

(21037-8)

Report of Court Martial Oct. 25 1813

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Enclosure

(Removed fr. unmt. order)

Mr Manners Sutton has the honor  
to acquaint Colonel Torrens for the  
information of His Royal Highness  
the Commander in Chief, that it appears  
by the Proceedings of a General Court  
Martial held at Logrono, the 8<sup>th</sup> of Septem-  
ber 1813, and subsequent days, lately  
received at this Office that Sub Lieut.  
and Adjutant, Bontein of the 1<sup>st</sup> Life  
Guards was tried upon the following  
Charges, viz<sup>t</sup>

1<sup>st</sup> For refusing to obey the Orders  
of Lieut: Kelly of the same Regiment  
his Superior Officer on a point of duty  
on the Watering Parade on the Evening  
of the 4<sup>th</sup> August 1813."

2<sup>nd</sup>

2<sup>nd</sup> - For unofficerlike Conduct  
and Disobedience of Orders the same  
Evening on Parade, in peremptorily  
refusing twice in presence of the Picquet  
to give over the same to Lieut: Kelly  
who ordered him so to do, and who  
was his Superior Officer and appointed  
to that Command, the whole being to  
the prejudice of good Order and Military  
Discipline. -

Upon which Charges The Court  
came to the following decision. -

The Court having duly  
weighed and considered the Evidence in  
support of the 1<sup>st</sup> Charge, together with  
what the Prisoner, Sub. Lieut: and  
Acting Adjutant Pontain has offered  
in his Defence with the Evidence thereon,

is

is of Opinion that the Prisoner, Sub-  
Lieut. and Adjutant Pontem is Not  
Guilty of the First Charge preferred  
against him and does therefore fully  
acquit him of the same. - and The  
Court is further of Opinion that the  
Charge is frivolous and vexatious. -

The Court having duly weighed  
and considered the Evidence in support  
of the Second Charge, together with  
what the Prisoner, Sub-Lieut. and  
Adjutant Pontem has offered in his  
Defence with the Evidence thereon, is  
of Opinion that Sub-Lieut. and Adj't  
Pontem is Not Guilty of the Second  
Charge preferred against him, and  
does therefore fully acquit him of the  
same; - and The Court is further of  
Opinion that the Charge is frivolous  
and

and reactions.

The Court cannot conclude the Investigation of the above Charges preferred by Lieut. Kelly, against Sub Lieut. and Adjutant Pontin, without remarking that the Conduct of Lieut. Kelly, during the Circumstances upon which the Charges are founded is highly unmilitary and reprehensible, and that he has not been actuated by motives for the good of the Service, and that he has acted contrary to the advice of his Commanding Officer previously asked for by him.

Which Decision appears to have been confirmed by the Marquis of Wellington.

Dorning Street  
25<sup>th</sup> October 1813.

25 Oct 1813