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# REPORT

OF

## THE COMMITTEE

TO WHOM WAS REFERRED

### *SO MUCH OF THE MESSAGE*

OF THE

PRESIDENT OF THE UNITED STATES,

AT THE

COMMENCEMENT OF THE SESSION,

AS RELATES TO THE

### SPIRIT AND MANNER

IN WHICH THE

WAR HAS BEEN WAGED BY THE ENEMY.

---

JULY 31, 1813.

Resolution agreed to and forwarded to the President.

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WASHINGTON :

A. & G. WAY, PRINTERS.

.....  
1813.

# REPORT

## OF THE

### COMMISSIONERS OF THE LAND OFFICE

IN ANSWER TO A RESOLUTION PASSED BY THE HOUSE OF COMMONS, IN APRIL 1841, RELATIVE TO THE STATE OF THE LANDS BELONGING TO THE CROWN, AND TO THE MANNER IN WHICH THEY ARE MANAGED.

By JOHN RUSSELL, Esq. Secretary to the Commission.

LONDON: Printed by W. Clowes and Sons, Strand, 1841.

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## REPORT.

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*The committee, to whom was referred that part of the President's message "which relates to the spirit and manner in which the war has been waged by the enemy,"*

### REPORT:

THAT they have collected and arranged all the testimony on this subject which could at this time be procured. This testimony is submitted to the consideration of the house, arranged under the following heads:

First. Bad treatment of American prisoners;

Second. Detention of American prisoners as British subjects, on the plea of nativity in the dominions of Britain, or of naturalization;

Third. Detention of mariners as prisoners of war, who were in England when the war was declared;

Fourth. Compulsory service of impressed American seamen on board British ships of war;

Fifth. Violation of flags of truce;

Sixth. Ransom of American prisoners from Indians in the British service;

Seventh. Pillage and destruction of private property on the Chesapeake bay, and in the neighboring country;

Eighth. Massacre and burning of American prisoners surrendered to officers of Great Britain, by Indians in the British service. Abandonment of the remains of Americans killed in battle or murdered after the surrender to the British. The pillage and shooting of American citizens and the burning of their houses after surrender to the British under the guarantee of protection;

### Ninth. Outrages at Hampton, in Virginia.

The evidence under the first head demonstrates that the British government has adopted a rigor of regulation unfriendly to the comfort and apparently unnecessary to the safe keeping of American prisoners generally. It shews also instances of a departure from the customary rules of war by the selection and confinement in close prisons of particular persons, and the transportation of them for undefined causes from the ports of the British colonies to the island of Great Britain.

The evidence under the second head establishes the fact, that however the practice of detaining American citizens as British subjects may be regarded as to the principle it involves, that such detentions continue to occur, through the agency of the naval and other commanders of that government. It proves too, that however unwilling to allow other nations to naturalize her subjects, Great Britain is disposed to enforce the obligation entered into by their citizens when naturalized under her own laws. This practice, even supposing the release of every person thus detained, obviously subjects our captured citizens, upon mere suspicion, to hardships and perils from which they ought to be exempt according to the established rules in relation to prisoners of war.

The evidence under the third head shews, that while all other American citizens were permitted to depart within a reasonable time after the declaration of war, all mariners who were in the dominions of Great Britain, whether they resorted to her ports in time of peace for lawful purposes, or were forced into them under pretence of illegal commerce, are considered prisoners of war. The injustice of this exception is not more apparent than the jealousy it discloses towards that useful class of our fellow citizens. But the committee can but remark, that if the practice of hiring American seamen to navigate British vessels is generally adopted and authorized, and that



it is suffered appears from the advertisements of George Maude, the British agent at Port Royal, which is to be found with the testimony collected under the first head, that the naval strength of that empire will be increased in proportion to the number of our seamen in bondage. The present war having changed the relation of the two countries, the pretended right of impressment can no longer be exercised, but the same end may be accomplished by the substitution of this mode. Every seaman thus employed (the terms of whose engagement have not been ascertained) increases the naval strength of the enemy, not only by depriving the United States of his active services, but by enabling Great Britain to carry on and even extend her commerce without diminishing the number of sailors employed in her vessels of war.

The testimony collected under the fourth head proves, that it is the ordinary practice of the officers of British armed vessels to force impressed Americans to serve against their country by threats, by corporeal punishment, and even by the fear of immediate execution.....an instructing commentary upon the professions of the government, of its readiness to release impressed American seamen found on board ships of war.

On the evidence collected under the fifth head, it is only necessary to observe, that in one case, the case of Dr. M'Keehan, the enormity is increased by the circumstance of the flag being divested of every thing of a hostile character, having solely for its object the relief of the wounded and suffering prisoners who were taken at the river Raisin on the 22d January, 1813. The treatment of Dr. M'Keehan, not by the allies of Britain, but by the officers of her army, can only be rationally accounted for by the supposition, that it was considered good policy to deter American surgeons from going to the relief of their countrymen,

as the Indian surgeons had a more speedy and effectual mode of relieving their sufferings.

The evidence respecting the ransom of American prisoners from Indians, collected under the sixth head, deserves attention, principally from the policy it indicates, and as it is connected with Indian cruelties. Considering the savages as an auxiliary military force in the pay of Great Britain, the amount of ransom may be regarded as part of their stipulated compensation for military service; and as ransoms would be increased and their value enhanced by the terror inspired by the most shocking barbarities, it may be fairly concluded, whatever may be the intention of the British government, that the practice of redeeming captives by pecuniary means will be occasionally quickened by the butchery of our fellow citizens, and by indignities offered to their remains, as long as the Indians are employed by the enemy. The justice of this conclusion is confirmed by the testimony of those witnesses who were retained after ransom as prisoners of war.

The testimony collected under the seventh head shews, that the private property of unarmed citizens has been pillaged by the officers and crews of the British vessels of war on our coast, their houses burnt, and places of public worship mutilated and defiled. It appears that the officers, animated by the presence of admiral Cockburn, particularly distinguished themselves in these exploits. This evidence proves, that they were governed by the combined motives of avarice and revenge; not satisfied with bearing off, for their own convenience, the valuable articles found, the others which furnished no allurements to their cupidity, were wantonly defaced and destroyed. It has been alleged, in palliation of these acts of wanton cruelty, that a flag sent on shore by the admiral was fired upon by the American militia. The evidence proves this not to have been the fact. This pretence

has been resorted to only to excuse conduct which no circumstances can justify.

The committee forbear to make any observations upon the testimony collected under the eighth head, from a perfect conviction that no person of this or any other nation can read the simple narrative of the different witnesses of the grossest violations of honor, justice and humanity, without the strongest emotions of indignation and horror. That these outrages were perpetrated by Indians, is neither palliation nor excuse. Every civilized nation is answerable for the conduct of the allies under their command, and while they partake of the advantages of their successes, they are equally partakers of the odium of their crimes. The British forces concerned in the affair of the 22d, at the river Raisin, are more deeply implicated in the infamy of these transactions than by this mode of reasoning, however correct. The massacre of the 23d January, after the capitulation, was perpetrated without any exertion on their part to prevent it; indeed, it is apparent from all the circumstances, that if the British officers did not connive at their destruction, they were criminally indifferent about the fate of the wounded prisoners. But what marks more strongly the degradation of the character of the British soldiers, is the refusal of the last offices of humanity to the bodies of the dead. The bodies of our countrymen were exposed to every indignity and became food for brutes in the sight of men who affect a sacred regard to the dictates of honor and religion. Low indeed is the character of that army which is reduced to the confession, that their savage auxiliaries will not permit them to perform the rites of sepulture to the slain. The committee have not been able to discover even the expression of that detestation which such conduct must inspire from the military or civil authority on the Canadian frontier, unless such detestation is to be presumed from the choice of an Indian trophy as an ornament for the legislative hall of Upper Canada.

The committee have considered it their duty to submit the evidence collected under the ninth head of the atrocities committed at Hampton, although these enormities have been committed since their appointment. These barbarities may be rationally considered as the consequence of the example set by the officers of the naval force on our coast. Human turpitude is always progressive, and soldiers are prepared for the perpetration of the most dreadful crimes by the commission of minor offences with impunity. That troops who had been instigated by the example of their officers, to plunder the property and burn the houses of unarmed citizens, should proceed to rape and murder, need not excite surprize, however it may inspire horror. For every detestable violation of humanity an excuse is fabricated or found. The wounded prisoners on the northern frontier were massacred by Indians; the sick murdered and the women violated at Hampton by the foreign troops in the pay of Great Britain. These pretexts, admitting them to be true, are as disgraceful as the conduct which made a resort to them necessary. Honor and magnanimity not only forbid the soldier to perpetrate crimes, but require every exertion on his part to prevent them. If, in defiance of discipline, acts of violence are committed upon any individual entitled to protection, the exemplary punishment of the offender can alone vindicate the reputation of the nation by whom he is employed. Whether such exertions were made by the British soldiers, or the character of the British nation thus vindicated, the evidence will shew.

The shrieks of the innocent victims of infernal lust at Hampton, were heard by the American prisoners, but were too weak to reach the ears or disturb the repose of the British officers, whose duty, as men, required them to protect every female whom the fortune of war had thrown into their power. The committee will not dwell on this hateful subject. Human language affords no terms strong enough to express

the emotions which the examination of this evidence has awakened : they rejoice that these acts have appeared so incredible to the American people, and for the honor of human nature, they deeply regret that the evidence so clearly establishes their truth. In the correspondence between the commander of the American and British forces, will be found what is equivalent to an admission of the facts by the British commander. The committee have yet to learn that the punishment of the offenders has followed the conviction of their guilt. The power of retaliation being vested by law in the executive magistrate, no measure is considered necessary to be proposed but the resolution annexed to this report.

As such enormities, instead of inspiring terror, as was probably intended, are, in the opinion of the committee, calculated to produce a contrary effect, they submit for the consideration of the house, the following resolution :

Resolved, That the President of the United States be requested to have collected and presented to this house, during the continuance of the present war, evidence of every departure by the enemy from the ordinary modes of conducting war among civilized nations.

## DOCUMENTS.

No. 1.

*Bad treatment of American prisoners by the British.*

WASHINGTON, May 24th, 1813.

SIR,

I HAVE received your favor of the 22d instant, and hasten to reply to the questions therein, respecting the case of captain Jeduthun Upton, late commander of the privateer brig Hunter, of Salem. Captain Upton was taken in the month, I believe, of November last, off the western islands, by the British frigate Phœbe, captain Hilliard. In chase, captain Upton, as is usual in such cases, threw his guns overboard to ease his vessel, in hopes by that means to facilitate his escape from the enemy ; but this not availing, he was, as above stated, taken and carried into Plymouth, in England, where, on his arrival, he was immediately, with his first lieutenant, Mr. Wayne, put into Mill Prison and refused his parole on the plea that he had not on board, when captured, fourteen mounted carriage guns above the calibre of four pounders. After having been thus closely confined for 3 or 4 months in a filthy jail, they were in the month of March taken out and sent on board the prison ship at Chatham, where, when I left England in April last, they still were, in a worse situation, *if possible*, than in Mill prison. The allowance, sir, to American prisoners in England, you are acquainted with ; it is, therefore, not necessary for me to mention it here. It is but justice to state, that the captain

of the Phœbe petitioned the transport board and used every exertion in his power to obtain the paroles of captain Upton and Mr. Wayne, but all would not do; they were deaf to his petition, lost as they are to every sentiment of honor, and every principle of humanity.

Except captain Upton and his first lieutenant, all the rest of his officers and crew were sent on board the prison ship on their first arrival at Plymouth; amongst them was the doctor of the Hunter, Mr. Carter, who came home in the cartel Robinson Potter. What I have stated respecting the treatment of captain Upton and Mr. Wayne, I know to be facts, as I had the *honor* of spending 24 hours in Mill prison with them, and heard those facts related by themselves.

Very respectfully,

I have the honor to be,

Sir,

Your obedient servant,

ALEXANDER COFFIN, Jr.

J. MASON, Esq.

Commissary General of Prisoners.

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NAVY YARD, CHARLESTOWN,

June 3d, 1813.

SIR,

I HAVE the honor to enclose to you a deposition respecting inhuman treatment, which Mr. Nichols, late commander of the private armed ship Decatur, belonging to Newburyport, has received from the British government at Barbadoes. I have been credibly informed that captain Nichols is a very respectable and correct man, therefore a fair pre-

sumption, that he has not committed himself in such a manner as ought to deprive him of the established rights of a prisoner of war. Any measure which the government of our country may see proper to adopt in consequence of this communication, I shall readily attend to.

I have the honor, sir, to be,

Very respectfully,

Your obedient servant,

WM. BAINBRIDGE.

Hon. William Jones, Secretary of the Navy,  
City of Washington.



I, James Foot, of Newburyport, in the county of Essex and commonwealth of Massachusetts, mariner, testify and depose, that I was a prize-master on board the private armed brigantine Decatur, of Newburyport, in her late cruize, William Nichols commander: That on the 18th day of January, now last past, the said brigantine was captured by his Britannic majesty's frigate Surprize, commanded by captain Cochran, and carried into Barbadoes. After our arrival in Barbadoes, captain Nichols, with the other officers of the Decatur, were paroled. About two months after our arrival, his Britannic majesty's frigate Vesta arrived in Barbadoes, and through the influence of the commander of the Vesta, captain Nichols, without any known or pretended cause, was arrested and held in close confinement, without liberty to speak to any of his officers or any other American. The place where captain Nichols was confined was about four feet in width and about seven feet in length, on board a prison ship, where he remained for thirty-four days, as nearly as I can recollect, and was then taken on board his majesty's ship Tribune and carried to England. What the cause of the unwarrantable and un-



justifiable conduct of the enemy towards captain Nichols was, I am unable to state : there were several reports in circulation ; one was, that he was to be carried to England and held a prisoner until the release of certain men in France, from whom captain Nichols recaptured his vessel, which had been taken by the British before the commencement of the present war between the two countries : another report was, that he was to be held until the close of the war on account of his having been active against the enemy since the commencement of hostilities, and having been fortunate in a former cruize.

JAMES FOOT.

Commonwealth of Massachusetts,  
Essex, ss.

ON this thirty-first day of May, in the year of our Lord 1813, personally appeared James Foot, the subscriber to the foregoing deposition and made solemn oath that the same is true.

Before me

JACOB GERRISH,  
Justice of the Peace.

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*Extract of a letter from the Commissary General of prisoners, to Alexander Stewart, esq. United States' agent for prisoners, at Jamaica, dated*

May 1st, 1813.

“ I enclose you a copy of an advertisement, said to have been taken from a Jamaica news-paper, apparently put forth by the British agent for prisoners, proposing to hire out American prisoners : you will enquire into this matter, and if it be, as has been stated, you will remonstrate strongly against such a practice ; and inform me of the practice, and the result.”

[Referred to in the preceding extract.]

PORT ROYAL, 25th November, 1812.

Masters of vessels about to proceed to England with convoy, are informed that they may be supplied with a limited number of American seamen (prisoners of war) to assist in navigating their vessels, on the usual terms, by applying to

GEORGE MAUDE, *agent.*

*Extract from a memorial addressed to the Secretary of State by James Orm, Joseph B. Cook, Thomas Humphries and others, masters of American vessels, who were prisoners of war in England, and returned to the United States in the cartel ship Robinson Potter.*

“ We shall now proceed to give as correct a statement as we can of the treatment of our countrymen (prisoners of war) by the British in England. On the arrival at Plymouth of the masters, first mates, supercargoes and passengers, they are sent to Mill prison for one day and night; they have an iron bedstead to sleep on, with a small matrass which might easily be put into a countryman’s wallet, and a small coarse blanket. The allowance for twenty-four hours is three small salt herrings or about the same weight of salted cod-fish, or half a pound of beef, one and a half pounds of black bread, a little salt, &c. &c. The second day they are paroled and sent to Ashberton, twenty four miles from Plymouth; they must pay their own expenses to get there. While they are there they are allowed 1s 3d per diem, or 8s 9d sterling per week. Beef is 10d per pound, bread in proportion, and every other necessary equally dear. The

mates, who have nothing but their pay to live upon, join together 8 or 10 in a mess, hire a room and do their own cooking, washing, &c. &c. and in this way make out to keep from starving. Masters, supercargoes and passengers, generally have other resources, through their correspondents in England, and make out to live, by great economy, at from 30s to 35s sterling per week; the second mates and other officers are sent on board the different prison ships. On board some of them they are treated by the commanding officer as well as the nature of the situation will admit; on board of some others they are very badly treated. This, it will naturally occur to you, sir, is owing to the different characters of the different commanders. Their allowance is  $10\frac{1}{2}$  lb. brown bread,  $2\frac{1}{2}$  lb. beef, 2lb. bad fish, 2lb. potatoes, and 10 ounces barley per week for each man, and 5 ounces salt per week for ten men. The prison ships are kept very filthy, and the prisoners are confined below at 4 P. M. and are kept in that situation until 7 or 8 A. M. At Portsmouth particularly, they are very sickly, and we are informed die very fast, some days from 8 to 10; in fact, they are very sickly on board all of them; several of this description came home with us in the Robinson Potter cartel, and had, when they came on board, the appearance of having made their escape from a church yard. It is not perhaps amiss, that we should state what we firmly believe; that is, it is the policy of the British government to select the sickly to be first sent in cartels, and keep the hale and hardy seamen until they become sickly, thus rendering the whole of those gallant sons of Neptune who escape death, when they return to their homes, at least for some time, perfectly useless to themselves and quite so to their country from their debilitated state; and, in fact, the probability is, that many of them will carry to their graves the indelible stamp upon their constitutions of the treatment which they

received on board British prison-ships; for that nation seems to have lost its boasted humanity, and if we did not find the word in their vocabulary we should suppose it had never found a place there. Many of the seamen, prisoners on board those prison-ships, are impressed Americans who have given themselves up, refusing to fight against their country. Four hundred on board the fleet in the Mediterranean, a short time before we left England, surrendered themselves and were sent to Gibraltar and England; several of them were most severely flogged for refusing to do their duty, were put in irons, and most of them, to their immortal credit, submitted to the severest punishment in preference to assist the enemies of their country. Some of us, whose signatures are annexed, were witnesses to the cruel fact. A tablet of gold is not rich enough to inscribe the names of such men upon, and when a country can boast of such seamen, she has nothing to fear from the enemy on the ocean on an equal footing. Captain Judathan Upton, late master of the private armed brig Hunter, of Salem, of 14 guns, because he threw them overboard in chase, was not allowed his parole, but kept in close confinement for a long time in Mill prison, and lately has been sent on board a prison-ship at Chatham. We mention these facts in hopes that government will retaliate exactly in the same way. Captain Samuel Turner, late master of the Purse schooner, of New York, was taken on his passage to France in October, 1811, prior to the war, and in retaking his vessel, the prize-master, a British midshipman, was killed; he arrived safely in France, and on his return to America was again taken, in June, 1812, and sent to England, when being recognized, he was immediately arrested and sent on board the St. Salvador, admiral Calder's flag ship, at Plymouth, where he remained a close prisoner until about January or February last, when he was sent on board the prison ship at

Chatham, where we fear he will remain until death relieves him : he has been very ill treated, much abused, put in irons, and after threatened to be hanged. These facts, some of us who sign this, were witness to. We pray, in the name of justice, that government will take, without delay, the case of captain Turner into their serious consideration ; it is a case which we think demands it, and the only way to prevent that nation from committing further outrages so degrading to human nature. We find in Roman history, that an injury or insult offered to a Roman citizen by a foreign power was considered as an insult offered the whole Roman nation, and hope this will also be the American creed, because we believe it will be the surest way of putting a stop to those indignities which Americans have so often been obliged to suffer. We are, however, no advocates for cruelty, but on the contrary, for lenity ; yet we still believe, that in certain cases retaliation is not only necessary but becomes a duty to prevent further cruelties on the part of an enemy."



NASSAU, November 27, 1812.

DEAR BROTHER,

I EMBRACE this, the earliest opportunity of communicating to you, that on the 9th instant, fifteen days out, we fell in with and captured the fine copper bottomed ship Venus, vessel and cargo worth at least twenty-five thousand dollars. On the 12th, pursuing our course and within five days run of your place, we were captured by his majesty's sloop Moselle, George Moubray, commander, and brought into this place. We remained on board the sloop two or three days, and on the 19th were transferred from thence to the prison ship where we are now imprison-

ed, with an allowance of 6 oz. of bread, 3 gills of rice, 8 oz of the worst of beef, including bone, which is as much as meat, with as much brackish water as we can use ; guarded day and night by 10 or 15 savage Africans, who are total strangers to humanity, and confined every evening at sun down, not to be released until next morning sun rise, abused to the lowest degree by the guard, and compelled to find salt for and cook our own victuals with green mangoes. None of us are ever permitted, under any conditions whatever, to visit the shores, with many other barbarous acts, which are too numerous to describe. This will be conveyed by the cartel sloop, captain Cooper, being the second cartel which has sailed since our arrival here. A schooner from Baltimore was only allowed 8 men, and Cooper, who brought 64 prisoners, is only allowed 18 in return, while we, 18 in number, are detained in this miserable place ; for which we cannot assign any reason, except to punish us as privateersmen, or as hostages for those 12 lately detained in Charleston ; this last is the general belief, and as such, I deem a communication of the circumstance essential to commodore Dent, commander of the southern station, that he may look to it and inquire the cause why Americans are to be detained here two or three months, while more prisoners have been received here, by a great many ; than what have been sent to the United States. Men who have arrived here since we, have been sent off ; they proceed with no degree of regularity in the exchange of prisoners, and act in open contradiction to every thing right, and really believe, that except you make known the circumstance and use some favorable exertions, that some of us will be intentionally detained until the end of our present contest with Great Britain. As I wish your exertions for our exchange, I have subjoined a list of those who are thus miserably treated, that we may be demanded in a proper way. The Rapid's crew have been imprisoned

here near three months, and have now no prospect of getting away, while the crews of two other privateers have been released.

CREW OF THE LOVELY LASS.

<i>Lieut. Autine Lambert,</i>	<i>John Gamache,</i>
<i>William L. Robison,</i>	<i>John Hynes,</i>
<i>William Thomas,</i>	<i>Darius Swain,</i>
<i>John Crandel,</i>	<i>John M. Kenzie.</i>
<i>David Ashton,</i>	

RAPID'S CREW.

<i>Captain Lameson,</i>	<i>James T. Miller,</i>
<i>Peter La Vella,</i>	<i>Francis Martin,</i>
<i>George Alexander,</i>	<i>Gaugion Bigulows.</i>

OTHER PRISONERS.

<i>Simon West,</i>	<i>Matthew Bridge.</i>
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I wrote Mr. Peck and requested him to forward me a letter of introduction to some one here, and also a protection shewing that I am an American. As it is possible that he may not get my letter, you will notice my request and pay that attention which it deserves. I mentioned in my letter to Mr. Peck, that any funds which I received here would be returned on application, as my expenditures will, through an economical principle, be as small as possible. I indulge the hope that you will conform to my wishes in this particular, and also inform Mr. Kelly of our imprisonment here, and request his influence in facilitating our exchange, with any other service.

We have no chance of gaining information here. Every person uses every exertion to keep us in ignorance; however, we are enabled to say, that the English prisoners have generally combined in speaking of the treatment they received in the U. States.

I am your affectionate brother,

WILLIAM L. ROBESON.

Capt. Thomas J. Robeson.

N. B. The Moselle, Rhodian and Variable, three men of war, have just convoyed 5 or 6 vessels over the bar bound to some part of England, it is supposed that they will return to cruize off Charleston. In case you address or send any thing for me to this place, you will direct to the care of Messrs. Bain, Dunshe & Co. merchants here.

I am yours, &c.

W. L. R.

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HARTFORD, May 9, 1813.

SIR,

Annexed is captain Samuel Chew's deposition taken before judge Edwards at New Haven. We expected it in season to have forwarded it by Mr. Dodd, but received it last evening by Mr. Huntington, the United States' attorney for Connecticut district, and now forward it to you per mail.

Your's respectfully,  
LUTHER SAVAGE & Co.

Hon. James Monroe.

Connecticut District, ss.

On this day, the 7th of May, in the year of our Lord eighteen hundred and thirteen, personally came before me, Pierpont Edwards, judge of the district court of the United States, for the district aforesaid, Samuel Chew, of the city of New Haven, in the said district, and being duly sworn, deposeth, That he was at Bridgetown, in the island of Barbadoes, in the West Indies, in the month of February now last past; that on board a British prison-ship, at Barbadoes;



there were confined about 523 American prisoners, of the crews of private armed vessels of the United States and merchantmen, captured since the war. At the time the deponent was at Barbadoes the American prisoners were supplied with bread, and *some* meat; as to vegetables, the deponent was not informed. The regulations on board the said prison-ship compelled the prisoners to go below decks, where they were confined at evening and until morning; as many as could, were suspended in hammocks, and still there was not sufficient room below them for all to lie down. In this respect the situation of the prisoners was not only extremely uncomfortable, but hazardous, and more especially, should there be, as was apprehended, a scarcity of provisons during the approaching hot months. The deponent was not permitted to go on board said prison-ship, but derived his information from masters of vessels, prisoners at said island, who were allowed occasionally to go on board said prison-ship, with whom the deponent is personally acquainted, and in whose representations he has the most perfect confidence, and entertains no doubt of the facts by them stated; and this statement is given at the request of the friends of some of the prisoners at Barbadoes, particularly of the crew of the privateer Blockade, of Hartford.

PIERPONT EDWARDS,

*District judge of Connecticut district.*

I, Pierpont Edwards, judge of the district court of the United States for the Connecticut district, do hereby certify and make known to all whom it may concern, that captain Samuel Chew, the within named deponent, is a gentleman to me well known, having known him for many years: he is the son of captain Samuel Chew, late of the city of New Haven, deceased; and who fell by a cannon ball on board an American vessel during the revolutionary war: that

the said deponent is a man of strict integrity, and attached to the constitution and government of the United States, and the most perfect confidence is due to his said representations so as aforesaid sworn to.

PIERPONT EDWARDS,

*District judge of Connecticut district.*

MILVILLE PRISON,

August 30, 1812.

SIR,

We, the subscribers, for ourselves and our countrymen now confined as prisoners of war in Milville prison, Halifax, Nova-Scotia, beg leave to represent to the American government—That most of us have for years past, made commerce our sole employment and hope, in which, for seven years or more, we have often been wantonly robbed by the English of what we had acquired by industry and danger, and while they stript us of our property, they often treated us with the greatest indignity, and even barbarity.

We have seen and known that they have often violated the sacred privilege of individual liberty and the law of nations: We are conscious of the long forbearance of our government, and their repeated calls upon the honor and justice of the British nation, which, instead of redress, added other injuries; and when the hope of amicable remuneration had failed, and for retaliation our government was forced to the last resort, an appeal to arms, we felt the justness of our cause and hoped for the blessing of heaven for success. To serve our country and to make up the losses which we had sustained, we, under commissions from the President of the United States, entered on board of privateers, and have unfortunately been captured by the British. We would state, that

in many instances after we had struck our colours, we were fired upon by cannon and muskets, by broadsides and volleys, and some of our men killed, and after our captors had come on board some of us have been struck and severely wounded with cutlasses, without the least provocation for such inhumanity. Our American protections have been forced from us and destroyed, and some native American citizens have been taken out of our privateers and put on board British ships, and these obliged to serve. Most of us have been robbed of every thing, even of necessary clothing. When we were going from the ships to prison the officers would not permit us to take our clothing and baggage with us, but pledged themselves that they should be sent to prison; but disregarding their honor, we have lost all. Some of us have been marched thirty, and some sixty, and some one hundred and sixty miles over a miserable country, forced along beyond our strength, half starved, and some in irons. Our allowance, each man per day,  $1\frac{1}{2}$  lb. of bread,  $\frac{1}{2}$  lb. poor beef, well proportioned with bone, one gill of peas,  $\frac{1}{3}$  oz. of salt. We are without wearing apparel and without money, or any means of procuring them. A cold winter in this wretched country fast approaches, and in our destitute situation we must endure every thing, and many of us must perish. There are now of us in prison upwards of twelve hundred. Every art has been practised by the English officers to excite disaffection in our men to the American government, and to induce them to enter into the English service. Necessity may oblige some to desert us and enter into British servitude, but we trust that speedy relief from our government will save them from that wretched alternative of perishing with want or joining our enemies. For ourselves and the rest of the prisoners, we must say, we have now no fortunes to devote to the service of our country, but we have hearts which yet feel warmly the general impulse, and which we pledge, if opportunity ever again

presents, to devote in the interest and service of our country. We are now sufferers, but we will cheerfully suffer every hardship of war rather than sue for dishonorable peace.

We respectfully request an exchange or some provision for relief. We feel the fullest confidence in our government, and that we need only to apprise them of our situation to insure their assistance and protection.

Yours, &c.

*Joseph Starr*, Boston,  
*Frederick Johnson*, New York,  
*Robert M' Kearny*, New York,  
*Richard Rhea*, New Jersey,  
*George Batterman*, Boston,  
*John Hazelton*, Boston,  
*William Dyer*, Boston,  
*James Trask*, Boston,  
*Solomon Norton*, Boston,  
*Alexr. B. Latbam*, New London,  
*Darius Denison*, New York,  
*Eastwick Pray*, Portsmouth,  
*William Temold*, Portsmouth,  
*Fobes Dala*, Portland,  
*Chs. Thompson, jun.* New York.

Honorable James Monroe,  
 Secretary of State, &c.

No. 2.

*Detention of American prisoners as British subjects.*

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*Office of Commissary General of Prisoners,*  
WASHINGTON, June 10, 1813.

SIR,

I HAVE the honor to transmit the copy of a letter from captain Stewart, commanding the United States' naval forces at Norfolk, dated the 20th of May, to admiral Warren, and that of a letter from rear admiral Cockburn, dated 21st of May, in reply, relative to a most unjustifiable act of commodore Berresford, as to part of the officers and crew of the late United States' brig Vixen at the mouth of the Delaware. Leaving the general question of the interference of commodore Berresford with these prisoners of war returning on parole, and the exaction made by him in consequence of the irregular power thus assumed, on the ground on which captain Stewart has very properly placed it, I will remark, that captain Stewart was certainly misapprehended by admiral Cockburn, in attributing to him the intention of conveying a threat, as to the final detention of two of the American prisoners: on the contrary, the expression used by captain Stewart communicates in very plain terms the decision of this government then already made; that four of his Britannic majesty's subjects should be immediately selected and held in durance, subject to the same treatment in all respects, &c.

And I have now to inform you, sir, that in virtue of this decision, and by an order from this office, the marshal of Massachusetts has designated and placed in close confinement William Kitto, carpenter, and

Thomas Beddingfield, boatswain, of the late British packet *Swallow*; and John Squirrel and James Russel, seamen, of the *Dragon*, seventy-four, subjects of his Britannic majesty, to be held responsible for the safety of John Stevens, carpenter, and Thomas King, seaman, part of the crew of the late United States' brig *Vixen*.

I flatter myself, sir, that this subject will command your early attention, and that you will cause the officer and seaman of the *Vixen* to be immediately released and returned to this country, according to their destination when taken from the cartel.

Very respectfully,

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

J. MASON.

Colonel Thomas Barclay, &c. &c.

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H. M. S. POICTIERS, May 8, 1813.

SIR,

I am sorry I am under the necessity of detaining John Stevens and John King, late of the *Vixen*, in consequence of their being British subjects.

I am, sir,

Your very obedient servant,

(Signed)

J. P. BERRESFORD.

To lieut. Drayton.

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*United States' frigate Constellation,*

OFF NORFOLK, May 20, 1813.

SIR,

I have the honor to represent to your excellency, that a part of the officers and crew of the late United States' brig *Vixen*, returning from Ja-

maica on parole as prisoners of war, were, on entering the Delaware, taken out of the flag of truce by commodore Berresford, commanding on that station, and detained until a part of the crew of the Poictiers, then prisoners at Philadelphia, were demanded by him and sent down in exchange; that ultimately he detained on board the Poictiers John Stevens, carpenter, and Thomas King, seaman, late of the United States' brig Vixen, on plea of their being subjects of his Britannic majesty.

This violation of the rights of prisoners on parole, is so contrary to the usage of all civilized nations, that I trust your excellency will give such instructions upon that head as will prevent a similar violation in future.

I have it in command from my government to state to your excellency, that in retaliation for so violent and unjust a procedure on the part of commodore Berresford in detaining the above Mr John Stevens and Thomas King, that four subjects of his Britannic majesty will be immediately selected and held in duration, subject to the same treatment, in all respects, which may be shown towards the aforesaid two persons during their detention. I hope your excellency will give this subject your earliest attention and direct the release of Mr. Stevens and Thomas King, who have been so improperly detained on board the Poictiers.

I have the honor to be, very respectfully,

Your excellency's most obedient servant,

(Signed)

CHARLES STEWART,

*Commanding officer of the the U. States  
naval forces at Norfolk.*

To his excellency the right honorable  
Sir John B. Warren, admiral of the  
blue, and commander in chief of his  
Britannic majesty's naval forces on  
the American station.

*His Britannic Majesty's ship Marlborough,*  
IN LYNHAVEN BAY, 21st May, 1813.

SIR,

In the absence of sir John Warren I have the honor to acknowledge the receipt of your letter under date of the 20th current, complaining of the conduct of commodore Berresford towards some American prisoners of war returning to Philadelphia on parole, and of his having detained on board the *Poictiers* Mr. John Stevens and Thomas King.

No report of these circumstances have yet reached sir John Warren or myself from commodore Berresford, but I have no hesitation in assuring you, sir, that every inquiry would have been made into them, and every satisfaction and explanation thereon, which the case might have required, would have been offered to your government and yourself with the least possible delay, had it not been for the threat with which your representation on this subject is accompanied, the tenor of which being likely to produce an entire change in the aspect of our communications, and particularly in what relates to the individuals which the fate of war has placed within the power of our respective nations; it totally precludes the possibility of my now entering further into the subject than to assure you, your letter shall be transmitted to the right honorable the commander in chief by the earliest opportunity, and whenever his answer arrives it shall be forwarded to you without delay.

I have the honor to be, Sir,

With high consideration,

Your most obedient humble servant,

G. COCKBURN,

*Rear Admiral.*

Captain Stewart, commanding the  
naval forces of the United States  
at Norfolk.



SHARK, PORT ROYAL, (Jamaica)

March 29, 1813.

SIR,

Captain Moubray, of his majesty's sloop Moselle, has just sent to me the copy of a letter from you to him, and another to Mr. Cook, of his majesty's late sloop Rhodian, dated the 25th ult. respecting six men,\* mentioned in the margin, who were sent here from the Bahamas as having been taken in the American privateer Sarah Ann, and supposed to be subjects of his majesty; but as no proof to what country they belong has been adduced, it has never been my intention to bring them to trial, and they are at present on board of the prison ships waiting an exchange of prisoners.

I am, sir,

Your most obedient humble servant,

(Signed)

CHARLES STIRLING,

*Vice Admiral.*

Charles R. Simpson, esq.

\* Edward Dick, Thomas Rodgers, Adam Taylor, John Gaul, Mike Pluck, Geo. G. Roberts.

HARLEM, June 1, 1813.

SIR,

I beg leave to refer you to a communication which took place some time in the autumn or winter preceding, between Mr. Baker, his majesty's late agent for prisoners of war, and Mr. Monroe, secretary of state, respecting six of the crew of the late American privateer Sarah Ann, Richard Moore, master, captured by his majesty's sloop Rhodian, John George Ross, esq, commander, whose names\* are

\* Edward Dick, Thomas Rodgers, Adam Taylor, John Gaul, Mike Pluck, Geo. G. Roberts.

inserted in the margin, and who it appears were sent to Jamaica, to which station the Rhodian belonged, on suspicion of their being subjects of his majesty: And I further request your attention to a letter from major general Pinckney to the secretary at war, dated head quarters, Charleston, 4th of November, 1812, from which it appears, that twelve of his majesty's subjects, then prisoners of war at Charleston, were held in prison to answer in their persons for the fate of the six men, of the Sarah Ann privateer, sent to Jamaica.

I have the honor to enclose you the copy of a letter from vice admiral Stirling, commanding his majesty's ships of war on the Jamaica station, to Mr. Simpson, late sub-agent for prisoners of war at Charleston, from which you will perceive, that the six men of the Sarah Ann are considered by the admiral as American prisoners generally, and are now on board a prison-ship, in common with other American prisoners.

Having given you this information with respect to the six men of the Sarah Ann privateer, I have to request you will take the necessary measures to have the contingent responsibility which it was thought proper to attach to the persons of twelve British seamen, now in prison in Charleston, taken off, and that they may be informed thereof.

I understand that John Gaul, one of the six men, was paroled and arrived at Georgetown, South Carolina, in the brig Cyprus, and that he has reported himself to the marshal, who informed Mr. Simpson, "that he had sent on to the department of state his parole."

I have the honor to be,

With great respect,

Sir,

Your most humble servant,

(Signed)

THOS. BARCLAY.

General Mason.

*Office of Commissary General of Prisoners,*

WASHINGTON, June 9, 1813.

SIR,

I learn with pleasure by the letter you did me the honor to address me on the 1st inst. and the letter from admiral Stirling you have enclosed, that the six men belonging to the American privateer Sarah Ann, detained in October last, and sent to Jamaica to be tried as British subjects, have been restored to the ordinary state of prisoners of war, to wait an exchange, and that there is now no intention to bring them to trial.

I very cheerfully comply with your request, sir, and have this day directed the marshal of South Carolina to restore, in like manner, to the ordinary state of prisoners of war, the twelve British seamen confined under the orders of this government, by him, and to inform them, that the responsibility attached to their persons for the safety of the men of the Sarah Ann, has been taken off.

Very respectfully,

I have the honor to be,

Sir,

Your most obedient servant,

(Signed)

J. MASON.

Col. Thos. Barclay.

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 CHILICOTHE, June 8th, 1813.

SIR,

I feel it my duty to lay before you the case of William M'Dowel Scott, late of Detroit, an unfortunate fellow citizen who has been seized and apprehended by the British commanding officer at Detroit and sent to Quebec, where he is now confined under

pretence of being a British subject, and one found in arms in behalf of the United States against that government.

William M'Dowell Scott is a native of Ireland, and emigrated to the United States about eighteen years since. He resided for some years in the state of New York, and in the summer of 1800, he came to Detroit, established himself as a physician, and has ever since resided there. He has been naturalized agreeable to the laws of the United States, and this fact well known to the British government: and both in the territory of Indiana, before that territory was divided, and subsequently in the territory of Michigan, he has held and filled with respect and fidelity, some of the first offices in those two territories.

Such, for example, as a justice of the peace and a judge of the common pleas in the Indiana territory; and subsequently marshal of the territory of Michigan.

In all these offices, sir, and in every other situation in which doctor Scott's public and political character has been or can be viewed, he has uniformly manifested an undeviating attachment to the principles of our constitution, and the administration of this government.

His support in the present cause, during the time that general Hull lay at Sandwich and Detroit, was not outdone by any person whatever. In fact it was his unwearied exertions that have provoked and spirited up the British to that line of conduct and persecution they are now pursuing towards him.

Proctor, who sent him from Detroit, and sir George Prevost, who received him at Fort George and forwarded him to Quebec, threaten to treat him with all the severities authorized by the laws of nations, and the usages of war, in cases of an actual bona-fide British subject found in arms against that government.

I do not for myself, however, entertain a belief that they will dare to put their threats in execution to

their full extent. But, sir, without the interference of the government they will detain him during the war, and they will make his life so wretched and miserable that death would be a welcome messenger.

I hope, sir, the occasion will be a sufficient apology for obtruding this communication upon you. I am amongst the number of those who have not the honor of a personal acquaintance with you. But general Taylor, who I look to as the bearer of it, is a gentleman to whom I am personally known, and who has likewise a pretty-correct knowledge of the character of doctor Scott.

I have the honor to be,

Sir,

With great respect,

Your obedient servant,

E. BRUSH.

The honorable  
James Monroe, esq.

*Extract of a letter from John Mitchell, esq. agent for American prisoners of war at Halifax, to the secretary of state, dated*

May 28th, 1813.

“I have just been informed by the agent for prisoners, that Mr. John Light, of the Julian Smith, a privateer commanded by captain Henry Cooper, will be detained here in consequence of his having, previous to the war, taken the oath of allegiance in this province, (Nova Scotia) and commanded a vessel out of this place (Halifax.) Mr. Light was lieutenant of the privateer when captured by the *Nymph*, the 12th May, 1813.”

H. M. S. POICTIERS, May 8, 1813.

SIR,

I am sorry I am under the necessity of detaining J. Stevens and T. King, late of the Vixen, in consequence of their being British subjects.

I am, sir,

Your very obedient servant,

J. P. BERRESFORD.

To lieut. Drayton.

The original is in the possession of the commissary general of prisoners.

W. JONES.

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NAVY DEPARTMENT, May 17, 1813.

SIR,

You are hereby authorized and instructed to address a letter to admiral sir John Borlase Warren, representing the following facts and determination, viz. That a part of the officers and crew of the late United States' brig Vixen were returning from Jamaica on parole, as prisoners of war, and entering the Delaware, when commodore Berresford caused them to be brought on board the Poictiers and detained until a part of the crew of that ship, whom he demanded in exchange, were sent down from Philadelphia; that ultimately, he detained John Stephens, carpenter, and Thomas King, seaman, two of the aforesaid crew of the Vixen, on the plea of their being British subjects, as appears by a letter from commodore Berresford to lieutenant Drayton, late 1st of the said brig Vixen; and that you are commanded, explicitly to declare, that in retaliation for the violent and unjust detention of the said John Stevens and Thomas King, the government of the United States will immediate-

ly cause *four* British subjects to be selected and held in duress, subject to the same treatment, in all respects, that the said John Stevens and Thomas King may receive during their detention.

On the receipt of the admiral's answer you will communicate the same to me without delay.

I am, respectfully,

Your obedient servant,

W. JONES.

Charles Stewart, esq.

Commanding naval officer,  
Norfolk, Va.

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*Col. W. Scott to the Secretary of War.*

WASHINGTON, January 30, 1813.

SIR,

I think it my duty to lay before the department, that on the arrival at Quebec of the American prisoners of war, surrendered at Queenstown, they were mustered and examined by British officers appointed to that duty, and every native born of the united kingdoms of Great Britain and Ireland sequestered and sent on board a ship of war then in that harbor. The vessel, in a few days thereafter, sailed for England, with those persons on board.

Between fifteen and twenty persons were thus taken from us, principally natives of Ireland, several of whom were known by their platoon officers to be naturalized citizens of the United States, and others to have been long residents within the same. One in particular, whose name has escaped me, besides having complied with all the conditions of our naturalization laws, was represented by his officers to have left a wife and five children, all of them born within the state of New York.

I distinctly understood, as well from the officers who came on board the prison-ship for the above pur-

pose as from others, with whom I remonstrated on this subject, that it was the determination of the British government, as expressed through sir George Prevost, to punish every man whom it might subject to its power, found in arms against the British king contrary to his native allegiance.

I have the honor to be, &c. &c.

(Signed)

W. SCOTT,

*Lieut. colonel U. S. 2d Artillery.*

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*Mr. Beasley to the Secretary of State.*

LONDON, March 1st, 1813.

SIR,

Annexed you have a copy of a letter from Henry Kelly, in behalf of himself and twenty-two persons. He states, that they are all citizens of the United States and have wives and families there; that they were taken last October in Upper Canada, and that they were sent to this country because they were born within the British dominions.

I am, respectfully, &c,

(Signed)

R. G. BEASLEY.

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*On board H. M. S. Namur,*

LYING AT THE NORE, February 6, 1813.

SIR,

This is to inform you of the under named 23 American soldiers belonging to the 13th, 6th, and 1st regiments of the United States' armies. We were taken on the 13th of October in Upper Canada. The reason of their sending us 23 here is, we were born in the British dominions, though we are all citizens of the United States, and have our wives and children there. We are in a very miserable situation for cloth-



ing, having drawn no winter clothes before we were taken. We therefore hope you will send us some relief to shelter us from the inclemency of the weather.

Sir, I remain your obedient servant,

(Signed)

HENRY KELLY.

Sir, these are the names of my fellow sufferers.

*Henry Blaney,  
George M'Cammon,  
John Dolton,  
Michael Condin,  
John Clark,  
Peter Burr,  
Andrew Doyle,  
John M'Gowan,  
James Gill,  
John Fulsum,  
Patrick M'Brabarty,*

*Matthew Mooney,  
Patrick Karns,  
John Fitzgerald,  
John Wiley,  
John Donnely,  
John Curry,  
Nathan Shaley,  
Edward M'Garigan,  
John Dinnue,  
John Williams,  
George Johnson.*

Mr. R. G. Beasley,

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*Extract of a letter from admiral sir John Borlase  
Warren to the Secretary of State, dated*

BERMUDA, March 8, 1813.

“ I must refer you to my letter of the 30th of September, 1812, in which I stated the circumstance of twelve men belonging to the *Guerriere*, taken out of a cartel by commodore Rodgers, and illegally detained, upon the pretext of six others, who were supposed to be British subjects, having been sent to the united kingdom for examination; since that event, five of these people, named in the enclosed list, have been received at Halifax with orders for their discharge. I therefore request you will communicate these particulars to the President, in order that further directions may be given respecting the *Guer-*

riere's men, so long confined at Boston, and to obviate the other inconveniences which must inevitably arise from such practices."

*The Secretary of State to Admiral Warren.*

EXTRACT, dated April 16, 1813.

"It appears by your letter (of the 8th of March, from Bermuda) that five only of the seamen that were taken on board the Nautilus and sent to England, in confinement, have been returned. No account is given of the sixth. Orders have been issued for the release of ten of the twelve men, who, on a principle of retaliation, were confined by commodore Rodgers at Boston. You will be sensible that it will be impossible, on that principle, to discharge the other two men until the sixth American seaman is returned, or such an explanation given of the cause of his detention, as, according to the circumstances of the case, regarding the conduct of the British government towards American seamen under similar circumstances, ought to be satisfactory."

*Extract of a letter from Lt. F. H. Babbitt to master commandant Wm. M. Crane, of the U. S. navy, (late of the U. S. brig Nautilus,) dated*

BOSTON, (Mass.) 13th Sept. 1812.

Enclosed I send you a description of the proportion of our little crew, who have been so debased and traitorous as to enter the service of our enemy. Also, a list\* of those gallant fellows, whose glory it would have been to have lost their lives in the service of their country, and whose misfortune it has been to

\* This list not received.

cross the *Atlantic* on suspicion of their being British subjects: four of them, native born Americans, and two naturalized citizens. On their parting with me, and removal from the Africa of 64 guns to the Thetis frigate (the latter with a convoy from England, then in 43. 30. N. and 46. 30. W.) their last request and desire was, that I would particularly acquaint you with their situation, with their determination never to prove *traitors* to that country whose flag they were proud to serve under, and whose welfare and prosperity they equally hoped and anticipated to realise.

(Signed)

F. H. BABBITT.

*A list of men said to have entered on board his B. M. frigate Shannon, commodore Broke. Their description as far as known.*

Jesse Bates, seaman, about 5 feet 9 inches high, dark hair and complexion, dark snapping eyes, has an impediment in his speech, and at times affects lunacy; has a wife and family in Boston, Mass.

Samuel Lang, marine, born in Kentucky, 5 feet 8 inches high, or thereabouts, and is supposed to be with captain Hall of U. S. marines, New York.

John Young, marine, 5 feet 5 inches high, large mouth, enlisted with captain Hall, navy yard, New York; when addressed, or is addressing an officer, casts down his eyes. For his particular description as well as that of John Rose, marine, about 5 feet 8 inches high, brown hair, full face, thick set, and a scowl in his countenance, refer to captain John Hall.

John O'Neal, seaman, about 25 years of age, 5 feet 5 inches high, dark hair, sharp face, dark eyes, thick set, and was shipped at Norfolk, Va. previous to your taking command of the Nautilus.

William Jones, od. seaman, about 5 feet 8 inches high, light hair, 24 years of age, full face, thick

set, down cast look, and is a very alért man ; entered at New York April last.

(Signed)

F. H. B.

*Sir John Borlase Warren to Mr. Monroe.*

HALIFAX, 30th September, 1812.

SIR,

Having received information that a most unauthorized act has been committed by commodore Rodgers, in forcibly seizing twelve British seamen, prisoners of war, late belonging to the *Guerriere*, and taking them out of the English cartel brig *Endeavour*, on her passage down the harbor of Boston, after they had been regularly embarked on board of her for an exchange, agreeable to the arrangements settled between the two countries, and that the said British seamen, so seized, are now detained on board the United States' frigate *President*, as hostages ; I feel myself called upon to request, sir, your most serious attention to a measure so fraught with mischief and inconvenience, destructive of the good faith of a flag of truce and the sacred protection of a cartel. I should be extremely sorry that the imprudent act of an officer should involve consequences so particularly severe as the present instance must naturally produce if repeated ; and although it is very much my wish, during the continuance of the differences existing between the two countries, to adopt every measure that might render the effect of war less rigorous, yet, in another point of view, the conviction of the duty I owe my country would, in the event of such grievances as I have already stated being continued, not admit of any hesitation in retaliatory decisions : but as I am strongly persuaded of the high liberality of your sentiments, and that the act complained of has originated entirely with the officer who committed it, and that it will be as censurable in your

consideration as it deserves, I rely upon your taking such steps as will prevent a recurrence of conduct so extremely reprehensible in every shape.

I have the honor to be,  
With the highest consideration,  
Sir,

Your most obedient and most  
Faithful humble servant,

(Signed) JOHN BORLASE WARREN,  
*Admiral of the Blue, and  
Commander in chief, &c.*

His excellency James Monroe, esq.  
Secretary of State.

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*Mr. Monroe to Sir John Borlase Warren.*

DEPARTMENT OF STATE,

October 28, 1812.

SIR,

I have had the honor to receive your letter of the 30th September, complaining that commodore Rodgers, commanding a squadron of the U. States' navy at the port of Boston, had taken twelve British seamen, lately belonging to his Britannic majesty's ship the *Guerriere*, from a cartel in the harbor of Boston, and that he detained them on board the *President*, a frigate of the United States, as hostages.

I am instructed to inform you that inquiry shall be made into the circumstances attending, and the causes which produced the act of which you complain, and that such measures will be taken, on a knowledge of them, as may comport with the rights of both nations, and may be proper in the case to which they relate.

I beg you, sir, to be assured that it is the sincere desire of the president to see (and to promote, so far

is depends on the United States) that the war which exists between our countries be conducted with the utmost regard to humanity.

I have the honor, &c. &c.

(Signed)

JAMES MONROE.

Sir John Borlase Warren,  
Admiral of the Blue, and  
Commander in chief, &c. &c.

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WASHINGTON, December 17, 1812.

SIR,

I have the honor to annex a list of twelve of the crew of the late United States' sloop of war Wasp, detained by captain John Berresford, of the British ship Poictiers, under the pretence of their being British subjects.

I have the honor to be,

Respectfully, sir,

Your obedient servant,

GEORGE S. WISE, purser.

The hon. Paul Hamilton,  
Secretary of the Navy.

*LIST referred to in the preceding note.*

John M'Cloud,	boatswain,	Has been in the service since 1804. Married in Norfolk in 1804 or 5, and has a wife and four children there.
John Stephens,	boatswains' mate,	Has been in the service 5 or 6 years.
Geo. M. D. Read,	quarter master,	Has a protection, and has sailed out of New York and Philadelphia for several years.
William Mitchell,	seaman,	{ The greater number, if not all, had protections at the time of entering and being taken. Two others were detained.... John Wade and Thomas Hutchins; but were given up, the former on captain Jones' assuring captain Berresford he knew him to be a native citizen: the latter on a like assurance from D. Rodgers.
James Gothright,	do.	
John Wright,	do.	
Thomas Philips,	do.	
Peter Barron,	do.	
John Connor,	ordinary seaman,	{ Wm. Mitchell was in the service during 1805 and 6, in the Mediterranean.
John Rose,	do.	
George Brooks,	do.	
Dennis Daugherty,	marine,	

*Washington city, December 17, 1812.*

**GEORGE S. WISE, purser.**

*Extract of a letter from Major General Pinckney to  
the Secretary of War, dated*

HEAD QUARTERS, CHARLESTON,

November 4, 1812.

“Information having been given upon oath to lieutenant Grandison, who at present commands in the naval department here, that six American seamen, who had been taken prisoners on board our privateers, had been sent to Jamaica to be tried as British subjects for treason, he called upon the marshal to retain double that number of British seamen as hostages. The marshal, in consequence of instructions from the department of state, asked my advice on the subject, and I have given my opinion that they ought to be detained until the pleasure of the president shall be known. The testimony of captain Moon is herewith. I hope, sir, you will have the goodness to have this business put in the proper train to have the president’s pleasure on this subject communicated to the marshal.”

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*Copy of a letter from captain Moon, of the privateer  
Sarah Ann.*

NASSAU, NEW PROVIDENCE,

October 14, 1812.

Six of my crew, claimed as British subjects, were this day taken out of jail and put on board his majesty’s brig the Sappho, and sailed for Jamaica, where ’tis said they are to be tried for their lives; consequently I questioned each respectively as to the place of their nativity, and title to protection by the American government, when they stated as follows, to wit:

David Dick, seaman, that he was born in the north of Ireland, but has resided in the United States ever since the year 1793; has served ten years in the United States’ navy, viz. on board the frigates Ches-



apeake, President, Constitution, John Adams, and schooner Enterprize, and gun boat No. 2. David Dick, shoemaker, in Alexandria, is his uncle. Dick is about five feet six and a half inches high, dark hair, has a scar on his left elbow, and one on each wrist; he entered on board the Sarah Ann in Baltimore.

John Gaul, seaman, says he was born in Marblehead, state of Massachusetts, where his parents, brothers and sisters now reside; is married in New York, and his wife (Mary Gaul) lives in Roosevelt street, No. 37; has a regular discharge from the navy of the United States by captain Hugh G. Campbell, dated at St. Mary's, Georgia, 14th August, 1812; says he has served on board the United States' brig Vixen, gun boats No. 10 and 158, from the last of which he was discharged. Gaul is 27 years of age, about five feet seven inches high, brown hair, light complexion; he entered on board the Sarah Ann in Baltimore.

Michael Pluck, od. seaman, says he was born in Baltimore; his parents are dead, but he is known by William Doulan, Thomas Turner and M'Donald, of Baltimore; has a sister in some part of Pennsylvania, whose name is Ann Welsh, was never at sea before; never had a protection. Pluck is twenty-six years old, five feet six and a half inches high, and has a scar on his left cheek bone; entered on board the Sarah Ann at Baltimore.

Thomas Rogers, seaman, says he was born in Waterford, Ireland, but has resided many years in the United States, and has been duly naturalized, a copy of which naturalization is filed in the custom-house at Baltimore; is known by Joseph Carey and Tom Rogers, cork cutter, both of Baltimore; has a wife and three children in Baltimore; has lost his protection, but requests Joseph Carey to do all he can to effect his discharge from the British. Rogers entered on board the Sarah Ann in Baltimore.

George Roberts, a colored man and seaman. This man I had not an opportunity of questioning; but I

know him to be a native born citizen of the United States, of which fact he had every sufficient document, together with free papers. Roberts entered on board the Sarah Ann in Baltimore, where he is married.

Sonty Taylor, boy, says he was born in Hackensack, New Jersey, but has neither friends, relations, nor acquaintance there; says Jane Snowden, of Savannah, Georgia, is his mother; never had a protection. Taylor is fifteen years old, has brown hair and light complexion; he entered on board the Sarah Ann in Savannah.

RICHARD MOON,

*Late commander of the privateer Sarah Ann.*

*Copy of a letter from Admiral Warren to Mr. Mitchell, agent for the exchange of American prisoners of war, dated*

HALIFAX, 21st October, 1812.

SIR,

I had the honor to receive your letter and its enclosures relating to Thomas Dunn,\* and beg leave to inform you, that it appears the said man is married in England, has been eight years in his majesty's service, and received a pension from government: under these circumstances, and the man never having made any application for his discharge from prison, he continues on board the Statira.

I have the honor to be, sir,

Your most obedient humble servant,

(Signed) JOHN BORLASE WARREN.

\* NOTE. The application was made at the request of his father John Dunn, of Boston, who transmitted a deposition of his birth.

*Extract of a letter from William H. Savage, late agent for American seamen and commerce at Jamaica, to the secretary of state, dated*

WASHINGTON, December 1, 1812.

“I take the liberty to enclose you copies of a correspondence which took place between vice Admiral Stirling (commanding on the Jamaica station) and myself since the declaration of war. I should have furnished it you at an earlier period, but an accident prevented, which I was not aware of, until my arrival at this city.”

*Copy of my letter to vice Admiral Stirling, commanding on the Jamaica station, on the subject of American seamen after the declaration of war.*

KINGSTON, JAMAICA,

6th August, 1812.

SIR,

Enclosed is a copy of a letter received by me yesterday from on board his majesty's ship Sappho, purporting to have been written by four American seamen on board that ship, with a view to solicit my aid towards effecting their discharge, in consequence of the declaration of war by the government of the United States against Great Britain.

In making this application I am fully aware that my duties ceased as agent for the commerce and seamen of the United States on the knowledge of such declaration being made known here: but, sir, I am led to believe, that, at this period, it will not be deemed inadmissible on your part to receive, nor improper on mine to make the request, that you will be pleased to grant an order for the discharge of these seamen, feeling conscious, (should they even not be protected with the usual documents afforded to citizens of the

United States) that an English seaman would not declare himself otherwise than such under existing circumstances.

I seize the present opportunity also to forward to you twenty-one documents as proof of the citizenship of that number of seamen, said to have been impressed by ships of war on this station, the greatest number of which have been heretofore unsuccessfully claimed by me, on behalf of the United States, and which may still comprise, at this time, some part of the crews of his majesty's ships on this station.

I beg further to state to you, that I have received numerous applications from on board various of his majesty's ships on this station for the relief of seamen, who I doubt not are entitled to the protection of the American government, many of them having with them the proofs of their citizenship, as I am led to believe from the assertions contained in their communications. Applications have also been made for the relief of many without success: the latter amount in number to forty six, as per list of names enclosed, several of whom I understand have been shifted (since their impressment) on board of other vessels than those they were at first taken on board of. All of which I beg to offer for your consideration, feeling as I do anxious to extend my last efforts in behalf of those seamen who are entitled to them, and at the same time being impressed with the idea, that it would be foreign to you, sir, to retain any Americans in the service of the navy of Great Britain contrary to their disposition during the present conflict. I therefore take the liberty of adding to my former request, that you will be pleased to grant orders that such seamen may be discharged from duty on board his majesty's ships on this station.

With sentiments of the highest respect, &c.

(Signed)

WILLIAM H. SAVAGE.

*Copy of vice-admiral Stirling's secretary's letter in answer to mine to the vice-admiral of 6th August, 1812.*

ADMIRAL'S PENN, August 7, 1812.

SIR,

I am desired by vice-admiral Stirling to acknowledge the receipt of your letter of yesterday's date, and to acquaint you that directions were given some days ago, that all seamen in the squadron under his command, who can prove themselves to be American born subjects, should be sent to the prison-ship until an exchange of prisoners is established between the two countries, in consequence of the late declaration of war by the United States against Great Britain.

I return herewith the papers which accompanied your letter,

And am, sir, &c. &c.

(Signed) CHAS. STIRLING, jun. *Secretary.*

*Extract of a letter from William H. Savage, esq. late agent for American seamen and commerce at Jamaica, to Charles Stirling, junior, esq. dated*

KINGSTON, September 16, 1812.

“In answer to my letter of the 6th ultimo, you were pleased to inform me that directions had been given by the vice-admiral some days prior to the date of my letter for the removal of all native Americans (who could prove themselves such) from on board H. M. ships to that of the prison-ship; but as some time has now elapsed since you were pleased to give me this information, and learning that some instances of detention at present exist on board H. M. schooner *Decouverte*, I am led to embrace the subject again, as in one instance I shall hope to satisfy vice-admiral Stirling of the man's being entitled to his removal

from duty on board H. M. schooner of war. The person alluded to is Elijah Stirling, an American seaman, who was impressed from on board the British merchant ship Brilliant at the bay of Honduras in the early part of the year 1810, by H. M. schooner Flor del Mar, and has since been detained on board of various of H. M. ships on this station, although provided with a regular protection, which instrument this man got conveyed to me about the 20th of September following, and which was by me forwarded to admiral Rowley, accompanied (as usual in like cases) with a request that the man might be discharged. On the receipt of my letter the admiral answered through his secretary, that the nature of Stirling's impressment was such, that he could not comply with my request; but which answer was unaccompanied in return, with the protection in question, and what has become of it I am unable to say."

"About this period I was led to understand from admiral Rowley, that all American seamen who should be impressed from on board any British merchant vessel, would be retained in the service of his majesty, but that all American seamen who should be impressed from on board of American vessels, would, on application, accompanied by proof, be discharged. As this information was received about the period of my application for the discharge of Stirling, I was led to conclude it stamp'd the nature of his impressment, and what confirmed it in my mind was, that I received similar assurances to various applications made for American seamen, who had, under various circumstances shipped on board of British ships, and were from thence impressed on board of H. M. ships of war, all of which I hope the admiral will be pleased to take into consideration; for, to insist on the service of this man, I think will be a dereliction to the marked manner of his amiable endeavours to distinguish and relieve American seamen from duty on board the squadron under his command. I beg to

enclose a note from Mr. Meek (the late secretary) relative to my application for this man's discharge, and to observe, that if it is possible, the protection may yet be found among the papers of the late secretary, as it has not been usual to return me the protections of those men whose applications for discharge were not complied with.

I beg furthermore to observe, that there appears also to be on board his majesty's schooner Decouverte, two other American seamen, viz. John Englefield and Richard Lauderkin, the former of whom asserts, that he served his apprenticeship to the trade of a cooper, at Boston, but has lost his protection; the latter declares himself to be a native of Rhode Island, and that his protection has been destroyed by Mr. Oliver, commander of his majesty's schooner Decouverte. I shall not now animadvert on the impropriety of such a circumstance, but request, should the instances here cited be found correct, that they may meet the attention of the vice admiral "



*Extract of a letter from vice-admiral Stirling's secretary, to W. H. Savage, esq. in answer to his of the 16th September, 1812.*

ADMIRAL'S PENN, 19th September, 1812.

"I have just received your letter of the 16th instant, which I have laid before vice-admiral Stirling, and I am directed to acquaint you, that Elijah Stirling, and other persons on board of his majesty's schooner Decouverte, said to be American seamen, have not, when called upon, produced proof of being subjects of the United States. They do not fall under the description of persons which I informed you in my letter of the 7th ult. were intended to be discharged from the king's service, and to be detained

on board the prison ship until an exchange of prisoners takes place with America.

“The note from Mr. Meek, dated the 21st September, 1810, is returned herewith, and as it appears thereby that admiral Rowley thought the circumstances under which Elijah Stirling was impressed, did not permit him to be discharged, vice-admiral Stirling does not feel himself justified in attending to the man’s wishes on a bare assertion. The protection you allude to is not to be found among admiral Rowley’s papers left in this office.”



No. 3.

*Detention of Mariners as prisoners of war, who were in England at the time the war was declared.*

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*J. W. Croker to Mr. Beasley.*

ADMIRALTY OFFICE, 5th August, 1812.

SIR,

Having communicated to my lords commissioners of the admiralty your letter of the 31st ultimo, transmitting a list of men, said to be Americans, who have been impressed and detained on board his majesty's ships, and requesting their discharge, I have their lordship's commands to acquaint you, that under present circumstances, they will defer the consideration of this request.

I am, &c.

(Signed)

J. W. CROKER.

R. G. Beasley, esq.

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*Extract of a letter from Mr. Beasley to the Secretary of State, dated*

LONDON, October 23, 1812.

"I have informed you that I had addressed lord Castlereagh on the subject of our citizens who have been impressed, and are now held in the British naval service. I demanded their release, and complained of the treatment which some had received on offering to give themselves up as prisoners, or refusing to serve when they heard of the war. In reply, I have received a short note from Mr. Cooke, one of the under secretaries, stating, that he was instructed to require of me the names of the men who had re-

ceived the treatment complained of, and the vessels in which they were, which I immediately furnished, and urged a reply to the other part of my letter. In an interview I have since had with Mr. Cooke, I took occasion to remind him of it, when he intimated that the government did not intend to answer me on that point; adding, that England was fighting the battles of the world; we had chosen to go to war and so aid the great enemy, and that England had as much right to recruit her army and navy, in every possible manner, as France."

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*Mr. Beasley to Lord Castlereagh.*

WIMPOLE STREET, October 12th, 1812.

MY LORD,

In consequence of the war unhappily existing between the United States and Great Britain, it has become my duty to call your lordship's attention to the situation of the great number of American seamen who have been impressed, and are now held in the ships of war of his Britannic majesty. In addition to the wrong which is done to the United States by this detention of their seamen, I regret to state, that some of these unfortunate persons, having heard of the war and offered to give themselves up as prisoners, have, for so doing, or for refusing to do service, been punished.

To put an end to a proceeding and a state of things so revolting to humanity, and so contrary to the law and usage of civilized nations, I persuade myself it is only necessary to present them to the view of the British government; and I therefore trust that effectual measures will be immediately taken to restore these injured men to liberty and to their country.

I have the honor, to be, &c.

(Signed)

R. G. BEASLEY.

*E. Cooke to R. G. Beasley.*

FOREIGN OFFICE, 19th October, 1812.

“In consequence of your letter to lord Castlereagh of the 12th instant, I am directed by his lordship to desire you will furnish me with the names of the American sailors who have been so punished, and of the ship they are on board.”

*Mr. Beasley to E. Cooke.*

WIMPOLE STREET, 21st October, 1812.

SIR,

Agreeably to the request contained in your letter of the 19th instant, I now transmit to you a list of impressed American seamen on board British ships of war, who, having heard of the war, offered to give themselves up as prisoners, and for so doing or for refusing to do service, have been punished.

I beg you to remind lord Castlereagh that the other part of my letter of the 12th instant, requesting the release of the American seamen detained in the British service, is still unanswered.

I am, sir, &c.

(Signed)

R. G. BEASLEY.

The list referred to in the preceding letter, states the cases of the following persons :

John Ballard, on board the *Zenobia*, offered himself a prisoner, refused, and was put in irons for one night.

John Davis, on board the *Thistle*, gave himself up as a prisoner and refused further service, for which he was flogged.

Ephraim Covell, on board *La Hogue*, gave himself up as a prisoner and refused further service, in consequence of which he was kept seven days in irons.

John Hosman, on board *La Hogue*, gave himself up as a prisoner, and refused further service ; was

put in irons, still kept therein, and was threatened by the commander with further punishment.

Russell Brainard, on board *La Hogue*, gave himself up as a prisoner, was put in irons and still kept therein.

Thomas W. Marshall, Peter Lazette, Edward Whittle Banks and Levi Younger, on board the *Royal William*, gave themselves up as prisoners, and were in consequence thereof put into close confinement for eight days.

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October 12, 1812.

Mr. Beasley requests lord Castlereagh to cause the necessary passports to be furnished for the American ship *William and Eliza*, captain Howland, to proceed to the United States with American citizens.

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October 21, 1812.

Mr. Cooke acquaints Mr. Beasley that there will be no objection to granting a license to a cartel for carrying to the United States such American citizens, non-combatants, as may wish to return to their country. He requests Mr. Beasley to inform him of the situation of the American ship *William and Eliza*.

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*Mr. Beasley to E. Cooke.*

WIMPOLE STREET, October 23, 1812.

SIR,

I have now the honor to repeat to you what I stated in conversation this morning, that the persons for whose return to the United States I requested the necessary passports, are, for the most part, American masters and mariners; that some of them, in consequence of the loss of their vessels abroad, have come here on their way to America; that others of them

having been employed in British ships, are now desirous of returning home; that others, through the detention or condemnation of their vessels under British orders in council, and others, through all the casualties to which this class of men is always exposed, are left without the means of conveyance. None of these persons have been, in any way, engaged in hostilities against Great Britain. They are almost wholly destitute, and for some time, have been chiefly supported at the expense of the United States. There are also, I believe, some American merchants and supercargoes who are anxious of availing themselves of the same opportunity of returning to their country.

You are, I presume, aware that the American government has afforded every facility to the departure of those British subjects in the United States, who were under similar circumstances with the persons included in my request.

With regard to the ship *William and Eliza*, in which these persons are to embark, I beg to observe, that I am well assured by those who have charge of her, that there is no impediment to her departure.

I am, &c.

(Signed)

R. G. BEASLEY.

*E. Cooke to R. G. Beasley.*

FOREIGN OFFICE, October 28, 1812.

SIR,

Having laid before lord Castlereagh your letter requesting that you may be allowed to send a cartel to America, with citizens of the United States who wish to return to their country, I am directed by his lordship to express his consent to this proposition, and am to desire you will confer with the commissioners for prisoners of war, with regard to the ac-

count you are to give for such parts of the crew as shall appear to be combatants, and on that principle must be exchanged.

I am, &c.

(Signed)

E. COOKE.

October 29, 1812.

Mr. Beasley states to J. W. Croker of the admiralty office, that lord Castlereagh had referred him to the commissioners for prisoners of war; that he had accordingly applied to them and learnt that the instructions which that board had received from the lords of the admiralty were not sufficiently explicit to enable them to proceed in the matter. Mr. Beasley requests that their lordships would be pleased to give such further directions to the transport board as might be found necessary.

October 30, 1812.

John Barrow, of the admiralty office, informs Mr. Beasley, that his letter of the 29th October had been laid before the lords commissioners of the admiralty, and that the business had been referred to the transport board.

October 29, 1812.

Mr. Beasley informs Alexander M'Leay, of the transport office, that he had requested the lords of the admiralty would be pleased to give the further instructions necessary, and presuming that these instructions would be immediately given, requests Mr. M'Leay to inform him at what time it will be convenient for the commissioners that he should confer with them on the subject.

October 30, 1812.

Alexander M'Leay informs Mr. Beasley that he is directed to desire that Mr. B. would transmit to the transport office a list of all the persons whom Mr. Beasley proposed to send to America, stating their several qualities, and when and how they respectively came into Great Britain.

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November 3, 1812.

Mr Beasley transmits to Alexander M'Leay, of the transport office, a list of American citizens whom it is proposed to send to the United States in the ship William and Eliza, stating their several qualities, and when and how they respectively came into Great Britain. This list contains one hundred and ten names. To these are added a list of six persons, being other passengers in the same vessel. Mr. Beasley remarks to Mr. M'Leay, "I am well informed that many persons of the description and under the circumstances of those mentioned in the first of these lists, (being seamen) who were awaiting the result of my late application to lord Castlereagh for a cartel for their conveyance to America, have, within a few days past, been seized by the impress officers and taken on board the tender of the tower; and I beg to know what are the intentions of the British government respecting them?"

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November 6, 1812.

Alexander M'Leay informs Mr. Beasley that he had received and laid before the commissioners for the transport service the list of persons proposed to be sent to the United States in the William and Eliza cartel, and adds, "In return I am directed to request that you will inform the board whether you will engage that the above mentioned persons on their arrival in the United States shall be exchanged for an

equivalent number of British subjects, who may have fallen into the hands of the Americans. I am at the same time to acquaint you, that the prisoners above alluded to must sign engagements not to serve against this country or its allies until regularly exchanged."

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November 7, 1812.

*Mr. Beasley writes to Alexander M. Leay.*

"I have to inform the board that I am willing to engage that the American citizens whom I propose to send to the United States on board the William and Eliza cartel, shall, on their arrival there, be exchanged for an equivalent number of British subjects of the same description, who may have fallen into the hands of the United States under similar circumstances; and that the men themselves shall sign engagements for the performance of any conditions similar to those which may have been exacted of such British subjects in the United States; it being understood, that if it be found that British subjects, under any such circumstances, have been suffered freely to depart from the United States, then these engagements, so far as regards the corresponding class of American citizens, shall be void. If, however, it be more satisfactory to the board, that the return or exchange of these men should be regulated by the principles recognized by the two governments in the cartel which, I am informed, has been lately concluded at Washington, I am ready to enter into an engagement to that effect."

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November 13, 1812.

*Alexander M. Leay writes to Mr. Beasley.*

"I am directed to acquaint you that the prisoners mentioned in the list transmitted by you will be released, upon your entering into an unconditional en-



agement that they shall be exchanged for British prisoners now in America or who may be hereafter taken."

November 16, 1812.

*Mr. Beasley writes to Alexander M<sup>r</sup> Leay.*

"For those American citizens who composed the crews of ships taken in war, I am at all times ready to enter into any engagement which the law and usage of nations require. But for those whom your laws have invited, or whom misfortune has thrown into your country; whom accident, and not the fortune of war, has placed within your power, I must still urge my request, that they be allowed to depart the kingdom on the conditions proposed in my letter of the 7th instant." But "if the board will enter into an unconditional engagement, that all British subjects who have been permitted to leave the United States since the declaration of war, or who may be permitted to depart therefrom, shall be exchanged for American prisoners of war, I will, in like manner, engage for those American citizens agreeably to your letter." Mr. Beasley adds—"This arrangement, however, I would make with great reluctance; because it would not be in unison with that spirit of liberal warfare entertained by the government of the United States, and because it would bring within the influence of the war those who might, without detriment to either party, be exempt from its operation,

November 23, 1812.

*Mr. Beasley writes to Mr. Hamilton, of the foreign office.*

"I must beg leave to state, that that part of my note of the 12th ultimo, addressed to lord Castlereagh, relative to American citizens who have been impressed

and are now held in his majesty's naval service, remains unanswered. To the reasons already urged for the discharge of those men, may be added that of compelling them to fight against their country; and I need scarcely add, that as they were forcibly detained before the commencement of hostilities, it would be very unjust to discharge them merely to make them prisoners. Of the number of those unfortunate persons, many must be in vessels on foreign stations at a great distance. It is a subject of much public interest in the United States, and one which involves the domestic comfort and happiness of many families."

November 24, 1812.

*Alexander M<sup>r</sup> Leay writes to Mr. Beasley, and after some preliminary reasoning says,*

"The commissioners (of the transport office) are instructed (by the lords commissioners of the admiralty) to continue to require from you an unconditional receipt, as prisoners of war, for all persons of this description previous to their being permitted to return to America."

December 23, 1812.

*Alexander M<sup>r</sup> Leay writes to Mr. Beasley.*

"I have received and laid before the commissioners for the transport service, &c. your letter of the 15th instant, and in return am directed to acquaint you, that at present they are only authorized to deliver up to you the Americans mentioned in the list transmitted by you on the 3d of November."

December 24, 1812.

*Mr. Beasley writes to Alexander M<sup>r</sup> Leay.*

"After so long a time spent in discussing the principles and conditions of an exchange of prisoners be-

tween the United States and Great Britain, I perceive with some surprise, by your letter of yesterday, that the only persons whom the board are authorized to deliver up to me, are those mentioned in the list transmitted to you on the 3d November, who though so long known to the board as being at large in this city, have never been detained as prisoners; and who have, ever since their arrival, been maintained at the charge of the United States. During this interval, those persons have been partially dispersed; some have been taken up as prisoners, some have been impressed, and some have otherwise disappeared. Others, however, under similar circumstances, have since been added, and there now remain about one hundred persons. Of these men, as I understand the tenor of our correspondence, those who belonged to vessels detained or taken in war, are to be suffered to proceed to the United States on my entering into the engagement which accompanied your letter of the 14th instant; but that for the others, no engagement is required. In order to avoid any further misunderstanding, I beg to know whether this recapitulation is correct."

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*Alexander M<sup>r</sup> Leay to R. G. Beasley.*

TRANSPORT OFFICE, 26th December 1812.

SIR,

I have received and laid before the commissioners for the transport service, &c. your letter of the 24th instant, and in return, I am directed to acquaint you, that it is the intention of his majesty's government that such of the Americans, named in the list which accompanied your letter of the 3d of last month, as belonged to vessels detained or taken, and as are consequently prisoners of war, shall be suffered to proceed to the United States upon your entering into the engagement which accompanied my letter of the

14th instant; but that for Americans who were resident or travelling in this country, or resorting hither for commercial purposes, not as mariners, no such engagement will be required.

I am, &c.

(Signed) ALEXANDER M'LEAY.

December 28, 1812.

*Mr. Beasley writes to Alexander M'Leay.*

“ On referring to that list (which accompanied my letter of the 3d ultimo) you will perceive another class of persons, namely, mariners who did not belong to vessels detained or taken, and as your omitting to notice these men in your letter might leave room for some doubt respecting them. I lose no time in requesting to be informed on what terms the board understand that they are to be suffered to return to the United States.”

December 29, 1812.

*Alexander M'Leay writes to Mr. Beasley.*

“ By a reference to my letter of the 26th instant, you will observe that mariners are expressly excepted from the description of persons who are to be released unconditionally, and consequently it is necessary you should give a receipt for all the mariners named in the list transmitted by you.”

February 17, 1813.

*Mr. Beasley to Alexander M'Leay.*

“ In reply to your letter of the 9th instant, communicating the result of inquiries made by order of the lords commissioners of the admiralty relative to the

alleged ill treatment of certain seamen claiming to be Americans, in the British service, in consequence of their having requested to be considered as prisoners of war, as represented in my letter to lord Castlereagh of the 12th October, I have to observe, that although the statement of those persons and that contained in your letter differ greatly as to the degree of this ill-treatment, it does appear that some severity was exercised towards them on that occasion, and without any proper investigation of their claim of American citizenship, which, if established, should have exempted them, not only from punishment, but from service. As it may be inferred, however, from your letter, that if proof be produced to support their claim their request will yet be complied with, I have to inform you, that evidence to that effect was long since transmitted to the lords of the admiralty in behalf of several of these persons." [Here follows the names of persons and a recitation of the proof of citizenship, &c.] Mr. Beasley proceeds, "I cannot avoid expressing my disappointment and regret that no notice has been taken of the request made to lord Castlereagh in my letter of the 12th of October, for the general release of the American seamen detained in the British service."

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*Alexander M<sup>r</sup> Leay to R. G. Beasley.*

TRANSPORT OFFICE, 26th February, 1813.

SIR,

I have received and laid before the commissioners for the transport service, &c. your letter of the 17th of this month, with its enclosure, relative to the alleged ill treatment of certain seamen, claiming to be Americans, in the British service, in consequence of their having requested to be considered as prisoners of war; and the same having been referred to the

right honorable the lords commissioners of the admiralty, I am directed by the board to transmit to you the enclosed copy of a letter which they have received from their lordships' secretary in answer thereto.

I am, &c.

(Signed)                      ALEXANDER M'LEAY.



*John Barrow to the Transport Board.*

ADMIRALTY OFFICE, 25th February, 1813.

GENTLEMEN,

Having laid before my lords commissioners of the admiralty your letter of the 18th instant, inclosing the copy of a letter, together with the documents therein referred to, from Mr. Beasley, the American agent for prisoners of war in this country, on the subject of certain alleged citizens of the United States detained in his majesty's service, I have it in command to signify their lordship's directions to you to acquaint Mr. Beasley, that neither now in war, nor before, during peace, is, or was the British government desirous of having American seamen in its service, and that their lordships will now discharge, as prisoners of war, as they formerly did as neutrals, those persons who can adduce any sufficient proof of their being Americans.

You will further inform Mr. Beasley, that all the cases stated by him have received, or are under accurate examination, and that such persons who may appear to be Americans will be immediately sent to prison, as many have been already.

I am, &c.

(Signed)                      JOHN BARROW.

*Alexander M'Leay to Mr. Beasley.*

TRANSPORT OFFICE, 6th March, 1813.

SIR,

I am directed by the commissioners for the transport service, &c. to inform you, that upon the receipt of the printed letters which were transmitted by you to this office, for the purpose of being forwarded to certain seamen on board of his majesty's ships of war, they considered it their duty to submit the same to the consideration of the right honorable the lords commissioners of the admiralty, and to request their lordships' directions on the subject; and the board having, this day, a letter from their lordships' secretary, of which the enclosed is a copy, I have their directions to acquaint you accordingly, that the letters in question will not be forwarded, and that you cannot be permitted to maintain any correspondence with the seamen on board his majesty's fleet.

I am, &c.

(Signed)

ALEXANDER M'LEAY.



*John Barrow to the Transport Board.*

ADMIRALTY OFFICE, 5th March, 1813.

GENTLEMEN,

In reply to your letter of the 16th of last month enclosing a letter addressed by Mr. Beasley to a seaman on board his majesty's ship Porcupine, and requesting to be informed if letters of a similar description should be forwarded to the persons to whom they are addressed, I am commanded by my lords commissioners of the admiralty, to signify their direction to you not to forward any such letters, and to acquaint Mr. Beasley that he cannot be permitted to maintain any correspondence with the seamen on board his majesty's fleet; observing to him, at the same time, that the printed letter in question contains

a statement unfounded in fact, for that neither since the war, with America, nor before, have their lordships declined to release American seamen, admitted or proved to be such, though they have and still do refuse to release persons assuming, without any proof or document, that character.

I am, &c.

(Signed)

JNO. BARROW.

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*Copy of the printed circular letter addressed to American seamen in British ships of war.*

LONDON,

1813.

In answer to your letter of the \_\_\_\_\_ I have to inform you, that the lords commissioners of the admiralty having, in consequence of the war between the United States and Great Britain, declined to release those American citizens who have been impressed and are held in the British service, there appears to be no other course for you to pursue than to give yourself up as a prisoner of war to the commander of the ship in which you are detained.

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*Agent of the United States for prisoners of war in Great Britain.*

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*Extracts of a letter from Mr. Beasley to Alexander M<sup>e</sup> Leay, dated 13th March, 1813.*

“In the letter of their lordships’ secretary of the 5th instant, the board are directed to observe to me that the printed letter which I addressed to certain American seamen detained in the British navy, “contains a *statement unfounded in fact*; for that neither since the war with America, nor before, have



their lordships declined to release American seamen admitted or proved to be such." It is not necessary to my present purpose to enter upon an examination of their lordships' conduct on this matter before the war; although my own official observation, in numerous cases, when I held the office of consul, would authorize me to dispute even that part of their secretary's assertion. But with reference to their lordships' conduct since the war, I beg to remind them of their letter of the 5th August, soon after the commencement of the war, in answer to a request made on the 31st July for the release of certain impressed American seamen, in which their lordships going beyond the mere declining to release the men, stated, "that under the present circumstances, they will defer the consideration of the request for their release;" or, in other words, that they will not at present, war being commenced, even think on the subject of their release. If further proof be necessary of their lordships' having, as I stated in my printed letter, declined the release of such seamen in consequence of the war, I will call to their recollection a letter written by their secretary, on the 25th of August, in answer to an application for the release of William Wilson, an impressed American detained on board the Cordelia, in which they state that this man being an alien enemy *must continue to serve or go to prison*. Should other corroboration be wanted, it may be found in the long and marked silence of the British government to my numerous applications, again and again repeated, for the release of these men; seeing that it was not until the 25th of February, nearly seven months after their lordships had informed me of their having deferred the consideration of the subject, and nearly five months after my formal demand made to lord Castle-reagh, that they directed the board to inform me of their intention to treat them as prisoners of war. And even this was not done until eight days after my printed letter in question appears to have been on their ta-

ble. surely it was in utter forgetfulness of all these circumstances that their lordships declared my statement unfounded in fact; for it appears impossible that they can, in the mind of any person, bear a different interpretation from that which I have given them. But how do these facts bear on their lordships' statement? How, I ask, does their determination, that *Wilson, proved and admitted to be an American, must continue to serve or go to prison*, support the assertion that their lordships have *not declined to release American seamen admitted or proved to be such?* But, perhaps in their lordships view, to send them from service and detention in ships of war to confinement in prisons, *is to release* them. If so, it is unnecessary to pursue the subject further, and I will content myself with having vindicated the correctness of my own statement."

"I come now to the consideration of their lordships' purpose, as expressed in their secretary's letter of the 25th ultimo. to treat as prisoners of war the American seamen who have been impressed and are held in the British service. Taking into view the manner in which these unfortunate persons came into the power of the British government, that their own rights and inclinations, the rights of their country, the law of nations, and every principle of justice were violated in the very act by which each of these men was brought within its power, and that this wrong accumulates so long as any of them remain in its power, I do maintain that they are on every ground entitled to, and the British government is bound to grant, their immediate and complete release. It acquired them only as the spoils of unlawful violence; how then can it retain them as the fruits of lawful war? Its right of controul over them can only arise from the lawfulness of their detention; but that which was unlawfully taken cannot be rightfully held, and to acknowledge the pretension to such controul as their lordships' purpose implies, would be to legiti-

matize the act by which they came into their power. The British government disclaims all right and all intention to take them, and this disavowal is an acknowledgement of its obligation to restore them to the same condition, and to the same freedom from which they were taken. Upon what ground is it then, that they are to be treated as prisoners of war? Not many years have elapsed since all Europe resounded with the complaints of Great Britain against France for detaining as prisoners of war certain British subjects who, having entered the French territories in time of peace, were found there at the breaking out of the war. But, if that were regarded in England as an outrage, what will be thought of this detention, as prisoners of war, of American seamen who, having been wrongfully taken on the high seas and forcibly carried into the British service in time of peace, are found therein at the breaking out of a war doing her service and fighting her battles? The conduct of France was attempted to be justified by certain acts of England, which were alleged to be equally contrary to the law of nations. But what justification, what excuse, can be set up for this conduct of Great Britain towards the impressed American seamen? What infraction of the law of nations, what violence or injustice exercised towards British subjects, or what outrage is this cruel act to retaliate? It cannot be the free and spontaneous permission given by the United States, at the commencement of the war, for every British subject, of every class and description, found within their territories or in their power, to return to his country, that this imprisonment of American seamen is to requite. And surely this cannot be the indemnification which Great Britain offers these unfortunate men for the wrongs which she has inflicted on them, or the reward which she bestows for the service she has received at their hands.

“To the unqualified prohibition of all correspondence between myself and the impressed American

seamen in his Britannic majesty's fleet, so unreservedly stated in the letter of their lordships' secretary of the 6th instant, I must conform, whatever may be my sentiments and feelings respecting it. The situation in which these unfortunate men and myself stood towards each other, appeared not only to invite, but to authorize a communication between us. On their part, the object of this correspondence was to obtain information and counsel as to the proper manner of conducting themselves under circumstances the most difficult, and on an occasion the most important and solemn, namely, how to act while forcibly held to service in ships of war belonging to a state engaged in actual hostilities against their country; a situation which their own good sense and proper feelings taught them was alike incompatible with their rights and their duties. My part has been, after having waited five months in vain for a communication of their lordship's intentions, to recommend them, since there appeared no means of obtaining their release, to give themselves up as prisoners of war; an evil comparatively light to that which they suffer. In other instances their letters have related the rejection of their offer and the threats of punishment, and all contain complaints of the unexampled hardship of their situation."

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*Extract of a letter from Robert Montgomery, consul of the United States at Alicante, dated the 4th November, 1812, to the Secretary of State.*

"Herewith is a copy of a letter to admiral Hallowell, with his reply. The man in question has declared under oath that he never signed any article or agreement whatever to serve on board the Indefatigable, nor any other British vessel, and he has now left her, losing what wages was due him."

ALICANTE, 23d October, 1812.

SIR,

Philips, a mariner and citizen of the United States, as appears by a regular protection from the collector of New York, informs me that some time since he engaged himself on board the transport *Indefatigable* for six months at certain wages agreed for; that he has now been eight months in said vessel, and demands his discharge and wages, but the master having refused both, obliges me to request you will inform yourself of the fact, and if, as the mariner states, order him to be paid off and discharged.

Permit me to assure you, &c.

(Signed) ROBT. MONTGOMERY.

Benjamin Hollowell, esq.

Admiral royal navy of Great Britain.

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*Admiral Hollowell to Mr. Montgomery,*

*His majesty's ship Malta,*

IN ALICANTE BAY, 26th October, 1812.

SIR,

I find upon inquiry that there is on board the *Indefatigable* transport the man mentioned in your letter of the 23d. As there is no objection to a foreigner going in the station of mariner on board a vessel of that description, and as he has signed articles of agreement to serve on board the *Indefatigable*, I shall not molest him while he continues in her: but the moment he gets his discharge, I shall deem it my duty to take hold of him, and put him in confinement as a prisoner of war.

I have the honor to be, &c.

(Signed)

B<sup>N</sup>. HALLOWELL.

No. 4.

*Compulsory service of impressed Americans on board British ships of war.*

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I, Beekman Ver Plank Hoffman, of the town of Poughkeepsie, do certify, that I am a lieutenant in the United States' navy; that I was a lieutenant on board the Constitution frigate in the action and capture of the Guerriere; that after her surrender I was sent on board, and after taking out the crew fired and blew up the ship; that eight impressed American seamen were among the crew of the Guerriere, who were liberated at Boston. I was also on board the Constitution in the action and capture of the Java, and was sent on board that vessel, and after the crew were removed, set her on fire and blew her up. Amongst the crew of the Java, thirteen impressed American seamen were found, three of whom had entered the British service and were left, the other ten were liberated as Americans.

Dated Poughkeepsie, April 16, 1813.

B. V. HOFFMAN.

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Dutchess county, ss.

Richard Thompson, being sworn, saith that he is a native of New Paltz, opposite Poughkeepsie; that he sailed from Wilmington about the 28th of April, 1810, on board brig Warren, William Kelly, captain, for Cork. On the homeward passage, in September following, he was impressed and taken on board the Peacock, a British sloop of war, and compelled to do duty. That while on board that vessel he made many unsuccessful attempts to write to his friends, to inform them of his situation. He further

saith, that after he had heard of the war, himself and two other impressed American seamen, who were on board the Peacock, went aft to the captain, and claimed to be considered as American prisoners of war, and refused to do duty any longer. They were ordered off the quarter deck, and the captain called for the master at arms, and ordered us to be put in *irons*; we were then kept in irons about twenty-four hours, when we were taken out, brought to the gangway, stripped of our clothes, *tied and whipped, each one dozen and a half lashes, and put 'to duty.*

He further saith that he was kept on board the Peacock, and did duty, till the action with the Hornet; after the Hornet hoisted American colors, he and the other impressed Americans again went to the captain of the Peacock, asked to be sent below, said it was an American ship, and that they did not wish to fight against their country. The captain ordered us to our quarters; called midshipman Stone to do his duty; and if we did not do our duty, to blow our brains out; "aye aye!" was answered by Stone, who then held a pistol at my head, and ordered us to our places. We then continued at our pieces, and were compelled to fight till the Peacock struck: and we were liberated after an impressment of about two years and eight months.

his  
 RICHARD X TMOMPSON,  
 mark

Poughkeepsie, April 17, 1813.

Read over and signed in the presence of  
 JOSEPH HARRIS.  
 JOHN S. FREAR.

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Dutchess County, ss.

James Tompkins, being sworn, saith, that he is a native of Ulster county, opposite Poughkeepsie;

that he sailed out of New York in the month of April, 1812, in the ship *Minerva*, bound to Ireland; that on her homeward bound passage, in July after, this deponent, with three other American seamen, Samuel Davis, William Young, and John Brown, were impressed and taken on board of the British ship *Acteon*, David Smith, captain. We were taken on Saturday evening; on Monday morning we were brought to the gangway and informed we must enter on board the ship and live as other seamen, or we should live on oat meal and water and receive five dozen lashes. This deponent says, himself and the other three impressed with him, did refuse to enter, and each of them were then whipped five dozen lashes. On Wednesday following, we were again all brought up and had the same offer made to us to enter, which we refused, and we were again whipped four dozen lashes each. On Saturday after, the like offer was made to us, and on our refusal we were again whipped three dozen lashes each. On Monday following, still refusing to enter, we were again whipped two dozen each. On Wednesday following we were again whipped one dozen each, and ordered to be taken below, and put in irons till we did enter; and the captain said he would *punish the damn'd Yankee rascals till they did enter*. We were then put in irons and laid in irons three months. During the time of our impressment the ship had an action and captured a French ship. Before this action we were taken out of irons and asked to fight, but we refused; and after the action we were again ironed, where we remained till the ship arrived at London. After arriving there we first heard of the war with America and that the *Guerrier* was taken. This deponent took his shirt, Samuel Davis and William Young took their handkerchiefs, made stripes and stars for the American colors, and hung it over a gun, and gave three cheers for the victory. The next morning at six o'clock we were brought up and whipped two dozen lashes each



for huzzaing for the Yankey flag. Shortly after this, we were all released by the assistance of the American consul and captain Hall, who knew us.

This deponent further saith, that all had protections, and showed them, and claimed to be Americans at the time they were impressed.

### JAMES TOMPKINS.

Sworn before me this 17th day of April, 1813, at which time the said James Tompkins shewed me his wrists, which at his request I examined, and there appeared to be marks on both of them, occasioned, as I suppose, from his having been in irons.

Wm. W. BOGARDUS,  
Justice of the Peace.

No. 5.

*Violation of flags of truce.*

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MONTREAL PRISON, 6th May, 1813.

SIR,

I am an unfortunate American who was taken by the Indians on my way to Malden, with a flag of truce from general Harrison, on the night of the 31st of January, and after a variety of indignities, too tedious to mention, I was brought here and put into the dungeon for 33 days, and have been up on the center floor a week. I wish to see you, if possible, and have your advice, &c. &c.

In haste, yours, &c.

SAML. M'KEEHAN,

*Surgeons' mate 2d regt. 2d brigade Ohio militia.*

Lieut. Dudley.

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MONTREAL PRISON, 9th May 1813.

SIR,

Yesterday sir George's aid came and informed me that the nature of my confinement had been contrary to his orders, and colonel Lethbridge was required to restore me my liberty. I was also informed, that you and myself would probably, in a few days be sent to the United States. Colonel Lethbridge told me he would send for me at 3 o'clock and take my parole. In less than one hour, major Shackleton called and said the governor, after more mature consideration, had concluded he could not let me have my liberty until he would hear from general Proctor.

Two or three days after my imprisonment, major Shackleton told me that general Proctor had promised, with the next despatches, to send on all the papers relating to my case and that then I would have a hearing.

So you may see punishment by torture is not yet abolished. If they had drove a dagger through my heart my punishment would have been much less and their compassion much greater.

Yours, &c.

SAMUEL M'KEEHAN.

Major Shackleton also told me that colonel Baynes was unauthorized to tell me what he did.

S. M'K.

Lieut. Dudley.

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MONTREAL COAL, May 12, 1813.

SIR,

I am requested by doctor M'Keehan to inform you of his present unpleasant situation. He is at this time so unwell as to be confined to his bed, and has no chance of getting any thing to make him comfortable. No person attends here to examine our situation, neither have we a chance to send out after any necessaries that we want.

I am confident the doctor's case requires some very speedy aid, particularly as it respects his confined situation, lodging, &c.

Yours, respectfully,

GEO. H. ROGERS,

*U. S. Army.*

Lieut. Dudley.

## DOCTOR M'KEEHAN'S NARRATIVE.

On the 31st of January last, I was ordered by general Harrison to proceed to the river Raisin, with a flag of truce, and from thence to Malden, if not stopped by the Indians. We arrived at the foot of the rapids of the Miami at dark, and not finding a company of rangers as expected, we encamped in a cave, the horse and cariole before the door, and the flag standing by them. About midnight the Indians fired in upon us, killed Mr. Lemont, wounded myself in the foot, and made us prisoners. After despatching Mr. Lemont with the tomahawk, scalping and stripping him, they seized my horse, harness, great-coat, blankets, and other clothing, and one hundred dollars in gold, which the general had sent to procure necessaries for the wounded of general Winchester's army.

That night I was made to walk more than 20 miles; to where captain Elliot was stationed with a party of Indians. The captain treated me politely, and sent me to colonel Proctor. I was scarcely seated before the colonel began to exclaim against gen. Harrison; said he had been used to fight Indians and not British; found fault with my instructions, and said the flag was only a pretext to cover a bad design. I rebutted his insinuations with indignation, which I believe has been the cause of all my troubles since. I was not recognised in my official character until the 5th February, when I was informed by Proctor's aid, that I should attend on the wounded with Dr. Bower, and that I would be sent to the United States, but by a different route from that which I came. Dr. Bower in a few days was sent home and I detained.

On the 2d of March I was arrested by order of colonel Proctor, and accused of carrying on a private correspondence. On the 8th, without having any trial, ordered to Montreal, and hurried on from Fort George, night and day, although thinly clothed, and the weather very cold. From Kingston to Prescott,

I was made to eat with the officers' servants. This course of torture being finished on the 28th, when I arrived in Montreal, and without being asked any questions or suffered to ask any myself, I was put into the dungeon, eight or ten feet below the surface of the ground, where I had neither bed nor bedding, chair, bench, or stool; denied pen, ink, or paper, or even the use of a book, for two weeks. The only current of air that passed through my apartment, came through the bowels of the privy! Here I was kept 33 days, when I was, to my great joy, put up with the American prisoners, and with them permitted to remain till last Monday, when I was liberated by the intercession of lieutenant Dudley, of the navy. Col. Baynes, aid to the governor, told me the outrage which had been committed on my person was contrary to his orders.

I left 14 American prisoners in jail, viz. George H. Rodgers, U. States' army; Wm. Hollenback, Onis Hooker, Philaster Jones, Harry Jones, Lewis Minor, Zebina Conkey, Phiny Conkey, Canton; Seth Barnes, Camden; Jared Witheril, John Campbell, Schoharie; Major Watson, Ogdensburg; Alexander M'Gregor, Balston; who were kept in close confinement, notwithstanding col. Lethbridge and major Shackleton had pledged their words to captain Conkey, before he left Montreal for Quebec, that they should have the liberty of the town during the day. But the captain was scarcely gone, when the pledge was either forgotten or disregarded. The prisoners now are not permitted to procure such things as their small stock of money would provide. Sometimes they are half a day without water, and two or three days without wood; and if they complain they are cursed and abused by the jailor, and told they are only allowed a quart of water in the day. I am requested to represent their situation to general Dearborn, which I intend to do as soon as I arrive at Sacket's Harbor,

This is a sketch of the indignities I have had to put up with since the last of January.

I am yours, &c.

SAMUEL M'KEEHAN,

*Surgeon's mate 2d regt. Ohio Militia.*

Albany, May 24th, 1813.

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To his Excellency major general Dearborn.

SIR,

Without introduction or apology, I beg leave to state to your excellency, that on the 31st of January last I was ordered by general Harrison to proceed to the river Raisin with a flag of truce. I was required in my instructions, if I met no British officer at that place, to proceed to Malden (if too great danger did not appear from the savages). The same evening, thirty-three miles from the river Raisin, the Indians fired upon us and killed Mr La Mont, (one of my attendants) wounded myself in the foot, then conveyed me to captain Elliot, who took me to the river Raisin, and from thence sent me to general Proctor, at head quarters, in Sandwich, who swore, by God, that the flag and papers which I gave him was only a pretence to cover a dishonorable service. I rebutted his insinuations as moderately as my indignant feelings would permit. General Proctor made several observations on general Harrison's abilities as a commander; said he was used to fight Indians, but not British troops, &c. &c. He kept my instructions; did not even inform the senior officer, ensign Baker, of the American prisoners, that he had a letter for him. I was ordered to a tavern under the care of a French sergeant. I waited till the 4th of February before I wrote to general Proctor, demanding in what character I was considered; how long I would be detained, and the cause of my detention.

The next day the general's aid informed me I was recognized as surgeon's mate, and would attend with doctor Brown on the American wounded prisoners. On the 12th, I received a letter from general Proctor, in answer to one I had written to him the day before, of which the following is a copy :

SANDWICH, 12th February 1813.

SIR,

In answer to your letter of the 11th instant, I am directed by colonel Proctor, commanding, to observe, that you were sent in for the purpose of attending on the sick and wounded of general Winchester's army, for which purpose you are now detained ; and beg leave further to observe, that in the execution of your duty you will render a most important service to your country.

I have the honor to be,

Sir,

Your humble and most obedient servant,

A. W. M'LEAIN, A. D. C.

I continued to attend the wounded until the 2d of March, when A. D. C. M'Leain informed me that I was accused of carrying on a private correspondence, and that he was ordered to take me into custody and secure my papers ; which was accordingly done in the most uncivil manner. On the 8th of March, I was taken by a guard to Fort George, without trial or hearing, although I had written to general Proctor repeatedly, requesting an investigation, to which I received no answer of any kind. From Fort George I was sent to Montreal, and hurried on night and day, although thinly clothed (having been robbed and stripped by the Indians) and the weather very cold. On my arrival at Montreal, I was, without being asked any questions or permitted to ask any myself, put into a dungeon eight or ten feet below the surface of

the ground, in dark and solitary confinement, and there kept 33 days, after which time I was put up with the American prisoners. A few days after my elevation, lieutenant Dudley became acquainted with my situation, and made such representations to governor Prevost as induced his excellency to send his aid, colonel Baynes, who said he was directed by the governor to inform me that the outrage which had been committed on my person was contrary to his orders, and told colonel Lethbridge to take my parole and liberate me immediately. The colonel not having materials for writing at hand, said he would send for me at 3 o'clock. In less than one hour, the town major came and informed me, that the governor, on more mature consideration, thought he could not liberate me until he got despatches from general Proctor. On the 17th May, 8 or 10 days after, I was taken from prison, and, in company with lieutenant Dudley, sent to the United States. I may here observe, that the apartment in which I was confined did not contain either chair, bench or stool, or bedding whatever, for the space of two weeks. Fresh beef was furnished, but no salt. I was denied pen, ink and paper, and treated uniformly with the utmost contempt by the sergeant, whom I had the honor of seeing once every day for a few minutes. By the request of fourteen American prisoners, now in Montreal jail, whose names are hereunto annexed, I beg leave to state to your excellency, that they are kept in close confinement, sometimes half a day without water, and frequently two or three days without wood to cook with; and when they complained the jailor's curses were freely lavished upon them. They have not the privilege of procuring some little necessaries, which the benevolence of some humane persons enabled them to do by giving them a little money. Sir George Prevost has told them that their confinement is owing to the bad faith of their own government, &c.



I would have stated to your excellency the knowledge I had, through the report of others, of the outrages and cruelties exercised on the American prisoners taken at general Winchester's defeat, but must refer your excellency to Mr. Ruland, who had a command in the Michigan militia last summer, and who was, after having been disposed of all his property, sent to Fort George with me, who no doubt had many opportunities of hearing such things triumphantly spoken of among British officers and subjects.

I have the honor to be,  
Your excellency's most humble  
And obedient servant,

(Signed) SAMUEL M'KEEHAN,  
*Surgeon's mate 2d regt. Ohio militia.*

Niagara Coffee House,  
June 4, 1813.

List of persons left in Montreal jail.

Geo. H. Rogers,	Major Watson,
U. S. army,	Alexr. M'Gregor,
Wm. Hollenback,	Lewis Minor,
Seth Barns,	John Campbell,
Gains Hooker,	Zebina Conkey,
Philaster Jones,	Pliny Conkey,
Danny Jones,	David Johnston.
Jared Witherall,	

No. 6.

*Ransom of American prisoners from Indians  
in the British service.*

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*Extract of a letter from Mr. Woodward to the Secretary of State.*

“ ALBANY, March 22, 1813.

“ A few days previous to the thirty-first of January, 1813, I transmitted some letters addressed to the friends and families of a few of the prisoners whom we had been able to ransom out of the hands of the savages.

“ On the thirty-first of January, I addressed you a letter covering similar information for twelve other families.”

No. 7.

*Pillage and destruction of private property on  
the Chesapeake bay, and in the neighboring  
country.*

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William Sears, of Talbot county, in Maryland, states, That about the            day of April last, whilst the British squadron, commanded, as he understood, by admiral Warren, lay about Sharp's Island, in the Chesapeake Bay, he being on the island, called Poplar Island, his place of residence, observed some tenders and barges coming off from the squadron in a direction towards the said island. The relator was then in the act of removing his furniture and other property from the island, and hastened therein from seeing the apparent approach of the enemy; but the said tenders and barges whilst this relator was crossing to the main with his scows and batteaux laden with his property, and in tow of his two schooners, appeared suddenly to put back to their ships. The relator afterwards, in the afternoon and evening of the same day made two other trips to the island and succeeded in getting off all his bacon. On the succeeding day, as this relator thinks it was, he again went on the island and got off forty or fifty barrels of his corn and some other articles, without any interruption from the enemy. The relator having, in his first trip, got off his family and slaves, he now watched the movements of the enemy from his farm on the main. On Sunday morning the            he saw two tenders come to at Poplar Island and go ashore in barges, and after some length of time he saw them depart from the island. The relator in the afternoon of the last mentioned day, in company with several of his neighbors, went to see what the enemy had done on

the island, and found that they had injured nothing, nor taken any thing away except some cyder from the cellar. The relator then took off with him as many of his hogs and other articles as he could, and was hurried off by seeing the enemy put off from the squadron with several barges in tow of their tenders. The enemy, on that evening, took possession of the island, and remained that night and a part of the next day, as well as this relator recollects; and, on the last mentioned day, left the island and followed the squadron, which in the mean time had moved up the bay. The relator seeing this, on the next or the second day after, again went on the island, and there found that the enemy had taken and killed about thirty head of black cattle, eighty-six head of old sheep and between twenty and thirty lambs, that they had killed three hundred breeding sows in their beds, whose pigs were found dead; and that they had taken off almost all his poultry, *all* he supposes they could catch. From his house (where he had left some of his worst furniture) they took off an old looking glass worth about four dollars, and some news-papers in a file. They broke several locks and one door, and threw many things about the house. In a house on the island which had been occupied by James Sears, they broke his desk to pieces and threw about his furniture and other things; but the relator does not now recollect that any thing was taken away.

In testimony whereof, the said William Sears hath hereunto set his hand this 22d day of June, 1813.

WILLIAM SEARS.

Maryland, }  
Talbot county, } ss.

Be it remembered, that on this 22d day of June, 1813, William Sears, esq. of Talbot county, personally appears before me, the subscriber, one of the

justices of the peace of the state of Maryland, in and for Talbot county, duly commissioned and qualified, and made oath on the holy evangelists, that the statement of facts herein contained is substantially true, to the best of his knowledge, recollection and belief.

Sworn before me,

PETER DENNY.

State of Maryland, }  
Talbot county, } to wit :

I hereby certify, that Peter Denny, esq. before whom the above affidavit appears to have been made, and who has thereto subscribed his name, was at the time of taking and signing the same, and still is, one of the state of Maryland's justices of the peace, in and for the county aforesaid, duly commissioned and qualified.

In testimony whereof, I have hereto set my hand and affixed the seal of my office, this twenty-fourth day of June, Anno Domini 1813.

(L. S )            JACOB LOOCKERMAN,  
*Clerk of Talbot county court.*

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Cæcil county, state of Maryland.

Personally appeared before me, the subscriber, one of the justices of the peace for the county and state aforesaid, Frisby Henderson, and made oath on the Holy Evangelists of Almighty God, that on the 29th day of April, 1813, about seven o'clock A. M. a considerable British force, distributed into thirteen barges, commenced a hostile attack on a landing called Frenchtown, the property of this deponent, in the county aforesaid; that some days previous thereto, a battery for five guns had been commenced on the wharf, but was in an unfinished state; that on the

approach of the British force eight or ten men collected and commenced firing from the battery, and stopped the advance of the barges for some time. The ammunition being expended, the barges then came on and a firing from them commenced of cannon shot at the battery and also at the dwelling houses in Frenchtown. The British then landed on the wharf and immediately set fire to a new store house on the wharf, which at that time contained nothing but a large quantity of oats, the property of this deponent, and also a fishery adjoining the wharf was set on fire at the same time ; after burning the said store house and fishery, a force of about two hundred and fifty marines was marched from the wharf through Frenchtown and up the river shore to the dwelling house of this deponent, and demanded the way to the town of Elkton ; that finding the river must be crossed on that direction to get to Elkton, the whole force returned to Frenchtown, broke open the upper store house, which was at that time full of goods, part of which was the property of the United States, and the remainder for different merchants of Baltimore, to the amount, probably, of fifty or sixty thousand dollars, and plundered and carried off part of the goods, and set fire to the house and burnt it with the remainder of the goods. This deponent saith, that the two store houses and fishery, together with the oats and other property he had in the upper store house burned by the British as aforesaid, he has sustained a loss of about three thousand dollars.

Sworn before me, the subscriber, on this 12:h day of June, 1813.

ALEXR. KINKEAD.

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Cæcil county, state of Maryland.

Personally appeared before me, the subscriber, one of the justices of the peace for the county afore-

said, Cordelia Penington, living in Frenchtown, and made oath on the Holy Evangelists of Almighty God, that she saw the British on the 29th of April, 1813, land on the wharf at Frenchtown and immediately set fire to and burnt the store house and fishery : that on the British breaking open the upper store house ; this deponent went down to the store house and solicited the commanding officer not to burn the house, he replied, that he came for the purpose of burning the store houses, that they were public property ; that this deponent replied, the store houses were private property and belonged to her brother ; the officer said there was public property in it and should be burnt, and ordered the house set on fire and burnt it with all the goods they did not carry away.

Sworn before me, the subscriber, the 12th day of June, 1813.

ALEXR. KINKEAD.

Cæcil county, state of Maryland.

Personally appeared before me, the subscriber, one of the justices of the peace for the county aforesaid, Delia Penington, and made oath on the Holy Evangelists of Almighty God, that she saw the British, on the 29th of April, 1813, land on the wharf at French town and immediately set fire to and burn down the store house and fishery ; that after the store house was on fire the marines were marched up from the wharf, and at the time of the plundering and burning the upper store house the marines were formed in the road opposite her mother's house ; the officer commanding the marines, who informed this deponent his name was Wybourne, said their orders were to burn the stage stable and destroy the stage coaches ; that on this deponent's soliciting of him not to burn the stables and stages, the officer replied, the question

they generally asked when they went to any place was, how they voted at the elections, and inquired of this deponent if her uncle, meaning Mr. Henderson, voted for the war.

Sworn before me, the subscriber, this 12th day of June, 1813.

ALEXR. KINKEAD.

I do hereby certify, that on the morning of the 6th of May last, I was impressed at my house at Turner's creek, by the British forces as they passed up the river Sassafra to Frederick and George towns, and was forced to accompany them to the above places. On our way up we were met by two mulatto men in a batteau. Captain Byng (the name, I believe, of the officer) in whose boat I was, took a white handkerchief, fastened it on his espartoon, and was about to enter the batteau with the negroes, in order to proceed up the river to inform the officer commanding there, that if he would not fire upon their barges they would not destroy the town, when he was ordered by the admiral not to do so, who observed, "that he would only send the negroes with the message, that as they were known to the people in the fort above, he expected that they would believe what they told them." We were then opposite to Mr. Wicke's farm, which I think must be about a mile below the fort. The batteau with the negroes went to the fort as directed and the British forces soon after followed. I was in the foremost boat and continued in said boat until their return down the river after burning the towns, when I was landed on Mr. Withered's shore, and most positively declare, that there was no white flag ever hoisted in her or any of the other boats to my knowledge, nor did I ever hear any of the British officers or privates say they had ever hoisted a flag, or that one ever had been fired on.



The captain, on his return down the river, declared, that "if he could catch col. Veazey, who commanded at the fort above, he would quarter him and give me part of his quarter for steakes, for that the fire he had received was one of Washington's rounds."

I can't say positively what number of men they lost, as they would only acknowledge five wounded, but think they have sustained greater injury.

Given under my hand this 9th day of June, 1813.

JOHN STAVELY.

Subscribed and sworn to before

SAMUEL BOYER.

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I certify, that I was at the battery on Pearce's Point on the 6th of May, when a squadron of British barges visited Georgetown; that I had a full view of all the barges until they got possession of the battery on the Cœcil shore, and that I saw no white flag displayed from either of the barges.

W. SPENCER.

June 9th, 1813.

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We, the undersigned, certify, that on the 6th of May last, at the time admiral Cockburn with a considerable armed force attacked and destroyed Frederick and George towns, on Sassafras river, in the state of Maryland, were in or near the breast work below Fredericktown, under the command of colonel Thomas W. Veazey. From our position, we had a full and perfect view of the enemy's hostile armament,

and saw nothing with it, or preceded or followed it, that indicated or had the appearance of a *flag of truce*; according to the established usage of civilized nations.

We understand a flag of truce to be a mission for a pacific purpose, accompanied by men without arms, and unprotected by a naval or military force.

The barges moved up the river in close and compact order; the leading boat, a few yards ahead of the rest, said to be admiral Cockburn's, carried a coloured flag, and was escorted by not less than fifteen-armed barges and full of armed men immediately in its rear, and evidently approached in a menacing manner and with hostile intentions.

Given under our hands this 10th day of June, 1813.

*Joshua Ward,*  
*John W. Etherington,*  
*Dela F. Heath,*  
*John V. Price,*  
*Henry E. Coalman,*  
*Samuel Dixon,*  
*Joshua Greenwood,*  
*Robert H. Maxwell,*  
*William Etherington,*  
*John Loftis,*

*John Duffoy,*  
*John Etherington,*  
*Moses N. Carson,*  
 his  
*Hezekiah X Dowlin,*  
 mark  
*James S. Price,*  
*Elias See,*  
*Geo. Beaster.*

We saw no flag of any description.

*Joseph Davis,*  
*William Roberts,*  
*Dormer Oakes,*  
 his  
*Mesbuk X Kendrick,*  
 mark  
 his  
*John X Conly,*  
 mark

his  
*Nicholas X T. Franks,*  
 mark  
*Joshua Haffington,*  
 his  
*Nathan X Farrow.*  
 mark

State of Maryland,  
Cæcil county, ss.

On the 10th day of June, Anno Domini 1813, personally appeared each and every person whose names are subscribed to the foregoing certificate, before the subscriber, a justice of the peace for the county and state aforesaid, and made oath on the Holy Evangelists of Almighty God, that the facts detailed in the foregoing certificate are true, to the best of their knowledge and belief.

Sworn before

H. B. PENINGTON

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I do hereby certify, that I was at the breast work near Frederick town on the 6th ultimo, when the British came up the river in their barges, and that I did not see a flag of truce, nor do I believe that the commanding officer at the breast work knew or supposed there was any such thing in or among the barges. As witness my hand this twelfth day of June, 1813.

JAMES SCANLAN.

Sworn to before the subscriber, a justice of the peace for Cæcil county, and state of Maryland, the day and year above mentioned.

H. B. PENINGTON.

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The deposition of Richard Barnaby, of Fredericktown, in Cæcil county, Maryland, aged about forty-eight years, being duly sworn, deposeth and saith,

that on the morning of the 6th of May, after the engagement took place at the fort below this town, that he went a short distance out of town to see some females to a place of safety, and on his return he met about twenty of the British troops armed, commanded by an officer, who observed on meeting of him, here is one of the damned rascals from the fort, and then enquired where the damned rascals which were at the fort had run to, and ordered him to go with him and shew them to him; the deponent observing he did not know where they were, the officer swore he was a liar, and drew his sword and threatened to kill him, one of the men presented a bayonet and another drew a dirk and swore if he did not go he would run it through him; he afterwards went with them as far as captain Francis B. Chandler's house, at which time Francis B. Chandler was going towards his house, and on their hearing some person call him captain, the officer ordered his men to take him; the admiral coming up at the time, inquired the reason that house was not on fire. Afterwards this deponent returned to his own house with the admiral and requested of him not to have it set on fire; the admiral promised it should not be burnt if he would furnish him with thirty fowls, which he promised he would do; he furnished them with about thirteen fowls; they then took away and destroyed nearly the whole of his furniture which was in the house, and his provisions, and left him.

Given under my hand this 12th June, 1813.

RICHARD BARNABY.

Sworn to and subscribed before me, a justice of the peace for Cœcil county, the day and year above written.

H. B. PENINGTON.

The deposition of Francis B. Chandlear, of Fredericktown, Cœcil county, Maryland, aged about thirty-nine years, being duly sworn, deposeth and saith, that on the morning of the 6th of May last, just as he had returned from the fort, he was standing near his house and saw a British party consisting of about fifty persons, armed and headed by an officer, said to be a post captain, running up to his house; that he, this deponent, stepped upon the steps of the house and requested the officer not to enter; that he caught him by the breast and called him a damned rascal and pulled him from off the steps, and then entered the house with the whole of the party and gave three cheers, and ordered the men to go to work and called for fire; that they immediately commenced cutting the stair case, window sash, and breaking the glass, and set the house on fire in three places; that at this time Admiral Cockburn arrived, and he, this deponent, begged him to have the fire put out, until he would reason the case with him, and the admiral asked him what he could do; if he could furnish thirty bullocks in half an hour, that if he could not the house should be burnt, and asked him if he would try to get them, and upon this deponent replying in the affirmative; ordered the fire to be put out for the present; that he this deponent got upon his horse, and rode about half a mile, when he fell in with Colonel Véazey and informed him what he was after, and that the colonel told him to go back and inform the admiral that he should not have them; that he returned and informed the admiral of it, who then asked him what else he could do, and if he had a good deal of poultry, and upon replying yes. told him he must have it, and ordered his men to catch it, which was done and carried off; that then by the

great persuasion and entreaty of this deponent's wife and sister the house was ordered not to be burnt; but the sister of this deponent was much abused by one of their inferior officers, for her exertions in endeavoring to save the property; that this deponent had his warehouse burnt by them with a considerable quantity of goods in it, and that he himself was a prisoner with them for about three hours.

Given under my hand this 12th June, 1813.

FRANCIS B. CHANDLEAR.

Sworn to and subscribed before me, a justice of the peace for Cæcil county, the day and year above written.

H. B. PENINGTON.

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On this 12th day of June, 1813, personally appeared Jonathan Greenwood, aged thirty years, and being first sworn on the Holy Evangelists of Almighty God, did declare and say, that on the morning of the 6th of May last, upon the landing of the British forces at Fredericktown, where this deponent resides, an officer and two sailors came to said deponent's house, and swore that if they had not found him without arms, they would have thrust him through with their bayonets; they then retired, fell in with some other forces, which soon after came to deponent's house, broke it open, took whatever they conveniently could carry away, and destroyed the rest with their cutlasses and dirks, and burned it, with his dwelling house, storehouse, and kitchen. The officers appeared to be the most active in the destruction of

his property. The houses in the town were soon after generally set on fire and destroyed.

### JONATHAN GREENWOOD.

Sworn to and subscribed before me, a justice of the peace for Cæcil county, on the day and year above written.

H. B. PENINGTON.

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The deposition of Captain John Allen, of Fredericktown, Cæcil county, Maryland, aged about fifty-one years, being duly sworn, deposeth and saith that on the morning of the 6th of May last, when the British forces landed on the beach of Fredericktown and marched up through the streets, they fell in with this deponent at his brother James Allen's house. The troops were headed by the commanding officer, (Admiral Cockburn, as this deponent was informed by one of the men) and observed who the damnation are these that kept such a firing upon us, are they regulars? this deponent answered no, they were militia; he then asked where they were gone, and was told he did not know; he then asked where are all the men of the town, and was informed they were moved out; he said he had sent word to the shore that if he was not fired upon he would not destroy any property, and turned round and observed to a black boy standing by, you black son of a bitch was one of the persons I sent word by, which the boy denied. He then ordered the men to go on and burn and destroy, which they executed with fidelity. This deponent then begged the admiral to spare his house (meaning the house of James, Allen) as his brother's wife was confined up stairs

in a very delicate situation, with an infant only two days old. He then ordered her to be cleared out; Mrs M'Donnah, his wife's mother, run out clapping her hands, and begged for God's sake to spare her child, for if she was removed her life would be lost. He then ordered, spare this house. He now marched off after the men that had been gone for some little time, and shortly afterwards returned on horse back. This deponent then requested the admiral to spare him one house, that he might collect his family together in, after it should please Providence to restore peace between the two nations. He then directed this deponent to get him some fowls, who informed him he had none; he damned him and asked if he could not get them, and was told no; immediately afterwards a fire was made in the storehouse and consumed. While George and Frederick towns were in flames, the admiral in the presence of this deponent observed to his officers, well my lads this looks well, to which no reply was made, and he ordered all hands on board of the boats. That this deponent saw the British two and a half miles off, coming up, and saw no flag of truce or any thing like it. That this deponent is of opinion the defence made by Colonel Veazey and the men under his command was such as to entitle them to much credit, and justified by every circumstance within his knowledge, though himself and brother are sufferers to nearly one half of the property in Fredericktown.

JOHN ALLEN.

Sworn to and subscribed before me this 12th day of June, 1813, a justice of the peace for Cæcil county.

H. B. PENINGTON.



The deposition of Joshua Ward, living about one mile from Fredericktown in Cæcil county, aged forty-four, being duly sworn, deposeth and saith, that from the best information he could obtain from those persons that were left at his house, that a party of the British consisting of between thirty and forty men, commanded by an officer, said to be a post captain, on the sixth of May last, went to his house and immediately placed a guard around it, inquired particularly for him, and searched every part of the house, swearing they would sacrifice him; being disappointed in finding me, they then began to destroy the tables, chairs, looking glasses, &c.; when they had completed the destruction of such furniture as they could not take off with them, the officer himself took down a pair of handsome looking glasses, the others of the party took as much of the best bedding, clothing, plate, window curtains, &c. as they could conveniently carry with them; my little boy's clothes they carried off on the point of their bayonets; before they left the house they put powder in every room below stairs, an officer got fire himself from the kitchen, and had it kindled in the different rooms, and a bed put in the cellar with a part of the broken chairs, tables, &c. and a fire kindled: they then left the house, but continued in the yard until the fire was bursting from the windows, and swore that if there was an attempt to extinguish the fire they would put the person to death; that they intended to return and burn every thing on the farm; they fired at one of my sons not twelve years of age, as he was driving off a flock of sheep.

JOSHUA WARD.

Sworn to and subscribed before me, a justice of the peace for Cæcil county, Maryland, this 14th June, 1813.

H. B. PENINGTON.

The deposition of Toilus Robetson, aged about thirty-four years, who did live within about one mile of Fredericktown in Cæcil county, Maryland: This deponent states that on the morning of the 6th of May, he was at the breastwork near Fredericktown, at the time the British armament came up the Sassafiras river; that he saw no flag of truce; that after the militia were obliged to retreat he returned home, and in a very short time saw a party of the British coming towards his house, and he and his family left their house. except two black women and a black man, who state that the British took the deponent's household furniture and piled it up in the yard before the house door, and set them on fire, which communicated to the house and consumed it also; the barn which stood about one hundred yards from the house was set on fire and consumed. This deponent lost all his household goods and provisions. He saw Fredericktown in flames previous to his leaving his house, which alarmed himself and family to that degree that he abandoned his house for their safety.

Witness my hand.

TOILUS ROBETSON.

Sworn and subscribed to, before the subscriber a justice of the peace for Cæcil county, Maryland, this fourteenth day of June, 1813.

H. B. PENINGTON.

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The deposition of Moses N. Cannon, aged about thirty-two, who lives within about one-half mile of Fredericktown in Cæcil county, Maryland: This deponent states that he was at the breastwork near Fredericktown on the 6th of May last, when the British armament came up the

Sassafras river; that he saw no flag of truce; that after the militia were obliged to retreat, he returned home, and was occupied in turning horses out of his wheat field, when a party of the British came to his house, he rode up to them, and they informed him that he was their prisoner; and on his observing that he was in their power, they inquired of him if he had any thing to drink, and he answering in the negative, they told him they had got something to eat, and asked him if he wanted his house burnt, and he answering in the negative, they told him to go then to the captain, that he was in the house and would set fire to it; and on his going towards the house he met the person whom they called the captain with another person with him, loaded with his, this deponent's, bed clothes, a pair boots, and a number of other articles, carrying them towards his men, who were formed outside the yard, at the time an officer on horseback rode up and inquired of the deponent where the damned militia were; he observed to him they had retreated, pointing at the same time towards a wood; he observed he must burn the deponent's house, and on the deponent expostulating with him, and stating the disadvantage he would labor under in case his house was burnt, he then inquired of him the road to the mouth of Elk river, and if he, the officer, could march his men there, and the deponent observed that his government would not permit him to give him any instruction; and the officer observed he knew that as well as the deponent, but that he might trust a British officer, and smiled, and turned his horse and ordered his men to march, and they went off, without burning the house or asking any more questions. The deponent then went to a neighboring house to see about a part of his family, and on his return back towards his house, he was

fired on by a party of the British, stationed in the public road, about one hundred and fifty yards from the deponent's house; he then retreated across the field, and abandoned his house; he saw after riding from the party who fired on him, a party going towards his house, who as he supposes, destroyed or took away the residue of his household goods, and broke the window glass, sash, doors, and did considerable damage to his house. Fredericktown was on fire about the time the first party of the British came to the deponent's house.

Witness my hand.

MOSES N. CANNON.

Sworn to and subscribed before me, a justice of the peace for Cæcil county, Maryland, this fourteenth day of June, 1813.

H. B. PENINGTON,

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I do hereby certify, that being in the fort at Fredericktown on Sassafras river, on the morning of the sixth of May last, when a battle took place with the British and the militia under the command of Colonel Thomas W. Veazey, I distinctly saw the enemy from the time they first came in view, and discerned no flag of truce or any thing resembling one. The enemy after some resistance landed, burned Frederick and George towns, and destroyed a great deal of other private property. My house about eight miles on the river from the fort, was plundered by them on their way down the river.

JNO. T. VEAZY.

*Sassafras Neck, Cæcil county, June 28th, 1813.*

Sworn before

H. B. PENINGTON.

Prop

ers Names

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## Valuation of property destroyed in Fredericktown.

Owners Names.	Species of property.	Amount.
Capt. John Allen	Dwelling house, kitchen, and meat house,	\$ 1,200 00
	Small house	200 00
	Small ditto	300 00
	Stable and carriage house	100 00
	Granary	1,000 00
		\$ 2,800 00
Richard Barnaby	Furniture and apparel	41 00
	House and kitchen	350 00
John H. Brown	House and kitchen	500 00
Capt Frs. B. Chandler	Wearing apparel	47 00
	Granary and shed near bank,	1,000 00
	Granary on wharf	250 00
		1,250 00
Jonathan Greenwood	Dwelling house, kitchen, and store house	1,226 00
	Merchandise	792 37½
		2,018 37½
Mrs. Ann Moore	Dwelling house	1,200 00
	Furniture, &c.	447 00
		1,647 00
Mrs. Lewis	House	50 00
	House	100 00
	Dwelling house, kitchen, and meat house,	300 00
Moses Cannon	Furniture, apparel, &c.	250 00
	Furniture, apparel, &c.	208 00
	Furniture, apparel, &c.	153 25
	Dwelling house & kitchen	2,500 00
Toidas Robertson	Furniture, apparel, &c.	2,836 45
James Williamson		5,336 45
Joshua Ward		450 00
John Ward, senr.	Tenant's house	
		\$ 15,871 07½

## Property destroyed in Georgetown.

Owners Names.	Species of property.	Amount.	
Ann Bagwell	Furniture, &c.	\$ 156 00	
	Smith Bagwell's Heirs	Shoemakers shop	200 00
	Margaret Downs	Dwelling house and kitchen	150 00
	Denis Donley	Household furniture, apparel, musical instruments, books, provision, &c. &c. &c.	3,744 15
Thomas Dollis	Furniture, apparel, carpenter's tools, &c.	110 00	
Margaret Jackson	Houses, furniture, apparel, money, tools, &c. &c. &c.	1,865 75	
	Arthur Nicholson's Heirs	Dwelling house, &c.	350 00
May Nicholson	Furniture, apparel, &c.	150 00	
Joseph Jarvis	Furniture, apparel, &c.	67 12½	
Archibald McNeill	House	200 00	
Fanny McNeill	Furniture, apparel, &c.	109 87½	
Philip F. Rasin	Granary,	\$ 300 00	
	Furniture, apparel, &c.	128 75	
		428 75	
Isabella Faggert	Furniture, apparel, &c.	134 56	
Robert Usitan	Furniture, apparel, &c.	119 60	
Mrs. Wilson	Dwelling house, kitchen, and two out houses	1,800 00	
William Inland	Dwelling house, kitchen, stable, and carriage houses	850 00	
Mrs. Pearer	Dwelling house, brick, kitchen, stable and carriage house	850 00	
Mrs. Mary Everitt	Carriage house,	80 00	
Jacob Roads	Old house,	40 00	
Heirs of William Pope	Tavern house, granary, two story stable and carriage house	1,000 00	
Miss Steogises	Good brick dwelling house & kitchen	2,500 00	
Arthur Nicholson's heirs		200 00	
Isabella Freeman	Dwelling house, kitchen, stable, and carriage house	800 00	
Mrs. May Henry	Store house	250 00	
Robert Elliott	Dwelling house, kitchen, and stable	300 00	
Stapucy Congo	Dwelling house	150 00	
Aun Peare	Dwelling house and kitchen	150 00	
William Jackson	Dwelling house, kitchen, store house and granary	500 00	
Inois Sparan	Dwelling house and kitchen	1,000 00	
Heirs of Alex. Williamson	Dwelling house, kitchen, &c.	1,50 00	
		\$ 19,775 81	
		\$ 15,871 07½	
	Sum total, Georgetown	\$ 19,775 81	
	Ditto, Fredericktown	15,871 07½	
	Whole amount	\$ 35,626 88½	

The within is an inventory of property burned, otherwise destroyed, or taken away, on the sixth day of May last, by the British forces commanded by rear Admiral Cockburn, in Frederic and George towns, and the vicinity thereof, situated on Nassau's river, Eastern shore, state of Maryland, taken by the subscribers on oath, when they had a competent knowledge thereof, but which they had not a satisfactory knowledge of the property destroyed they have, indeed, that property to a very considerable amount has been destroyed or taken away by the aforesaid British forces, from the above mentioned places, which they can obtain no correct or satisfactory account of.

JOHN J. COX,  
JOHN MAXWELL,  
JAMES BLACKISTON.

Easternshore, Maryland.

SIR,

Multiplied engagements and forgetfulness, succeeding each other, have prevented my forwarding to you this statement of the depredations committed on my property at Sharp's Island, by the enemy while in the Chesapeake. On the 12th of April, while I was in the act of removing my stock, &c. they landed upwards of an hundred men and prevented my removing any thing. They detained me on the Island until the seventeenth, in which time they were principally engaged in getting water. Declarations were made by Admiral Warren and the other officers, that every thing of the stock or grain kind, taken away, should be paid for, at a fair price. Admiral Cockburn was, as I was informed, at this time sent up the bay with the advance detachment of the fleet. Admiral Warren's ship and a few tenders only, remained about the Island. At that time they took 28 hogs, 4 sheep, 12 cattle, 13 bushels of Indian corn, and informed me that they should allow the following prices for them: Hogs \$  $2\frac{1}{2}$ , sheep \$  $2\frac{1}{2}$ , cattle \$ 13 a piece, corn \$ 1 per bushel. On my return to the Island some weeks afterwards, the accounts were made out, to the amount of \$ 247, bills on their government for the amount, except about \$ 54 in specie. Before I returned to the Island, the fleet had all gone down the bay. I understood from the inhabitants, living in sight of the Island, that the enemy had paid the Island another visit and had made a general sweep of the stock. On my arrival at the Island I found it too true. They had taken all my sheep, in number 91; sixty-five of which were  $\frac{1}{2}$  and  $\frac{3}{4}$  blood merinos and one full blood ram, which cost me \$ 95, 18 head of cattle, and about

20 hogs. They left a bill on their government for \$133 and cash to the amount of \$40. They took all the poultry, shot in a wanton manner one of the finest boars which this country could produce, and which was much admired by Admiral Warren for his uncommon beauty and breed and who forbid, as a favor to me, that he should be disturbed. They bayoneted others, which they left wounded, and which would have been lost, had my overseer not saved a part by killing them. They left nothing for the sheep only a promise of \$2 per head. I have estimated my loss, arising principally from this last visit, at \$1,203, as will appear by the following statement:

18 cattle at \$13	-	-	\$ 234 00
20 hogs at \$4	-	-	80 00
55 $\frac{3}{4}$ and $\frac{1}{2}$ blood lambs, at \$10			550 00
36 common stock with fleece at \$6			216 00
4 taken at the first visit, merinos, at \$10	-	-	40 00
			<hr/>
			\$ 1,120 00
Deduct \$2 $\frac{1}{2}$ paid for the first four			10 00
			<hr/>
			\$ 1,110 00
1 full blood merino ram			95 00
			<hr/>
			1,205 00
Bills and cash left	-	-	173 00
			<hr/>
			1,032 00
Trouble and expense of reinstating stock	-	-	100 00
			<hr/>
			\$ 1,132 00
			<hr/>

I will give those prices to any person who will reinstate the same number of stock and kine, at the close of the war, or deliver them at any of my



farms, the ram excepted, as I have raised others of the same kind. The injury done me by breaking up the flock of sheep is far beyond the prices stated, as they cannot be reinstated for several years. The destruction of the ram was a wanton outrage, as he was not fit to be eaten. He was bayoneted and I believe left on the Island. This, I presume, was aimed at our manufactures.

There will be a loss of at least 20 per cent. upon the bills if sold here, and probably a total loss if I wait for the British government to pay them. Add this to the amount above given, makes the total loss \$ 1,203

Your friend and servant.

JACOB GIBSON.

*Marengo, 18th July, 1813.*

*James Nabb, Esquire, near Easton.*

Talbot county, sct.

On the 20th July, 1813, came Jacob Gibson, Esquire, before me, one of the justices of the peace for the state of Maryland, and for Talbot county aforesaid and made oath on the Holy Evangelists of Almighty God, that what is contained in the within instrument of writing, is just and true, as stated as near as he can ascertain.

WILLIAM HARRISON, Jr.

(Copy)

United States' Frigate Adams,

July 24, 1813.

SIR,

I have the honor to enclose the copy of a letter from Lieutenant Read, giving the particulars of the loss of the schooner Asp, and the inhuman conduct of the enemy to her commander, Mr. Segourney. Another letter from Lieutenant Read

of the same date, mentions that no part of the enemy's force were then above Blackstone's Island. He further states, that in their attempts to land on the Virginia shore, they have been invariably repulsed.

Very respectfully,

Your obedient servant,

C. MORRIS.

*Hon. William Jones,*

*Secretary of the Navy, Washington.*

(Copy.)

United States' Cutter Scorpion,

Potomac, July 23d, 1813.

SIR,

It is with much pain I have to inform you of the death of poor Segourney, who was killed a few days ago (I cannot say when) gallantly defending his vessel. He was attacked whilst lying in Kinsale creek, by three launches, and after a sharp contest beat them off. They, however, on gaining the mouth of the creek were reinforced by two more, and again renewed the conflict. About this time Mr. Segourney got wounded through the body. The crew on seeing him fall, having no officer capable of leading them, jumped overboard and gained the shore; when the enemy, who by this time succeeded in getting on board, finding the colors still flying and Segourney sitting up, barbarously knocked his brains out with the but end of a musket.

At the commencement of the action, Mr. Segourney thinking them too strong for him, had ran the schooner on shore, in which situation the enemy found her, and not being able to get her off, set her on fire. The militia, however, (who must

have been slow in collecting) by this time got down and beat them off, retook the schooner and extinguished the flames.

They have since buried Mr. Segourney with the honors of war.

I have not heard any thing of the crew.

I am, Sir, very respectfully,  
Your obedient servant,

GEO. C. READ.

*Captain Charles Morris,*  
*United States' frigate Adams.*

P. S. All this I have from authority which cannot be doubted.

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*Extract of a letter from midshipman H. M. McClintock. dated Kinsale, July 19th, 1813, to the Secretary of the Navy Department.*

“ We were attacked by 5 boats; we continued doing the same as before, but having so few men we were unable to repel the enemy; when they boarded us they refused giving any quarters; there were upwards of fifty men on our decks, which compelled us to leave the vessel, as the enemy had possession; they put her on fire and retreated.”

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*Extract of a letter from John Tuberville, major of the 2d brigade. 11th regiment of the Virginia militia, dated Kinsale, July 20th, 1813.*

“ I arrived myself, at the place of capture before the colors were lowered, and am confident that, even at that time, their numbers, amounting

to between 60 and 70, might have been reduced one half, before they could make their escape, could I have commanded 20 determined men. The gallant commandant fell before the enemy boarded him, by a ball which passed through his body, but continued to fight to the last extremity. When there were 40 or 50 of the enemy on deck, one of the schooner's crew asked for quarters, which was denied him. At this instant the few men remaining made their escape by swimming to the shore, and Mr. Segourney was instantly shot through the head. The vessel was shortly set on fire and the barges moved off. The officers fought bravely, and Mr. M'Clintock defended the vessel with much credit to himself, after the commanding officer was wounded."

*Hon. William Jones,*

*Secretary of the Navy, Washington.*

(Copy.)

Newbern, July 19th, 1813.

SIR,

On Sunday night the eleventh instant, an English fleet consisting of one seventy-four, three frigates, one brig, and three schooners, anchored about one mile from Ocracoke bar; about day break we were informed of it on Portsmouth, by persons from Ocracoke. I immediately got up and ordered the cutter to get under way and run up to Newbern and give the alarm, which she did, but made a very narrow escape from the barges, as she was obliged to beat over the swash against wind and tide, while they could row a straight course. I believe Admiral Cockburn intended to have visited Newbern for the purpose of

robbing the banks, but was prevented by the cutter making her escape to give the alarm: Indeed he said such was his intention, and was very much exasperated because the barges did not take her. I believe there were as many as twenty-five barges that crossed the bar, and I think there could not have been less than three thousand regulars, marines, and sailors in them: they captured the privateer brig *Anaconda* of New York, and the letter of marque schooner *Atlas*, of Philadelphia, both valuable fast sailing vessels; they then landed on Portsmouth and Ocracoke, and such a cruel, wanton destruction of property was scarcely ever witnessed; they broke in pieces almost every species of furniture, cut open beds, and scattered the feathers, and even carried their villany to such a length as to rob many women of their children's clothes without leaving them a second suit to their backs. The officers pretended there should be no depredations committed, and when complaints were made to them they would say, "point out the fellow and he shall be corrected," well knowing it was impossible to identify any one of them, among such a number of strangers. They took off of the two places two hundred cattle, four hundred sheep, and sixteen hundred fowls, for which they pretended to pay the inhabitants, some of whom I believe received more than compensation, and others received nothing: in short, they have ruined almost all on the places. I had time to send my trunk with what bonds and money there are belonging to the United States, on board the cutter which escaped; I also had time to bring a few of the most valuable papers belonging to the office; it is well I did, for they destroyed my office entirely, every paper in it both public and private; they destroyed my library and all other property

of mine they could find, about eight hundred dollars worth; and then sent me on board the seventy-four where they detained me two days, until they had embarked and ready to sail. I was on shore two days before they discovered I was a public officer; I presume they sent me on board to prevent observation. After they had kept me until they were ready to start, they turned me adrift in the ocean in a small boat with four Spaniards, not one of whom was acquainted with the bar more than myself, in consequence of which we got into the breakers and very narrowly escaped being all lost; all these things were transacted under the direction of the humane Admiral Cockburn. I believe from the conversation I overheard, that they intend to visit Beaufort, then Wilmington, and so on to the southward.

My returns will be made as soon as I can get what remain in some kind of order.

Very respectfully,

Your obedient servant,

(Signed) THOS. S. SINGLETON, *Col.*

*Honorable William Jones,*

*Acting Secretary of the Treasury.*

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On the morning of the 3d May, the day the British under command of Admiral Cockburn made the attack on the town of Havre de Grace, on my return from the commons where I had deposited some ammunition, I observed an officer on the horse of Mr. James Wood of this place, a few paces in a S. W. direction of the church. At first sight I was of the opinion it was one of our officers, which I thought to be adjutant M'Kinna, having heard but a few moments before, the voice

of John O'Neill crying out in words to this effect, "Damn it men return, we can certainly beat the rascals off." I was however deceived, as this officer was the person who took O'Neill prisoner while in the act of intreating the militia to return. Not knowing at that time O'Neill was taken by him, I advanced in a direction towards the church on my way to the magazine, to assist in carrying off more ammunition, when I discovered in the front of the church a file of marines. To the best of my recollection I was then at a distance of from 100 to 150 yards from the officer on horseback, and I think about the same from 3 militia men, when this officer (said to be Lieutenant Westfall) with a drawn sword in his hand, it being the only *flag* he carried, cried out two or three times, "will you surrender?" one of the militia men made answer, but what it was I could not distinctly hear, and immediately fired on him, and it is said wounded him in the hand. Finding it impossible to reach the magazine, the marines being then round the church, which was contiguous to it, I bent my course towards Mrs. Sears' tavern in hopes of finding some of the British officers there, and by intreaty to save some of the private property, which I was fearful would be destroyed. On reaching Mrs. Sears' sign post, I found the first division of boats had just reached the wharf, and two large guns were fired, one of which threw a ball on the roof, and knocked off some shingles; the firing then ceased, when two other gentlemen with myself advanced on the wharf and asked for the commander of that division of boats. A person, whom I supposed to be a midshipman from his appearance, answered "Capt. Lawrance will be here directly;" he then asked a number of questions, such as, have you any newspapers, how

many militia have you, and where are they stationed, where is your post office, &c. &c. to all of which we carefully avoided giving any direct answer. Some of the barges then warped up along side of the wharf, when I thought it most prudent to leave them, being fearful that I should be made a prisoner. I then walked up towards the ferry house, followed by the two gentlemen who went with me on the wharf; we were met by an officer who immediately ordered us back. After reaching the lower end of the wharf the midshipman before mentioned, said, Sir, this is Capt. Lawrance, pointing to the officer; Lawrance then addressed us in words to this amount, "what have you got to say for yourselves; where is your mayor or chief magistrate?" He was told we had no mayor, and that there was no magistrate in the place. He then asked, "are you prepared to ransom the town?" I asked him what sum he demanded; he said about \$20,000. We told him no such sum could be raised. "Why then," he replied, "did you fire on us; had you not done that, and hung out a flag we would have treated you better." I then asked him what was their intention in coming, and in what manner they would have acted had a flag been hung out on their approach? To the first question he gave no answer, but after a short pause observed, "about one half the sum now demanded would have been taken." He was then told, small as that might appear to him, it could not have been raised. Then says he, turning hastily round, "in three quarters of an hour your town shall be in flames; you shall now feel the effects of war." The said Capt. Lawrence then went into the tavern of Mrs. Sears and with two or three men brought out a bale or box of goods, (which was said to have been lodged there



the night before, belonging to a lady in Georgetown) and placed a few paces in front of the house; another officer (name unknown) entered afterwards and brought out a second box, and placed it near the first. Capt. Lawrance then turned to him and said, "Sir I have placed a guard here, we must now attend to other business; we will see to this," pointing to the goods, "to night." The order to fire the houses was then given, and Capt. Lawrance walked down street and entered the store of S. Hogg & Co., the door of which had been previously broken open, and a few men were in the act of taking off wearing apparel, &c., others had got to the counting room desk in search of money, scattering the papers, &c. on the floor. The shameful act of pilfering the goods was however reserved for the redoubtable Capt. Lawrance; he it was who first began the shameful scene, so disgraceful to an officer, by taking down knives, forks, &c. saying, "ha! the very thing we want," and turning round called in a fresh set of plunderers, and said "boys here is fine plunder:" the men did not wait a second invitation, but set in with their worthy leader, and in a short time emptied the store, excepting some articles which were of little value.

### WM. T. KILLPATRICK.

P. S. When I found that Capt. Lawrance ordered his men in the store, and gave the order to plunder, I remonstrated with him on the impropriety of such proceeding, and observed that with civilized nations at war, private property had always been respected. He replied in a hasty manner, "you ought to be more particular in

your choice of representatives; you wanted war and you shall now feel the effects."

W. T. K.

Sworn to, this twenty-fifth day of June, 1813,  
before

ELIJAH DAVIS.

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Personally came James Wood, of Havre de Grace, before me the subscriber, one of the justices of the peace for Harford county, and made oath according to law; that on Monday morning the 3d of May, 1813, between day light and sunrise, as he was riding in the town of Havre de Grace he discovered some men in the act of hauling up the shore a piece of artillery that had been mounted on the battery, and from their dress and the dulness of the morning, he took them to be Americans, nor did he discover his mistake until he was made prisoner and compelled to dismount; upon which the officer commanding the British immediately mounted his horse. A short period after, he was ordered on board of a barge in company with some other prisoners, which barge was moved up to Mrs. Sears' wharf, in company with other barges. Some short time he discovered a house at some distance from the water to be on fire, which excited some surprise, (the house belonged to Mr. John Tucker) he observed to the cockswain of the boat, there was a house on fire, and asked him if he did not suppose it to be set on fire by a rocket; he replied "*perhaps* it might;" directly after, I saw the British kindling a fire in the yard of Mrs. Sears, and asked them for what that was intended, the cockswain answered to set

that house on fire; I then asked them, why you are not going to burn the building? The reply from an officer on board the same barge (and who, I believe, had not been on shore) was "yes Sir, we shall lay your town in ashes;" and in a few minutes I saw a general conflagration of the greater part of the best buildings, during the time I remained on board, which was until a very short time before they left the place. I saw the officers as well as men in small squads bringing on board the barges as they lay at wharf *plundered* property of almost every description, and depositing it; during the time an officer brought on board a large trunk or box, and calling to one of the men said "I will give you two dollars to take care of this for me, this is my own plunder, this was a stage passenger's property, and therefore is *mine*." He further declares that he has no knowledge of any flag of truce being held out by the British, nor does he believe there was any.

JAMES WOOD.

Sworn to, this twenty-fifth day of June, 1813,  
before

ELIJAH DAVIS.

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Personally came Roxana Moore, before me, the subscriber, one of the justices of Hartford county, state of Maryland, and made oath according to law; that on Monday morning the 3d of May, in consequence of the firing of the British into the town of Havre de Grace I fled for safety (my husband being from home) into the cellar of the house in which I lived; that upon the firing having stopt, I came up, and meeting an officer on horseback, and who was wounded in the hand, I

applied to him for protection, fearing injury from some of the men. He replied, "I will not hurt you, nor shall my men, but I will burn your house." I answered him that I could not get out of it with my little children. He replied "then I will burn your *house* with you and your children in it." They proceeded a little further, and after having set fire to my neighbor Richard Mansfield's tavern house, a number of them returned and entered my house and began to pillage and plunder. They took the *whole* of my *bed clothes*, my *own clothes*, and all my children's, even to my youngest child's, a baby not two months old, together with my *cradle furniture*. Upon my soliciting them to spare me some few things, one replied "I will take every thing I can, its what we came for," and immediately seized a shawl from around my neck, and which was at that time nearly all the covering my little baby, whom I held in my arms, had, and carried it away; they more than once put fire to the house, but from the exertions of some of my neighbors is was as often put out

She further declares that she never saw any flag of truce held out by the British, nor doth she believe there was any.

ROXANA MOORE.

Sworn to, this twenty fifth day of June, 1813,  
before

ELIJAH DAVIS.



Personally came Richard Mansfield, a citizen of Havre de Grace, before the subscriber, one of the justices of the peace for Hartford county, Maryland, and made oath according to law; that

on Monday morning, the 3d of May, 1813, being in his own house about sunrise, and viewing the British barges as they came up the river, they keeping up a continual firing into the town, until they reached Mrs. Sears' wharf, being about two hundred yards below this deponent's, when the firing ceased; they then landed, and as well as he could discover; at the distance from which he stood, immediately launched a 24 pounder on board a ferry boat, which bilged her, as she began to settle in the water as soon as they moved her out, and in a few minutes *went down*; during this time, two of the barges kept moving slowly up towards this deponent's, and as soon as they landed, a *petty* officer ran to this deponent's ferry boat and called out "there is nothing in her;" "cast her off," was the reply, which was instantly done. This deponent and his son being at this time on the wharf, discovered a British officer on horse-back with several of his men at his heels, making to his house, upon which he returned and met them a few yards in front of his house. This officer (whose name this deponent since learned was Lieutenant Westfall, and who was wounded through the hand) immediately ordered the house to be set on fire. This deponent remonstrated against such procedure, urging its being unprecedented among civilized nations at war, to burn and destroy private property; that when nations were at war all public property became fair objects of destruction, but that private property had heretofore been respected, except such as might unfortunately be injured by the usual and customary mode of warfare, or that might be taken as provisions. His reply was "by G—d it should be burnt." This deponent and a Mr. King who came with the officer, solicited for the moveable

property that was in the house, it being furniture, stating to him *that that* was this deponent's only dependence, and was all he had. He replied generally, by ordering his men to burn. During this conversation the men were in the house, breaking and destroying every thing before them. Mr. King then begged the officer for one hour, saying that whatever could not be saved in that time might go. The officer's reply was, "one hour, no by G—d, not five minutes; *burn that house.*" Immediately they commenced, and had the dwelling house on fire in four different places in a few minutes. This deponent, together with Mr. King continued to solicit for permission to save some furniture; after some time, *Lieutenant Westfall* observed "you may save what you can, and what you *can* save shall not be disturbed." Exertions were then made by this deponent, his son, and Mr King, to save from the devouring flames, which proved successful for a short time; but a few minutes convinced us what little dependence was to be placed on the word of a *British* officer, as the men aided by *officers*, carried off what had been by great exertions and considerable risk, saved from the flames. The enemy had been busily employed breaking, destroying, and carrying away, until the flames got to such height as to render it unsafe to go within the walls. They then commenced upon such property as this deponent had saved, carrying off every portable article, until their barges were stowed; ripping up beds, throwing the feathers to the air, cutting up chairs, breaking open desks, &c. &c. The *officer* who made the attack on a walnut desk, refused to have it unlocked, but after breaking open the lid discovered the inner door, exultingly exclaimed, ah! I am used to such things, or, I am acquainted

with opening desks; or some expression to that amount, and immediately broke it open and continued his search as if for money. After having destroyed and carried off nearly the whole of this deponent's property, and seeing the buildings burnt *down*, they moved down to Mrs. Sears' wharf and joined the other barges. This deponent was then advised by some of his friends to apply to some of the officers and endeavor to get some of his property back, which he did, but found such obstacles in the way, that after getting a looking glass, and some two or three articles of small value, he gave it up; but upon meeting the Admiral in person, he renewed his application, and after some time, was directed to go on board and get what he could; this deponent then stated the impossibility of succeeding, without an officer to accompany him—An officer was sent, but after repeated attempts to get some of his property, he was, from the abuse and threats of being *run through with a sword*, from an *officer* of marines, for claiming his property, compelled to decline any further exertions, after getting another looking glass and a few more very trifling articles.

This deponent's observations being confined to his own house and its immediate neighborhood, which was at the upper end of the village, he was not an eye witness to their savage-like conduct generally. One dwelling house and grocery store, the property of Mr. George Bartoll, which stood a few rods below, and in front of this deponent's, he saw the enemy plundering and breaking every thing to pieces, and ended by setting it on fire and burning it *down*; a number of houses were set on fire that were not consumed; a number they only robbed and broke the doors and windows, among the latter was the *church*, in which not one soli;

tary window was left whole. During the time this deponent was on Mrs. Sears' wharf, and on board the barges, he solicited for the prisoners, citizens of the town, to be set at liberty, naming those that he immediately saw and knew; among whom was James Sears a youth of about seventeen, and John O'Neal, a naturalized Irishman, both of whom were in the most positive manner refused; and as soon as O'Neal's name was mentioned, the officer to whom the application was made, replied no! swearing he would have O'Neal *hung* if he could. O'Neal has since been discharged on *parole*. This deponent declares he has no knowledge of any flag of truce being sent by the British, nor does he believe there was any.

R. MANSFIELD.

Sworn to, this twenty-fifth day of June, 1813,  
before

ELIJAH DAVIS.

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No. 8.

*Massacre and burning of American prisoners surrendered to officers of Great Britain, by Indians in the British service. Abandonment of the remains of Americans killed in battle or murdered after the surrender to the British. The pillage and shooting of American citizens and the burning of their houses after surrender to the British, under the guarantee of protection.*

*Extract of a letter from Augustus B. Woodward, Esquire, to General Procter.*

“Detroit, February 2d, 1813.

“They [the inhabitants of Michigan] have entertained a constant apprehension that when the



American forces approach the territory, and when an engagement has taken place, the fury of the savage mind at the sight of blood, and in reflecting on the dead they lose, and, perhaps on the retaliatory treatment of prisoners, or of the dead, which their cruel mode of warfare is always likely to produce, might drive them to an ignoble revenge on the prisoners they find in the country, and the inhabitants of it, who are American citizens. They therefore pressed this subject on your attention previous to the battle of the 22d of January, 1813; and felt satisfied with your assurance that you considered your own honor pledged for their effectual protection.

“ Since the result of that battle, facts are before their faces which they cannot shut their eyes upon. Some of them are, perhaps, unknown to yourself. I will enumerate some which I believe there will be no difficulty in establishing beyond the reach of contradiction.

“ First. Some of the prisoners, after the capitulation of the 22d of January, 1813, have been tomahawked by the savages.

“ Second. Some of the prisoners, after that capitulation, have been shot by the savages.

“ Third. Some of the prisoners, after that capitulation, have been burnt by the savages.

“ Fourth. Some of the inhabitants of the territory of Michigan, citizens of the United States of America, after the capitulation, have been shot by the savages.

“ Fifth. The houses of some of the inhabitants, of the territory, American citizens, after the capitulation, have been burnt by the savages.

“ Sixth. Some of the inhabitants, American citizens, after the capitulation, have been pillaged by the savages.”

*A. W. McLean, Esquire, to Mr. Woodward.*

Sandwich, 9th February, 1813.

SIR,

You will have the goodness to appoint a day for the purpose of adducing before Col. Procter such proofs as you may have, to substantiate the assertions in your letter to him, relative to the slaughter of the enemy's sick and wounded, on the 22d of January last.

I have the honor to be, &c.

(Signed) A. W. McLEAN, *Aid-de-camp.*

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*Extract of a letter from Mr Woodward to General Procter.*

Sandwich, February 10th, 1813.

"I had the honor to receive on the third day of this month, a verbal message from you, communicated to me by Major Muir, requesting me to procure some evidence of the massacre of the American prisoners, on the 23d day of January last.

"I met with only a few persons at Detroit who are inhabitants of the river Raisin, nor was it altogether a pleasant task to those, to relate in these times, the scenes they have beheld. Some of them, however, appeared before a magistrate, and I send you copies of what they have stated. It will occur to you, Sir, immediately, that what any of them state on the information of others, though not direct evidence in itself, leads to the source where it may be obtained.

"In communicating your message, Major Muir added something having relation to American citizens, who might be willing to take the oath to the King.

“ It will be obvious to you, Sir, that in a state of open and declared war, a subject or citizen of one party, cannot transfer his allegiance to the other party, without incurring the penalties of treason; and, while nothing can excuse his guilt, so, neither are those innocent who lay temptation before him.

“ The principles adopted by the United States on the subject of expatriation, are liberal, but are perfectly inapplicable to a public enemy in time of war.

“ Some of the French inhabitants of the territory of Michigan, citizens of the United States of America, have been much urged on this subject, and are apprehensive of being further troubled.

“ I had the further honor of receiving, on the eighth instant, your verbal message by your aide-camp Mr. McLean, acquainting me that there was no capitulation on the 22d of January, and that the prisoners surrendered at discretion.

“ I, therefore, beg pardon for that mistake.

“ The principles, however, of the law of nations, impose an obligation almost equally strong.”

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No. XXV.

TRANSLATION.

Territory of Michigan, }  
 district of Detroit, } ss

Personally appeared before me, the undersigned, one of the justices of the peace in the district of Detroit, Joseph Robert, an inhabitant on river aux Raisins, who being duly sworn on the Holy Evangelists, deposes and says; that on the next day after the battle on the said river Raisins, a short time after sunrise, he saw the Indians kill

the American prisoners, with their tomahawks, and that they shot several, to wit, three: that the Indians set the house on fire, and that in going out, the prisoners were massacred and killed as aforesaid, that is to say: three were shot, the others were killed in the houses, and burnt with the houses. The Indians burnt first the house of Jean Baptiste Joreau, and afterwards that of Gabriel Godfrey, jr. The deponent has been informed that there were about forty-eight or forty-nine prisoners in the two houses. The deponent has seen dead bodies on the highway, which the hogs were tearing and eating. Mr. Brunot told the deponent that the Indians had killed those of the prisoners who were least wounded, and that the others were burnt alive.

Antoine Cuiellarie and Alexis Salliot, inhabitants of river Ecorces, told the deponent that two prisoners had been burnt in the house of Grandon, on the river aux Sables. The deponent has heard that the Indians had tore out the hearts of the prisoners, and had brought them still smoaking into the houses, but did not recollect the names of the informants; he believes, however, they were men worthy of credit.

The deponent says further, that after the first action on the river Raisin, the Indians fired on one named Solo, son in law to Stephen Labeau, an inhabitant on the river aux Sables, when returning from the house of Grandon to his father-in-law; on his arrival, he hallooed to his father-in-law to open the door, saying that he was mortally wounded; Stephen Labeau opened the door and told his son in-law to throw himself on his bed, but that in trying to move he fell dead. An Indian knocked at the door, and Lebeau having opened it, received a ball in his breast, and fell dead. The son of

Lebeau made his escape; the Indians shot several shots at him which did not reach him.

The deponent says further, that Batiste Couteur was killed near the house of the deponent, on the day of the second battle on the river Raisin, a little after sunrise.

The deponent says further, that the Indians have often threatened to burn his house and barn, if he did not march with them against the Americans. The deponent says he is an American citizen.

The deponent says that several of his neighbors have told him that they had received the same threat. Other settlements have been threatened with fire. The mills and houses on the river aux Roches were burnt in the month of September last, after the capitulation of Detroit. And further this deponent said not.

JOSEPH ROBERT.

Sworn and subscribed before me, the 4th February, 1813.

PETER AUDRAIN, J. P. D. D.

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No. XXVI.

Territory of Michigan, }  
 district of Detroit, } ss

Be it remembered that on this day, February the fourth, A. D. one thousand eight hundred and thirteen, personally came before the undersigned, a justice of the peace for the district aforesaid, viz: John M'Donnell, an inhabitant of the city of Detroit, who after being duly sworn upon the Holy Evangelists of Almighty God, deposed and saith; that a few days after the battle of the

22d January last, (at the river Raisin) he was personally present at the house of James May, esquire, when he heard the said James May ask Mr. William Jones, the acting agent for the Indian Department, if there would be any impropriety in purchasing the prisoners from the Indians; and that he heard the said William Jones say "that he thought there would be no impropriety in purchasing them, but would not undertake to authorise any person to do so;" that in consequence of which, this deponent purchased three or four of the prisoners, amongst the number was one by the name of——Hamilton, a private in the Kentucky volunteers, who declared to this deponent that on the first or second day after the battle at river Raisin, on 22d January last, as he and some of his fellow prisoners were marching with the Indians between this place and river Raisin, they came up to where one of the prisoners was burnt, the life just expiring, and an Indian kicking the ashes off his back, saying "damned son of a bitch."

This deponent also further deposeth as aforesaid, that Doctor Bowers, a surgeon's mate of the Kentucky volunteers, who was purchased by him and some other gentlemen, stated to this deponent "that he was left to take care of the wounded after the battle, but felt rather timid on account of the savages, but that he received such assurances from Capt. or Col. Elliott, of the safety of himself as well as the remaining prisoners, he concluded to stay, as *sleighs* were promised to be sent to fetch them away the next morning; that near about day light of the morning following the day of the battle, the Indians came into the house where said Bowers was with the other prisoners, and proceeded to plunder and tomahawk

such as could not walk, and stripping the said *Bowers*, and the wounded prisoners of all their clothes; that while the said *Bowers* and two other prisoners, named *Searls* and *Bradford*, as near as this deponent can recollect, were sitting by the fire in the Indian camp, an Indian came up who appeared to be drunk, and called the said *Searls*, as near as this deponent can recollect, a *Madison* or *Washington*, then took up a tomahawk and struck the said *Searls* on the shoulder; that the said *Searls* caught hold of the tomahawk and held it for some time; that the said *Bowers* advised the said *Searls* to submit to his fate; with that the Indian gave him a second blow on the head, *killed, scalped,* and stript him; during this time the said *Bowers* and *Bradford* were personally present, and being apprehensive for their own safety, that he, *Bowers*, ran and came up to the old chief (who sold him to this deponent and others) who took him under his protection, and was very kind to him whilst he remained with him. This deponent further deposes, that he has reason to believe the aforesaid *Bowers* and *Hamilton*, are now at Sandwich, and if applied to, they could give more ample information relative to the particulars of the aforesaid. And further this deponent sayeth not.

J. M-DONELL.

Sworn and subscribed at my chambers, in the city of Detroit, the day and year before written.

JAMES MAY, J. P. D. D.

## APPURTENANCES TO No. XXVI.

No. 1.

*Note from Mr. John M'Donell, to James May, Esquire.*

Detroit, 4th February, 1813.

DEAR SIR,

I had a conversation with Mr. Smart, after leaving your house to day, who had a conversation with Bowers and Bradford. He observes that I have made several material errors in my affidavit before you this day. He says the prisoner killed was of the name of BLYTHE, instead of SEARLS; and mentioned some other errors that differ widely from what I have sworn to, so that I think it is a pity that Bowers and Bradford's own affidavits could not be had, instead of mine.

Yours,

J. M'DONELL.

*James May, Esquire.*



No. 2.

*Note from Mr. M'Donell to Mr. Lyons his clerk.*

I wish you to mention to judge Woodward that application is made for me by a friend on the other side, to remain till the navigation opens. On that account I hope that he will keep back the deposition that I have made regarding the murders committed by the savages on the river Raisin, as he has much better testimony to substantiate facts than what I have sworn to on hearsay, and as I am sure if the colonel was even disposed to hear my application, that affidavit



will be enough to send me off; or else if I was allowed to remain, Elliott would set the Indians on me.

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No. XXVII.

TRANSLATION.

Territory of Michigan, }  
 District of Detroit, } ss

Personally appeared before me, the undersigned, one of the justices of the peace in the district of Detroit, Antoine Boulard, of the river aux Raisins, who being sworn on the Holy Evangelists, deposeth and says, that on the next day after the last battle on river aux Raisins, he saw the Indians kill the secretary of the American General, who was on the horse of the Indian who had taken him prisoner, with a rifle shot; that the prisoner fell on one side, and an Indian came forward with a sabre, finished him, scalped him, stript him, and carried away his clothes. The body remained two days on the high-way, before the door of the deponent, was part eat up by the hogs. Afterwards, the deponent, together with Francois Lasselie, Hubert Lacroix, Chas. Chovin, and Louis Lajoie, took up the corpse at dusk of the evening, and carried it into a field near the woods, where hogs did not go. They dared not to bury it for fear of being surprised by the Indians. And further this deponent sayeth not.

ANTOINE (his ✕ mark) BOULARD.

Sworn and subscribed in my presence, the 5th February, 1813.

PETER AUDRAIN, J. P. D. D.

## No. XXVIII.

I hereby certify, that the next day after the last battle on the river aux Raisins, the secretary of the American General was taken near the door of the deponent, was wounded and placed on a horse; that seven or eight Indians were near the house, one of whom shot him in the head with a rifle; that he did not fall off his horse until another Indian, drawing a sabre, struck him on the head several times, and then he fell to the ground, was scalped and stript of his clothes, and left on the road, where he remained one day and a half; I, the deponent, with Francois Lasselle, Hubert Lacroix, and Louis Chovin, on the evening of the second day, took up the body, carried it to the skirts of the woods, and covered it with a few branches, but could not stay to bury it, for fear of the Indians that were in the neighborhood; and on the next day after the last battle I was near the house of Gabriel Godfroy, jr. and the house of Jean Batiste Jereau, where a great number of prisoners were collected; and that I heard the screaming of the prisoners whom the Indians were tomahawking; that the savages set the houses on fire and went off.

*Detroit, 5 February, 1813.*

LOUIS (his X mark) BERNARD  
dit Lajoie.

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 No. XXIX.

I certify, that the bodies of the Americans killed at the battle of la rivière aux Raisins, of the twenty-second of January last, remain un-

buried; and that I have seen the hogs and dogs eating them.

The hogs appear to be rendered mad by so profuse a diet of christian flesh.

I saw the houses of Mr. Gérome and Mr. Godfroy, on fire, and have heard that there were prisoners in them.

The inhabitants did not dare to bury the dead on account of the Indians.

The inhabitants have been threatened by the Indians, if they did not take up arms against the Americans.

*Michigan, February 6th, 1813.*

(Signed)

ALEXIS (his ✕ mark) LABADIE.

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No. XXX.

This is to certify, that on or about the twenty-eighth day of January last past, an Indian woman came to my dwelling house, on the river Rouge, and informed me that on the morning of that day an American prisoner had been killed in the Indian camp, and the reason she assigned for killing him, was, because he had expressed an hatred for the Indians.

*Detroit, 8th February, 1813.*

ROBERT ABBOTT.

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No. XXXI.

Territory of Michigan, }  
 District of Detroit, } scilicet.

Personally appeared before me, the subscriber, one of the justices of the peace in the said

district, Aaron Thomas, and Agnes Thomas, his wife, who both made oath on the Holy Evangelists of Almighty God, that the Indians have taken from them, from the house of Mr. Attwater, on the 16th of August, 1812, one chintz gown, valued seven and a half dollars; one calico gown, valued three dollars seventy-five cents; one calimanco petticoat, value four dollars; one pair of cotton stockings, one dollar fifty cents; one pair of woollen stockings, seventy-five cents; one pair of silk gloves, one dollar fifty cents; one new small trunk, two dollars; one pocket book, two dollars; thread, one dollar; needles, fifty cents; one shawl, one dollar; one cambric handkerchief, seventy five cents; one cotton ditto, sixty two and one half cents; one shift, one dollar; three fourths of a pound of pepper, fifty cents; one cake of chocolate, twenty five cents; one fan, fifty cents; one blanket, three dollars; one cloak, ten dollars; three yards of check cotton, ninety three and three-fourths cents; one shawl, one dollar; one flannel loose gown, three dollars. On the twelfth September, taken on river Rouge, one chesnut sorrel horse, fifty dollars, saddle and bridle, ten dollars. On Friday, the eleventh September, taken on river Rouge, one other saddle, eight dollars; one pair leather leading lines, two dollars fifty cents; leading lines, seventy-five cents; one axe, two dollars fifty cents; chintz patches, two dollars.

Sworn before me, at my chambers, 17th September, 1812.

(Signed) PETER AUDRAIN, J. P. D. D.

## No. XXXII.

*Letter from the Indians to the inhabitants of the river Raisin, not dated.*

The Hurons, and the other tribes of Indians, assembled at the Miami Rapids, to the inhabitants of the river Raisin:

**FRIENDS, LISTEN!**

You have always told us you would give us any assistance in your power.

We, therefore, as the enemy is approaching us, within twenty-five miles, call upon you all to rise up and come here immediately, bringing your arms along with you.

Should you fail at this time, we will not consider you in future as friends, and the consequences may be very unpleasant.

We are well convinced you have no writing forbidding you to assist us.

We are all your friends at present.

(Signed) **ROUND HEAD,**  
*By an emblem resembling a horse.*

(Signed) **WALK IN THE WATER,**  
*By an emblem resembling a turtle.*

## No. XXXIII.

## TRANSLATION.

*Letter of the inhabitants of the river Raisin, dated Rivière aux Raisins, 13th Nov 1812.*

*To the honorable Judge Woodward, Detroit, Rivière aux Raisins, the 13th November, 1812.*

SIR,

In the embarrassment in which we find ourselves at present, on the subject of a letter ad-

dressed to Col. Navar, on the part of the Hurons and other savage tribes, we depute him to you to represent to you the situation of the inhabitants of the river Raisin, praying you to assist him with your advice in so delicate a matter, having at all times had great confidence in your great knowledge.

We have the honor to be, with profound respect,

Your obedient servants,

(Signed) **JAKUES LASSELLE,  
JEAN BATISTE GEROME,  
JEAN BATISTE BEAUGRAND,  
FRANCOIS LASSELLE,  
DUNCAN REID,  
JEAN BATISTE LASSELLE.**

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*Extract from the report of Ensign Isaac L. Baker, Agent for the prisoners taken after the battle of Frenchtown, January 22d, 1813, to Brigadier General Winchester, dated "British Niagara, February 26, 1813.*

“ For the greatest number of our unfortunate fellow soldiers being sent from Detroit, we are indebted to the exertions of our prisoner fellow citizens there, who with an unexampled generosity when they saw their countrymen driven through the streets like sheep to a market, lavished their wealth for their ransom. Nor was the procurement of our liberty all We had been almost entirely stript by the Indians. Clothes, such as the exigency of the occasion permitted to be prepared, were furnished us.

“ On the 8th instant, Colonel Proctor ordered me to make out a return of all the prisoners who

were killed by the Indians subsequent to the battle, agreeable to the best information I could collect. The enclosed return, marked B, was produced by this order. I might have added the gallant Captain Nathaniel Gray; S. Hart, deputy inspector general; Captain Virgil M'Crackin, of Colonel Allen's regiment; Captain John H. Woolfolk, your secretary; Ensign Levi Wells, of the 7th United States' infantry, and a number of privates, whom I find by subsequent information, have been massacred.

“The memory of past services rendered me by Captain Hart's family, made me particularly anxious to ascertain his fate. I flattered myself he was alive, and every information I could get for some time, flattered my hopes. But one of the last prisoners who was brought in, told me that the captain was certainly massacred. He was so badly wounded as to prevent him from walking. The Indians took him some distance on a horse, but at length took him off and tomahawked him.

“About the 10th instant, an Indian brought Captain M'Crackin's commission to Sandwich, the paper was bloody. The fellow said he took the captain unhurt, but some time after, when stripping and examining him, he found an Indian scalp in his bosom, which induced him to kill him. This, you cannot but be assured, is a humbug of the fellow's own making, to screen himself from the odium of barbarity. The captain's character, and the danger that attended his carrying such furniture in a disastrous battle, give it the lie.

“Captain Woolfolk after having been wounded in two places, by some means had got refuge in one of the French houses on the Raisin. He was discovered next day, and dragged from his assy-

lum. He was taken to the house of a Mr. Lasselle, where he said he would give 1000 dollars to any one who would purchase him. Mr. Lasselle said it was out of *his* power, but he had no doubt his brother would do it, who lived at hand. He directed his owners to the house of his brother, but as they were on their way, an Indian from a waste house shot him through the head.

“ Ensign Wells was taken by my side unhurt. I considered him as alive, until on my arrival at this place, Captain Nags tells me he was killed by a Puttawatamie Indian, not long after he was taken.

“ Many fresh scalps have been brought in since the battle, and dead bodies seen through the country, which proves that others have been killed whose names I have not been able to find out, independent of those reported to Colonel Proctor.

This, Sir, is all the information I have been able to collect, concerning those who were massacred. The fifteen or eighteen, mentioned in the remarks to the return made to Colonel Proctor, whose names do not appear, were not known by those who saw them killed.

“ Major Graves of the 5th regiment of Kentucky volunteers, I have been able to get no information of, further than that he was brought to the river Rouge, on the 25th or 26th of January, in a sleigh. I fear from our having heard nothing of him since, that he is no more, and that valuable officer forever lost to his country.

“ The dead of our army are still denied the rites of sepulture. At the time I left Sandwich, I was told the hogs were eating them. A gentleman told me he had seen them running about with skulls, arms, legs, and other parts of the human system in their mouths. The French people on



the Raisin, buried Captains Hart, Woolfolk, and some others, but it was more than their lives were worth, to have been caught paying this last customary tribute to mortality.

“I several times agitated the subject of burying the dead, when in company with the British officers, but they always answered that the Indians would not suffer it.”

1870

Received of the Hon. the Secy of the Navy  
the sum of \$1000.00 for the purchase of  
the land on which the new building  
for the Navy is to be erected  
at Annapolis, Md.

Witness my hand and seal  
this 1st day of June 1870

John A. B. [Signature]

John A. B. [Signature]



## B.

A Return of the American prisoners who were tomahawked by the Indians subsequent to the battle at Frenchtown, January 22d, 1813.

<i>Names.</i>	<i>Rank.</i>	<i>Company.</i>	<i>Regiment.</i>	<i>Date.</i>	<i>Remarks.</i>
1 Pascal Hickman	Capt.		1st Kentucky vol. rifle	Jan. 23	In Frenchtown.
2 Jas. E. Blythe	Private	Hart's	5th Kentucky vol. infantry	..	do
3 Chas. Gerles	do	do	do	..	Sandy Creek.
4 Thomas S. Crow	do	Seabree's	1st Kentucky vol. infantry	..	Three miles from Frenchtown.
5 Daniel Darnell	do	Williams'	5th do	..	} Between Sandy creek and Frenchtown.
6 Thomas Ward	do	Kedding's	1st do	..	
7 William Butler	do	Sanghorne's	1st do rifle	..	
8 Henry Downy	do	Edwards'	17th U. S. infantry	24	Near Brownstown.
9 John P. Sidney	Serjt.	Martin's	5th Kentucky vol. infantry	26	River Rouge.

### REMARKS.

In addition to the above number, I saw two others tomahawked at Sandy creek myself, and find that the prisoners now in the hospital in Sandwell saw, say 15 or 18 others, treated in the same manner. Two men tell me, they saw one who had the appearance of having been buried to death. Those men who saw Henry Downy and William Butler killed, tell me that the Indians left them without scalping.

ISAAC L. BAKER, *Ensign 2d United States' infantry.*

*Colonel H. Procter*

*Extract of a letter from Major General Harrison to the Secretary at War, dated at the Miami Rapids, February 11, 1813.*

“I have the honor to enclose to you the deposition of Medard Labardie, who was at the river Raisin on the 22d ultimo, and remained there till the 6th instant. His account of the loss of the enemy in the action, is corroborated by several others, nor is there the least reason to doubt his statement, as it regards the horrible fate of our wounded men. There is another circumstance which plainly shews that the British have no intention to conduct the war (at least in this quarter) upon those principles which have been held sacred by all civilized nations. On the 30th ultimo, I dispatched Doctor M'Guhan, a surgeon's mate in the militia, with a flag, to ascertain the situation of our wounded. He was attended by one of our militiamen and a Frenchman. On the night after their departure, they halted near this place, for the purpose of taking a few hours sleep, in a vacant cabin upon the bank of the river. The cariole in which they travelled was left at the door with the flag set up in it. They were discovered by a party of Indians (accompanied it is said by a British officer) and attacked in the manner described in the deposition. The militiaman was killed and scalped, the Doctor and the Frenchman taken. Doctor M'Guhan was furnished with a letter addressed to any British officer whom he might meet, describing the character in which he went, and the object for which he was sent, an open letter to General Winchester, and written instructions to himself, all of which he was directed to shew to the first officer he met with. He was also supplied with one hundred dollars in gold, to procure necessaries for the prisoners.”

The affidavit of Medard Labbardie, late resident near the river Raisin, in the Michigan territory. He being sworn, saith; he was in his house when he heard the guns at the commencement of the action at the river Raisin, on the 22d January, 1813, between the American forces under General Winchester, and the British, Canadian, and Indian forces, said to be commanded by Col. St. George. After some little time, he heard that the Indians were killing the inhabitants as well as the Americans, upon which he went towards the scene of action, in order to save his family. As he went on, he was with one other inhabitant taken prisoner by two Wyandot Indians, and carried prisoner to the Indian lines, from which he saw great part of the action. The right wing of the Americans had given way before he got a sight of the action. It terminated after the sun was some hours high, not far from 11 o'clock, A. M. by the surrender of the American forces that then remained on the ground. He saw the flag hoisted by the British sent to the American forces, and saw it pass three times to the Americans before the surrender. He could not understand English, but understood that General Winchester was taken prisoner before he got to the lines of his own men; that he was compelled to carry the flag to his own forces after he was taken; that he understood the reason of the flag passing so often, was that the Americans refused to surrender upon any other terms than that the wounded should be taken care of, the dead buried, and the inhabitants protected in their property. That the British first refused to agree to these terms, but finally did agree to them. He also understood that the loss of the British and Indians in the action was about 400

killed. He also understood that the loss of the Americans in the action, was about 180 killed.

He knows that on the day of the action all the prisoners who were able to march, were marched off towards Malden, the wounded, about 60 or 80 in number, left in two houses without any of their friends or a physician to take care of them, and without any British officer or men. About ten Indians remained behind upon the ground, the balance of the Indians went off with the British, and he was told by some of the Canadian militia, that the British had promised the Indians a frolick that night, at Stoney creek, about six miles from the river Raisin.

He was liberated after the line of march was formed for Malden. The next morning he was in the houses where the wounded were. That morning about fifty Indians returned, they brought whiskey with them; they drank some and gave some to the Indians there, and between 9 and 10 o'clock A. M. commenced killing the wounded, then set fire to the houses the wounded were in, and consumed them. He was at his father's, on this side of the Detroit river, about seven days after the action, and saw across the river the prisoners marched off for Niagara, from Malden.

He saith that he saw taken by his house, by Captain Elliott, and nine Wyandot Indians, two men that he understood had been sent by General Harrison with a flag to the British. One of the men (Mr. Tessier) he knew, the other he did not know, but understood he was a doctor. He had not an opportunity of conversing with them, but understood from an inhabitant, to whom Mr. Tessier communicated it, that they stopped for the night and left the flag hoisted on the cariole; that the flag was taken away unknown to them, and

that the Indians fired on them; that he, Tessier, told them they were Frenchmen and surrendered, upon which the Indians ceased firing, and took them. They then mentioned they were sent with a flag. The Indians said they were liars and took them off.

Mr. Tessier was set at liberty at the river Raisin, and remained two days expecting the doctor to return; at the end of which time, Tessier was sent for by the British and taken to Malden. He understood that the doctor was sent off immediately to Niagara; the doctor was wounded in the ankle. He understood the British charged the doctor and Tessier, with being spies. And further he saith not.

(Signed) MEDARD LABBARDIE.

Witness, C. Gratiot, Capt. of Engineers, and Interpreter.

Sworn to, before me, this 11th day of February, 1813. Camp, foot of the Miami Rapids.

(Signed) C S. TODD, Dis. Judge Ad.

A true copy,

R. GRAHAM, Aid-de-camp.

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*His Majesty's Ship San Domingo,*

Chesapeake, May 10th, 1813.

SIR,

I have to acknowledge the receipt of your letter of the 8th instant, respecting a man named O'Neale, taken by the detachment from the squadron under the orders of rear Admiral Cockburn. This man has been released upon the application of the magistrates of Havre de Grace, on parole.



I was not informed of this man being an Irishman, or he would certainly have been detained to account to his sovereign and country, for being in arms against the British colors.

I have the honor to be, Sir,

Your most obedient humble servant,

JOHN BORLAISE WARREN.

*Brig Gen. Miller, commanding the United States forces, &c. &c. &c. Baltimore.*

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*Nicholasville, Kentucky,*

April 24th, 1813.

SIR,

Yours of the 5th instant, requesting me to give you a statement respecting the late disaster at Frenchtown, was duly received. Rest assured Sir that it is with sensations the most unpleasant, that I undertake to recount the infamous and barbarous conduct of the British and Indians after the battle of the 22d January. The blood runs cold in my veins when I think of it.

On the morning of the 23d, shortly after light, six or eight Indians came to the house of Jean Babtiste Jereau, where I was, in company with Major Graves, Captains Hart and Hickman, Doctor Todd, and fifteen or twenty private volunteers, belonging to different corps. They did not molest any person or thing on their first approach, but kept sauntering about until there were a large number collected (say one or two hundred) at which time they commenced plundering the houses of the inhabitants, and the massacre of the wounded prisoners. I was one amongst the first that was taken prisoner, and was taken to a horse about twenty paces from the house, after being di-

vested of part of my clothing, and commanded by signs, there to remain for further orders. Shortly after being there, I saw them knock down Capt. Hickman at the door, together with several others with whom I was not acquainted. Supposing a general massacre had commenced, I made an effort to get to a house about 100 yards distant, which contained a number of wounded, but on my reaching the house, to my great mortification, found it surrounded by Indians, which precluded the possibility of my giving notice to the unfortunate victims of savage barbarity. An Indian chief of the Tawa tribe, by the name of M'Carty, gave me possession of his horse and blanket, telling me by signs, to lead the horse to the house which I had just before left. The Indian that first took me, by this time came up and manifested a hostile disposition towards me, by raising his tomahawk as if to give me the fatal blow, which was prevented by my very good friend M'Carty. On my reaching the house which I had first started from, I saw the Indians take off several prisoners, which I afterwards saw in the road, in a most mangled condition, and entirely stripped of their clothing.

Messrs. Bradford, Searls, Turner, and Blythe, were collected around a carriole which contained articles taken by the Indians from the citizens. We had all been placed there, by our respective captors, except Blythe, who came where we were, entreating an Indian to convey him to Malden, promising to give him 40 or \$ 50, and whilst in the act of pleading for mercy, an Indian, more savage than the other, stepped up behind, tomahawked, stripped, and scalped him. The next that attracted my attention, was the houses on fire that contained several wounded, whom I knew were not able to get out. After the houses were nearly con-

sumed, we received marching orders, and after arriving at Sandycreek, the Indians called a halt, and commenced cooking; after preparing and eating a little sweetened gruel, Messrs Bradford, Searls, Turner, and myself, received some, and were eating, when an Indian came up and proposed exchanging his mockosons for Mr. Searls' shoes, which he readily complied with. They then exchanged hats after which the Indian inquired how many men Harrison had with him, and at the same time calling Searls a Washington or Madison, then raised his tomahawk and struck him on the shoulder, which cut into the cavity of the body. Searls then caught hold of the tomahawk and appeared to resist, and upon my telling him that his fate was inevitable, he closed his eyes and received the savage blow which terminated his existence. I was near enough to him to receive the brains and blood, after the fatal blow, on my blanket. A short time after the death of Searls, I saw three others share a similar fate. We then set out for Brownstown, which place we reached about 12 or 1 o'clock at night. After being exposed to several hours incessant rain in reaching that place, we were put into the council house, the floor of which was partly covered with water, at which place we remained until next morning, when we again received marching orders for their village on the river Rouge, which place we made that day, where I was kept six days, then taken to Detroit and sold. For a more detailed account of the proceedings, I take the liberty of referring you to a publication which appeared in the public prints, signed by Ensign J. L. Baker, and to the publication of Judge Woodward, both of which I have particularly examined and find

them to be literally correct, so far as came under my notice.

I am, Sir, with due regard,

Your fellow citizen,

GUSTAVUS M. BOWER,  
*Surgeon's Mate, 5th regt. Kty. Volunteers.*

Jessamine county, to wit:

This day Gustavus M. Bower, personally came before me, John Metcalf, one of the commonwealths' justices of the peace, in and for said county and made oath to the truth of assertions before stated by the said Bower. Given under my hand this 24th day of April, 1813.

JOHN METCALF.

*Jesse Bledsoe, Esq. Lexington.*

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*Lexington, May 2d, 1813.*

SIR,

I received your letter some time since, relative to the disastrous affair of Frenchtown, of 22d and 23d January last. For the particulars of the action, and the terms of capitulation, I refer you to the official report of General Winchester which is correct as far as came within my knowledge. After the capitulation, I was introduced to Col. Proctor, the commander of the British forces and Indians, as one of the surviving surgeons, and by him was requested to attend to our wounded, who were left on the ground where the action was fought. I willingly acquiesced, and Doctor Bowers my mate, remained with me; at the same time I informed Col. Proctor of my apprehensions for

the safety of the wounded and the surgeons; he replied, be under no apprehensions, you will be perfectly safe, I will place you under the special care of the chiefs until morning, and very early I will send conveyances for the wounded and yourself to Amherzburg. Shortly after, I was requested to ascertain the number and rank of the wounded, and in so doing, was assisted by a British officer (whose name I did not know) to whom I likewise communicated my apprehensions of safety; he manifested some irritation at my doubts of British honor and magnanimity, and assured me protection would be afforded me. While engaged in this business, one of the rooms occupied by the wounded was crowded with Indians who were peaceable, but one of them who could speak English admonished the British officer of the propriety of stationing interpreters in the houses. Upon my return from this business to the room I occupied, and which was set apart for the wounded officers, I met, and was made acquainted with, Captain Elliott, at present a British officer, who had visited Captain Hart then wounded. Captain Hart was solicitous to be removed that evening, and Captain Elliott replied, if it was possible (and every exertion should be made) he should, and if it could not be effected that evening, early in the morning he would call for him in his own train (sleigh) and convey him to his own house in Amherzburg, where he should remain until recovered, assuring him repeatedly, no danger was to be apprehended, and if possible he would remain with him that night. In the afternoon Captain Elliott and every British officer left the encampment, leaving behind three interpreters. From the repeated assurances, my apprehensions were quieted; for who could doubt? About one hour before day

light (for my duties required my attention nearly all the night) the interpreters suddenly disappeared. About an hour after day light, the Indians began to collect in the town, and commenced plundering the houses in which the wounded were placed, and then stripped them and myself of our clothing. At this time the room I had occupied was so crowded with Indians, and Captain Hart's wound already painful, being injured by them, I conveyed him to an adjoining house which had been plundered and was empty, where I met the Indian (who on the preceding day had requested that interpreters should be left) and he knew my rank. He inquired why the surgeons were left, and why the wounded were left? I replied it was the wish of Colonel Proctor we should remain until he could send for us; and Captain Hart informed him Captain Elliott was a friend of his and was to call for him that morning. He shook his head significantly, and replied they were damned rascals, or we would have been taken off the preceding day. The Indian informed me every individual would be killed, and requested me to be quiet, for the chiefs were then in council and "may be," only the wounded would be killed. Captain Hart offered him one hundred dollars to take him to Malden. He replied, you are too badly wounded. While we were conversing, one of the wounded was tomahawked at our feet. Shortly after, the Indian returned and told me, I was prisoner, and must go. I was taken by the Indian to the house I had left, and there discovered that Captain Hickman and two others had in my absence been tomahawked, scalpt, and stript. I was tied and taken by this Indian towards Malden about four miles, when I came to the encampment of the British wounded, and met with Captain Elliott and the surgeon of

the 41st regiment. Captain Elliott immediately recognised me, and inquired the cause of my situation. I informed him what had taken place, and requested him to send back immediately, that some who were badly wounded might be still alive, and could be saved, and particularly named Captain Hart, for whom he manifested much friendship. Captain Elliott replied, it is now too late, you may rest assured that those who are once taken by the Indians are safe, and will be taken to Malden, and those who are badly wounded are killed ere this. I replied many are unable to walk, and some will be killed after making an effort and walking several miles, who might be saved; to which he replied, charity begins at home, my own wounded are to be conveyed first, and if any sleighs remain, they shall be sent back for your wounded. My anxiety to get some person to return, in hopes of saving some of the prisoners, induced me at length to make an appeal to their avarice. The surgical instruments of the detachment were left in the room I occupied, and I informed the surgeon of their value and importance at that time; he immediately despatched an interpreter for them, who returned with the information, they were destroyed in the burning of the house, and gave additional confirmation of the massacre of the wounded. I was released from the Indians by Captain Elliott and the surgeon. At this time my brother who was wounded and several others, were in possession of the Indians, who were taking them towards Malden. I requested their release, and permission for them to accompany me on foot, under British protection. Captain Elliott told me it was impossible, and to be under no fears, they were safe, for he knew the fidelity of the Indians with whom they were.

When the intelligence of the massacre was by me communicated to Captain Elliott and the surgeon, they appeared much exasperated, and declared it was impossible to restrain the savages. The cause he then assigned to me was, that when the Indians discovered their loss in killed and wounded, and that of the British, they started off towards our wounded, declaring they would have satisfaction, and he continued I was fearful of the event. During the plunder and the massacre, our wounded conducted themselves with the utmost composure and resignation, and made no resistance, which they knew would be fruitless, and destruction to all.

It was asserted by Colonel Proctor in a conversation at Amherstburg, that the Indians had got some whiskey in the house we were stationed, and had become intoxicated. That the Indians may have had some whiskey, I shall not deny, but I think I can safely say, that they did not procure it there, and *that* was not the cause of the massacre, for on the preceding days and subsequent to the action of the 18th, I wanted some spirits, and made application to the housekeeper, who assured me there was none about the house, for it was all consumed by the British and Indians who had quartered in the house prior to the action of the 18th; besides, the Indians shewed no manifestation of drunkenness, their deliberate pilfering and their orderly conduct throughout, was not such as would be expected from drunken Indians.

Upon my arrival at Malden I was again solicited to take charge of the wounded, the surgery was opened to me, and I had the use of the medicines and dressings necessary, and they had as comfortable rooms as could be procured. During



our stay in Malden some eight or ten of the wounded were brought in by the Indians; several made their escape who were doomed to massacre, and found protection with the inhabitants of the territory, who brought them into Malden, and several made their escape wandered in and delivered themselves up at the fort. Prior to our leaving Malden, one poor fellow was brought in scalpt alive by the Indians and delivered up to the British, but before I reached him death put an end to his sufferings. I frequently, and on every occasion, urged the British officers to exert themselves and procure the release of the wounded from the Indians, urging the necessity of having their wounds dressed. In a conversation on this subject with Captain Elliott, and while urging it, he replied the Indians are excellent surgeons. The prisoners were all marched off to Sandwich after remaining a few days at Malden, and I was called upon to know how many from their wounds were unable to march; who had sleighs furnished them, which was the case during the march to Fort George. Before I conclude, I must say that the terms of capitulation were violated in every particular by the enemy. The wounded were not protected; private property was not held sacred; and our side arms were not restored. With a few exceptions, I was treated respectfully by the British officers, save the abuse which was lavished on my government, and *that* was by no means sparingly bestowed.

I am, respectfully yours, &c.

JOHN TODD, M. D.

and late surgeon to the 5th regiment of Kentucky volunteer militia.

*The hon. Jesse Bledsoe.*

The commonwealth of Kentucky, }  
 Fayette county, } ss.

This day Doctor John Todd came before me, John H. Morton, a justice of the peace for said county, and made oath that the facts stated in the foregoing letter are substantially true to the best of his knowledge.

Given under my hand this 3d day of May, 1813.

JOHN H. MORTON.



*State of Kentucky, Pendleton county, in the town of Falmouth.*

On the 21st day of April, 1813, I, John Dawson, an orderly serjeant in Captain Glave's company of the first regiment Kentucky volunteer militia, being detailed off, and attached to, Captain Wriel Seabrees' company, and was in the battle of 18th of January, and did not receive a wound, but on the 22d about 9 o'clock, received a shot under the right arm, which lodged between the ribs. After the capitulation of our troops, there came a paymaster of the British army, in the house where I was, to take the number of wounded that was in the house; I asked what was to be done with us; he replied don't make yourself uneasy about that, you shall be protected this night, by a strong guard which shall be left with you. But to my sad misfortune, I found there were but three interpreters left, and in the night an officer took two of them away, and in the morning the other one said he could not talk Indian. So when the Indians came in the morning, they broke open the doors of the houses, began to tomahawk, scalp, and plunder, then set fire to the houses which contain-

ed the prisoners; with this I got up, put on my great coat, put up my knapsack, and went out of doors. I had not been out more than one minute, before an Indian came up to me and took the coat off my back, also another Indian told me to put my knapsack in his sled; I did so. At this time Major Graves and Captain Hart were out in the yard. I heard Captain Hart make a bargain with an Indian to take him to Malden, for which the Indian agreed so to do, for the sum of one hundred dollars. I saw the Indian put a pair of socks on Hart and put him on a horse; this was the last I saw of Hart. I then saw a man riding whom I thought was a British officer. I made to him but found that he was an Indian, who was aid-de-camp to General Roundhead; he had with him when I came up, twelve men. It was at the mouth of a lane where I overtook him, where there were two Indians scalping two men; he hallooed to them to give way; they did so. After this, we went on, and on Sandy creek about three miles from the battle ground. I saw Major Graves in an Indian sleigh; this is the last account of him that I could ascertain. We went on that night to Brownstown, and in the morning of the 24th, a man gave out walking, with the rheumatic pains, who was by the name of Downey. The Indians tomahawked him and then stript him. We then marched on above Detroit on the river Rouge. I stayed with them seven days, they then took me into Detroit (leaving a young man in the camp by the name of John Davenport) and sold me to Major Muir, who commands fort Detroit. I then was sent over to Sandwich, there I stayed until the 8th of February; they marched me to fort George and                    me on the 19 of Feb. 1813. The above is a true statement as far as I saw

though I saw numbers massacred that I did not know.

During my confinement with the Indians whilst at their camps, they shewed more humanity than the British.

Given under my hand this 21st day of April, 1813.

JOHN DAWSON.

Pendleton county, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace for the state of Kentucky, in and for said county, do certify that the foregoing certificate of John Dawson, was written, subscribed, and sworn to before me.

Given under my hand this 21st day of April, 1813.

WM. MOUNTJOY.

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*State of Kentucky, Pendleton county, in the town of Falmouth.*

On the 21st day of April, 1813, I, Thomas Pollard, a private of Captain Glave's company, of the first regiment of Kentucky volunteer militia, was in battles, fought with the British and Indian army, on the 18th and 22d of January last, at the river Raisin, and after the surrender of our army as prisoners of war on the 22d, upon the assurances of the British officers promising protection to my wounded fellow soldiers, and that they would send carriages for them the next day. Although I had received no injury in either of the actions fought on the 18th and 22d, I voluntarily staid to assist and comfort my messmates, John Dawson

and Albert Ammerman, and Jesse Green, all of whom had received wounds by balls.

I have first examined the statement made and sworn to, by John Dawson, hereto annexed, and witnessed every circumstance therein stated to be truly stated, within my own knowledge. The Indian who bargained with Captain Hart, to take him to fort Malden for one hundred dollars, and took charge of him, put him on a horse and started on his way; spoke good enough the English tongue for us to understand the contract.

THOMAS POLLARD.

Pendleton county, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace for the state of Kentucky, in and for said county, do certify that the foregoing certificate of Thomas Pollard, was subscribed and sworn to before me.

Given under my hand this 21st April, 1813.

WM. MOUNTJOY.



*State of Kentucky, Pendleton county, in the town of Falmouth.*

On the 21st day of April, 1813, I, Albert Ammerman, a private of Captain Glave's company of the first regiment of Kentucky volunteer militia, being wounded in the battle of the 18th January last, at the river Raisin, by a ball in the flesh of the thigh; and from the window of the house which was appropriated for an hospital, was a witness to the battle of the 22d of the same

month; and after the surrender, I being but slightly wounded proposed marching with the rest of the prisoners. and was prevented by the order of a British officer, who said that a guard would be left to take care of the wounded. and carriages would be sent for them to ride in to Malden, on the next morning. But to my astonishment no guard was left, and about sunrise on the morning of the 23<sup>d</sup>, a party of Indians returned to the hospital and the first Indian that came to the room I was lodged in, could speak the English language. He was asked by one of the wounded what was to be done with the wounded. He replied they were all to be killed that could not walk; and shortly after, a general massacre commenced. I instantly put on my knapsack, and went out of the house; my knapsack was demanded by an Indian at the door, to whom I gave it. He conducted me to a log some little distance from the house, on which I sat down, where I witnessed the butchery of many of my fellow citizens, sufferers by the tomahawk and scalping knife, and to finish the scene, set fire to the houses occupied by the wounded prisoners; many of them struggling in the arms of death put their heads out of the windows whilst enveloped in smoke and flames. After this bloody work was finished, I was marched off on the direction towards Brownstown, by an Indian, and when about half a mile from Frenchtown on our way, was overtaken by two Indians who had Captain Hart in custody, mounted on a horse. As they approached nearly to us, I noticed they were speaking loud and animated as if in a quarrel, but not understanding their language did not understand what passed between them, but think it is probable that the quarrel was occasioned respecting one hundred dollars which I understood Capt.

Hart had given to one of the Indians aforesaid, to convey him to fort Malden. The quarrel appeared to grow very warm, so much so, that the Indians took aim at each other with their guns, and as if to settle the dispute it appeared to me as if they had mutually agreed to kill Captain Hart and plunder him of the rest of his money and effects, which they did, by taking him off his horse, then knocked him down with a war club, scalped and tomahawked him, and stript him naked, leaving his body on the ground. I was gratified in observing that during this scene of trial, Captain Hart refrained from supplication or intreaty, but appeared perfectly calm and collected. He met his fate with that firmness which was his particular characteristic. No other prisoner of our army of the United States was present to witness this melancholy scene, the death of Captain Hart. During my captivity with the Indians, five days only, I was treated with more hospitality than I had any reason to expect, much more so than I experienced from the British, after I was ransomed at Detroit, by Mr. Benjamin Chittenden, who will ever be entitled to my utmost gratitude; by him I was humanely treated, and also by some of the French Canadians.

ALBERT (his  $\times$  mark) AMMERMAN.

Pendleton county, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace, for the state of Kentucky, in and for said county, do certify that the foregoing certificate of Albert Ammerman, was subscribed and sworn to before me

Given under my hand this 21st day of April, 1813.

WM. MOUNTJOY.

*Lexington, April 13th, 1813.*

SIR,

You request of me a statement of facts with<sup>r</sup> in my own knowledge, concerning the murder of our men after the battle and surrender at Frenchtown.

I was one of those who was taken by the Indians on the retreat, about one and a half miles from where the action first commenced. Just before we were taken, with the assistance of Lieutenant Chinn, belonging to the militia, I formed between fifteen and twenty men, I then discovered the Indians running upon us on each side and in front, about sixty in number, with their arms at a trail. I discovered there was no chance to repel them. I ordered the men to ground their arms which was done: the Indians then came up and secured the arms of our men, and shot them, including the Lieutenant before mentioned. I was the only one saved. I was taken and delivered up to Colonel Elliott a British officer.

As to the murder of the wounded, I know nothing of my own knowledge.

Your obedient servant,

A. GARRETT.

*Hon. Jesse Bledsoe.*

Fayette county, ss.

This day Lieutenant Ashton Garrett, of the 17th regiment U. S. infantry, came before me, and made oath that the foregoing statement is just and true to the best of his knowledge and belief.

Given under my hand this 13th day of April, 1813.

JOHN H. MORTON, J. P.



State of Kentucky, }  
 Fayette county, } ss.

Personally appeared before me, a Justice of the peace for the county aforesaid, Charles Bradford, an inhabitant of the town of Lexington, state of Kentucky, who being duly sworn on the Holy Evangelists, deposes and saith, that he was in the actions at the river Raisin, on the 18th and 22d January last; that he was wounded in the right hip and remained at Frenchtown after the capitulation; that on the 22d before the prisoners (who were able to walk) were marched for Malden, he saw Captain William Elliott, with whom he had been formerly acquainted, and of whom he inquired personally, what would be done with the wounded prisoners? Whether they would be taken to Malden that evening with the other prisoners, or not? He said they would not be taken to Malden that evening, but a strong guard would be left to protect them against any outrage the Indians might be disposed to commit. Elliott had a similar conversation with Major Graves, Captains Hart and Hickman, and Doctors Todd and Bowers, in the presence of this deponent. He, Elliott, further stated that sleighs would be sent to convey the wounded to Malden the next morning. This deponent further says that the British marched away; no guard was left to protect the wounded, and that Captain Elliott when asked the reason, observed that some interpreters were left whose influence among the Indians was greater, and that they were better able to protect us than a guard. About two or three o'clock in the morning of the 23d January, this deponent discovered that the interpreters had left the house in which he was, and he never saw them afterwards; that between day light and sunrise, on the 23d, he saw a large number of Indians come to the house, they burst open the door, and in a few minutes commenced plundering the prisoners, and tomahawking those who were unable to walk. This deponent left the house as soon as possible, and went into the yard where a number of his fellow prisoners had assembled; he was there claimed as a prisoner by an Indian, who gave him some articles to hold whilst he plundered more. At this time he was standing with Doctor Bower and James E. Blythe, when an Indian without any provocation, tomahawked Blythe and scalped him. Shortly

after, they (the Indians) set fire to the houses in which the wounded had been quartered, and burnt them down with the bodies of those whom they had murdered. This deponent was then taken by the Indians, in company with Doctor Bower, Charles Searls, Julius Turner, and several others to Sandy creek; that on the way he saw a number of the prisoners who had been tomahawked; that whilst at Sandy creek they murdered Charles Searls, Thomas S. Crow, and three or four others; that this deponent was then packed with forty or fifty pounds weight and taken to the river Rouge where the Indians had encamped; that whilst he was there he inquired of an Indian whether he would take him to Malden, as he wished to be given to Colonel Elliott. The Indian said if Colonel Elliott told him to do so he would, as they always did as he requested them. This deponent was six days with the Indians before they took him to Detroit, where he was purchased by Stephen Mack and Oliver W. Miller, for eighty dollars; that the British officer commanding at Detroit (Major Muir) again claimed him as a British prisoner, notwithstanding his having just been ransomed from their allies, (by his own countrymen) and sent him to Sandwich, where he remained until the 9th or 10th February, when he was sent to fort George, and there paroled. This deponent states, that whilst a prisoner at Sandwich, he was several times treated insultingly by the British officers, and by one John M'Gregor; that the citizens generally, treated the prisoners with kindness and attention, as far as was in their power.

This being the first opportunity the deponent has had of expressing his gratitude to the American citizens who treated the prisoners with so much friendship and humanity at Detroit, cannot refrain from so doing. And as long as he lives the names of Messrs. Mack, Miller, Smart, Woodward, Williams, M'Donald, Hunt, Mays, &c. shall never be forgotten.

CHAS. BRADFORD.

Sworn and subscribed to, before me, this twenty-ninth day of April, 1813.

OLIVER KIEN, J. P.

(Copy.)

*United States' ship Madison,  
Sackett's Harbor 4th June, 1813.*

SIR,

I have the honor to present you, by the hands of Lieutenant Dudley, the British standard, taken at York, on the 27th of April last, accompanied by the mace, over which was hung a *human scalp*.

These articles were taken from the parliament house by one of my officers, and presented to me. The scalp I caused to be presented to General Dearborn, who, I believe, still has it in his possession. I also send, by the same gentleman, one of the British flags, taken at fort George on the 27th of May.

I have the honor to be,

Very respectfully Sir,

Your most obt. humble servant,

ISAAC CHAUNCEY.

*Hon. W. Jones, Secretary Navy, Washington.*

A true copy from the original, filed in the Navy Department, July, 22d, 1813.

W. JONES.

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No. 9.

*Outrages at Hampton, in Virginia.*

*Extract of a letter from General Taylor, to Admiral Warren, dated H. Q. Norfolk, 29th June. 1813.*

“ I have heard with grief and astonishment of the excesses both to property and persons committed by the land troops who took possession of Hampton. The respect I entertain for your personal character, leads me to make known these excesses. It would not become me to suggest what course of inquiry and punishment is due to the honor of your arms. But the world will suppose those acts to have been approved, if not excited, which are passed over with impunity. I do not, however, deprecate any measures you may think necessary or proper, but am prepared for any species of warfare, which you may be disposed to prosecute. It is for the sake of humanity I enter this protest.

“ We are in this part of the country merely in the novice of our warfare. The character it will hereafter assume, whether of mildness or ferocity, will materially depend on the first operations of our arms and on the personal character and dispositions of the respective commanders.

“ For myself, I assure you most solemnly, that I neither have authorised, nor will sanction any outrage on humanity or the laws of civilized warfare. On the contrary, I think it due no less to my personal honor than to that of my country, to repress and punish every excess. I hope that these sentiments will be reciprocated. It will depend on you whether the evils inseparable from a state of war, shall in our operations, be tempered by the mildness of civilized life, or under your authority, be aggravated by all the fiend-like passions which can be instilled into them.”

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*His Britannic Majesty's ship San Domingo,  
Hampton Roads, Chesapeake, June 29th, 1813.*

SIR,

I have to acknowledge the receipt of your letter of this day, stating that you had communicated to your government the proposal of an exchange of prisoners, and also, that some excesses had been committed by the troops in the late affair at Hampton. I have communicated to my friend, Sir Sidney Beckwith, the commander of his Majesty's forces on shore, this part of your letter, and he will have the honor of writing to you upon the points to which it alludes.

I beg leave to assure you that it is my wish to alleviate the misfortunes of the war commenced against my country, by every means in my power; at the same time I am prepared to meet any result that may ensue between the two nations.

I have the honor to be, Sir,

Your most obedient faithful humble servt.

(Signed)

JOHN BORLASE WARREN,

*Admiral of the blue, and commander in chief.*

*Brigadier General Taylor, commanding the  
United States forces at Hampton.*

A true copy.

JAMES MAURICE, *Major, Acting A. A. G.*

*His Majesty's ship San Domingo, June 29th, 1813.*

SIR,

Admiral Sir John Warren having communicated to me the contents of your letter, I lose no time in assuring you that your wish cannot exceed mine to carry on war with every attention to the unfortunate individuals in whose immediate vicinity military operations may take place. In this spirit I shall vie with you to the utmost. At the same time I ought to state to you, that the excesses of which you complain at Hampton, were occasioned by a proceeding of so extraordinary a nature, that if I had not been an eye witness, I could not have credited it. At the recent attempt on Craney Island, the troops in a barge sunk by the fire of your guns, clung to the wreck of the boat. Several Americans, I assure you most solemnly, waded off from the Island, and in presence of all engaged, fired upon, and shot these poor fellows. With a feeling natural to such a proceeding, the men of that corps landed at Hampton.

That occurrences of that kind may never occur again, and that the troops of each nation may be guided by sentiments of honor and humanity is the earnest wish of Sir,

Your very obedient servant,

(Signed) SIDNEY BECKWITH, *Q. M. Gen.*

*To Brigadier General Taylor, commanding  
the United States troops, Norfolk.*

A true copy.

JAMES MAURICE, *Major, Acting A. A. G.*

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*Head Quarters, Norfolk, July 1, 1813.*

SIR,

It affords me the highest satisfaction to receive your assurance that you wish "to carry on war with every attention to the unfortunate individuals in whose immediate vicinity military operations may take place." Such sentiments can alone give splendor to courage, and confer honor on military skill. Worthless is the laurel steeped in female tears, and joyless the conquests which have inflicted needless woe on the peaceful and unresisting.

The frankness with which you admit the excesses at Hampton is a guarantee against the repetition.

I cannot doubt, Sir, your conviction that the scene described by you at Craney Island, was really acted. But the very reason it appeared to you incredible and inhuman, it should have been unauthorised. Your own perception of propriety shall decide, if facts should not have been ascertained and redress demanded, before retaliation was resorted to, a retaliation too, extravagant in its measure, applying not to the perpetrators of the alledged offence, or their comrades, but to the innocent and helpless. I have reason to think that you are mistaken in your impressions of the conduct of our troops at Craney Island. That they waded into the water on the sinking of your boat is true; but I learn that it was for the purpose of securing their conquest and assisting the perishing. One person, perhaps more, was shot, but it was only for a continued effort to escape, after repeated offers of safety on surrender (such at least is the representation made to me). If, however, your yielding troops have been butchered, it is due to the honor of our arms to disclaim and punish the enormity. The fame of my country shall never be tarnished by such conduct in the troops under my command. I have to day ordered an inquiry into the facts, by a board of field officers. Proper measures shall be taken to punish whatsoever of impropriety may have been committed. I flatter myself you will perceive in these measures a disposition to afford no cause of reproach in any future conflict. When we meet let us combat as soldiers, jealous of the honor of our respective countries, anxious to surpass each other as well in magnanimity as in courage.

Accept Sir, the assurance of my consideration and respect.

(Signed)

ROBERT B. TAYLOR,  
*Brigadier General, commanding.*

*To Sir Sidney Beckwith, Quarter Master  
General, commanding the land forces  
of His B. M. Hampton Roads.*

A copy.

JOHN MYERS, *Aid-de-camp.*

*Extract of a letter from Brigadier General Taylor, to the Secretary of War, dated Norfolk, 2d July, 1813.*

I enclose, as was promised yesterday, copies of the letters written to Admiral Warren and General Beckwith. My aid, who carried them down yesterday, brought back a letter from Admiral Warren, of which a copy is enclosed, and has made a statement of what occurred in his conference with the General.

The letter of the Admiral, though polite, is certainly not responsive to any thing which has occurred, and the conversation with the general, though equally civil is obviously designed to prevent any further discussion of the subject. From the report of prisoners and deserters, there is too much reason to believe that before the attack on Craney Island, the cupidity of the troops had been excited by a promise of the pillage of Norfolk. To inflame their resentment after their failure, and to keep alive the hope of plunder at Norfolk, there is much reason to fear that our troops have unmeritedly been charged with misconduct at Craney Island, and that made a pretext for their excesses and their conduct at Hampton. I entertain no doubt of the justification, of the honor and magnanimity of our men, by the reports of the board of officers. I do not mean that the subject shall drop, but when I communicate the report, I shall leave the British commander the alternative, either of adopting similar measures in his own army, or remaining under the imputation of having excited their troops to commit these excesses. Our troops are highly inflamed.



(Copy.)

*Notes for Captain Myers in his interview with Admiral Warren.*

A defenceless and unresisting town has been given up to indiscriminate pillage, though civilized war tolerates this only as to fortified places carried by assault, and after summons.

Individuals have been stripped naked; a sick man stabbed twice in the hospital; a sick man shot at Pembroke in his bed, and in the arms of his wife, long after the de-

feat of the troops; his wife also shot at and wounded—a Mr. and Mrs. Kirby.

Females have been not only assaulted and personally abused and struck, but even violated.

If occasion offers, notice may be immediately made of the information given by prisoners and deserters, of the promise to plunder Norfolk.

As to the imputation on our troops at Craney Island, if Admiral Warren should mention it, deny the fact, and state the actual conduct of our troops, in going into the water to assist their men, and then giving them refreshments as soon as they entered the fort. Refer to the conduct of all our prisoners, particularly those taken from the boats of the *Victorious*.

JOHN MYERS, *Captain and Aid-de-camp.*

(Copy.)

*Head Quarters, Norfolk, July 2d, 1813.*

SIR,

In obedience to your orders I proceeded yesterday with a flag of truce to Admiral Warren in Hampton Roads, to whom I handed both the despatch for himself and that for Sir Sidney Beckwith. The Admiral received me with civility, and with many acknowledgements for the terms of your letter. Sir Sidney was on shore at Old Point Comfort. Feeling some difficulty about the propriety of delaying on board for his arrival, I was about to depart, but Admiral Warren expressed a wish that I would remain, saying that he would desire no doubt to give a reply.

Sir Sidney did not arrive till 8 o'clock. He expressed great respect for the motives that had actuated you, Sir, in the measures which you were pursuing. They were more than he desired. It was sufficient he said, if your own mind was satisfied. He expressed regret at the trouble that you had taken, and much deference for your character, with a resolution to vie with you in efforts to confine future operations within the bounds of humanity, and the usages of war. He said, in allusion to the pretended conduct of our men at Craney Island, that it



proceeded no doubt from a few of the more disorderly. I denied the charge altogether, as I had done in my previous interview, when it was made the justification of their outrages at Hampton, on the ground of retaliation.

I found that it was not his intention to give to your despatch a written reply. By the light manner in which he glanced at the subject of your investigation, I could perceive that it was pressed further than was desirable to him. It was my wish, however, to be able to report to you the probability of a like course of inquiry on his part, and I enumerated the catalogue of abuses and violence at Hampton. I mentioned the pillage of the town and the wanton destruction of medicine; that individuals had been stripped naked, a sick man stabbed twice, who was in the hospital; a sick man shot in his bed at Pembroke, and in the arms of his wife, who was also shot at and wounded, long after the defeat of the troops, a Mr. and Mrs. Kirby; and finally the assault on females, their being struck and personally abused, and even violated.

At the mention of the murder of Kirby and the wound given to his wife, Sir Sidney distinctly *admitted* it; the others he appeared not to be acquainted with the particulars of, and expressed some concern at it. He said that he had, however, on coming to a knowledge of their conduct immediately ordered the embarkation of the troops that were concerned, with a determination that they should not again land; and that while he was unable to control a past event, the responsibility of a recurrence should rest on himself; that the troops under his command were strangers to him on his arrival here, and appealing to my knowledge of the nature of the war in Spain, in which these men (meaning the French corps) he said had been trained, told me they could not be restrained.

Thus far he thought he could not give a more convincing proof of the sincerity of his professions than in the withdrawal of these troops, and that he had moreover, just been employed in finding a new watering place on Back river, in order to remove from Hampton, and to quiet the minds of the inhabitants.

He assured me that in making such a pledge as he was doing, it should not be lightly regarded. That he would either send away these troops or wait the arrival of others, for new operations. He concluded by expressing a hope that you, Sir, would in future use no reserve in communi-

eating any subject of impropriety; and on his part, that he should certainly do so, with a due regard to the liberality of your conduct; he hoped the subject was at rest—I took my leave.

I have the honor to be,  
Very respectfully,  
Your most obedient servant,

JOHN MYERS,

*Captain and Aid-de-camp.*

*Brigadier General Robert B. Taylor, Norfolk.*

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*Extracts of a letter from General Taylor to Sir Sidney Beckwith, Quarter Master General, commanding the land force of H. B. M. at Hampton Roads, dated Headquarters, July 5, 1813.*

“ I have now the honor to transmit to you the proceedings of the board of officers convened to inquire into the transactions at Craney Island. They doubtless will convince you that in that affair the American troops merited no censure; that their conduct was distinguished by humanity and magnanimity; and that the distance to which you were removed from the scene, by rendering it impossible that you could be informed of the motives of their conduct, unhappily led you to draw conclusions equally mistaken and unmerited.

“ You have done me the justice to declare that the measures pursued by me, evince a disposition to permit in my troops no abuses on humanity or the laws of authorised war. As I cannot doubt the existence of similar sentiments with you, I have a right to expect on your part, measures equally decisive and unambiguous. If I have deemed it needful to forbid openly to my whole army all acts of impropriety, and to direct a public investigation of charges believed to be unmerited, but having the sanction of your imputation, I put it to your candor to determine, if excesses in your troops, admitted by yourself, and some of them of the most atrocious character, should pass unnoticed. My conduct and your declarations, give me a claim to ask that these excesses be punished. Your army will then learn the abhorrence you feel for such acts, and be restrained by the fear of

your indignation, from similar outrages. But if these admitted excesses are passed by, the impunity of the past will be construed by your troops into an encouragement of future outrages, and your own humane intentions be completely defeated. Neither can you be unmindful of the propriety of taking from my army the pretexts for impropriety, by a knowledge of effectual restraints on yours.

“ I am fully impressed with the liberality of your conduct in promising to remove the troops who committed the outrages at Hampton, from the opportunity of repeating these enormities. But besides, that my confidence in the gallantry of the American troops forbids me to desire any diminution of your force, and such a measure being liable to misconception by our own troops, might not attain your object. The rank and file of an army seldom reason very profoundly, and however erroneously, might ascribe their withdrawal to the desertions which have on every opportunity taken place in that corps, and in their unwillingness, if any should have been displayed, to fire on the American troops. If this should unfortunately be the case, your force will be diminished, without securing the great ends of discipline and humanity, for which you had, with so much liberality, made the sacrifice. I am the more pressing on this subject, because I have reason to believe that even since your assurance, though unquestionably against your wishes, very improper acts have been committed by the troops on James river. The domestic property of peaceable private citizens, respected by all civilized nations, has been pillaged, and what furnished no allurements to cupidity, has been wantonly defaced and destroyed.

“ If such acts are either directed or sanctioned, it is important to us and to the world, to know what species of warfare the arms of Great Britain mean to wage. If authorised, it will be of little practical avail to know that the director of these arms entertains the most liberal personal dispositions, while these dispositions remain dormant and inoperative.

“ If I am troublesome on this subject, charge it to my anxious desire that nothing may occur to embitter our own feelings and those of our respective nations. In the progress of the war charges of inhumanity have unhappily been frequent and reciprocal. I am not indifferent to the

infamy which such a charge fixes on the officer, who either encourages or permits it. I derive the highest satisfaction from the assurances you have given of similar sentiments. We have, Sir, become enemies, by the sacred obligations we owe our respective countries. But on the great and expanded subject of human happiness, we should be friends by the sympathy of our feelings. Let us then cordially unite, and exercising effectually the powers with which our governments have invested us, give to our warfare a character of magnanimity, conferring equal honor on ourselves and on our countries."

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*Extract from General Orders. Norfolk,  
Assistant Adjutant General's office, July 1st, 1813.*

The General commanding has deemed it proper to remonstrate against the excesses committed by the British troops who took possession of Hampton. It has been attempted to justify or palliate these excesses, on the ground of inhumanity in some of the troops at Craney Island, who are charged with having waded into the river and shot at the unresisting and yielding foe, who clung to the wreck of a boat which had been sunk by the fire of our guns.

Humanity and mercy are inseparable from true courage, and the General knows too well the character of the troops under his command, to doubt their magnanimity towards an unresisting foe. It is equally due to the honor of the troops engaged, and to the hitherto unquestioned fame of the American arms, for honor and clemency, that the imputation should be investigated. If the charge be well founded, the army must be purified by punishment for this abomination. If, as the commander hopes and believes, the conduct of our troops has been misconceived, the world should have an authentic record to repel the imputation.

He therefore directs that a board of officers to consist of Colonel Freeman, President, Lieutenant Colonels Boykin, Mason, and Read, do convene the day after tomorrow, at a place to be appointed by the President, for the purpose of investigating these charges, and report accordingly.

JAMES MAURICE, *Major, Act. Ast. Ad Gen.*

The evidence having been gone through, the board after deliberate and mature consideration do pronounce the following opinion:

That it appears from the testimony adduced, that on the 22d of last month in the action at Craney Island, two of the enemy's boats, in front of their line were sunk by the fire of our batteries, the soldiers and sailors who were in those boats were consequently afloat and in danger of drowning, and being in front of the boats which were uninjured, to disable these our guns were necessarily fired in a direction of the men in the water, but with no intention whatever to do them further harm but on the contrary, orders were given to prevent this by ceasing to fire grape, and only to fire round shot. It also is substantiated that one of the enemy who had apparently surrendered, advanced towards the shore, about one hundred yards, when he suddenly turned to his right and endeavored to make his escape to a body of the enemy who had landed above the Island, and who were then in view, then, and not till then, was he fired upon, to bring him back, which had the desired effect, and he was taken unhurt to the Island.

It further appears that the troops on the Island exerted themselves in acts of hospitality and kindness to the unresisting and yielding foe

"I therefore the board do, with great satisfaction, declare, as th<sup>r</sup>ir unbiased opinion, that the charge alledged against the troops is unsupported, and that the character of the American soldiery for humanity and magnanimity, has not been committed, but on the contrary confirmed

(Signed)

CONSTANT FREEMAN,

*Colonel Artillery, President.*

ARMISTEAD T. MASON,

*Lieut. Col. commanding 5th regt. inf.*

FRANCIS M. BOYKIN,

*Lieut. Col. commanding 3d regt. inf.*

THOMAS READ, jr.

*Lieut. Col. commanding artillery.*

JOHN BARBER, *Recorder.*

A true and correct copy.

JAMES MAURICE, *Major, Act. As. Ad. Gen.*

*Copy of a note from Sir Sidney Beckwith to General Taylor, dated H. M. ship S in Domingo, July 6, 1813.*

Quarter Master General Sir Sidney Beckwith, begs leave to return his best acknowledgements to General Taylor for his polite communication, and to repeat his earnest wish that military operations should be carried on with all the liberality and humanity which becomes the respective nations. Any infringement of the established usages of war will instantly be noticed and punished.

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*Extract of a letter from Brigadier General Taylor to the Secretary of War, dated Norfolk, 7th July, 1813.*

“The board of officers convened to examine the charge brought against our troops in the affair at Craney Island, have made such a report as an American could desire. I enclosed a copy yesterday to the British commander with a letter, of which a copy is enclosed. The bearer of my despatch was met by a flag, the officer of which received the despatch, and a few hours after returned with an answer, of which a copy is also enclosed. I fear from the generality of its terms that little amelioration of the system hitherto practised is to be expected; but something is gained by placing the enemy so decidedly in the wrong that the world cannot doubt to whom is to be ascribed any excesses which hereafter may be committed on either side.”

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*Extract from an official letter, addressed by Major Crutchfield to Governor Barbour, dated York county, Half-Way House, June 20th, 1813.*

“To give you, Sir, an idea of the savage-like disposition of the enemy, on their getting possession of the neighborhood, would be but a vain attempt. Although Sir Sidney Beckwith assured me that no uneasiness might be felt in relation to the unfortunate Americans, the fact is, that on yesterday there were several dead bodies lying

unburied, and the wounded not even assisted into town, although observed to be crawling towards a cold and inhospitable protection. The unfortunate females of Hampton who could not leave the town, were suffered to be abused in the most shameful manner, not only by the venal savage foe, but by the unfortunate and infatuated blacks who were encouraged by them in their excesses. They pillaged and encouraged every act of murder and rapine—killing a poor man by the name of Kirby who had been lying on his bed at the point of death for more than six weeks; shooting his wife in the hip at the same time, and killing his faithful dog while lying under his feet. The murdered Kirby was lying last night, weltering in his bed.”

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*Extract of a letter from Captain Cooper of the cavalry, to Charles K. Mallory, Esq. Lieutenant Governor of Virginia.*

“I was yesterday in Hampton with my troop; that place having been evacuated in the morning by the British—  
 ☞ *My blood ran cold at what I saw and heard.* The few distressed inhabitants running up in every direction to congratulate us; tears were shedding in every corner—the infamous scoundrels, monsters, *destroyed every thing* but the houses, and, (my pen is almost unwilling to describe it,) the *women were ravished by the abandoned ruffians!* Great God! my dear friend, can you figure to yourself our Hampton females seized and treated with violence by those monsters, and not a solitary American arm present to avenge their wrongs? But enough, I can no more of this.

“They have received a reinforcement of 2,000, in all 6,000 men; and Norfolk or Richmond is their immediate aim. Protect yourselves from such scenes as we have witnessed. They retired in great confusion, leaving behind 3000 wt. beef, muskets, ammunition, canteens, &c. &c. &c. and some of their men, which we took. It is supposed that they apprehended an immediate attack from 6000 of our men which caused them to retreat so precipitately. My friend, rest assured of one thing, that

they cannot conquer Americans, they cannot stand them: if we had had 1200 men, we should have killed or taken the greater part of them."

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*From the same to the same, dated Armistead's Mill, near Hampton, July 10, 1813.*

DEAR FRIEND,

"Your favor of the 7th has just been received through the politeness of Major Crutchfield, who had it forwarded to me at this place. I am surprised to hear that you have among you a man who would endeavor to apologize for the unprecedented villany and brutal conduct of the enemy in Hampton. *Be assured of one fact, that that which I informed you of in my last, was strictly true.*

"You request me to make known to you a few of the distressing particulars in a way which will force conviction upon the minds of the incredulous. I will attend to it, my friend, that you may be enabled to confound such with positive proofs. At present you must content yourself with the following, and *believe it as religiously as any fact beyond denial.*

"Mrs. Turnbull was pursued up to her waist in the water and dragged on shore by 10 or 12 of these ruffians, who satiated their brutal desires upon her, after pulling off her clothes, stockings, shoes, &c. This was seen by your nephew Keith and many others. Another case—a married woman, her name unknown to me, with her infant child in her arms (the child forcibly dragged from her) shared the same fate. Two young women, well known to many, whose names will not be revealed *at this time*, suffered in like manner. \* Doctor Colton, Parson Halson, and Mrs. Hopkins, have informed me of these particulars. Another, in the presence of old Mr. Hope, had her gown, &c. &c. &c. cut off with a sword, and violence offered in his presence, which he endeavored to prevent, but had to quit the room, leaving the unfortunate victim

\* The former of these gentlemen acted as surgeon to the detachment lately stationed at Hampton, and is a young gentleman of the first respectability. The latter is president of the academy at that place, and stands deservedly high in public estimation. Mrs Hopkins, also, is a lady of very high respectability, and of the most unquestionable veracity.



in their possession who no doubt was abused in the same way. Old Mr Hope \* himself, was stripped naked, pricked with a bayonet in the arm and slapped in the face; and were I to mention a hundred cases in addition to the above, I do not know that I should exaggerate."

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*Extract from a report made to Major Crutchfield by Thomas Griffin and Robert Livly, Esqs. dated York, 4th July, 1813.*

"Upon reaching Hampton, a scene of desolation and destruction presented itself—the few inhabitants we found in town seemed not yet to have recovered from their alarm: dismay and consternation sat on every countenance: reports had reached us of the violence and uncontrolled fury of the enemy after they obtained possession of the place; their conduct in some cases being represented such as would have disgraced the days of Vandalism. Our feelings were much excited, and we deemed it our duty to pursue the inquiry as far as practicable, and are sorry to say, that from all the information we could procure, from sources too respectable to permit us to doubt, we are compelled to believe that acts of violence have been perpetrated which have disgraced the age in which we live. The sex hitherto guarded by the soldier's honor, escaped not the rude assaults of superior force; nor could disease disarm the foe of his ferocity. The apology that these atrocities were committed by the French soldiers attached to the British forces now in our waters, appeared to us no justification of those who employed them, believing, as we do, that an officer is, or should be, ever responsible for the conduct of the troops under his command."

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*To the Editor of the Enquirer.*

SIR,

Having just returned from Hampton, where I

\* This worthy old gentleman is bowing beneath the pressure of age, being near 70 or older: has a numerous family, most of them sons, now in the service of their country.

made myself acquainted with all the particulars of British outrage, whilst that place was in their possession, I am requested by many persons to communicate through you, to the public, the information I have given *them*. I do this with no hope or expectation of satisfying those who required other testimony than Major Crutchfield's or Captain Cooper's. I too well know there are those among us, who will still doubt or pretend to doubt. But as I believe this class to be few in number, and insignificant in the public estimation; as I firmly believe that a large majority of all political persuasions are open to conviction and feelingly alive to their country's wrongs; I cannot withhold from them the facts, whose simple recital will, according to their different temperament, inflame them with rage or fill them with horror.

My name you are at liberty to give to the public, or only to those who inquire for it, as you think proper. I have reason to believe that those who know me, whether federal or republican, will know and acknowledge that I am incapable of publishing a falsehood; and I aver, that every statement inconsistent with the following, no matter on whose authority it is made, is untrue; in proof of which I solemnly undertake before the world to establish every fact contained in it, provided any gentleman will sign his name to a denial of either of them.

I went to Hampton with a determination of inquiring minutely into the truth of reports, which I *hoped*, for the honor of a soldier's profession and of human nature, to have found exaggerated. In the investigation I resolved to depend on the second-hand relation of no one, where I could mount to the original source of evidence; but since, in some cases, this was impracticable, I feel it a duty, carefully to distinguish the one class from the other.

That the town and country adjacent was given up to the indiscriminate plunder of a licentious soldiery, except perhaps the house where the head quarters were fixed, is an undeniable truth. Every article of valuable property was taken from it. In many houses not even a knife, a fork, or plate, was left. *British officers* were seen by Dr. Colton in the act of plundering a Mr. Jones' store. His house, although he remained in town, was rifled and his medicine thrown into the public street, just

opposite where many officers took up their quarters, who must have been eye-witnesses of the scene. The church was pillaged, and the plate belonging to it taken away, although inscribed with the donor's name. The wind-mills in the neighborhood were stript of their sails. The closets, private drawers, and trunks of the inhabitants were broken open, and scarcely any thing seemed to be too trifling an object to excite the cupidity of these robbers. Several gentlemen informed me, that much of their plunder was brought into the back-yard of Mrs. Westwood's house, where Sir Sidney Beckwith and Admiral Cockburn resided. But I had no opportunity of seeing this lady, who *it was said would* testify to the fact. In short, Hampton exhibits a dreary and desolate appearance which no *American* can witness unmoved. Doctor Wardlaw and Mr. John G. Smith, of this city, visited it in company with me; and their indignation was equal. They, and every one, who saw and heard what I have stated, united in execrating the monsters who perpetrated those enormities; and political distinctions, if any existed, were lost in the nobler feelings of pity for the sufferers, and a generous ardor to avenge their wrongs.

Here it may be necessary to notice a publication I have this moment read in the Alexandria Gazette of the 12th, where among other things, it is said on the authority of a "gentleman who was in Hampton the day after the evacuation by the enemy," that it was believed there "that nearly all the plundering was committed by the negroes;" and that he saw many "articles brought to the magistrates which had been secreted in negro houses." That *some* plundering may have been committed by the negroes who (as I was told) were embodied and paraded through the streets, is probable enough; that the expression of *such an* opinion may have been heard in Hampton, is likewise probable; but I do utterly deny, that it is believed there by any person worthy of credit, that "nearly all the plundering was committed by them." Let the gentleman, then, who gives this account, state from whom he derived his information. Let him give the names of the magistrates who received the plunder thus found, and his *own*; and let him declare what were the main articles he saw brought in. I will not directly

hazard the assertion, but I am very much inclined to believe, there were no magistrates in the town at the time spoken of, unless Parson Holson, Dr. Colton, or Captain Wills, are magistrates; and with all these gentlemen I conversed, and heard not a whisper countenancing the statement in the Alexandria paper. How it is known that the negroes "had the address," first to impose on the British commanders, and then on the American troops, which "induced them to retreat to York," and leave Hampton to be plundered by these artful rogues, that *gentleman* is left to say; but that the American troops did not retire to York, in consequence of such information, is undoubtedly true. Nor is it less true that Captain Cooper's troop arrived in time to prevent any plundering of the least consequence, after the evacuation; and in time too to prevent, what many gentlemen there believed to have been a plan concerted between the black and white allies—the firing of the town.

That "Admiral Warren expressed his regret that the inhabitants of Hampton had not all remained, as in that case no plundering would have happened," is possible enough; since it admits the fact of the plundering, and is conformable with the answer given to Capt. Wills, who complained to Cockburn and Beckwith of the destruction of his private property. "Why did you quit your house?" said these *honorable* men. "I remained in my house," answered Doctor Colton, and have found *no better* treatment."

That Kirby, who for seven weeks or more, had been confined to his bed, and whose death the savages only a little hastened, was shot in the arms of his wife, is not denied. Those who wish for further confirmation, may go and take him from his grave, and weep, if they can feel for an American citizen, over his mangled body. They may go to his wounded wife, and hear her heart-rending tale, and then they may turn to the account of the *gentleman* and derive consolation from the excuse (*which I never heard*) "that it was done in revenge for the refusal of the militia to give quarters to some Frenchmen who were on board a barge that was sunk by our troops who continued to fire on the almost drowning men, when making for the shore." This vile slander on our

troops will, I have no doubt, be met in the proper manner by the gallant officer who commands them at Norfolk. But the worst is to come.

I conversed with a lady whose name is mentioned in Capt. Cooper's letter, in company with Parson Holson, Doctor Colton, and Captain Wills. Her story was too shocking in its details to meet the public eye. When I had convinced her of the object I had in view in visiting her—that it was dictated by no impertinent curiosity, but a desire to know the whole truth, to enable me on the one hand, to do justice even to an enemy, or on the other, to electrify my countrymen with the recital of her sufferings, she discovered every thing which her convulsive struggles, between shame and a desire to expose her brutal assailants, would permit. This woman was seized by five or six ruffians, some of them *dressed in red and speaking correctly the English language—and stript naked*—Her cries and her prayers were disregarded, and her body became the subject of the most abominable indecencies—She at one time made her escape, and ran into a creek hard by, followed by a young daughter; whence she was dragged by the monsters in human shape, to experience new and aggravated suffering. In this situation she was kept the whole night, whilst her screams were heard at intervals by some of the Americans in town, who could only clasp their hands in hopeless agony.

Virginian! American! Friend or enemy of the administration, or of the war! go as I have done to this woman's house, and hear and see her. See too her young daughter on the bed of sickness, in consequence of the abuses of that night! and your heart, if it be made of "penetrable stuff," will throb with indignation, and a thirst for revenge; and your hand instinctively grasp the weapon for inflicting it.

A Mrs. Briggs related to us, that a woman who had come to Hampton to visit her husband who was in the militia, was taken forcibly from her side by four soldiers in green, and with her young child, which one of them snatched from her arms, borne to the hospital, in spite of her screams. They had previously robbed them of their rings, and attempted to tear open their bosoms. A Mrs. Hopkins, who was not in town when I was there, obtain-

ed the assistance of an officer, and rescued the woman from her ravishers, but not until one of them had gratified his abominable desires. I was told by the gentleman who accompanied me, that Mrs. Hopkins confirmed this statement, and would swear to at least two other cases of a similar kind, without however, giving up the names of the *young and respectable* women who suffered.

Doctor Colton and Captain Mills, assisted by an officer, rescued another lady from the greatest of all calamities.

Old Mr. Hope, aged as he told Major Critchfield (in my presence) 64 or 5 years, was seized by these wretches and stripped of all his clothing, even of his shoes and his shirt. A bayonet was run a little way into his arm behind, as if in cruel sport; while several were held to his breast. In this situation he was kept for a considerable time, and would probably have been another victim of their rage, if their attention had not been diverted to a woman, who had sought refuge in his house. They followed her into the kitchen, whither she had run for safety. Mr. Hope made off amidst her agonizing screams, and when he returned to his house, he was told by his domestics that their horrid purposes were accomplished. This I had from him.

How far this violation extended, will never be known. Women will not publish what they consider their own shame, and the men in town were carefully watched and guarded. But enough is known to induce the belief of the existence of many other cases, and enough to fire every manly bosom with the irrepressible desire of revenge.

I am not disposed to tire the public patience, or I could tell of enormities little inferior to the above. But the enemy are convicted of robbery, rape, and murder, and it is unnecessary to add to the catalogue of their crimes.

Men of Virginia! will you permit all this? Fathers and brothers and husbands, will you fold your arms in apathy, and only curse your despoilers? No, you will fly with generous emulation to the unfurled standard of your country. You will imitate the example of those generous spirits, who are even now in crowds, tendering their servi-

ges to the commander in chief; who are pouring from their native mountains, and soliciting to be led against the enemy wherever he dares to show his face. You will prove yourselves worthy of the immortal honor that the enemy has conferred upon you in selecting you as the object of his vengeance. You will neglect for a time all civil pursuits and occupations, and devote yourselves to the art, a knowledge of which the enemy has made necessary. You will learn *to command; to obey;* and with "Hampton" as your watch word—*to conquer.*

P. \*

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YORK, 4<sup>th</sup> July, 1813.

SIR,

Anxious to effect as early as possible, the objects of the flag entrusted to us by you on the 1st instant, we proceeded, immediately after receiving your despatches for Admiral Warren and General Taylor, to Hampton. On our arrival at the latter place, some difficulty arose in procuring a vessel to convey us to the British fleet; and after some delay we were compelled to embark in a small, open, four oared boat, the only one it seemed, which the fury of the enemy had left capable of floating. We proceeded to the fleet of the enemy with the utmost despatch which our little skiff, and the excessive heat of the day, would permit; and when distant from the Admiral's ship about a half mile were met and hailed by a barge of the enemy, the officer of which was informed we had despatches for Admiral Warren. We were invited into the barge, which invitation we accepted, as well to relieve ourselves from the confinement on board our little vessel, to lighten as much as possible the burthen of our oarsmen, and to proceed with as much expedition as was practicable to obtain the objects of our mission. On our arrival at the Admiral's ship (the San Domingo) we

\* Believed, upon good authority, to be Colonel Richard E. Parker, of Westmoreland county, Virginia.

were directed to proceed to the "Sceptre," a line of battle ship on which we were informed Admiral Cockburn had recently hoisted his flag. Arriving along side of this ship we were desired by the officer of the barge to ascend the ship. Upon our reaching the deck we found a large assemblage of officers—certainly a greater number than could be necessarily attached to a single ship. In the space of ten minutes the two Admirals, Warren and Cockburn, approached; to the former, we delivered your despatches. who, upon perusal, evinced embarrassment, and after a short pause, said that the principal object of the flag appeared to be, to procure supplies for your hospital. He was answered in the affirmative. Could not these supplies have been as easily and early procured from Richmond as from Norfolk? We thought not. The Admiral then said he would reflect upon the subject, and return us an answer soon, and retired with Admiral Cockburn to the cabin of the ship. A period of about fifteen minutes then elapsed, when Admiral Cockburn advanced, and addressing Major Griffin, informed him, that the Admiral would see him in the cabin. Upon Major Griffin's reaching the cabin, the two Admirals only with him, Admiral Warren again repeated the opinion that the hospital supplies could be as expeditiously procured from Richmond as from Norfolk, saying, it was contrary to their regulations to permit even a flag to go to Norfolk; that it was their intention to land Mr. King, who went with the flag, at Seawell's Point, and jointly with Admiral Cockburn, expressed an unwillingness to permit the flag to proceed. They were answered that if the flag was permitted to proceed, the supplies could be procured sooner than if the flag was compelled to return, certainly in the course of the following day; that if compelled to resort to Richmond, three days, probably more, would pass before the stores could reach Hampton; that our wounded and sick were suffering for medicine and necessaries; that all the medicine, private as well as public property, had been wantonly destroyed by the troops who lately captured Hampton; and that the supplies absolutely required for the use of the hospital, could not be procured in Hampton. The Admiral said he had heard that the hospitals had received some supplies. He was asked from



whence, and assured it was not the case. Finding the Admiral still hesitating, Major Griffin said "that the reputed humanity of Admiral Warren, forbid Major Crutchfield to doubt that the application for the passage of a flag to Norfolk, would be refused." After a short pause Major Griffin was informed that the flag might proceed, upon condition of returning along-side the ship, in the same vessel, with the same persons, and with no increase of persons. The restriction to the *same vessel*, was combated on the ground, that in the event of much wind, the boat was too small to navigate the roads, and thus the object of the flag would be defeated. But finding no relaxation in the condition probable, it was determined, upon consultation with Lieutenant Lively, to proceed. Upon the subject of prisoners, Admiral Warren acknowledged one only, to be in the fleet, taken at Hampton. He declined all arrangement, and avoided all discussion on this topic, saying he had opened correspondence with General Taylor, but nothing was decided. Relative to the officers' baggage captured in Hampton, the Admiral said that such articles as had been found, had been restored, and mentioned the papers of Captain Pryor, which had been placed in the care of Captain Myers of Norfolk, and assured Major Griffin that he would direct Sir Sidney Beckwith to inquire further, and if any should be discovered it would be made known to us on our return. We were then informed we might proceed, which we immediately did, and reaching Norfolk after 3 P. M. repaired to General Taylor's quarters, who directed the supplies written for by the surgeons. Returning on the 2d, we were as customary, again met by a barge of the enemy, and desired to call on board the Admiral's ship: we entered the ship with the officer of the barge, and were received by the Captain, who inquired if we had despatches for the Admiral. Being informed we were the returning flag that had proceeded to Norfolk the day before, the Captain retired to the cabin, and shortly returned with information that we might proceed when we pleased; this we did, and deposited with Doctor Colton the medical and hospital supplies sent from Norfolk.

Upon our reaching Hampton, a scene of desolation

and destruction presented itself. The few inhabitants we found in town, seemed not yet to have recovered from their alarm; dismay and consternation sat on every countenance. Reports had reached us of the violence and uncontrolled fury of the enemy after they obtained possession of the place. Their conduct in some cases being represented such as would have disgraced the days of Vandalism. Our feelings were much excited, and we deemed it our duty to pursue the inquiry as far as practicable, and are sorry to say, that from all the information we could procure from sources too respectable to permit us to doubt, we are compelled to believe that acts of violence have been perpetrated, which have disgraced the age in which we live. The sex hitherto guarded by the soldier's honor, escaped not the rude assaults of superior force; nor could disease disarm the foe of his ferocity. The apology that these atrocities were committed by the French soldiers attached to the British forces now in our waters, appeared to us no justification of those who employed them, believing, as we do, that an officer is, or should be, ever responsible for the conduct of the troops under his command.

We have the honor to be, your humble servants.

(Signed)

THOMAS GRIFFIN,  
ROBERT LIVELY.

*To Major Crutchfield, commandant, York.*

## ADDENDA.

WASHINGTON CITY, *July 30, 1813.*

*From William Berry, midshipman in the frigate Chesapeake.*

SIR,

I consider myself bound to lay before you what came under my knowledge while on board the Chesapeake, as well as on board the Shannon.

After the enemy had complete possession of the ship midshipmen Randolph and Flushman were ordered from the fore and main top. In coming down the shrouds Lieut. Falkner (the British officer) said to his men, kill those damned rascals. Then, and immediately, several muskets were discharged at them but without effect. My station was in the mizen top, where I had an opportunity of seeing their actions. I was looking on deck when I saw one of the Chesapeake's men crawling along, attempting to get below, with one of his legs off. One of the enemy stepped up to him with his cutlass, and immediately put an end to his existence. Lieutenant Falkner looked up in the mizen top; pointing at me, said he to his men go up three of you and throw that damned yankee overboard. They immediately rushed up, seizing me by the collar; now said they you damned yankee you shall swim for it, attempting to throw me overboard; but I got within the rigging, when one of them kicked me in the breast, which was the cause of my falling: being stunned by the fall, I lay some time senseless, and when I came to, I was cut over the head with a cutlass, which nearly terminated my existence. Eleven of our midshipmen were confined in a small place, 9 feet by 6, with an old sail to lay on, and a guard at the door, until a day or two before our arrival at Halifax: and likewise eleven of us upon five rations, and some days only one meal. Our clothes were taken on board of the Shannon; Lieutenant Wallis, the commanding officer on board, would not let us take our clothes below with us, but pledged his word and honor as an officer, we should re-

ceive our clothes. But we discovered next morning that their midshipmen had on our clothes and side arms. We were conversing together respecting our clothes—one of their midshipmen overheard our conversation, and made a report to the Lieutenant commanding. He then sent word to us that if we said any thing more about the clothes, he would put us in the fore-hold with the men. We expected to receive our clothes when we arrived in port, but I assure you, Sir, nothing was ever restored. Other rascally things occurred, which our officers will, when they return, make known to the public. disgraceful to a civilized nation. If your request could have been made sooner, I should have felt gratified in making a fuller statement.

I have the honor to be, with the highest respect,

WILLIAM BERRY.

*Honorable L. Condit, Washington.*

Another circumstance took place on board which entirely escaped my memory until this moment. Several of the officers had money taken from them which they received from the Chesapeake as prize money. Mr. Higinbotham as nearly as I can recollect, had upwards of 130 dollars.

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GEORGETOWN, *July 30th, 1813.*

SIR,

Having perused a letter of yours to Mr. Berry, requesting information respecting the treatment of the American officers and seamen of the late Chesapeake, I consider myself bound Sir, to lay before you what came under my knowledge. My having been wounded and remaining on board the Chesapeake, might not give me that scope for observation which others possessed; but I am sorry to say many things transpired disgraceful to

the character of a brave enemy. Whilst undressing myself in the steerage, after the Americans were driven below or had surrendered, and after resistance had ceased, I believe entirely, several muskets and pistols were at once pointed down the hatchway, and discharged in the direction of the cockpit; and as the steerage and cockpit were filled with the wounded, in all probability some of them were killed outright. It was midshipman Hopewell, and not Livingston, who was so inhumanly treated, as described in the public prints. It has been the custom in our navy. to take the side-arms of officers (prisoners) but to restore them on their leaving the ship. Ours were taken, worn, and never restored, together with what nautical instruments they could lay their hands on. When spoken to by the American officers on the subject, the answer was, such things were free plunder. A day or two after the action, I was conversing with Lieutenant Budd and Mr. Nicholls, near the taffel, respecting the engagement, when it was observed some of the Shannon's men were listening to our conversation. Immediately after, Lieutenant Faulkner, the commanding officer, ordered sentinels to be placed at the mizen-mast. And said he to them, if you see any of the Chesapeake's officers abaft the mizen mast, cut them down; if you see them conversing together. cut them down without hesitation. It will be remembered the three officers who caused this order, were all severely wounded. We received no caution, and overheard it by accident. So great was the rage for plunder, that Capt. Lawrence before his death, could not obtain a bottle of wine from his private sea stores, without a note from the doctor to the Lieutenant commanding. I pass over the robbing of the midshipmen, on board the Shannon, as it did not come under my immediate notice. If your request could have been made earlier, I should have felt gratified in making a fuller statement.

Yours respectfully,

WM. A. WEAVER.

*Hon. Lewis Gault, Washington.*





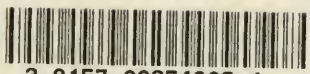








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