Springfield Ky
Nov 8

Paid 20

Col. Rudd
Acted upon

1831

Dat. Christopher A. Ruad

Frankfort
Kentucky

Springfield 7th Dec 1831

Dear Sir

I am requested by Majr Dudley Robertson to furnish you with a statement of the situation of the 50th Regiment with regard to its Commandant for some year or two past & at this time

Colonel Garton about two years since was removed out of the bounds of the Regiment by an exchange of Companies with the 4th Since that time Robertson has received orders from the Brigr Genl and has in all respects & matters taken the trouble off the Commandment upon himself. At the Court of assessment for 1830 he was the only field officer present and after the business of the Court was transacted he and all the captains of the Regiment united in recommendations to the Governor to fill 2 vacancies, they knew that strictly their proceeding was not according to the letter of the Law but believing that under the circumstances of the case the Governor had a right to fill the vacancies existing they deemed it no breach of decorum to suggest to him the propriety of doing so and also what appointments would meet with the wishes of the officers. The appointments however were not made. at the Last Court of assessment there was the same difficulty. Garton was out of office Wash had never attended to the business of the Regiment & Robertson was the only field officer present. The necessity of filling the vacancies was apparent to all. and as the only expedient to which, under existing circumstances, they could resort. they proceeded to make their nominations. Believing that Washaw was out of office by a change of the Bounds of the Regiment they now

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inated Catlin to fill the vacancy of the office of Lieut. Col. & Roberts on Colonel. The officers who were present & acted believed that if Wash was then in office their proceeding was not strictly regular but still as before they claimed the right of expressing their wishes on the subject and did so. At the time they made the nominations they directed me as Judge advocate to transmit them to the Executive and in case Wash's claims to promotion should be known in the way they directed me on the part of the Court and of each member present individually to make the following statement. Wash lives at a distance of 27 or 28 miles from the place of Regimental Mustering. he has not since Carlow ceased to act attended a Court of appeal or Court-martial nor held a Court of appeals although he was bound to do this without any Special Order for that purpose if indeed he is the Commandant. He has never taken upon himself to deliver to the Sheriff a copy of the list of fines nor in any other respect done or pretended to do. what the Law required of him as Lieutenant Col. His only excuse as the officers are informed is that the Brig. Genl has not given him orders. but this can be no excuse for a total neglect of the duties which he was required by Law to do without Special orders I wonld not be understood as taking part between Roberts & Wash any further than to give the wishes of the Court of appeal & Court martial and to state for them that every officer in the Regiment except one wishes Roberts appointed & is decidedly (& most of them) bitterly opposed to Wash. If Roberts is appointed he will take pride in attending to the business of the Regiment. If Wash is appointed Roberts &

almost all the rest have sworn never to muster under him & will resign instantly.

I will add further that the high Sheriffs taking advantage of the existing dispute as to which is the rightful Commandant has positively refused to receive a list of the fines from any person & thinking to get clear of the trouble & responsibility of collecting by disputing the authority of the officer who presents the list. It is therefore important that the matter should be settled & a Commission issued before the day on or before which the list must be given to the Sheff.

You are requested by Mr Roberton & permitted by me to make any use of this you may think proper

Yours respectfully

W. L. McKenney

P.S. I send you a copy of the recommendations which Mr Roberton requests you to present to the Governor together with the foregoing explanation of the reasons why they have not more formality

W. L. McK

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C. M. Cunningham's
Acceptance as
Judge of the 3d
Judicial District

1832

HARRIS
JAN 30

Hon. J. J. Crittenden
Secretary of State
Frankfort

Harrodsburg 30 Jan. 1832.

Dear Sir-

I had the honor to receive your favour of the 26th Inst. enclosing to me the Commission of Circt. Judge in the 5th Dist.-

I will accept the appointment, and repair to the scene of its duties with as little delay as circumstances will permit, at this inclement season of the year.

I am very respectfully
your friend-
C. M. Cunningham

Hon. T. T. Crittenden-

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By a board of officers Composed of a majority of field officers & Captains in the 14th R. R. M. convened at the house of Henry Timberlake in Paris on the 31st of October 1831 the following nominations were made (Viz.)

× William Ashurst Ensign in the room of Alexr Kirkpatrick who refused to accept—

× Asa R. Bedford Ensign in the room of Lunsford Dickerson who refused to accept

× John Williams Ensign in the room of John Trundel who refused to accept

× Victor M. Henry Captain in room of Robt. Barnett Resigned

× James Stone Lieutenant in Room of Victor M. Kinny promoted

× James Mitchell Ensign in room of James Stone promoted

× Sollomon Feaverban Ensign in room of John C. Laary who refused to accept

Certified under my hand

Ld M Cogswell Col
14. R. K. M. 4. Bergair

Nominations for 14th Regt.

To be commissioned

10th Division
4th Brigade
14th Regiment

Com'd 12th Jany 1832

Recorded

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1832

Duplicate Com^ns
to Hardin and Warren
issued —

Ret

Examine the
record to see what
has led to the
difficulty mentioned

Jacksonville Ky
Feb 2

His Excellency
The Governor of Ky
Thomas Metcalfe
Frankfort Ky

12^{th}

Monroe Cty Ky. Janry 30th 1832

Your Excellency

It has devolved on me to inform you of the situation of our Regiment (109th) in the summer of 1830 Owing to the resignation of Col Slippin the Office of Col became vacant It was agreed to have an election of the people to fill the Offices of Col, Lieut Col & Major accordingly an election was held and Lodph G. Hardin was elected to the Office of Col I was elected Lieut Col and Zephaniah Warren was elected Major my Commission came out during the session before last of the legislature but Col Hardins & Major Warrens Commissions were not given till after the Session terminated and consequently were only pro tem commissions

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the concurrence of the Senate
at the last Session of the legislature
not having been obtained to have
permanent commissions given to
the Col and Major their Motion
Commissions have expired leaving
the offices of Col. and Major
vacant — at least if any such
commissions have been obtained
they have not come to hand
and I believe the matter was
neglected.— It is necessary that
those Offices should be filled
Capt. William Rush is the
oldest Captain in commission
and Capt Thomas White is next
oldest in Commission
I have been thus explicit that your
excellency might be informed of all
the circumstances and your excellen
-cy is requested to issue commissions to
fill the offices aforesaid

His Excellency
The Governor of Ky
Thomas Metcalfe

Philip Emanuel
Lieut Col & Comdt
of 109th Regt Ky Militia

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