cloathing due to them, by his order?

A. At one time the Deponent ordered Captain Harnage the Pay Master to pay Five Pounds for the Coats, which he had purchased with a view of serving Lieu^t General Strode; and at another time he ordered him to pay Twelve Discharged Men a Guinea each in lieu of a years Cloathing for 1769.

Q. What Quantity of Cloathing was Received from England?

A. For

A. For Serjeants 17 Coats, 17 Breeches & 18 Hats; For Drummers 8 Coats, 8 Breeches, 7 Hats; For Rank & File 222 Coats 221 pair of Breeches, 222 Hats,—and 18 Corporal's Knots. He thinks they were received by the Regiment on the 27th July 1769.

Q. Did the Men apply to him in respect to their Cloathing before July 1771?

A. Not to him; they had applied to Lieu^t Colonel Deaken, who some few days before the Regiment left Kinsale (in May 1771) spoke to some of the Men, after dismissing the others from the Parade, and asked them, Whether they would accept the Offer, which had been made to them on the part of General Strode, One of the Serjeants stepped forward and said, "as he the Lieu^t Colonel, had had so much trouble, and "as they were going to Dublin Duty, where they would "wish to appear clean and neat, and the money would "enable them to buy several necessaries, they would "accept the General's Offer."

Q. How many Men came from the West Indies to Ireland?

A. The Regiment when they Landed in Ireland, consisted only of Ninety five; of which two died, so there remained 93: of them, 29 were first discharged by Lieu^t Col^o Deaken, and received their Cloathing.

Q. How was the Overplus Cloathing disposed of?

A. He cannot speak to this from his memory; but the Returns will show it.

Q. Who

Q. Who Commanded the Regiment before the Deponent?

A. Captain Legge, when he joined them; Captain Farrell had Commanded them some time before.

Q. Were the Recruits which joined the Regiment in 1769 Cloathed?

A. They were all Cloathed.

Thomas Musgrave heretofore a Soldier in the 62^d Regiment now an Out Pensioner of the Royal Hospital near Kilmainham in Ireland, being Sworn and Examined Deposed, that he had a year's Cloathing due to him, when he was discharged in or about the month of January 1770, and received a Guinea from Captain Harnage the Paymaster as a Satisfaction for that Demand.

Hugh Carol heretofore a Soldier of the 62^d Regiment, but now Discharged, deposed, that he Had a Demand for a Suit of Cloathing for 1769, and Received a Guinea from Captain Harnage in lieu of it.

Q. (by desire of Lieu^t General Strode) Did he, Besides this Guinea paid him by Captain Harnage receive Seven Shillings & Six pence for his Old Cloathing, at The time he was discharged?

A. He did.

Captain

Captain Henry Harnage (who was Paymaster to the 62^d Regiment) deposed, that he paid Twelve Men a Guinea each in lieu of Cloathing by order of Major Bromhead, who then Commanded the Regiment; and he produced a Paper containing a List of the said Twelve Men Subscribed by Major Bromhead; which paper was read as follows Viz^t

"Return of Men to be Discharged "Intitled to Cloathing for 1769.

L ^t Col ^o Deaken's	Thomas Musgrave John Carry John Jess	1. 2. 9 1. 2. 9 1. 2. 9
Major Bromhead's	W ^m Laing	1. 2. 9
Capt ⁿ Legge's	Andrew Reay	1. 2. 9
Capt ⁿ Sill's	John Murphy Alex ^r Scott in England	1. 2. 9 1. 2. 9
Capt ⁿ Farrell's	Tho ^s Arburthnott with L ^t Johnston Tho ^s Freelove Hugh Carroll	1. 2. 9 1. 2. 9 1. 2. 9
Capt ⁿ Shaw's	Corp ¹ Major Joseph Daniel	1. 2. 9 <u>1. 2. 9</u> £13. 13. –

Kinsale Jan^y 12th 1770

Boardⁿ Bromhead Major 62^d Reg^t

To

Cap Harnage Of the 62^d Reg^t

Of the 62^d Reg^t Reced the above by order of the Major Rob^t Elliot Serj^t Maj^r 62^d Reg^t

The

The Witness explained, that the money stated in the said paper is to be understood, Irish Currency; and added, that the Men were paid the day on which the paper bears the date, except Alexander Scott, who was paid afterwards, and Thomas Arburthnott, whose share was paid to Lieutenant Johnston for his use.

Q. Has he ever applied to Lieu^t General Strode for repayment of this money?

A. He has in Accounts Current, which have passed between Lieu^t General Strode and him, Charged this payment, and Lieu^t General Strode has Objected to it, as being paid without his orders; and several Letters have passed between them—which Letters the Witness offered to produce.

Lieutenant General Strode here acquainted the Court, that he admits having been made acquainted with the Payment, and his having refused to allow it.

Captain Earle Hawker, who acted as Adjutant and Quarter master being Sworn and Examined, with respect to Cloathing due to any of the Non Commissioned Officers, & Private Men of the 62^d Regiment for the year 1769, produced to the Court a List, as containing the names of such, whom he can with certainty say have a Demand on Lieu^t General Strode for their Cloathing of the year 1769: and the said List (a copy whereof is inserted in the Appendix N° 2) being read and Examined was found to correspond

With

with the List of Complainants now in Question, in like manner with the List produced by Lieu^t Colonel Deaken, with an exception of John Hart a Drummer: whose Claim was Waived, so far as regards this Trial.

- Q. Was the Cloathing, which was put upon the Men in 1769, such as is usually provided in Ireland, or was it adapted to a Warmer Climate?
- A. He is pretty sure, it was a Cloathing Intended for the West Indies, and was due for the year 1768.
 - Q. What Cloathing came from the West Indies?
 - A. 24 Grenadiers Suits, and 5 Battalion Suits
 - Q. What was received from England?

A. He cannot immediately say from his memory, but together with the said Cloathing brought from the West Indies, it exceeded in the whole the complete Cloathing of the Regiment by two Suits. The Cloathing from England, he believes, came to Corke sooner; but the Regiment received it at Kinsale in July 1769, and they began Cloathing in August. They Cloathed 83 Private Old Men; the rest of the Cloathing was put upon Recruits for 1769.

- Q. Was the Regiment compleat in that year?
- A. Some time in the month of May 1770 It was returned to the Lord Lieutenant as Compleat.
- Q. Were there any Recruits, who were not Cloathed?
- $A. \ \ \, \text{They were all Cloathed to the } 12^{\text{th}} \\ \text{March 1770.}$

Being asked, he informed the Court, that the time limited for putting on the Cloathing in Ireland is the 25th October.

Q. Does he know, when this claim was first made?

A. He does not know.

For more certainty as to his answer abovementioned with respect to the Regiment being returned compleat in May, he referred to an Entry in the Regimental Book Of a Return to the Lord Lieutenant, which bears date the 1st May 1770, and has this Note at the Foot. N.B. "This Compleats the Old Establishment to 18 Serjeants 9 "Drummers and 261 Rank & File."

It being three of the Clock, The Court Adjourned till Tomorrow morning at Ten.

Wednesday 6th May

John Kyle, late a Soldier in the 62^d Regiment, now discharged, applied to the Court, desiring to be heard, to prove Cloathing due to him for the years 1766, 1767, & 1769, but the Court informed him, they could only examine into the Claim of Cloathing for 1769, for which year he is already before them as a Claimant; and that if he had any further Proofs respecting his particular case upon that head, they would hear him, when they had finished the Evidence of the Witness now under examination.

Captain

Captain Earl Hawker was then farther Ouestioned:

Q. Was any Cloathing sent out or delivered to the Regiment in 1769, other than that which he has expressed in his Evidence to be due for 1768?

A. No; not till the Cloathing for 1770, which was received in Ireland the 12th June 1770.

Lieutenant General Strode desired him to mention the Names of the Serjeants Drummers and Rank & File, who arrived in Ireland from the West Indies, Suggesting, that he had never yet been able to obtain them;

The Witness having recourse to the Entry of a Return in the Regimental Book mentioned those immediately following, as the names of the Old Men, who came home, & were Cloathed.

Serjeants.

Charles Cunningham

John Stubbs

John M^cCance

Daniel Long

John Smyth

John Pask

James Murphy

Robert Laffin <u>Private.</u>

William M^c Masters

Robert Abraham

Joseph Wicksted

James Holland

George Davis

Robert Elliot

Alexander Fraser

John Crawford

James Ward

Thomas M^cLaughlin

John Cary

James Ward John Cary Thomas M^c Pike John Jesse

John ValentineThomas MusgraveJeremiah OrmsbyVincent DonavanPatrick McDougalEdward HumphriesJames IlsleyJonathan MartinJoseph WestleyJohn Preston

William

Private. Private. William William John Hill Bernard Cavana Patrick Hart John Drylin **Edward Huff** William Laing John Mooney Thomas Anderton James Macklyn William Crowcher James Wilson Samuel Wall William Kernes

Richard Smith Alexander Mackay Thomas Freelove James Magrath Andrew Reay John Camber William Chadwick Thomas Phillips John Doleman **Hugh Thompson** Charles Watson Roger Fitzwilliams Samuel Ketch Charles Macklyn William Robinson Charles Smyth Joseph Leadbeater James Andrews William Champness Patrick Connel James Hird Samuel Hacket

Arthur Murphy

John Seeler

William Thomas

Edward Magee

Richard Bowden

John Murphy

William Logan

Sturned into the Ranks

William Christie Corporals. John Pulley John Davison William Hazle Thomas Henvey Robert Eagar John Morris John Haymore Robert Moore William Watson Robert M^cFall **Hugh Carrol** Thomas Lawrence Joseph Collier Robert Spencer Joseph Chapel Charles White

Alexander Thompson

Maurice Haines

George Petty

Robert

Corporals. Corporals. Robert M^cWharter George Singleton John Mauger Robert Campbell John Craig Robert Ludlum

The following he mentioned as the names of those, who came home but were not Cloathed by the Regiment at the time, the return from which he now speaks was made out, Viz^t in July 1770.

Serjeant—Taylor Recruiting and Cloathed by Gen¹ Strode. Drummer—Rossiter

Drummer—Isgrove —Dead, his Cloathing in Store.

Drummer—Hart —Dead, a Suit in Store.

Drummer Dan¹ Phillips —A Boy not Cloathed

Drummer Rich^d Bowden Cloathing in Store.

Drummer William Logan

—Adkins Corporals

Recruiting and Cloathed Johnson by Gen¹ Strode **Davis**

Private, Patrick M^cRandall

Private.

Joseph Billings Discharged, not Cloathed John Campbell Discharged, paid by Gen¹ Strode Discharged, paid by the Agent Michael O'Hara Discharged, paid by the Paymaster Thomas Arbuthnot

Peter Duff Dead, not Cloathed John Phiffen Discharged a Claimant

John Taylor Discharged

Granada Pigot A Boy, about eight Years Old

Discharged not Cloathed.

And 12 Rank & File not Cloathed, left at Kinsale. Of the 83 Cloathed for 1768 Bowden & Logan are in two capacities of Drummer & Private.

Being Desired by Lieu^t Gen¹ Strode to produce the Monthly Return for the Month of May 1770, he pointed out the same in the Book, and it was marked by the Judge Advocate in order to Lieu^t Gen¹ Strode using it in his Defense, if he should see occasion.

- Q. (by the court)—Wherein did the differences consist between the Cloathing Provided for the West Indies and that which is commonly provided in Europe?
- A. The Cloathing provided for the West Indies was a Coat lined with Linen, a pair of Ticken breeches (or drawers) and the Stockings were Thread; the rest of the Cloathing the same as in Europe.
- Q. To What purpose were Sliders (or Drawers) Provided, and Flannel Wastecoats?
- A. The latter were provided in lieu of a Regimental Wastecoat, which the army of Ireland wore at the time they Cloathed: the Sliders were provided, because the Men complained the Ticken Breeches were too cold in Winter.
- Q. What kind of Wastecoats were worn in The West Indies?
- A. The Men wore white Linen Wastecoats, which served them at times for Jacketts, provided by themselves.
- Q. What became of the old Coats in the West Indies?
- A. After the year was out, the Men disposed of them as they pleased.

Q. What

- Q. What became of the old Coats, when they came home?
- A. They had been worn near two years, and with the wear on board ship, they were very dirty and ragged.
- Q. Who paid for the Flannel Wastecoats and Sliders, which were provided in Ireland?
- A. The Commanding Officers of the Companies paid for them and charged them to the Men.
- Q. Was he present, when Lieu^t Col^o Deaken assembled the Men, who were Complainants, and made them an offer, on the part of Lieu^t General Strode?
- A. He was: the offer made was from General Strode's Letter, which Lieu^t Col^o Deaken produced, and told them it was to this purpose, "that "he would allow to each Serjeant two Guineas in lieu "of Cloathing and Small Mounting, and to each Drummer "Corporal and Private man one guinea in lieu of "Cloathing and Small Mounting, and if the Men "would not accept of these Terms that he would "order Cloathing for them." The Men were divided in opinion; they grumbled at the delay:—As it was come to a Point, they relinquished their former Request, which was a Claim for Small Mounting exclusive of the Guinea, but some were for receiving the Cloathing, and others the money. At last they came to this conclusion, and deputed Serjeant Valentine to speak to Lieu^t Colonel Deaken in the name of the whole:—

- "That they thought they had been hardly used; that they "judged they had a Right to as much in other Regiments "in Similar Cases, but as they had given the Lieu^t Colonel "so much trouble, and as a long march to Dublin was "at hand, they would accept of Lieu^t General Strode's "Offer, provided it was paid them immediately."
- Q. Had any of the Regiment previous to this accepted a Guinea in lieu of their Cloathing and Small Mounting?
 - A. Some had.
 - Q. Had any received more?
- A. Not at Quarters; he cannot say, what Lieu^t General Strode had paid in England.
- Q. When was this proposal made to the Men?
- A. He thinks it was in, or about March 1771; about two months before they marched to Dublin.
- Q. Was the Small Mounting delivered to the Men, when the Cloathing was delivered in Ireland?
- A. No; the Small Mounting was Stopped by Lieu^t General Strode, as he found it to be the practice in Ireland to pay for it in money.

The Witness, being desired to account to the Court for the delivery of the Cloathing, which remained in Store, and which was sent out from England in 1769,—he did so—as follows—29 Suits for Rank & File were brought home from the West Indies;

on the 27th July 1769. 17 Suits for Serjeants, 8 for Drummers, and 222 Rank & File were received at Kinsale: 12 Suits Rank & File were purchased by Captain Harnage and placed to Lieu^t General Strode's Credit as new Cloathing, making the total Credit of that year 17 Serjeants Suits, 8 Drummers Suits and 263 Rank & File.

The Cloathing was disbursed, as follows,

Delivered out for 1767 1 Serjeant's Suit for 1768 16 Serjeants Suits 3 Drummers Rank & File 83 In Store for the year 1769 5 Drummers Suits Rank &n File 180 Wanting 12 pair of Breeches 263 to answer the 12 Coats bought for General Strode's use: Delivered out for 1769 to Recruits—4 Drummers Suits To Rank & File 168 Breeches 180 Coats Remained in Store 1 Drummers Suit Wanting to compleat the Establishment for 1769 18 Serjeants Suits, 4 Drummers, For Rank & File 93 Breeches 81 Coats Paid by Captain Harnage for 1769 14 Breeches and 14 Coats Balance remains to the Regiment 18 Serjeants Suits, 4 Drummer's Suits Rank & File 79 Breeches 67 Coats which balance of Cloathing the Regiment never has

Q. How many Children were upon the Effective Returns of the Regiment, when it came home?

received.

A. Two, not included in the numbers of

Effectives

Effectives now spoken of, but in further claims, they are.

- Q. By whose orders did the Captains provide Sliders and Wastecoats?
- A. By order of Major Bromhead then Commanding the Regiment.
- Q. Was the 62^d Regiment compleat at any one time from the 1st July 1769 to the 1st July 1770?

A. No.

- Q. Of what numbers did the Regiment consist in July 1768 in the West Indies?
- A. He was not with the Regiment; he cannot therefore speak from his own knowledge: They Cloathed there on the 3^d February 1768 for 1767.

Thomas Fauquire Esq^r, Secretary to the Cloathing Board was Examined.

Q. Were Patterns received and Sealed for the 62^d Regiment in November 1768 for the ensuing year?

A. Yes.

Q. Was an Adjustment made of the Offreckonings of the 62^d Regiment, and was the same afterwards allowed and passed by the Cloathing Board?

The Witness referred to the Entries in the Books of the Office, whereby it appeared, that an Adjustment of the said Offreckonings from the 6th July 1769 to the 5th July 1770 from Lieu^t Gen^l Strode to Augustin Oldham was made on the 16th May 1770,

and that the same was Allowed and passed by the Cloathing Board on the 22^d September 1770.

Q. Was that Allowance founded in part upon a Certificate of the same having been viewed by a General Officer?

A. Upon a Certificate from Major General Cyrus Trapaud dated the 24th October 1769, that he had <u>that</u> day viewed the said Cloathing and found the same agreeable to the Patterns approved and Sealed: and the said Certificate was produced to the Court.

Q. Were any Patterns exhibited for the 62^d Regiment in November 1769 for the year 1770?

A. None were, the Regiment being then upon the Irish Establishment.

Lieutenant Colonel Deaken was again called and desired to inform the Court, when the Complaint of the Men was first made;—Who answered, to the best of his remembrance, about the 1st July 1770.

The Evidence in proof of the Charge being closed,

Lieutenant General Strode opened his Defense by the following narrative.

The Clothing for the year 1767 is acknowledged to have been received in the West Indies, & that Serjeant

John

John Smyth & a Recruit John Kyle are the only Men in the Regiment who have a Demand upon Lieu^t General Strode for their Clothing for the said year, occasioned (as the Court of Enquiry says) by a part of the Regiments Clothing having been lost in the Island of Tobago, from which the said Serjeant was to have been Supplied—but Col^o Deaken in his Letter to the General of 26th Feb^{ry} 1771 says,

"The Serjeant's Suit of Cloathing given "in mistake to Serjeant Montgomery at Tobago ought "to have been given to Serjeant Smith, & settled by "Lieut Hall, as you sent it to the West Indies, there "certainly can be no Demand in Justice on you." (by this Serjeant Montgomery must have been Clothed twice this year)—the Recruit John Kyle had not joined the Regiment when the rest of the Men were Clothed, therefore he is entitled to his Clothing for That year.

22^d June 1768 The Secry at War signified the King's Intention that the 62^d Reg^t wou'd come to Ireland in the Course of the Summer, this Intimation prevented Gen¹ Strode from sending the Clothing provided for that year to the West Indies. The Regiment landed at Cork in the Month of May 1769, the Clothing had been sent to Ireland in the month of Febry preceding—M^r Wybrant's Letter of 3 August 1769 says

"I am extreamly concerned at the uneasiness "you have had about the Regiments' not having received "their Cloathing sent by M" Oldham so long ago as the

"Month

"Month of Febry—it was most unaccountably mislayed "in a Merchant's (one M^r Carleton's) Stores at Cork, but "I have the pleasure to let you know, it has been "found at last.

"The Major informs me he has shipped the "proper Complement of full Clothing for the Invalids, "who are come up here.

The Clothing was delivered in the Month of August to 16 Serjeants, 3 Drummers, & 83 Corporals & Private Men being the whole number of Men who landed In Ireland from the West Indies, and 1 Serjeant's Suit for 1767, the remainder of the Clothing was delivered to 4 Drummers & 180 Recruits at different times as they joined the Regiment Viz^t

Name of Old Man Claded for 1760		•		R & File
Number of Old Men Clothed for 1768	D. Rec ^{ts}	1 /	3	83
Recruits Clothed at Kinsale 31 Dec ^r 1769	, 4130}			
D ^o Inlisted in 1769 joined & Clothed	• • •			100
before 13 th March 1770	26}	-	4	180
D° Inlisted in Janry & Febry Clothed before 13 th March 1770	241			
Defore 13 Warch 1770	24}			
		_17	7	263

31 Invalids were discharged in July 1769 & recommended to Kilmainham Hospital (two of which died) their Clothing was sent to Dublin. Major Bromhead says in his letter of 1st Jan^{ry} 1770 he had leave to discharge 19 more, who were in every respect unfit for Service, & 1 more by Letter of 2^d Febry.

12 of these last Men discharged were paid by Order of Major Bromhead £ 1 . 2 . 9 each for their Clothing 1769, tho' certainly they were not entitled to it for the

year

'year 1769, — 14 were paid for their Coats & Hatts which were given to Recruits. If any of the Men who make Demands on General Strode were of the number of those discharged at that time they cannot have any Demand upon the General, having been Clothed for 1768, & are not entitled to Clothing for 1769.

The Clothing for 1768 was made (agreeable to a Pattern approved by the Clothing Board) for a warm Climate the Coats being lined with Linnen, & the Breeches made of Russia Drab—the Men to whom such Clothing was delivered (as the Court of Enquiry says) required, that it should be made equal to that of the rest of His Majesty's Infantry in Ireland. Major Bromhead in his Letter of 3 Septem^r 1769 says, "in order to make every man appear with conformity I "have agreed with a Tradesman at Cork to furnish us "with exceeding good Buff Flannell two yards wide "at Eight Shillings P. yard, what with the allowance "P Man for Waistcoats they will not stand in above "1/4 each; as for their Linnen Breeches, they shall provide "themselves with warm linings."

General Strode in his Answer of October

1769 says

"I am obliged to you for the Proposal about the Buff "Flannell, that you have agreed for, & think & hope "it will answer your kind intentions for my Service, "which I shall ever remember."

Lieu^t Col^o Deaken in his letter of 11th May 1770 to Gen^l Strode says,

"The Men that were obliged to buy Waistcoats in lieu of "Regimental Waistcoats the last clothing, also Flannell Drawers

"to wear under the Regimental Linnen Breeches (it "being impossible for the Men to wear them without "Drawers on Acco^t of the cold) complain greatly of the "hardship, I should be glad Sir to know what answer "I am to give them, each Waistcoat cost 4/7½ & each "pair of Flannell Drawers 2/10¾."

General Strode in his answer of 5 June 1770 says "I am far from wanting to distress the Men, "never intended it, as you will perceive by the following "Extract from Major Bromhead's Letter of 3 Septem^r 1769 "& my answer to the same." Viz^t the two Extracts above. "By the above you will find that I consented to "what the Major as Commanding Officer proposed & "recommended & immediately directed M" Wybrants to "remit £150 to the Commanding Officer to defray this "and other expenses for me on Account of the small "Mounting; this M^r Wybrants did by two Sums of "£50 and £100—have had no Account of this Money, "tho' desired the Major to send it me, consequently could "not know that the Flannell was not paid for agreeable "to the Major's Letter & Proposal above, till I receiv'd "your favor, must now beg the favor of you to see this "matter properly Settled, & am certain you will act "for me in this affair the same as was it your own "concern."

In Colonel Deaken's Letter of 11 May 1770 he says the Price of each Waistcoat is 4/7½ & each pair of Flannell Drawers 2/10¾. In his Letter of 1 July 1770 he says the Waistcoats that were made for the Men are of three different Prices some at 3/8 ¾ and 4/2½ & at 4/7 ½ the Flannel Sliders or Drawers cost 1/2 ½ p^r Pair.

One

The Returns sent to the General not being satisfactory & the above differences in the Prices confusing the Accounts this matter was not Settled.

General Strode in his Letter to Colonel Deaken of 3^d Nov^r 1770 says "If this is the whole Demand "speaking in Reference to the Returns that were then not "him) beg as I did before that all Parties may be "immediately Satisfied & when I have an Account "will direct M^r Wybrants to remit the same."

In the returns of Cloathing, the first Return mentions the Men having been clothed for 1768, & the Demands for 1769 other Returns mention their having been Clothed for 1769 & Demands for 1768, & differ in numbers.

The General offered the Serjeants two Guineas each, and the Drummers & Rank & File one Guinea each in lieu of their Clothing, which is the common Allow^{ce} on like occasions, which they refused & insisted on being paid likewise for the half Mounting.

General Strode in his Letter to Col^o Deaken of 3^d Nov^r 1770 says "I wou'd have every one Satisfied, "& if they are not content with the Customary Allowance "which I have offered of two Guineas a Serjeant, & "one to the Corporals Drummers & Private I shall order "Clothing for them from Dublin as soon as I have a

"Return

"Return of claimants names, & for what year the clothing "is demanded, for at present I am at an entire loss; "things may appear to you plain being on the Spot, "assure they are not so to me here, I want to do Justice "to all the Men in the Regiment & they shall have "that done them, but if I am left in the dark how can "I do it, hardly two Papers received that correspond one "with another, perhaps on your coming over you may be "able to explain many things I am at present at a "loss in: if so, be assured no one man in the Regiment "shall be a Sufferer by me, & this I desire you will be "pleased to acquaint them with, but must be Satisfied "myself their Claims are just."

It will appear by the States of the Clothing Furnished by the General since the arrival of the 62^d Regiment from the West Indies, that only 5 Serjeants are deficient, & that the General has furnished 6 Drummers & 21 Rank & File more than the Effectives of the Regiment.

The number of Effectives are taken from the greatest number on the Returns between 1 July in one year & the 1st of July in the following year.

In the Return of 1 July 1770 which is taken in order to Settle the number of Effectives entitled to Clothing for 1769, 96 Recruits are included, who did not join the Regiment till after the Month of Febry 1770, & were all Inlisted after Decem^r 1769.

In the year 1770 it will appear, that 28 Rank & File were Clothed more than the greatest number

Effectives, that were in the Regiment for that year; this would only have arisen from Men having been clothed that were not entitled upon the Principal of the following letter.

Extract of Col^o Deaken's Letter to Gen¹ Strode of 7 October 1770 "As you see by the inclosed Order to "put on the new Clothing for 1770 the 25 of this month "I beg to know how Recruits are to be Clothed that "join the Regiment between 25 Decem^r & the 25th October "following, being 10 months—In Ireland as the "Offreckonings commence in July, all Recruits that "join the Regiment before that month are certainly "justly entitled to Clothing for the preceding year so "that properly & justly each year relative to the Clothing "commences in July; if so every Recruit that was "Approved of here for the 62^d Reg^t before July 1770, "ought to be Clothed for 1769."

Cap^t Harnage by his acco^t of 15 April 1771 charges small mounting for the whole Establishment of the Regiment, which is 31 more Rank & File more than the Regiment at any period for the year 1770, consisted of."

He then laid before the Court a general State of the Cloathing of the 62^d Regiment for the years 1768, 1769, 1770, and 1771, which was read;—in order to show, that taking those four years collectively, the Cloathing furnished by him had exceeded the whole number of Effectives, taking them at the highest number of which the Regiment consisted at any one time in either year: which State of Cloathing is hereunto annexed N° 3.

Lieutenant General

Lieutenant General Strode having opened his Defense, as if he proposed, or thought it necessary for him to enter into an explanation of a Claim for Flannel Waistcoats & Sliders or Drawers, which is Suggested to have been made by some of the Noncommissioned Officers Drummers and Soldiers in respect of Cloathing For the year 1768, The Court intimated to him their Opinion, that he should confine his Defense to the withholding of Cloathing for 1769, the matter referred to them by His Majesty's Warrant, and with which only he Stands Charged.

Boardman Bromhead Esq^r late
Major to the 62^d Regiment being at his own request
called in to explain a Circumstance in his Evidence of
yesterday acquainted the Court, that the Letters to
Lieu^t General Strode, which he then mentioned to have
been sent open to Lieutenant Colonel Deaken for his
perusal, he now recollects to have sent sealed, but
accompanied with Copies or the substance thereof for
for Lieu^t Col^o Deaken's information.

It being three o'Clock the Court Adjourned till tomorrow morning at Ten.

Thursday 7th May.

The Court being met pursuant to Adjournment, Lieutenant General Strode produced a Return of

Cloathing

Cloathing delivered to the Noncommissioned Officers, Drummers, and Private Soldiers of the 62^d Regiment at Kinsale for the year 1769 under the hand of Boardman Bromhead, then Major, bearing date the 27th September 1771; and the said late Major Bromhead being called in, and the said Return being shewn him, he acknowledged the same to be Signed by him.

The said Return (a Copy whereof is inserted in the Appendix N° 4) was then read, and upon examination it appeared, that all the now Complainants are therein returned as Cloathed for the year 1769, except four Drummers and Six Private Soldiers, and the whole Return consisted of 17 Serjeants, 7 Drummers and 263 Private Men.

Major Bromhead was thereupon asked, whether he could explain, how it should have happened, that the several Complainants who appear by this Return to have been actually Cloathed for the year 1769, should be represented by other Evidence, as having a just demand for the Cloathing of the said year?

A. He cannot at this distance of time explain the matter; but is certain that what he signed he understood to be just:—thinks, the Adjutant may be able to explain this.

Lieutenant John Nash of the 62^d Regiment called upon by Lieutenant General Strode was Sworn, and proved a Receipt under the hand of Corporal Walter Adkins, one of the Persons whose name appears in the present List of Complainants dated the 9th August 1769, for One Coat Waistcoat Breeches and Hat, and also his Half mounting in money.

A Receipt of Corporal John Davis was also produced for one Coat one Waistcoat and one pair of Breeches being the remainder of his Cloathing for the year 1769.

Another Return was then produced by Lieu^t General Strode signed by Lieu^t Col^o Deaken, and the said Lieu^t Col^o Deaken was called in who admitted the same to be signed by him, which was opened by Lieu^t General Strode, as likewise stating the several Claimants to be actually Cloathed for 1769;—but this Return was withdrawn, the General thinking it unnecessary for his Defence; and declined to give the Court any farther trouble.

Lieutenant General Strode observed (in the presence of Lieu^t Colonel Deaken) that the aforementioned Return of M^r Bromhead then Major is one of the Papers, which Lieu^t Colonel Deaken mentioned in his Evidence to have minuted down in a Conversation with the General to be wrote for to the Major.

It being intimated to Lieu^t General Strode that some few of the now Claimants still remain to be accounted for, as not being included in the said return, nor proved to have been paid by him, he took that occasion of declaring, that, as he has from the beginning intended, and has in all his Letters uniformly proposed, so he is still willing and ready to satisfy all demands of the Regiment, which appear to be just.

Boardman

Boardman Bromhead Esq., late Major of the Regiment, was again called by Lieutenant General Strode and farther examined;

Q. Whether he can inform the Court, why Richard Bowden, William Logan, & Daniel Philips Drummers, and John Phiffin, Alexander Thompson, Thomas Freelove, and Grenada Pigot were not Cloathed, as well as the other Men mentioned in his Return of the 27th September 1771?

A. At that time he was exceedingly clear In what he signed; but cannot now recollect.

Being interrogated, whether his Return of the 27th Septem^r 1771 was amongst the Papers transmitted thro Lieu^t Colonel Deaken to Lieutenant General Strode, and Whether he can fix the date of the particular Letter, wherein It was inclosed?

A. He cannot with certainty say.

Lieutenant General Strode having rested his Defence here.

Lieutenant Colonel Deaken was called upon, and being made acquainted with the said Return of the 27th September 1771, was asked, whether he can account for the same Persons being therein returned as actually Cloathed for the year 1769, whom he has in his Evidence declared not to have been Cloathed for the said year, and whom he has represented, as now having a just demand for such their Cloathing?

A. They

A. They were Cloathed in 1769, for 1768. The first return sent to Lieu^t General Strode States them

as Cloathed for 1768, tho' Cloathed in 1769; but that Return not being Satisfactory to the General, he ordered particular Rolls to be made out, which confined the Delivery of Cloathing, as for the year 1769, consequently it changes the mode of the Return and makes the Debt due for 1768.

The Witness here produced a Copy of a Return which he had first sent to Lieu^t General Strode, inclosed in and referred to by his letter of the 1st July 1770 already before the Court; wherein the Cloathing is Stated in the manner following (Selecting for instance the Article of <u>Coats</u> for the Rank & File)

Brought from the West Indies		29
Received at Corke 27 th July 1769		222
Purchased by Captain Harnage		<u>12</u>
		<u>263</u>
Delivered out for the year 1768		83
In Store for the year 1769		<u>180</u>
		<u>263</u>
Delivered out to Recruits for 1769		168
	&c ^a	

A copy of this Return at large is inserted in the Appendix (N° 5).

Being asked, whether he had any Order in writing from Lieu^t General Strode for varying the mode of the Return?

A. He

A. He is certain, he had a Letter from the General desiring it; but the letter he cannot now turn to.

Q. Why did he not, as Commanding Officer, cause the Men to be Cloathed, to whom he knew Cloathing to be due for 1768, upon the arrival of the Cloathing at Kinsale?

A. He was not at that time with the Regiment.

Captain Earle Hawker was again called and examined,

How his Evidence, wherein he expressly avers, that the now Complainants have a Cloathing due to them for 1769, is to be reconciled with a Return of the 27th Septem^r 1771 under the hand of the Major of the Regiment, which certifies the same Men to have been actually Cloathed for the year 1769?

A. The Original Return sent to Lieu^t General Strode in July 1770 Cloathed the Claimants of the Regiment for 1767 and 1768, and the Return carried on a Balance of 5 Drummers Suits and 180 Rank & File in favor of Lieu^t General Strode for the year 1769. In the same Return it was specified, that 4 of the said 5 Suits and 180 Rank & File Suits were delivered out to 4 Recruited Drummers and 180 Privates. The Cloathing of these several Recruits for 1769 expended all the Cloathing which was in Store, except one Drummers suit: of course the Men Cloathed for 1768 had no Cloathing

for 1769. A Balance was due to the Regiment for 1769, and it was a Claim of 18 Serjeant's Suits, 4 Drummers Suits, with one in store, and 81 Rank & File Suits, which if sent to Quarters would have completed the Cloathing of the Regiment for 1769 to the then Establishment. This Return was sent to Lieu^t General Strode with another mentioning the Men's names and how they stood in the Regiment's Book, who demanded Cloathing. By a Line from Lieu^t General Strode to Lieu^t Col^o Deaken (the date he don't exactly recollect,—it was in the year 1770) the General disapproved of the mode of these Returns, and required, that there should be sent him a Return of the Regiment by Companies, marking opposite to each man's name some particular Letter, such as C. for Cloathed, D. for Demands, &c^a—This Return was given to Lieu^t Colonel Deaken, and he presumes was sent to Lieu^t General Strode: This Return was also disapproved of by the General, who signified in another Letter, which Letter he saw also, that they should distinguish the Corporals from the Private, the Old Men who came home, from the Recruits, and to mark opposite their respective names the year they were Cloathed for, and the year they had demanded for. Prior to the making out each Return, as Gen¹ Strode seemed to be satisfied with some preceding Returns, the Deponent advised Lieu^t Col^o Deaken to alter the system of the Returns (this was in the year 1770 also) that, as the affair seemed complicated to Gen¹ Strode by blending the two years Returns together, it would be much better to Cloath the Regiment for 1769 and to throw back all the demands of the Old Men to 1767 and 1768. He supposes Lieu^t Col^o

Deaken

Deaken wrote to Lieu^t Gen¹ Strode upon this subject. He cannot affirm upon his Oath the Identical words of Lieu^t Gen¹ Strode's Letter, but he can affirm, that a third Return, which makes the Men credited for 1767 and 1768 was made out in every respect conformable to the General's desire.

Q. When the Men were Cloathed in August 1769, did they consider it as Cloathing for 1768, or for 1769?

A. He does not know, what the Men understood concerning it; but he from his own opinion, should conclude the Men having a year's Cloathing due to them, would consider it as the Cloathing of the year due.

Q. Was any Intimation given to the Men, That this was a Cloathing for 1769, and that they were to Carry their Claim for the year due to them to 1768?

A. Not at the time the Cloathing was issued.

It being three ô Clock the Court Adjourned till the morrow morning at Ten.

Friday 8th May.

The Court being not pursuant to Adjournment,

M^r Paul Blagrave, Clerk in the comptroller's office being sworn was asked, whether there

was lodged in the office a certificate of the 62^d Regiment having been Cloathed for the year 1768?

He answers in the Affirmative, and produced a certificate.

Q. By what means, or thro' what hands did that certificate come to the office?

A. From the common usage he supposes it to have been brought by the Agent, or the Agent's clerk; he cannot speak upon memory.

The Entry of the Allowance of an assignment of the Offreckonings for the 62^d Regiment from the 6th July 1769 to the 5th Jul 1770, which refers to the certificate now produced, and which had been proved in the former part of the Trial by M^r Fauquier, was shown to the Witness;—and he was asked, who applied for, or took out from the office, the Allowance, of which this Entry purports to be a copy?

A. He cannot speak as to this in particular, from memory; but observes, that the Assignment appears to be made to M^r Oldham, them Agent to the Regiment, and from the general usage supposes it to have been taken out by him.

Captain Henry Harnage was again called, and the said certificate produced by M^r Blagrave was shewn to him, appearing to be signed by him; who declared the same to be of His Signature: and the certificate was then read, as follows—

' Pursuant

- 'Pursuant to His late Majesty's Order ' of the 20th November 1729.
 - 'We do hereby certify, that the New Cloathing
- ' for His Majesty's 62^d Regiment of Foot, commanded by
- 'Lieut General William Strode hath been sent out for
- 'the year 1768, and is in every Respect conformable
- ' to what His Majesty's Warrant Directs, and that the
- ' said Cloathing has been issued to the said Regiment,
- ' and put upon the Men, and they appear'd completely
- 'Cloathed on the 1st Day of Nov^r 1769.
 - 'Boardⁿ Bromhead commanding
 - 'Officer & Major 62^d Reg^t
- ' Henry Harnage Cap^t
 ' & Pay M^r o the 62^d Reg^t

Q. (to Captain Harnage) Were the Men, (who were Cloathed, as this certificate imports) furnished from the Cloathing sent out to Corke and thence forwarded to the Regiment at Kinsale together with such Cloathing as might remain in store from former years, or by any other means?

A. It was out of the Cloathing due for 1768, which in 1769 was received and put on at Kinsale. He added, that when he signed that certificate, he made a memorandum of the time, when, and of the reason why he signed it, thinking it uncommon that a Paymaster should be applied to for the signing of such certificate. He signed it in consequence of a Letter from the late Agent M^r Oldham to Major Bromhead.

Boardman

Boardman Bromhead Esq^r (late Major) whose name appeared to be subscribed to the said certificate, was also called in, and the same was shewn to him, who admitted the signature, and acquainted the court, that he had signed it in consequence of a Letter received from M^r Oldham then Agent to the Regiment, which he produced; Viz^t

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'Dear Sir, 'Great Pulteney Street '6<sup>th</sup> Decem<sup>r</sup> 1769.
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- 'I inclose you a List of the Payments
- ' & Bills drawn on me by the Several Recruiting officers
- ' of the 62^d Regim^t on account of that Service since
- ' the Regiment has been on the Irish Establishment,
- 'amounting to £1086.12.2, but please to observe Cap^t
- 'Farrell's is on account of Sub^{ce}, but have sent you a
- ' copy the same I have sent M^r Wybrants, of the whole
- 'money I have paid on his account. I must beg the
- ' favour of you to send a certificate signed by you as
- ' commanding officer of the Regim^t, & Cap^t Harnage
- 'as Cap^t & Paymaster, that the Cloathing of the Regiment
- 'was receiv'd for 1768 at Kinsale in Ireland, and that
- ' the Men were completely Cloathed, without which I
- ' cannot get the Cloathing Assignment pass'd here.
- 'I hope you enjoy your health and am with the best
- ' compliments of Mrs Oldham & self,

'Dear Sir,
'your most obed^t & very humble
'serv^t
'Major Bromhead.' 'Augustin Oldham'.

Q. (by

Q. (by Lieu^t Gen¹ Strode) When the Regiment was Cloathed in August 1769, did he not understand it to be Cloathed for that year (1769)?

A. He could not: this certificate which he has signed, proves, that he could not.

The Judge Advocate, after briefly stating the Evidence, suggested, that the Account of Cloathing furnished and expected for the years 1768, 1769, 1770 and 1771, which had been produced by Lieu^t General Strode, in order to shew, that the Quantity of Cloathing delivered to the Regiment in those four years collectively, exceeded the whole number of Effectives taken at the highest number at any one time in each year, does not prove, what seems intended to have been thereby conveyed, namely, that the General had furnished Cloathing to the full amount required of him as Colonel.; because contingencies may happen, which may make it necessary to Cloath more Men than are at any one time Effective in the course of the year; not to mention, that estimating the years 1768 and 1769 apart and distinct from the years 1770 and 1771, the Balance will be found in the opposite Scale:

He submitted in the next place to the Consideration of the court, whether the operation of the Return Signed by Major Bromhead on the 27th September 1771, whereon Lieu^t General Strode has principally rested his Defence, and which if it stood unimpeached would be conclusive upon the present Trial,

is not totally defeated, by having shewn, that this Return is only a different mode of stating the claim, newly adopted with the Privity and approbation of Lieu^t General Strode,—that the former Returns made to him clearly stated the delivery of Cloathing to have been for 1768, for which year a Cloathing was incontrovertibly due; that the Cloathing delivered was the proper Cloathing of the year 1768, provided for a warm climate,—that the proper Cloathing of the year 1769 was not sent over to Ireland till 1770, and was used as the Cloathing of that year,—that the Major, who Signed this Return, according to his own Evidence, at the time of the Cloathing delivered considered the Men as receiving the Cloathing which was due to them for 1768, which is confirmed by a certificate signed by him of the Regiment having been completely Cloathed in 1769 for 1768, and that certificate afterwards in the year 1770 used by Lieu^t General Strode's Agent for the purpose of obtaining payment of the Offreckonings, and is further confirmed by the said Major's having at Kinsale on the 12th Jan^{ry} 1770 ordered the Paymaster Captain Harnage to pay twelve of the Men in question a Guinea each, as a satisfaction for Cloathng due to them for 1769; and lastly by Lieu^t General Strode having himself in the opening of his Defence conformably to the first Return made to him, considered the 83 Old Men as Cloathed for 1768, and the remainder of the Cloathing as delivered to Recruits for 1769.

And upon the whole it was Submitted to the Court, if it shall appear to them, that the complainants were not actually Cloathed for the year 1769, whether, as no Satisfaction has been to this time made in lieu thereof, the charge is not consequently

established

established; at the same time that Lieu^t Gen¹ Strode's Professions of doing justice to the Men contained in his several Letters and now again repeated are admitted in their full extent.

The Court after due deliberation had upon the whole matter is of Opinion that Lieutenant General William Strode Colonel of the 62^d Regiment of Foot is not Guilty of the charge exhibited against him, and doth therefore Acquit him of the same.

Loudoun.

Appendix. $\underline{N^{0}}$ 1.

A List of the Non Commissioned Officers and Private Men now Serving in the 62^d Regiment, who make a Demand upon Lieu^t General Strode their Colonel for Cloathing for the year 1769. May 5th 1772.

$N^{\underline{\mathrm{o}}}$	Rank & File	$N^{\underline{o}}$
1 John Smyth		1 John Pulley
2 Cha ^s Cunningha	m	2 W ^m Hazles
3 John M ^c Cance		3 John Morris
4 Robert Laffin		4 Robert Moor
5 Will ^m M ^c Master	·s	5. Alex ^r Frazer
6 James Holland		6 Thomas M ^c Loughlin
Serjeants<7 Robert Elliot		7 Robert M ^c Fale
8 James Wood		8 Barn ^d Cavana
9 Thomas M ^c Pike	}	9 John Drylin
10 John Valintine		10 Robert Spencer
11. Jeremiah Orms	sby	11. Alex ^r Thompson
12. Patrick M ^c Do	ugall	12. Walter Adkins
13 James Ilsley		13 James Andrews
		14 Patrick Connol
		15 James Herd
1 John Stubbs		16 Arthur Murphy
2 Daniel Long		17 Charles White
Drummers< 3 Will ^m Logan		18 John Seeler
4 Richard Bowder	1	19 Will ^m Thomas
5 Joseph Isgrove		20 Edward Magee
		21 Robert M ^c Wharter
		22 W ^m Christy
		23 John Davison
		24 Thomas Henvey
		<u> </u>

Rank & File Nº

- 25 John Craig
- 26 Joseph Collier
- 27 Joseph Chaple
- 28 John Hill
- 29 Patrick Hart
- 30 Edward Huff
- 31 John Mooney
- 32 James Macklin
- 33 James Wilson
- 34 John Davis
- 35 John Camber
- 36 Thomas Phillips
- 37 Hugh Thompson
- 38 Charles Watson
- 39 Joseph Leadbeater
- 40 W^m Shutter
- 41 Richard Sladdon
- 42 Joshua Miller
- 43 John Balderston
- 44 Joseph Balderston
- 45 Abraham Horner
- 46 Joseph Robinson
- 47 Mathew Shaw
- 48 Bromby Midworth
- 49 Joshua Land

A Return of a further Claim upon Lieu^t Gen¹ Strode for 1769.

Drummer	John Pask died 22 ^d	March 1772, his Widov	w demands		
Private	Grenada Pigott Dise	charged 11 th May 1770	d^{o}		
	Sam ¹ Wall died 8 th .	June 1770 his Widow	d^{o}		
	John Phiffin Discha	arged 31 st Aug st 1770	d^{o}		
	Dan ¹ Phillips Disch	arged 5 th Feb ^{ry} 1771	d^{o}		
	Tho ^s Lawrence Des	Tho ^s Lawrence Deserted 26 th July 1771 being			
	in debt, his Captain	in debt, his Captain demands.			
	Patrick M ^c Randall	Patrick M ^c Randall Discharged 23 ^d Aug st 1771 demands			
	John Kyle Discharg	ged 23 ^d Aug st 1771 dem	ands.		
	Robert Campbell D	eserted 29 th Feb ^{ry} 1772	being		
<u>Drum</u> ^r <u>Private</u>	in debt his Captain				
1 9	James M ^c Grath Dis	scharged 1 st April 1771	demands		
A List of the Me	n Discharged and paid by	Cant ⁿ Harnage			
	ral will not allow.	cupt Hamage			
· · · · · · · · · · · · · · · · · · ·	W (111 110 W W 110 W 1				
	John Carry				
	John Jess				
	Tho ^s Musgrove				
	W ^m Laing				
	Andrew Reay				
	John Murphy				
	Alex ^r Scott				
	Hugh Carroll				
	Tho ^s Arburthnott				
	Tho ^s Freelove				
	John Major				
	Joseph Daniel	Total Discha	irged 12		
		Brought dow	n 12		
Alex ^r Mackay pa	aid by order of the Comm	anding Officer is dead	1		
George Singleton	n paid by order of do	is now in the Reg ^t	1		
		Jn° Deaken	Total 14		
		L ^t Col ^o 62 ^d Reg ^t			

$\frac{Appendix.}{\underline{N}^{\underline{o}}\underline{2.}}$

A List of the Non Commissioned Officers & Private Men now Serving in the 62^d Regiment, who make Demand upon Lieu^t General Strode their Colonel for Cloathing for the year 1769. May 5th 1772.

7.70	Rank
$\underline{\mathbf{N}}^{\underline{\mathbf{o}}}$	& File Nº
1 John Smyth	1 John Pulley
2 Cha ^s Cunningham	2 W ^m Hazles
3 John M ^c Cance	3 John Morris
4 Robert Laffin	4 Robert Moor
5 Will ^m M ^c Masters	5. Alex ^r Frazer
6 James Holland	6 Thomas M ^c Lo
Serjeants<7 Robert Elliot	7 Robert M ^c Fal
8 James Wood	8 Barn ^d Cavana
9 Thomas M ^c Pike	9 John Drylin
10 John Valintine	10 Robert Spend
11. Jeremiah Ormsby	11. Alex ^r Thom
12. Patrick M ^c Dougall	12. Walter Adki
13 James Ilsley	13 James Andre
	14 Patrick Conn
	15 James Herd
1 John Stubbs	16 Arthur Murpl
2 Daniel Long	17 Charles Whit
Drummers< 3 Will ^m Logan	18 John Seeler
4 Richard Bowden	19 Will ^m Thoma
5 Joseph Isgrove	20 Edward Mag
	21 Robert M ^c W
	22 W ^m Christy

Rank & File Nº

- 23 John Davison
- 24 Thomas Henvey
- 25 John Craig
- 26 Joseph Collier
- 27 Joseph Chaple
- 28 John Hill
- 29 Patrick Hart
- 30 Edward Huff
- 31 John Mooney
- 32 James Macklin
- 33 James Wilson
- 34 John Davis
- 35 John Camber
- 36 Thomas Phillips
- 37 Hugh Thompson
- 38 Charles Watson
- 39 Joseph Leadbeater
- 40 W^m Shutter
- 41 Richard Sladdon
- 42 Joshua Miller
- 43 John Balderston
- 44 Joseph Balderston
- 45 Abraham Horner
- 46 Joseph Robinson
- 47 Mathew Shaw
- 48 Bromby Midworth
- 49 Joshua Land

A Return of a further Claim upon Lieu^t Gen¹ Strode for 1769.

Drummer	John Pask died 23 ^d March 1772, his Widow demands.
Private	Grenada Pigott Discharged 11 th May 1770 his Father demands
	Samuel Wall Died 8 th June 1770 his Widow demands
	John Phiffin Discharged 31 st Aug st 1770 demands
	Daniel Phillips Discharged 5 th Feb ^{ry} 1771 his Father demands
	James M ^c Grath Discharged 1 April 1771 demands
	{Tho ^s Lawrence Deserted 26 July 1771 being in debt
	{his Captain demands.
	Patrick M ^c Randall Discharged 23 ^d Aug st 1771 demands
<u>Drum</u> ^r <u>Private</u>	John Kyle Discharged 23 ^d Aug st 1771 demands.
1 9	{Robert Campbell Deserted 29 th Feb ^{ry} 1772 being
Total.	{in debt his Captain demands.
-	

A List of the Men Discharged, and paid by Captⁿ Harnage, by Order of the Commanding Officer, which the Gen^l will not allow.

Private	John Carry				
	John Jess				
	Tho ^s Musgrove				
	W ^m Laing				
	Andrew Reay				
	John Murphy				
	Alex ^r Scott				
	Hugh Carroll				
	Tho ^s Arburthnott				
	Tho ^s Freelove				
	John Major				
	Joseph Daniel	Total Dischar	rged	12	
	-		Erle H	lawker.	
Private	Alex ^r Mackay is since dead			1	
	George Singleton is now in t	he Regiment		<u>1</u>	
	-	_	Total	14	
* F 1 D 1	NO 2 X7:1 4 1 C4: D	1			

^{*} For the Return N° 3 Vide the end of this Book

N° 4. A Return of Cloathing delivered out to the undernamed Men in the different Companies of the 62^d Regiment at Kinsale for the year 1769. Dublin Septem^r 27th 1771.

Lieu^t Gen^l Strode's Company.

Lieu^t Col^o Deaken's Company.

Major Bromhead's Company.

[Lists of names and ranks of men, by company, and inventories of issued Coats, Breeches, and Hats]

A Return of Cloathing delivered out to the Men in the different companies of the 62^d Regiment at Kinsale for the year 1769. continued Dublin September 27th 1771.

Captain Richard Legge's Company. Captain Frans B Sill's Company. Captain Thomas Farrell's Company

[Lists of names and ranks of men, by company, and inventories of issued Coats, Breeches, and Hats]

A Return of Cloathing delivered out to the Men in the different companies of the 62^d Regiment at Kinsale for the year 1769. Continued

Dublin September 27th 1771.

Captain Henry Harnage's Company. Captain Will^m Stuart's Company. Captain Daniel Shaw's Company.

[Lists of names and ranks of men, by company, and inventories of issued Coats, Breeches, and Hats]

Appendix. $N^{\circ} 5$

An Account of Cloathing brought from the West Indies
—Received at Corke—& Purchased from Discharged
Men by Captⁿ Harnage—all of which hath been
Issued as New Cloathing to the 62^d Regiment of Foot.

Cloathing brought from the West Indies Cloathing Rece^d at Corke 27 July 1769 Cloathing purchased by Captⁿ Harnage Total

Delivered out for the year 1767 Delivered out for the year 1768 Delivered out for the year 1769 Total as above

Remaining in store for 1769
Delivered out to Recruits for 1769
Remaining in store
Waning to compleat of
cloathing for 1769
Total Establishment

Wanting to compleat for 1769 14 paid by Cap^t Harnage for 1769 Balance due the Regiment for the year 1769

[This page gives a numbered list of clothing articles by rank for serjeants (coats, breeches, hats), drummers (coats, breeches, hats), and rank and file (coats, breeches, shirts, rollers, stockings, shoes, hats, and corporals knots)]

Sir, Judge Advocate's Office 18th May 1772.

Having had the honor of laying before the King the Proceedings of a General Court Martial held here on the 5th 6th 7th and 8th days of this Instant May upon your Trial, upon a Charge of having

- "wronged several of the Non:commissioned Officers, Drummers,
- "and Private Soldiers of the 62^d Regiment of Foot
- "under your Command, by withholding from them the
- "Cloathing to which they were intitled for the year 1769, the
- "Cloathing which appears to have been delivered to them in
- "the said year 1769 upon their Arrival in Ireland from
- "the West Indies being no other than that which was of
- "Right due to them for the year 1768", I am to acquaint you, that His Majesty willing to hope that you never meant to withhold from the Men, whatever upon strict examination should appear to be due has been pleased to confirm the Opinion of the said Court Martial whereby you are Acquitted of the Charge exhibited against you: But as some of the Claims seem to have a reasonable foundation, and have been already long depending, it is His Majesty's express Command, that you do make a full and immediate Satisfaction to such of the Non Commissioned Officers Drummers and Private Soldiers, as have any Just demand in respect of their Cloathing.

I am

Sir,

Your most Obedient And most humble Servant Charles Gould.

Lieutenant General Strode.

Judge Advocate's Office 18th May 1772.

My Lord,

The Proceedings of the General Court Martial held here in pursuance of His Majesty's Warrant, for the Trial of Lieutenant General William Strode Accused of "having wronged several of the "Non Commissioned Officers Drummers and Private Soldiers " of the 62^d Regiment of Foot under his Command by "withholding from them the Cloathing to which they were "intitled for the year 1769" being finished, I have had the honor of laying the same before the King, when His Majesty was pleased to Confirm the Opinion of the Court Martial, whereby Lieutenant General Strode is Acquitted of the Charge exhibited against him, willing to hope, that he never meant to withhold from the Men whatever upon strict examination should appear to be due; But, as some of the Claims seem to have a reasonable foundation, and have been already long depending, His Majesty was pleased to declare it to be his express command, that Lieutenant General Strode should make a full and immediate Satisfaction to such of the Non Commissioned Officers Drummers and Private Soldiers as have any just demand in respect of their Cloathing. I think it my duty to acquaint your Lordship herewith in the first place, that His Majesty's Pleasure thereon may be Signified in such manner as your Lordship shall judge proper, to the Lord Lieutenant of Ireland I have the honor to be with much respect,

My Lord,

Your Lordship's most Obedient and most humble Servant The Earl of Rochford &c^a &c^a &c^a Charles Gould.

[End]