

Indiana Palladium.

EQUALITY OF RIGHTS IS NATURE'S PLAN—AND FOLLOWING NATURE IS THE MARCH OF MAN.—BARLOW.

Volume III.]

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THE SIX MILITIA MEN.

Robertson Springs, July 26, 1827.

DEAR SIR:—Your letter of the 23d instant was handed to me, late last evening, and I hasten to answer the inquiries as requested in regard to the case of Harris and the other five militia men who were executed at Mobile.

The regiment to which these unfortunate men belonged, was received into the service by the orders of the general government, was mustered for a six months tour, and was paid accordingly, for said service, as will appear by the muster and pay rolls, and by Colonel Pipkin's report to me. These rolls, with Col. Pipkin's report, the proceedings and sentence of the court martial detailed for the trial, and all the circumstances connected with the subject, are or ought to be on record at Washington City, where I have no doubt Mr. Buckner has had a full opportunity of examining them. I confidently assert that they stamp the allegations of Mr. Buckner with falsehood.

The letter which Mr. Buckner now makes use of in order to injure my character, is well ascertained to be a forgery. It was first published by Binnis, editor of the Democratic Press, purporting to be a letter from the unfortunate Harris to me. Now this man never wrote but one letter to me, that I ever saw, or heard of before this publication, and in that he acknowledged himself to be guilty of the enormous crimes charged against him, and stated his willingness to meet the just sentence of the court. If Mr. Buckner was as desirous to cull the truth from the archives of the nation as he is to pluck from me my hard earned reputation, he would have seen that Gen. Winchester, who commanded at Mobile at the time that this Binnis' letter is dated, made several communications to me after that date, and before he had any knowledge that the battle of New Orleans had been fought. Does not this circumstance shew the impossibility of Mr. Harris having knowledge at the time stated, and still more that he could have gained it in time to have made it a ground of application for mercy? The letters of Gen. Winchester to me show that he did not receive intelligence of the victory until the 17th January; this forged letter gives the intelligence to Mr. Harris two days before. Strange indeed, that Mr. Harris, closely confined in jail, should be so much earlier informed than the commandant of that post.

It would give me great pleasure to send you printed copies from the documents in my possession, properly certified, proving what I have here asserted, but it is impossible that this can be done within so short a period as that requested. I trust, however, that the statement here made will be sufficient with all honorable men, to counteract the false impressions sought to be forced upon the freemen of Kentucky by Mr. Buckner. As a public or private man, speaking of transactions which concern the reputation and character of others, every manly feeling should remind him, that he ought to be guided by established facts, not by the *heresay* of a party; and when he thus produces facts of the least plausible ground upon which to bottom such charges as those of which you have recited, I pledge myself to be at all times ready to meet him at the bar of his country.

It may be proper to remark in conclusion, that the finding of the court proves conclusively that those men were legally service—or, otherwise, that they must have been acquitted. I approved of their condemnation, because they were the promoters and ringleaders of the mutiny and desertion, committed at a period, when the safety of our Southern frontier was threatened—at a period, which called for the most energetic measures, and when every nerve of the government was stretched in the defence of our liberties. When they violated the law in such an atrocious manner, the public good demanded their sacrifice. Had they have done their duty as faithful soldiers, their country would have rewarded them with its protection and gratitude.

I am, Sir, your most obedient servant,
ANDREW JACKSON.

WILLIAM OWENS.

P. S. It will be recollect, in the Revolutionary war, at a time of great trial General Washington ordered deserters to be shot without trial. Capt. Reed under this order, having arrested three, had one shot without trial, and his head brought to the General; but he, General Washington, reprimanded Reed for not shooting the whole three. General

Green, near Rudgely's mill, South Carolina, says Gordon's history, had eight men hung, on one pole for desertion—Johnson's life of Green says five without court martial—I only approved of the proceedings of a court composed of men who were the friends and neighbors of those to be tried by them.

Respectfully,
ANDREW JACKSON.

GENERAL GREENE.

FROM THE CUMBERLAND (MD.) ADVOCATE, OF AUGUST 25.

General Jackson's Letter to Mr. Wm. Owens, of Kentucky, should have been published without one word of comment by us, had it not contained, in its Postscript, a charge against the character and well earned reputation of that distinguished Patriot and Hero General Greene, whose memory is dear to the heart of every American. We make the subjoined extract, not for the purpose of injuring General Jackson, or giving offence to any of his supporters, but with the view of rescuing from disgrace the name of one of our most distinguished and meritorious Revolutionary Patriots, whose life was devoted to the service of his country. The subjoined extract is copied from General Greene's orderly books, which has been preserved by Col. William Lamar, of this county, who was attached to the Southern army from the time General Greene took command of it until the 19th of October, 1781, when he, with some other officers, were ordered to join some other corps; and was, during the whole of that time, under the immediate command of General Greene.

The annexed copy of the proceedings of the Court Martial, held on the 30th day of April, 1781, at "Rudgely's Mill," proves, most conclusively, that those men were not "hung on one pole for desertion, without Court Martial," as the General states, but for "Desertion, joining the enemy, and bearing arms against the United States." Col. Lamar, (then captain,) states, that "they were actually found in the enemy's ranks, with arms in their hands, and clothed in the British uniform, and that they were taken prisoners, with about two hundred British soldiers, after the battle of Hoblirk's Hill, by Colonel William Washington, and that they were all hung with their Red Coats on."

The charge made against General Washington has been proved to be entirely false, he never having issued any such order. Colonel William D. Beall, of Prince George's county, in this State, who was an eye witness to the whole transaction, knows and has pronounced it to be false."

Copy of the Proceedings of the Court Martial held at Rudgely's Mill, on the 30th day of April, 1781.

CAMP AT RUDGELY'S MILL,

Monday, 30th April, 1781.

"At a General Court Martial, whereof Lieut. Colonel Howes, is President, Thomas Wood, of the 5th South Carolina Regiment, William Hemesly, of the 1st Virginia Regiment, William Sugars, of the 3rd Maryland Regiment, Samuel Sherrin Johnson, of the 7th Maryland Regiment, and Bartholomew Kelly, of the Delaware Regiment, were severally charged with desertion, joining the enemy, and bearing arms against the United States. The Court after duly considering the charges, evidence and defense for and against the prisoners, respectively, are of opinion, that each and every of them are guilty, and do sentence, that the said Thomas Wood, William Hemesly, William Sugars, Samuel Sherrin Johnson, and Bartholomew Kelly, be each hanged by the neck, (more than two-thirds of the Court agreeing thereto.) The General [General Greene] approves the proceedings of the Court. He would be extremely happy if the offenses of those unfortunate men deserved punishment less severe. But desertion is a crime, so dangerous to an army, that policy has dictated the mode of correction.

"The indispensable necessity of giving some serious example, and the recent misfortunes the troops have suffered by the perfidy of some of their unworthy companions, forbid the exercise of lenity and compel the General to admit the force of martial law.

"The criminals are to be executed according to the sentences annexed against them, at four o'clock to-morrow afternoon."

North Carolina.—On the subject of the Presidency (says the Star) our present Representatives to Congress are divided thus: 9 for Jackson, 8 for Adams, and 1 (Mr. Long) we put as doubtful.

From the Philadelphia Museum.

THE ATTACK OF NEW ORLEANS.

By a Subaltern of the British Army.

We must refer the reader to our author for the topography of the field of operations. "The place where we landed was as wild as it is possible to imagine. Wherever we looked nothing was to be seen except one huge marsh, covered with tall reeds; not a house, not a vestige of human industry could be discovered; and even of trees, there were but a few growing upon the banks of the creek. Yet it was such a spot as, above all others, favored our operations. No eye could watch us, or report our arrival to the American general. By remaining quietly among the reeds, we might effectually conceal ourselves from notice; because, from the appearance of all around, it was easy to perceive that the place which we occupied was seldom, if ever before, marked with a human footprint. Concealment, however, was the thing of all others which we required; for it is remembered, that there were now only sixteen hundred men on the main land. The rest were still at Pine Island, where they must remain till the boats which had transported us should return for their conveyance, consequently many hours must elapse before this small corpse could be either reinforced or supported. If therefore, we had sought for a point where a descent might be made in secrecy and safety, we could not have found one better calculated for that purpose than the present; because it afforded every means of concealment to one part of our force, until the others should be able to come up."

Here general Kean should have halted till the other brigades could have joined him; but deceived, as it is said, by deserters, he incautiously advanced into the open country. By the culpable negligence of an officer a prisoner was suffered to escape, and by the imprudence of the general, the troops were permitted to light fires; the consequence was a surprise.

In this manner the day passed without any further alarm; and darkness having set in, the fires were made to blaze with increased splendor, our evening meal was eaten, and we prepared to sleep. But about half past seven o'clock, the attention of several individuals was drawn to a large vessel, which seemed to be stealing up the river till she came opposite to our camp; when her anchor was dropped, and her sails leisurely furled. At first we were doubtful whether she might not be one of our own cruisers, which had passed the post unobserved, and had arrived to render her assistance in our future operations.—To safety this doubt, she was repeatedly hailed, but returned no answer, when an alarm spreading throughout the bivouac, all thought of sleep was laid aside. Several musket shots were now fired at her with the design of exacting a reply, of which no notice was taken; till at length, having fastened all her sails, and swung her broadside towards us, we could distinctly hear some one cry out in a commanding voice, "Give them this for the honor of America." The words were instantly followed by the flashes of her guns, and a deadly shower of grape swept down numbers in the camp.

Against this dreadful fire we had nothing to oppose. The artillery which we had landed was too light to bring into competition with an adversary so powerful; and as she had anchored within a short distance of the opposite bank, no musketry could reach her with any precision or effect. A few rockets were discharged, which made a beautiful appearance in the air; but the rocket is an uncertain weapon, and these deviated too far from their object to produce even terror among those against whom they were directed. Under these circumstances, as nothing could be done offensively, our sole object was to shelter the men as much as possible from this iron hail. With this view, they were commanded to leave the fires, and to hasten under the dyke. Thither all, accordingly repaired, without much regard to order or regularity, and laying ourselves along wherever we could find room, we listened in painful silence to the scattering of grape shot among our bunks, and to the shrieks and groans of those who lay wounded beside them.

The night was now dark as pitch, the moon being but young, and totally obscured with clouds. Our fires deserted us, and beat about by the enemy's shot, began to burn red and dull; and, except when the flashes of those guns which played upon us cast a momentary glare, not an object could be distinguished.

ed at the distance of 4 yard.—In this state we lay for nearly an hour, unable to move from our ground or offer any opposition to those who kept us there; when a straggling fire of musketry called our attention towards the piquets, and warned us to prepare for a closer and more desperate strife. As yet, however, it was uncertain from what cause this drooping fire arose. It might proceed from the sentinels, who, alarmed by the cannonade from the river, mistook every tree for an American; and till this should be more fully ascertained, it would be improper to expose the troops, by moving any of them from the shelter which the bank afforded. But these doubts were not permitted to continue long in existence. The drooping fire having paused for a few moments, was succeeded by a fearful yell; and the heavens were illuminated on all sides by a semi-circular blaze of musketry. It was now clear that we were surrounded, and that by a very superior force; and therefore, no alternative remaining, but either to surrender at discretion, or to beat back the assailants.

The whole detail of this action is given in our author's best manner. The loss sustained in it amounted to about 500 men, most of whom might have been saved, if gen. Kean had not moved from his position in the wood until his force would have enabled him to advance at once against the town. On the 25th, sir Edward Packenham and general Gibbs joined the army; it would have been fortunate if they had arrived sooner. On the morning of the 26th our batteries opened on the schooners; but here a capital error was committed, which was the more remarkable, as several naval officers were serving ashore, who should have corrected the error. A large ship had dropped down the river and anchored in front of the position, about a mile above the schooner; had the batteries been in the first instance, erected against her, her consort would have been obliged, either to pass our batteries in order to get up to the town, which against the stream of the Mississippi, would have been no easy task, or she must have dropped down the river, in which case no future annoyance could have been anticipated from her. The schooner was blown up—the ship escaped; and though it does not appear that any actual mischief was done by her, yet her subsequent position, flanking the enemy's lines, added materially to their apparent strength, intimidating our troops, and giving courage to the adversary.

On the 27th the whole army advanced towards the town; but after a slight skirmish again retired.

"We remained inactive during the 28th, 29th, and 30th; but not so the enemy. Day and night we could observe numerous parties employed in strengthening his lines; while from the increased number of tents, which almost every hour might be discerned, it was evident that strong reinforcements were continually pouring into his camp. Nor did he leave us totally unmolested. By giving to his guns a great degree of elevation, he contrived at last to reach our bivouac; and thus were we constantly under a cannonade which, though it did little execution, proved nevertheless extremely annoying. Besides this, he now began to erect batteries on the opposite bank of the river; from which a flanking fire could be thrown across the entire neck of land from the Bayo de Cataline to the river, of sufficient width and depth to admit of boats being brought up from the lake.

"Nor was our gallant leader less anxious to fight than his followers. To fight upon something like equal terms, however, was his wish; and for this purpose a scheme was invented, worthy, for its boldness, of the school in which Sir Edwards had studied his profession. It was determined to divide the army, to send part across the river, who should seize the enemy's guns, and turn them on themselves; while the remainder should at the same time make a general assault along the whole entrenchment. But before this plan could be put into execution, it would be necessary to cut a canal across the entire neck of land from the Bayo de Cataline to the river, of sufficient width and depth to admit of boats being brought up from the lake.

"The canal, as I have stated, being finished on the 6th, it was resolved to lose no time in making use of it. Boats were accordingly ordered up for the transportation of 1400 men; and col. Thornton with the 35th regiment, the marines, and a party of sailors, were appointed to cross the river. But a number of untoward accidents occurred, to spoil a plan of operations as accurately laid down as any in the course of war.—The soil through which the canal was dug, being soft, parts of the bank gave way and, chocking up the channel, prevented the heaviest of the boats from getting forward.—These again blocked up the passage, so that none of those which were behind could proceed; and thus instead of a flotilla for the accommodation of 1400 men, only a number of boats sufficient to contain 350 men was enabled to reach their destination. Even these did not arrive at the time appointed. Accordingly to the pre-arranged plan, col. Thornton's detachment was to cross the river immediately after dark. They were to push forward, so as to carry all the batteries.