

Trial
of
Brig. Gen. William Hull

SPCL

E

355

.2

H92

1814

263009

SPECIAL COLLECTIONS
LIBRARY
BROCK UNIVERSITY

TRIAL

OF

Brig. Gen. WILLIAM HULL,

FOR

**TREASON, COWARDICE, NEGLECT OF DUTY
AND UNOFFICER-LIKE CONDUCT.**

WITH

THE SENTENCE OF COURT,

AND

REMISSION THEREOF

BY THE

PRESIDENT OF THE UNITED STATES.

Boston :

**PRINTED FOR RUSSELL, CUTLER & CO.
CONGRESS-STREET.**

1814.



ADJUTANT AND INSPECTOR GEN'S. OFFICE,

WASHINGTON, 25th APRIL, 1814.

GENERAL ORDER.

The proceedings of the court martial, in the case of William Hull, brigadier general in the army of the United States, having been submitted to the President of the United States, and having been approved by him, the following extract therefrom is ordered to be read at the head of each regiment of the army, and to be published in the National Intelligencer of this city.

By order, signed,

J. B. WALBACH,

Adj. General.



At a General Court martial (ordered by the President of the United States) convened at Albany, in the State of New-York, on the third day of January, one thousand eight hundred and fourteen, and continued by adjournments, to the 25th day of March following, Brigadier Gen. William Hull, of the army of the United States, was tried on the following Charges and Specifications, viz :

CHARGE I.

Treason against the United States, between the ninth of April and the seventeenth of August, 1812.

FIRST SPECIFICATION. In this :—That on the first day of July in the year 1812, before that time and ever since, an open and public war was, and is yet, carried on and prosecuted by and between the United States of America and their territories, and the united kingdom of Great Britain and Ireland, and the dependencies thereof : and that William Hull, a brigadier general in the army of the said United States, a citizen of the said United States, owing allegiance to the said United States, and late commander of the north-western army of the said United States, well knowing the premises, and traitorously and unlawfully designing and contriving to send and convey intelligence to the said enemies of the said United States, touching a declaration of war by the said United States, against the said united kingdom of Great Britain and Ireland, and the dependencies thereof ; and, also, touching the expedition on which the said north-western army under his command as aforesaid, was employed ; and, also, touching the numbers, state, and condition of the said north-western army ; in prosecution of the said traitorous and unlawful design, on the said first day of July, in the year aforesaid, at the rapid

of the river Miami of the lake, in the territory of Michigan, the said William Hull (then and there being a brigadier general in the army of the United States, and being then and there commander of the said north-western army as aforesaid,) did traitorously hire or cause to be hired an unarmed vessel, with the pretended purpose of transporting therein, certain sick soldiers, and the principal part of the hospital stores belonging to the said north-western army, from the said rapids of the river Miami of the lake, to Detroit, in the said territory of Michigan, but in truth, traitorously contriving and intending, that the said, unarmed vessel, together with all persons, papers, and things put on board thereof, should be captured by the enemies of the said United States, on the passage of the said unarmed vessel from the said rapids of the river of the Miami of the lake, to Detroit aforesaid, in the territory of Michigan aforesaid : and that the said William Hull, in further prosecution of his said traitorous and unlawful design and contrivance, being then and there a brigadier general in the army of the United States as aforesaid, and being then and there commander of the said north-western army as aforesaid,) did then and there traitorously put, or traitorously cause to be put on board of the said unarmed vessel, a trunk, containing (among other things) the official correspondence of the secretary of the department of war and the said brigadier general William Hull, as well touching the expedition on which the said north-western army under his command as aforesaid, was then employed, as touching a declaration of war by the said United States against the said united kingdom of Great Britain and Ireland, and the dependencies thereof, and, also, certain official muster-rolls, reports, and returns, of the numbers, state, and condition of the said north-western army under his command as aforesaid : and that afterwards, to wit : on the second day of July, in the year aforesaid, the said vessel, so as aforesaid traitorously hired or traitorously caused to be hired, by the said brigadier general William Hull, on its passage from the said rapids of the river Miami of the lake to Detroit aforesaid, was captured by the said enemies of the United States, having on board thereof at the time of the said capture, the said trunk containing the said official correspondence, as well touching the said expedition, as the said declaration of war, and the said official muster-rolls, reports, and returns, of the numbers, state, and condition of the said north-western army (together with certain sick soldiers, and the principal part of the hospital stores belonging to

the said north-western army,) and by means of the said capture, and in fulfilment of the said traitorous and unlawful design, contrivance, and intendment of the said brigadier general William Hull, the said official correspondence, as well touching the said expedition, as the said declaration of war, and the said official muster rolls, reports and returns, of the numbers, state and condition of the said north-western army, (together with certain sick soldiers, and the principal part of the hospital stores of the said north-western army.) came to the possession, knowledge, and use of the enemies of the said United States; giving information and intelligence to the enemies of the said United States, as well touching the said expedition as touching the said declaration of war, and, also, touching the numbers, state, and condition of the said north-western army of the said United States. then and there under the command of the said brigadier general William Hull as aforesaid; whereby the said William Hull, on the first day of July, in the year aforesaid, at the rapids of the river Miami of the lake aforesaid, in the territory of Michigan aforesaid, (being then and there a brigadier general in the army of the United States, and being then and there commander of the said north-western army as aforesaid, and being then and there a citizen of the said United States, owing allegiance to the said United States,) did then and there traitorously and unlawfully hold correspondence with and give intelligence to the enemy, and did then and there traitorously, by the means aforesaid, adhere to the enemies of the said United States, giving them aid and comfort.

SECOND SPECIFICATION. And, also, in this:—That afterwards and during the said war so as aforesaid carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said north-western army of the said United States, under the command of the said brigadier general William Hull as aforesaid, having entered the said British province of Upper Canada, and having established a military post at or near Sandwich, in the said British province of Upper Canada, which it was the duty of the said brigadier general William Hull to maintain and defend, in order that the said war might and should be advantageously carried on and prosecuted on behalf of the said United States, and more especially that a certain British fort called Malden, otherwise called Amhersberg, in the said British province of Upper Canada, occupied by the en-

emies of the said United States, might and should be advantageously attacked and taken by the said north-western army of the said United States, under the command of the said brigadier general William Hull as aforesaid, yet the said William Hull, (a brigadier general in the army of the United States, a citizen of the said United States, owing allegiance to the said United States, and commander of the said north-western army of the said United States as aforesaid,) well knowing the premises, on the eighth day of August, in the year one thousand eight hundred and twelve, at Sandwich aforesaid, in the British province of Upper Canada aforesaid, did then and there traitorously and unlawfully conspire and combine with certain enemies of the said United States (whose names are unknown) to quit and abandon to the enemies of the said United States, the said military post established by the said north-western army of the said United States, at or near Sandwich aforesaid, in the British province of Upper Canada aforesaid, and to prevent the said British fort called Malden, otherwise called Amhersberg, from being attacked and reduced, or an attempt being made to reduce the same, by the said north-western army of the said United States, under the command of the said brigadier general William Hull as aforesaid; and that the said William Hull, (then and there being a brigadier general in the army of the said United States, then and there being commander of the said north western army of the said United States, and then and there being a citizen of the said United States, owing allegiance to the said United States) in prosecution of the said traitorous conspiracy and combination, did then and there traitorously quit and abandon, and did then and there traitorously cause to be quitted and abandoned, the said military post established by the said north-western army of the said United States as aforesaid, at or near Sandwich as aforesaid, in the British province of Upper Canada aforesaid, and did then and there traitorously neglect and omit to make the proper preparations for attacking and reducing, or attempting to reduce the said British fort called Malden, otherwise called Amhersberg, but on the contrary, did then and there traitorously prevent the same from being attacked and reduced, and an attempt being made to reduce the same by the said north western army of the said United States, then and there under his command as aforesaid: and, in further prosecution of the said traitorous conspiracy and combination, did

then and there traitorously march, withdraw, and remove, and traitorously order to be marched, withdrawn, and removed the main body of the said north-western army of the said United States from the said military post established by the said north-western army of the said United States, at or near Sandwich aforesaid, to a place out of the said British province of Upper Canada, to wit; to Detroit aforesaid, in the territory of Michigan aforesaid; whereby the said William Hull, on the said eighth day of August, in the year one thousand eight hundred and twelve aforesaid, at Sandwich aforesaid, in the said British province of Upper Canada, (being then and there a brig. general in the army of the said U. States, and being then and there commander of the said north-western army of the said U. States, and being then and there a citizen of the said U. States, owing allegiance to the said United States,) did then and there traitorously conspire, combine, and hold correspondence with the enemies of the said United States, and did then and there traitorously and shamefully quit and abandon, and traitorously and shamefully cease to be quitted and abandoned, the said military post, so as aforesaid established by the said north-western army of the said United States, at or near Sandwich aforesaid, in the British province of Upper Canada aforesaid, and did then and there traitorously neglect and omit to make the proper preparations for attacking and reducing, or attempting to reduce the said fort called Malden otherwise called Amhersberg, in the said British province of Upper Canada, but did then and there traitorously prevent the said British fort called Malden otherwise called Amhersberg, in the said British province of Upper Canada, from being attacked and reduced, or an attempt being made to reduce the same by the said north-western army of the United States, under his command as aforesaid, and by the means aforesaid, did then there traitorously adhere to the enemies of the said United States, giving them aid and comfort.

THIRD SPECIFICATION. And, also, in this:—That afterwards and during the said war so as aforesaid carried on and prosecuted, by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, to wit: on the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, at Detroit, in the Michigan territory aforesaid, the said William Hull was then and there a citizen of said United States, owing allegiance to the said United States, and was then and there a brigadier general in the army of the said United States, and was

then and there commander of the north-western army of the said United States, and was then and there commander of a certain fort, called fort Detroit, and belonging to the said United States, erected at or near the town of Detroit, upon a bank of the river Detroit, in the said territory of Michigan; the works whereof, and the guns and gun-carriages belonging thereto, then were, and long before had been decayed, dilapidated, and out of repair. And that the said brigadier general William Hull, then and there did traitorously conspire and combine with certain enemies of the said United States, (whose names are unknown,) then and there traitorously and shamefully to surrender and abandon to the enemies of the said United States, the said fort, called fort Detroit, belonging to the said United States as aforesaid, and then and there, under the command of the said brigadier general William Hull as aforesaid, with all the troops, regulars as well as militia, then and there under the command of the said brigadier general Hull as aforesaid, and all the public stores and arms, and all public documents, including every thing else of a public nature, appertaining to the said fort, called fort Detroit, and to the said north-western army of the said United States, under the command of the said brigadier general William Hull as aforesaid. And that in prosecution of the said traitorous conspiracy and combination, the said brigadier general William Hull did then and there wilfully and traitorously neglect and omit to repair and strengthen the works of the said fort, called fort Detroit, then and there under his command as aforesaid, and to put the same (together with the said guns and gun-carriages belonging thereto) into a proper state and condition for resistance and defence against the approaches, attacks, and assaults of the enemies of the said United States. And did then and there wilfully and traitorously neglect and omit to fortify the places and passes at and near to the said fort, called fort Detroit, by and through which the troops of the enemies of the said United States might then and there reasonably be expected to approach, and did approach, the said fort, called fort Detroit, for the purpose of attacking and subduing the same. And did then and there traitorously neglect and omit to oppose, resist, repel, and defeat, and to attempt to repel and defeat the troops of the enemies of the said United States, in their hostile preparations, and approach to and towards the said fort, called fort Detroit, for the purpose of attacking and subduing the same. And that in further prosecution and completion of the said traitorous conspiracy and combination;

the said brigadier general William Hull did then and there traitorously and shamefully abandon and surrender the said fort, called fort Detroit, then and there under his command as aforesaid, (which it was his duty then and there to maintain and defend,) together with all the troops, regulars as well as militia, then and there in the said fort, called fort Detroit, then and there belonging to the said United States as aforesaid, and then and there under his command as aforesaid, and all the public stores and arms, and public documents, including every thing else of a public nature, in and appertaining to the said fort, called fort Detroit, and to the said north-western army of the said United States, then and there under his command as aforesaid, unto the enemies of the said United States, to wit :—to the British forces then and there under the command of major general Brock ; whereby the said William Hull, on the said sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, at Detroit aforesaid, in the territory of Michigan aforesaid, (being then and there a citizen of the said United States, owing allegiance to the said United States, and being then and there a brigadier general in the army of the said United States, and being then and there commander of the said north-western army of the said United States, and being then and there commander of the said fort, called fort Detroit, belonging to the said United States as aforesaid,) did then and there traitorously and shamefully abandon and surrender the said fort, called fort Detroit, to the enemies of the said United States, to wit :—to the said British troops under the command of major general Brock as aforesaid ; and did then and there by the means aforesaid, traitorously adhere to the enemies of the said United States, giving them aid and comfort.

CHARGE II.

Cowardice at and in the neighborhood of Detroit, between the first day of July and the seventeenth day of August, in the year one thousand eight hundred and twelve.

FIRST SPECIFICATION. In this :—That during the said war so as aforesaid carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, commanding the north-western army of the said United States as aforesaid, having entered the said British province of Upper Canada, in prosecution of the said war on behalf of the said United States, and being

there in possession of the town of Sandwich and the adjacent country, in the name and on behalf of the said United States, and having declared and avowed the object and intention of attacking and subduing the British fort called Malden, otherwise called Amhersberg, in the said British province of Upper Canada, and, generally, of maintaining and enlarging his position and possession in the said British province of Upper Canada. on the eighth day of August, in the year one thousand eight hundred and twelve. at Sandwich aforesaid, in the British province of Upper Canada aforesaid, did then and there misbehave himself before the enemy, and shamefully manifest an undue fear and apprehension of danger by a course of conduct and conversation evincing personal alarm, agitation of mind, and privation of judgment, by abandoning the said object and design of attacking the said British fort called Malden, otherwise called Amhersberg, by quitting the position and possession taken at the town of Sandwich and in the adjacent country, in the British province of Upper Canada as aforesaid, and by retreating abruptly from and out of the said British province of Upper Canada to Detroit, in the territory of Michigan aforesaid, without any cause for so doing, arising from the superior numbers, state, and condition of the British forces which were then and there opposed to the said army of the said United States, under the command of the said brigadier general William Hull, and without any other just and sufficient cause whatsoever ; whereby the officers and soldiers of said north-western army of the said United States then and there under the command of the said brigadier general William Hull, were induced to lose and did lose all confidence in the personal courage and the military capacity of their said commander ; the inhabitants of the said British province of Upper Canada were taught to distrust the power and professions of the invading general ; a shade was cast upon the reputation of the American arms ; and the service of the said United States, in the prosecution of the said war, suffered great detriment and disadvantage.

SECOND SPECIFICATION. And, also, in this :—That during the said war so as aforesaid carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland. and the dependencies thereof, to wit : on the fifteenth day of August, in the year one thousand eight hundred and twelve aforesaid, the enemy having raised certain batteries on the banks of the said river Detroit, in the said British province of Upper Canada, opposite the

said fort Detroit, and certain American posts and batteries established and erected near the said fort Detroit, in the said territory of Michigan, and a cannonade being commenced from the said batteries of the enemy against and upon the said fort of Detroit and the said American posts and batteries established and erected near thereto, in the said territory of Michigan, the said brigadier general William Hull, on the said fifteenth day of August, in the year one thousand eight hundred and twelve aforesaid, at Detroit aforesaid, in the territory of Michigan aforesaid, (being then and there commander of the said fort Detroit, and of the said American posts and batteries established and erected near thereto, in the said territory of Michigan, and being then and there commander of the said north-western army of the said United States,) did then and there during the continuance of the cannonade aforesaid, shamefully misbelieve himself before the enemy, and manifest great fear and apprehension of personal danger by a course of conduct and conversation evincing personal alarm, agitation of mind, and privation of judgment, and particularly by various timid and cowardly actions and expressions then and there used and uttered in the presence of the officers and soldiers then and there belonging to the said north-western army of the said United States, and then and there under his command as aforesaid, as well in the public street of the town of Detroit as in places adjacent to the said fort of Detroit, and the said American posts and batteries established and erected near thereto, in the said territory of Michigan; whereby, a fatal encouragement was afforded for the hostile enterprizes of the enemy, a pernicious example (calculated to intimidate and to disorganize) was given to the American troops, and the service of the United States in the prosecution of the said war, was exposed to hazard, shame, and disappointment.

THIRD SPECIFICATION. And, also, in this ;—That during the said war, carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, to wit: on the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, the British forces under the command of major general Brock having crossed the said river Detroit, having landed at a place called Spring Wells, otherwise called Spring Hill, in the said territory of Michigan; and having thence marched towards the said fort of Detroit with the design to attack the same, the said brigadier general Hull, on the said sixteenth day of August, one thousand eight hundred and twelve

aforesaid, at Detroit aforesaid, in the said territory of Michigan, (being then and there commander of the said fort of Detroit, and being then and there commander of the said north-western army of the said United States,) did then and there, during all the time of the enemy's crossing the said river Detroit as aforesaid, landing at the said Spring Wells, otherwise called Spring Hill as aforesaid, and marching towards the said fort Detroit as aforesaid, with the design to attack the same as aforesaid, shamefully misbehave himself before the enemy, and manifest great fear and apprehension of personal danger, by various timid and cowardly actions and expressions then and there used and uttered in the presence of the officers and soldiers belonging to the said north-western army of said United States, then and there under his command as aforesaid; by avoiding all personal danger from making an attempt to prevent the enemy's crossing the said river to Detroit and landing at the said Spring Wells otherwise called Spring Hill; avoiding all personal danger from reconnoitering and encountering the enemy in battle on the said march of the enemy towards the said fort of Detroit; by hastily sending flags of truce to the enemy with overtures for a capitulation; by anxiously withdrawing his person from the American troops in the open field to a place of comparative safety, within the walls of the said fort Detroit; by an irresolute fluctuation of orders, sometimes inconsistent with each other, and sometimes incoherent in themselves; by forbidding the American artillery to fire on the army on the said march of the enemy towards the said fort Detroit; by calling the American troops from the field, and crowding them in the said fort Detroit, while the enemy was on the said march towards the said fort Detroit; by a precipitate declaration to the enemy, that he surrendered the said fort Detroit, and the said north-western army of the said United States, before terms of capitulation were signed or considered, or even suggested; and generally, by a course of conduct and conversation evincing personal fear, agitation of mind, and privation of judgment; whereby the said fort of Detroit, and the said north-western army of the United States, then and there under the command of the said brigadier general William Hull, were then and there rendered an easy and certain conquest to the approaching enemy; the officers and soldiers of a gallant army (compelled by the obligations of military law to obey the orders of their commander) were exposed to unmerited mortification and reproach; and the service of the said United States, in the prosecution of the said war suffered great detriment and discredit.

FOURTH SPECIFICATION. And, also, in this :—That during the said war so ns aforesaid carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, to wit: on the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, at Detroit aforesaid, in the territory of Michigan aforesaid, the said fort Detroit being then and there well garrisoned and supplied with cannon, ammunition, and provisions; the said north-western army of the said United States being then and there well supplied with arms, ammunition, and provisions; and the officers and soldiers thereof being then and there in high spirits, and eager to meet and encounter the enemy in battle; and a fine train of artillery being then and there subject to the orders and disposal of the said brigadier general Hull, for the purposes of defence or attack, yet the said brigadier general William Hull (then and there being commander of the said fort Detroit, and of the said north-western army of the said United States) acting upon the impulse of personal fear and apprehension, and contemplating, as the means of personal safety, a shameful abandonment and surrender of the said fort Detroit, and of the said north-western army of the said United States under his command as aforesaid, to the approaching enemy, did then and there shamefully misbehave himself before the enemy, and did then and there enter into a disgraceful capitulation with the enemy, containing no consolatory stipulation that the said garrison and army should march out of the said fort of Detroit with the honors of war; no just and humane stipulation for the security and protection of such of the inhabitants of the said British province of Upper Canada as had accepted the said brigadier general William Hull's invitation to join the American standard; nor any reasonable stipulation for an opportunity of reporting to the secretary for the department of war the circumstances of so unexpected and so important an event; and did then and there shamefully abandon, surrender, and give up the said fort of Detroit, together with all the troops, regulars as well as militia, then and there under his command as aforesaid, and all the public stores and arms, and all the public documents, including every thing else of a public nature belonging to the said fort of Detroit, and to the said north-western army of the said United States, then and there under his command as aforesaid, to the said approaching enemy, to wit: to the British forces under the command of major general Brock, without any cause for so

doing, arising from the superior numbers, state and, condition of the said British forces ; or from the actual want, or just expectation of sudden want, of arms, amunition, and provisions for the said fort Detroit, and the said north-western army of the said United States, and without any other adequate cause whatsoever ; whereby the territorial sovereignty, rights, and property of the said United States were shamefully ceded to the enemy ; a brave and patriotic army was wontonly sacrificed by the personal fears of the commander ; and the service of the said United States, in the prosecution of the said war, suffered a great and afflicting loss.

CHARGE III.

Neglect of duty and unofficerlike conduct, while commanding a separate army, between the ninth of April and the seventeenth of August, in the year one thousand eight hundred and twelve.

FIRST SPECIFICATION. In this :—That before and during the said war, carried on and prosecuted as aforesaid, by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, being duly appointed to command the north-western army of the said United States, did actually take and assume the command of the said army, on or about the twenty-fifth day of May, in the year one thousand eight hundred and twelve, at or near Dayton, in the state of Ohio, and did thence constantly continue in the actual command of said army, as well on the march from Dayton aforesaid, to Detroit, in the territory of Michigan, and at Detroit aforesaid, as in the British province of Upper Canada, until his capitulation with the enemy, and the consequent surrender of fort Detroit, in the said Michigan territory, with all the troops, regulars, and militia under his command, to the British forces under the command of major general Brock, to wit : at Detroit aforesaid, in the territory of Michigan aforesaid, on the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid. And that the said brigadier general William Hull, unmindful of the important trust reposed in him, during all the time aforesaid, and as well on the march of the said army from Dayton aforesaid, to Detroit aforesaid, and at Detroit aforesaid, as in the British province of Upper Canada aforesaid, was guilty of neglect of duty and of unofficerlike conduct, by neglecting and omitting, with sufficient care and frequency, to inspect, train, exercise, review,

and order, and to cause to be inspected, trained, exercised, reviewed, and ordered, the said army under his command as aforesaid; and, also, by neglecting and omitting, in due form and time, to prepare an order of battle, and to make the same known to the said army on the march from Dayton aforesaid, to Detroit aforesaid, in the Michigan territory aforesaid, whereby the discipline of the troops under the command of the said brigadier general William Hull as aforesaid, was in danger of being relaxed; their comfort was liable to be impaired; their confidence in the military skill and dispositions of their commander was diminished; and the said army was exposed to the hazard of disorder and defeat in the event of an attack being made thereon by the enemy.

SECOND SPECIFICATION. And, also, in this:—That during the said war so as aforesaid, carried on and prosecuted by and between the said United States of America, and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, to wit; on or about the first day of July, in the year one thousand eight hundred and twelve aforesaid, at the rapids of the river Miami, in the territory of Michigan, the said brigadier general William Hull, then and there commanding the said north-western army of the said United States, on the march thereof from Dayton, in the state of Ohio, to Detroit aforesaid, in the territory of Michigan aforesaid, then and there having sufficient cause to know or to believe, that war then existing between the said United States and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, was guilty of neglect of duty and of unofficerlike conduct, by then and there hiring or causing to be hired, an unarmed vessel, and putting or causing to be put on board thereof, to be transported by water-passage from the said rapids of the river Miami of the lake, to Detroit aforesaid, (the said brigadier general William Hull having sufficient cause to know or to believe the imminent danger of capture by the enemy to which the said unarmed vessel on the passage aforesaid, would be exposed,) certain sick soldiers, and a great part of the hospital stores belonging to the said army, together with a trunk, containing (among other things) the papers hereinafter mentioned, which it was the duty of the said brigadier general William Hull most carefully to keep and preserve from the knowledge and view of the enemy, that is to say: the official correspondence of the secretary of the department of war and the said brigadier general William Hull, as well touching the expedi-

tion on which the said north-western army under his command as aforesaid, was then employed, as touching a declaration of war by the said United States of America against the said united kingdom of Great Britain and Ireland, and the dependencies thereof; and, also, certain other official muster rolls, reports, and returns of the numbers state, and condition of the said army under his command as aforesaid. And the said unarmed vessel on the passage aforesaid, from the said rapids of the river Mianti of the lake towards Detroit aforesaid, afterwards to wit: on or about the second day of July in the year one thousand eight hundred and twelve aforesaid, was captured by the enemy, having on board thereof, at the time of such capture, the said sick soldiers, the said hospital stores, and the said trunk containing the said official correspondence, and, also, the said muster rolls, reports, and returns of the numbers, state, and condition of the said army; whereby the said sick soldiers were made prisoners of war; the said hospital stores were lost to the United States; and the said official correspondence, and the said muster rolls, reports, and returns of the number, state, and condition of the said army came to the possession, knowledge, and use of the enemies of the United States, to the great injury of the said United States.

THIRD SPECIFICATION. And, also, in this:—That during the said war so as aforesaid carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, having arrived with the said north-western army of the said United States under his command as aforesaid, at Detroit, in the territory of Michigan, on the seventh day of July, in the year one thousand eight hundred and twelve aforesaid, and having the possession and command of said fort of Detroit, from that time, constantly, until the abandonment and surrender thereof to the British forces under the command of major general Brock, on the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, and finding upon his said arrival at Detroit aforesaid, that the works of the said fort Detroit were greatly damaged and dilapidated, and that the guns and gun-carriages belonging to said fort of Detroit were also damaged and out of repair; and, moreover, well knowing the importance of the said fort Detroit to the service of the said United States in the operation of the said war, and that the same (together with the said guns and gun-carriages) should

be put and kept in proper order and repair, was guilty of neglect of duty by neglecting and omitting, during all the time of his possession and command as aforesaid, in proper and sufficient manner to repair and strengthen, or cause to be repaired and strengthened, the works of the said fort Detroit, by neglecting and omitting, in a proper and sufficient manner, and in due time for the service of the said United States to repair or cause to be repaired, the said guns and gun-carriages, and generally by neglecting and omitting to put, or cause to be put the said fort of Detroit in a proper state and condition for resistance and defence in the event of an invasion and attack by the enemy; whereby the said fort Detroit was left an easy conquest to the enemy; the said guns and gun-carriages, being afterwards required for the service of the said United States, in the British province of Upper Canada, were still found unfit for transportation and use; great time was consumed in preparing and fitting them for the said service; and the operations of the war were fatally obstructed and suspended.

FOURTH SPECIFICATION. And, also, in this:—That during the said war so as aforesaid, carried on and prosecuted by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, declaring and avowing an intention and design, with the said north-western army of the said United States under his command as aforesaid, to invade and enter the British province of Upper Canada, to invest and attack the British fort called Malden, otherwise called Amhersberg in the said British province, and to maintain and enlarge his position and possessions in the said British province, and well knowing that expedition, resolution, and energy were indispensable to the prosecution and accomplishment of such intention and design, and having arrived at Detroit aforesaid, in the territory of Michigan aforesaid, on the seventh day of July, in the year one thousand eight hundred and twelve aforesaid, and having invaded the said British province of Upper Canada, on the twelfth day of July, in the year aforesaid, and therein taken possession of the town of Sandwich aforesaid, and having with the main body of his said army evacuated the said British province of Upper Canada on the eighth day of August, in the year aforesaid, was guilty of neglect of duty and unofficerlike conduct, by not seasonably repairing, fitting, and transporting, or caused to be repaired, fitted and transported, the guns and gun-carriages which were necessary to

the operation of the war in the said British province of Upper Canada, by an useless and injurious waste of time and opportunity at Sandwich aforesaid, in the said British province of Upper Canada, without making an attempt to reduce the said British fort called Malden, otherwise called Amhersberg, by an unnecessary consumption of time, in projects to conciliate the British inhabitants of the said British province of Upper Canada, and the neighboring Indians, without resorting to a more effectual display of a military power, capacity, and disposition to maintain the acquisitions of conquest, and to perform the promises of protection ; by postponing in the first instance, and by abandoning in the next, an investment and attack upon the said British fort called Malden, otherwise called Amhersberg, and by finally evacuating the said British province of Upper Canada, without having provided effectually, in any respect, for the safety of the inhabitants thereof, who had accepted the said brigadier general William Hull's invitation to join the American standard, and without having, in any degree, accomplished the said intention and design of the said brigadier general William Hull, so as aforesaid declared and avowed upon the invasion of the said British province as aforesaid ; whereby an opportunity was afforded to the enemy to bring into suspicion and contempt the power and the conduct of the American commander ; to collect and combine the British forces ; to seduce, intimidate, and engage the Indians ; to awe into submission the wavering inhabitants of the said British province of Upper Canada ; to reinforce the said British fort called Malden, otherwise called Amhersberg ; and to prepare for investing and attacking the said fort of Detroit, in the said territory of Michigan ; while on the other hand, the said army of the said United States, under the command of the said brigadier general William Hull, as aforesaid, diminishing in effective numbers in consequence of sickness and other casualties ; the officers and soldiers naturally became dissatisfied and disgusted with a scene of such inactivity, irresolution, and procrastination ; the hope of support and co-operation, as well from the Indians as from the British inhabitants of the said British province of Upper Canada, was destroyed, and the general ardor of the troops, in the prosecution of the war, insensibly abated.

FIFTH SPECIFICATION. And, also, in this :—That during the continuance of the said war, carried on and prosecuted as aforesaid, by and between the said United States of America and their

territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, with the said north-western army of the said United States under his command as aforesaid, arrived at Detroit aforesaid, in the territory of Michigan aforesaid, to wit : on the seventh day of July, in the year one thousand eight hundred and twelve aforesaid ; that with the said army under his command as aforesaid, he entered and invaded the said British province of Upper Canada, to wit : on the twelfth day of July, in the year aforesaid ; that with the main body of the said army under his command as aforesaid, he evacuated the said British Province of Upper Canada on the eight day of August, in the year aforesaid, thence returning to Detroit aforesaid, in the said territory of Michigan, and that he abandoned, surrendered, and gave up the said fort Detroit, with all the troops, regulars as well as militia, under his command as aforesaid, to the British forces under the command of major general Broek, to wit : on the sixteenth day of August, in the year aforesaid. And that during all the movements aforesaid, and during all the time aforesaid, to wit ; from the said seventh day of July, in the year one thousand eight and twelve aforesaid, to and including the said sixteenth day of August, in the year aforesaid, it was of high importance to the security and supply of the said fort Detroit, and the said army of the said United States, under the command of the said brigadier general William Hull as aforesaid, that a free and open communication should be had and preserved between the said fort of Detroit and the said army of the said United States, under the command of the said brigadier general William Hull as aforesaid, and a certain American settlement and military post made and established at the river Raisin, in the said territory of Michigan ; and that the said brigadier general William Hull, well knowing the premises, but unmindful of the trust reposed in him, was guilty of neglect of duty and unofficerlike conduct, by suffering the enemy to interrupt and cut off the said communication between the said fort of Detroit and the said army of the said United States under his command as aforesaid, and the said American settlement and military post made and established at the river Raisin aforesaid, in the territory of Michigan aforesaid, to wit ; on the first day of August, in the year one thousand eight hundred and twelve aforesaid, or on some other day of the said month of August, or on some day of the preceding month of July, in the year aforesaid ; also, by afterwards, to wit : on the

fourth day of August, in the year aforesaid, detaching major Thomas B. Van Horne of colonel James Findley's regiment of Ohio volunteers, with an inadequate force, (the said brigadier general William Hull having sufficient cause for knowing or believing the same to be inadequate) to attempt again to open the said communication between the said fort Detroit, and the said army of the said United States, under the command of the said brigadier general William Hull as aforesaid, and the said American settlement and military post on said river Raisin, in the territory of Michigan aforesaid; also, by afterwards, to wit: on the eight day of August, in the year aforesaid, detaching lieutenant colonel James Miller, of the fifth regiment of United States infantry with the number or about the number of five hundred men to attempt again to open the said communication between the said fort of Detroit and the said army of the said United States, under the command of the said brigadier general William Hull, and the said American settlement and military post at the said river Raisin, in the territory of Michigan aforesaid, and neglecting to furnish and forward, or cause to be furnished and forwarded, the said last mentioned detachment at or near Brownstown, in the said territory of Michigan, on its march aforesaid, upon the service aforesaid, an adequate supply of provisions, (the said brigadier general William Hull having sufficient cause to know or to believe that the said last mentioned detachment was at or near Brownstown aforesaid, on its march aforesaid, upon the service aforesaid, in want of provisions, and that they could not prosecute and accomplish the said service unless an adequate supply of provisions was furnished and forwarded to them at or near Brownstown aforesaid,) and, also, by afterwards, to wit: on the fourteenth day of August, in the year aforesaid, detaching colonel Duncan M'Arthur, colonel of a regiment of Ohio volunteers, and colonel Lewis Cass, colonel of another regiment of Ohio volunteers, with the number or about the number of four hundred men, as well to attempt again to open the said communication between the said fort Detroit and the said army of the said United States, under the command of the said brigadier general William Hull as aforesaid, and the said American settlement and military post at the river Raisin aforesaid, in the territory of Michigan aforesaid, as to escort certain provisions from the said American settlement and military post to Detroit aforesaid, without issuing, furnishing, and forwarding, or causing to be issued, furnished and forwarded to the said last mentioned

detachment an adequate supply of provisions for the service on which they were employed as aforesaid, (the said brigadier general William Hull having sufficient cause to know or to believe that the said last mentioned detachment was in want of a further supply of provisions upon the service aforesaid, and that they could not prosecute and accomplish the said service unless such further supply was issued, furnished, and forwarded to them;) whereby the said detachment, under the said major Thomas B. Van Horne, being encountered by the enemy with a superior force was defeated and returned to Detroit aforesaid, without accomplishing the service on which they were employed as aforesaid; the said detachment under the said lieutenant colonel James Miller, having achieved a signal victory over the enemy during the march on the service aforesaid, at or near Brownstown aforesaid, were nevertheless compelled, from the want of an adequate supply of provisions to abandon the service on which they were employed as aforesaid, and to return to Detroit aforesaid; the said detachment under the said colonel Duncan M'Arthur and the said colonel Lewis Cass, from want of an adequate supply of provisions were unable to prosecute and accomplish the service on which they were employed as aforesaid, and were returning to Detroit aforesaid, at the time of the abandonment and surrender of the said fort Detroit and the said army of the United States to the British forces under the command of major general Brock as aforesaid: and finally, the said communication between the said fort Detroit and the said army of the United States, under the command of the said brigadier general William Hull, and the said American settlement and military post at the said river Raisin, in the territory of Michigan aforesaid, by reasons of the said neglects and omissions of the said brigadier general William Hull as aforesaid, was, and remained interrupted and totally cut off by the enemy, to wit: from the said first day of August, in the year aforesaid, or from some other day in the said month of August, or in the preceding month of July, in the year aforesaid, to and including the said sixteenth day of August, in the year aforesaid.

SIXTH SPECIFICATION. And, also, in this:—That during the continuance of the said war, so as aforesaid carried on and prosecuted, by and between the said United States of America and their territories, and the said united kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, with the said north-western army of the said United

States, under his command as aforesaid, having invaded and entered the said British province of Upper Canada as aforesaid, and having declared and avowed an intention and design of investing and attacking the said British fort called Malden, otherwise called Amhersberg, in the said British province of Upper Canada, and a detachment of the said army under his command aforesaid, led by the said colonel Lewis Cass, and the said lieutenant colonel James Miller, having attacked and repulsed the enemy, and seized upon a certain bridge over the river, called the river Aux Canard, on the rout from Sandwich, in the said British province of Upper Canada, to the said British fort called Malden, otherwise called Amhersberg, and an opportunity having thereby been offered for an immediate investment and attack upon the said British fort called Malden, otherwise called Amhersberg; yet the said brigadier general William Hull, well knowing the premises, and unmindful of the trust reposed in him, to wit: on or about the eighteenth day of July, in the year one thousand eight hundred and twelve aforesaid, at Sandwich aforesaid, in the British province of Upper Canada aforesaid, was guilty of neglect of duty and unofficerlike conduct, by neglecting and omitting to advance with the said army under his command as aforesaid, to maintain or attempt to maintain the possession of the said bridge over the said river, called the river Aux Canard, and by neglecting and omitting to proceed to the immediate investment and attack of the said British fort called Malden, otherwise called Amhersberg, in the said British province of Upper Canada, whereby the advantage of acquiring and keeping possession of the said bridge over the said river called the River Aux Canard, as aforesaid, was providently lost, and the prospect of a successful investment and attack upon the said British fort called Malden, otherwise called Amhersberg, speedily vanished.

SEVENTH SPECIFICATION. And, also, in this :—That during the continuance of the said war so as aforesaid, carried on and prosecuted by and between the said United States of America and their territories, and the said United kingdom of Great Britain and Ireland, and the dependencies thereof, the said brigadier general William Hull, with the said north-western army, of the said United States under his command as aforesaid, having evacuated the said British province of Upper Canada, returning thence to Detroit aforesaid, in the territory of Michigan aforesaid, the enemy having afterwards taken possession of the bank of the said

river Detroit, opposite to Detroit aforesaid, and thereon erected batteries wherewith to attack and annoy as well the said fort of Detroit, and the American posts and batteries erected and established near thereto as the town of Detroit in the said territory of Michigan ; the enemy having also manifested an intention and design to invade and enter the said territory of Michigan, and to invest and attack the said fort Detroit ; and the enemy having also afterwards, in pursuance of such intention and design, landed at a place called Spring Wells, otherwise called Spring Hill in the neighbourhood of the said fort Detroit, in the territory of Michigan aforesaid ; yet the said brigadier general William Hull, well knowing the premises, and unmindful of the trust reposed in him, to wit : from the eleventh day of August, to and including the sixteenth day of August, in the year one thousand eight hundred and twelve aforesaid, was guilty of neglect of duty and unofficer-like conduct, by neglecting and omitting to prevent, and to attempt to prevent the enemy from erecting the said batteries on the bank of the said river Detroit, opposite to the said fort of Detroit aforesaid : by neglecting and omitting to fortify the landing place at the said Spring Wells, otherwise called Spring Hill, in the territory of Michigan aforesaid ; and by neglecting and omitting to annoy and attack the enemy on and after his landing at Spring Wells, otherwise called Spring Hill aforesaid, in the territory of Michigan aforesaid ; whereby the enemy was enabled securely to erect the said batteries on the bank of the said river Detroit as aforesaid, for attacking and annoying as well the said fort of Detroit, and the American posts and batteries erected and established near thereto, as the said town of Detroit, to invade the said territory of Michigan, without opposition or loss, and to approach the said fort Detroit, with the air and confidence of a triumph.

A. J. DALLAS, *Judge Advocate.*

WEDNESDAY, JANUARY 5, 1814.

The court met at the capitol pursuant to adjournment.

PRESENT—All the members.

General Hull having appeared, the charges and specifications were read to him by the judge advocate, and being asked, if he was ready to plead to them, answered that he was, and that he pleaded not guilty to all the charges and specifications.

FRIDAY MORNING, MARCH 25, 1814.

All the evidence being read, (whether on the part of the prosecution or the defence,) applicable to the first charge, and the specifications attached to that charge, and after due deliberation had thereon, the court express the following opinion :

The accused having in his final defence, protested against the jurisdiction of the court to try the charge of treason, and the opinion of the court being, that the objection would have been tenable, if the same had been pleaded by the accused on his arraignment ; and believing also, that the court cannot acquire jurisdiction of the offence by the waiver or consent of the accused, they decline making any formal decision on that charge. The evidence on the subject having, however, been publicly given, the court deem it proper, in justice to the accused, to say, that they do not believe from any thing that has appeared before them, that brigadier general William Hull has committed treason against the United States.

On the second charge, and the specifications attached to that charge, (after hearing all the evidence and defence, and after due deliberation thereon,) the court find brigadier general William Hull guilty of the *first*, *second*, and *fourth* specifications under that charge ; and also guilty of the third specification under that charge, except that part which charges the said brigadier general William Hull with "forbidding the American Artillery to fire on the enemy on their march towards the said port Detroit."

The court find the said brigadier general William Hull guilty of the second charge.

On the third charge, the court after having heard the evidence, (as well as the defence,) and after due deliberation, find the said brigadier general William Hull guilty of neglect of duty, and un-officer-like conduct, as charged in the first specification under this

charge, in omitting, with sufficient care and frequency, to inspect, train, exercise, and order, and to cause to be trained, inspected, exercised, and ordered the troops under his command, from the sixth day of July, until the seventeenth day of August, 1812; and acquit him of the residue of the charge contained in that specification.

The court acquit the said brigadier general William Hull of the second and third specifications of the same charge.

The court find the said brigadier general William Hull guilty of the whole of the fourth specification of that charge, except that part which charges him with not seasonably repairing, fitting, and transporting, or causing to be fitted, repaired, and transported, the guns and gun-carriages which were necessary to the operations of the war in the said British province of Upper Canada.

The court find the said brigadier general William Hull guilty of so much of the fifth specification to that charge as relates to neglect of duty and un-officer-like conduct, in suffering his communication with the river Raisin and the state of Ohio, to be cut off, and sending major Van Horne to attempt to open the same with an inadequate force; he, the said brigadier general William Hull, having reason to know or believe the same was insufficient; and the court acquit him of the residue of that specification.

The court find the said brigadier general William Hull guilty of the *sixth* and *seventh* specifications of that charge.

The court find the said brigadier general William Hull guilty of the third charge.

The court then adjourned to meet to-morrow morning at 10 o'clock.

SATURDAY MORNING, MARCH 26, 1814.

The court met pursuant to adjournment.

PRESENT—*All the members.*

The court in consequence of their determination respecting the second and third charges, and the specifications under these charges, exhibited against the said brigadier general William Hull, and after due consideration, *do sentence him to be shot to death*, two-thirds of the court concurring in the sentence.

The court, in consideration of brigadier general Hull's revolutionary services, and his advanced age, earnestly recommend him to the mercy of the president of the United States.

The court then adjourned, to meet on Monday morning next, at 10 o'clock.

MONDAY MORNING, MARCH 23, 1814.

The court met pursuant to adjournment.

PRESENT—*All the members.*

The proceedings having been read over, and approved and signed by the president, the court then adjourned, sine die.

H. DEARBORN, major general,
President of the court.

M. V. BUREN, *Special judge advocate.*

PHILIP S. PARKER,
Army judge advocate, assistant.

APRIL 25, 1814.

The sentence of the court is approved, and the execution of it remitted.

JAMES MADISON.

ADJUTANT AND INSPECTOR GEN'S OFFICE.

WASHINGTON, 25th APRIL, 1814.

GENERAL ORDERS.

The roll of the army is not to be longer dishonored by having upon it the name of brigadier general William Hull.

The general court martial of which major general Dearborn is president, is hereby dissolved.

By order,

J. B. WALBACH,
Adj. General.

SPCL

E 355.2 H92

1814

C.

1



3 9157 00168049 8

Spcl

56059

E

355

.2

H92

1814

BROCK UNIVERSITY

ST. CATHARINES, ONTARIO



LIBRARY

FOR USE IN COLLECTIONS ONLY

