

The Project Gutenberg eBook of Colonel John Brown, of Pittsfield, Massachusetts, the
Brave Accuser of Benedict Arnold

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: Colonel John Brown, of Pittsfield, Massachusetts, the Brave Accuser of Benedict Arnold

Author: Archibald Murray Howe

Release date: February 11, 2008 [eBook #24581]

Language: English

Credits: Produced by Bryan Ness, Richard J. Shiffer and the Online Distributed Proofreading Team at <http://www.pgdp.net> (This book was produced from scanned images of public domain material from the Google Print project.)

*** START OF THE PROJECT GUTENBERG EBOOK COLONEL JOHN BROWN, OF PITTSFIELD,
MASSACHUSETTS, THE BRAVE ACCUSER OF BENEDICT ARNOLD ***

Transcriber's Note

Every effort has been made to replicate this text as faithfully as possible, including obsolete and variant spellings and other inconsistencies.

**COLONEL JOHN BROWN
OF PITTSFIELD, MASSACHUSETTS**

**THE BRAVE ACCUSER OF
BENEDICT ARNOLD**

An Address

**DELIVERED BEFORE THE FORT RENSSELAER CHAPTER OF THE
D.A.R. AND OTHERS**

By ARCHIBALD M. HOWE

AT THE

VILLAGE OF PALATINE BRIDGE, NEW YORK

SEPTEMBER 29, 1908.

W. B. CLARKE COMPANY

1908

GEO. H. ELLIS CO., PRINTERS, 272 CONGRESS ST., BOSTON.

This address was delivered for the purpose of calling attention to the present condition of the marble monument erected at Stone Arabia, N.Y., to the memory of Colonel Brown in 1836, now insecure because the cemetery in the rear of Stone Arabia church is not properly maintained.

The form of the address is slightly changed, but the writer will never forget the kindness of the Canajoharie and Palatine friends who greeted him and the wonderful beauty of Stone Arabia, a plateau north of the Mohawk at Palatine where our ancestors maintained a strong outpost against Indians and other adversaries.

THE BRAVE ACCUSER OF BENEDICT ARNOLD.

[Pg 1]

John Brown, of Pittsfield, Mass., now almost forgotten, was a patriot in our Revolution of 1775 whose career has been described more than once by men in New York and in Berkshire County, but, as it is now time to give more impartial views of the controversy, perhaps another sketch of the life of this leader may encourage others to search for clearer views of the ways by which our ancestors established the institutions which we hope are to endure.

Daniel Brown, the father of Colonel John Brown, came from Haverhill, Mass., to the western part of the Commonwealth in 1752, when his son John was eight years old. He seems to have been first in the beautiful town of Sandisfield to take part in its local government, both secular and ecclesiastical. "Deacon Brown" is called prosperous when this new town on the banks of the Farmington River, east of the hills of the Housatonic, bade fair to equal Pittsfield as a trading-place. "The Deacon" was a local magistrate under the king, when laymen served as judges. John, his youngest son, is described as tall and powerful, an athlete able to kick a football over the elm-tree on the college green at New Haven when he entered at twenty-three years of age, older in years than most college students of the year 1767.

It is believed that he prepared for college with some citizen of the neighborhood, and it is known that he married before graduating in 1771.

While at New Haven, he was fully informed of the peculiarities of Benedict Arnold, then a storekeeper, already disgraced in the eyes of respectable citizens because of his desertion from the British army and his reckless disregard for the rights of his creditors; for then the debtor was not allowed to retain his respectability, if he failed dishonestly. Furthermore, his self-assertion was recognized as too often a display of arrogance and vanity. Brown's sister Elizabeth had married Oliver Arnold, attorney-general of Rhode Island, a cousin of Benedict, and it is reasonable to suppose that he was well informed of Arnold's misdeeds, which thus became known to John Brown.

[Pg 2]

In 1771, when he was graduated from Yale, only twenty men were of his class. Quite a large number of Yale graduates took part with the patriots, and Humphreys, one of the class of 1771, was aide-de-camp to Washington. He, I believe, is the only writer in verse who extolled this John Brown. How often we are indebted to poets for our heroes! If this John Brown had incited an insurrection and been hanged for killing his fellow-men contrary to law in time of peace, "his soul might be marching on." If, when he rode from Ticonderoga on horse at a high rate of speed to Philadelphia, to inform the Continental Congress that his friend Ethan Allen had taken possession of the fortress with its guns and materials for war, some poet had described his ride, as Longfellow portrayed Paul Revere's, the school children would still recall Brown of Pittsfield; but, my friends, 'tis of little moment that we are soon forgotten, if it be certain that, while we live, we live with moral courage in the life of every day.

I do not intend to put much emphasis upon military glory. I am trying to show that Brown's life by

reason of its entire sincerity, although at times unsuccessful, was led, so far as we can know, by "a man every inch a man," holding fast to his ideals, fearless in the assertion of truth as he saw it, and directed by high principle; that, having all these noble attributes, his part in public affairs should now and then be rehearsed to show the value of goodness even amid the horrors of war.

On December 10, 1772, a few months after graduation from Yale College, he was admitted to practise law in New York in the courts of Tryon County, a part of which is now Montgomery County, bearing the name of one of our noblest American generals, who led the attack on Quebec in December, three years later, where Brown served under him as a major of a Berkshire County regiment. Some writers call Brown king's attorney at Caughnawaga, whether rightly I know not, nor do I know why he came to the Mohawk Valley from Berkshire, for Pittsfield was a growing frontier town. Perhaps Sir William Johnson's influence and his busy settlement offered some inducement to the young attorney, but it did not long have weight with him, for we find him in 1773 at Pittsfield, where another attorney of Loyalist tendencies had left town under coercion.

[Pg 3]

Before I attempt to describe the civil and military career of John Brown from 1773 to his thirty-sixth birthday, when he was killed at Stone Arabia, I wish to call your attention to the peculiarities of the political situation in Berkshire County and its vicinity. On the north the New Hampshire Grants (now Vermont) had recently been disputed territory where local partisans, Ethan Allen and others, used coercion to maintain the claims of settlers against New York men claiming title. New York Colony on the west, though directed largely by men of high character like Philip Schuyler, was torn by bitter political differences, the Loyalist element being strong in social and political affairs. Then, although the Berkshire towns were active from the earliest days of 1774 in sharing with other towns the plans for resistance to royal authority, they were very jealous of any continuance of unnecessary power in the Provincial Congress. Pittsfield by the quill of a cousin of Ethan Allen, the Rev. Thomas Allen, asserted that the town would remain "in a state of nature" [see Note 1] (i.e., simple democracy without representative government) unless it obtained new privileges. If the right of nominating to office is not vested in the people, they said, "we are indifferent who assumes it, whether any particular persons on this or the other side of the water." They did not want any bosses, but no doubt would have voted for Governor Hughes. They were of the belief that the government of the respective committees (County and Town, Committees of Correspondence and Inspection) was lenient and efficacious, but they hoped for a new Constitution "on such a broad basis of civil and religious liberty as no length of time will corrupt as long as the sun and moon shall endure." They wished to elect judges by votes of the people of the county, justices of the peace by the voters of the towns, and of course allow soldiers to elect their company officers.

[Pg 4]

Brown was chosen judge of the Common Pleas by the General Court of Massachusetts for 1779, but never held court, probably because his fellow-citizens were not submissive to the existing authority of the General Court as exercised before the adoption of the new Constitution of Massachusetts. In such a state of affairs Berkshire took her part largely in her way when she sent men to fight the battles of the United Colonies. Her officers and men were often too independent to submit willingly to proper military authority, and in some trying emergencies the Berkshire men were insubordinate or were disposed to follow their leaders in attacks not always wisely chosen. It was Captain Asa Douglas, of Hancock, the man who had done much to promote the capture of Ticonderoga by skilful recruiting and by pledge of his estate, who in May, 1776, was Chairman of a convention of Berkshire towns which, deluded by false rumors and influenced by their own prejudices against the noble General Schuyler, sent to General Washington their doubts concerning his loyalty, although expressing their hope that his name might be handed down to posterity as one of the great pillars of the American Cause. Their hope is grandly fulfilled, but the Berkshire men have left us with some doubt as to their skill in judging of current events. However, on the twenty-sixth day of May, 1776, Mark Hopkins, as Secretary of this Convention, wrote to Washington to tell him their fears concerning Philip Schuyler were groundless.

John Brown was twenty-nine years of age when he began his active citizenship at Pittsfield. He had lived in Berkshire more than one-half his life. His experience on a farm, at college, near the sea, and for a short time in the Mohawk country among the Indians and white men of varying views about the king, made him worthy the confidence of Berkshire men; and he always had their support and their respect. What his literary attainments were we cannot tell. A few letters to General Lincoln and letters relating to military affairs which appear in the archives give little opportunity for judging of his literary and professional skill. The inventory of his estate, giving in detail the names of law books, a surveyor's guide, a theological treatise, and a Bible, with farm implements and military clothing, show something of the life of his time, when a man was farmer, surveyor, lawyer, and soldier altogether, and, if as active as John Brown, not much more able to

[Pg 5]

write well-considered essays and books than if he had never seen Yale College. Alas! his fate in that regard is not unlike many graduates of our present time, who, having fine natures, strong traits of character, and ability enough to express themselves, are driven by commercial or other present activities to and fro from typewriter to telephone, often to die without using their minds calmly and without imparting to others much that they might have given to help the world, had they been able to have peace in the midst of their busy lives.

Pittsfield frequently employed Brown. In January, 1774, he was chosen to instruct the representative to the General Court in reference to the destruction of the tea at Boston. He was quite discriminating. While he opposed the useless waste of property by disguised men, he strongly denounced the British tyrannies. Within six months he was one of the Committee of Correspondence and a delegate to the County Congress at Stockbridge. In the fall of 1774 he acted as arbitrator with others to settle disputes following the common law and the Province laws when they did not interfere with the democracy of Berkshire.

He was chosen Ensign of the Company of Minute Men, and finally delegate to the First Provincial Congress. This Congress appointed him to a very important Committee on Correspondence with Canada, and that winter the committee sent him to Canada with full power to get information, confer with Canadians, whether English or French, and report back the condition of affairs and whether they would act with the Colonies. This mission was peaceful in its aim. He conferred with men from Montreal and Quebec, assuring all whom he met that the Colonies desired peace with Great Britain, but, if war came, they would surely respect the rights of all men to worship God in their own way and would maintain a democratic form of government.

[Pg 6]

Mr. Brown showed himself to be diplomatic and faithful. He endured much personal hardship and risk during the winter, and his report was most valuable. The part of it best known is under date of March 29, 1775, wherein he recommended that, if war came, Ticonderoga should be taken. "The people in the New Hampshire Grants," he wrote, "have engaged to do the job." Recently it has been stated that in February, 1775, he was at Chesterfield, Mass., and that about that time he led a party of Berkshire and Hampshire men to Deerfield and arrested a Tory or some Tories who were suspected of being in direct communication with General Gage at Boston. April 27, 1775, there appeared in the Hartford *Courant* a notice signed "John Brown" by order of the Committee of Inspection in the towns of Pittsfield, Richmond, and Lenox, in the following words: "Whereas Major Israel Stoddard and Woodbridge Little Esq., both of Pittsfield in the County of Berkshire, have fled from their respective homes and are justly esteemed the common pests of society and incurable enemies of their country and are supposed to be somewhere in New York Government moving sedition and rebellion against their country, it is hereby recommended to all friends of American liberty and to all who do not delight in the innocent blood of their countrymen, to exert themselves that they may be taken into custody and committed to some of his Majesty's jails till the civil war which has broken out in this Province shall be ended." Surely, Brown was an active partisan, though not at Lexington in April, 1775. In May he was at Ticonderoga with Ethan Allen, not holding any military rank. Allen commended him to the government as fit for military command.

The oft-told tale of how Ethan Allen took the fortress, proclaiming its capture in the name of "Almighty God and the Continental Congress," need not be rehearsed here. Allen took possession of Ticonderoga, its garrison, and its valuable military property with the aid of Connecticut and Berkshire men, and at his request Brown rode his horse rapidly to Philadelphia to announce to the Continental Congress the capture which was attained without their authority or aid. At this point Benedict Arnold must be referred to. In April, 1775, he had broken open an arsenal at New Haven, and with his militia company hurried to Cambridge. As he rode one day from New Haven towards Cambridge, he met Captain Parsons, who was going to Hartford to plan with some Connecticut leaders for the capture of Ticonderoga. Hearing Parsons's plan, Arnold pushed on to Watertown and got a commission from the Massachusetts government as colonel as well as an order for power to recruit men, for horses and ammunition. Meeting Ethan Allen on his way to Ticonderoga, Arnold produced his Massachusetts authority, but not his men, on the same day that Allen was fully prepared for his work. Arnold began his interference with the concerted plan, hoping for a separate command and the glory of victory. He promised payments of money to Berkshire men from the southern towns, which he failed to pay from funds given him for that purpose. This was the beginning of an angry and long-continued dispute between Easton, Brown's colonel, and Brown, on the one hand, and Arnold, on the other. Unhappily for Easton and Brown, as for all men who possess the truth about the characters of men who are undoubtedly able to fight battles, though brutal and even wicked in their lives, the controversy was long and bitter, but, while war exists, the common law and legal procedure rarely have weight and even martial law becomes ineffective.

[Pg 7]

"War is hell," said the great Sherman. Hell is irrational, as is war. Reason fails to have even its usual part in man's destiny during all wars. Chance has sway, and men often get what is called glory when others, almost unknown to fame, should win the approval of all men.

Whether Washington had his doubts about Arnold's character may never be known, but more than once he gave him opportunities to hold high command because he fought battles through. So Lincoln, when told that Grant drank whiskey, asked for more such whiskey for other generals. Sparks, the historian, a Unitarian clergyman, when writing Arnold's life, detailed his sins, his youthful desertion from the British army, his financial dishonor at New Haven, his overbearing self-assertion, and yet he added, when telling of the attitude of the members of Congress towards Arnold, that "these stern patriots, regarding virtue as essential to true honor, did not consider great examples of valor, resource, and energy even of arousing and sustaining the military ardor of a country as an adequate counterpoise to a dereliction of principle and a compromising integrity." "How far a judicious policy and a pure patriotism were combined on this occasion," writes Sparks, "as to what extent party zeal contributed to warp the judgment, we need not now inquire."

[Pg 8]

And here, my friends, is our solemn warning against war. No inquiry will ever justify war. War is justified only upon the sad assumption that, as men are "poor weak mortals" and naturally wicked, they will go to war, and justice fails where might makes right. Who thinks I can here and now fully justify John Brown as a soldier, if he was too aggressive in attack or too ardent in his antagonism of a dastardly traitor whom he knew through and through, but whom Washington, Schuyler, and other generals felt obliged to support? Perhaps not fully justify on the grounds that seem necessary to the success of war, but I can fully support Brown as a man who fought nobly for his country and in defence of the unprotected inhabitants of the Mohawk Valley, who was never false to his aims as an American patriot, who served with distinction under Allen, Montgomery, Schuyler, Arnold, Lincoln, and Van Rensselaer, and finally died while attempting to defend the Canajoharie settlements from the hostile attack of a murderous foe and acting in obedience to the command of his superior officer.

When the Massachusetts government understood the situation at Lake Champlain, Brown was appointed major of the Berkshire Regiment, and sent again to Canada with four scouts. This time the business was very dangerous. The French Canadians often helped him, but he might have been treated as a spy, and a military police chased him for many miles with two parties of fifty men each. On his return he reached Crown Point within a day of the time General Schuyler had expected him, after five days on the lake in a canoe. Early in August, 1775, he urged by letter and every other means in his power the immediate invasion of Canada. Soon he was put in command of a flotilla on Lake Champlain, and then followed his well-known exploits at St. Johns and Chamblee, where he co-operated with James Livingston, a brave New Yorker. His capture of Chamblee on the 19th of October, 1775, just five years before his death, brought promises of reward from Congress. Then came the reckless expedition of Ethan Allen which led to his capture, and which has long been believed to be the result of a failure on the part of Brown to co-operate with Allen when he could have supported him. Here the burden of proof rests on the accusers of Brown, and they never have had other proof than an implication drawn from the "Allen's narrative" that he did not make his best effort to help him, although Allen does not make any direct charge. Furthermore, the narrative is often far from correct; and as Allen was reckless in act and statement, and as Brown was continued in service under Montgomery, who was friendly to him, we may infer that Brown's failure was unavoidable. Allen's plan was not approved by Schuyler or Montgomery. Washington hoped that Allen's misfortune "would teach a lesson of prudence and subordination to others who may be anxious to outshine their general officers."

[Pg 9]

It has been intimated that Brown was one of these junior officers who chafed under the limitations set by his superiors, but he certainly retained his position as a regimental officer, and achieved such results in this Canadian invasion during the advance to Quebec that he was highly commended by his associates, promised promotion by Montgomery, and finally given his Lieutenant-colonelcy by Congress. He took part in the attack of December 31, 1775, on Quebec, and on the death of Montgomery served under Arnold for months, commanding a detachment of Berkshire and other men who were willing to re-enlist if he stayed. [See Note 2.] One of his letters written to his wife, March 15, 1776, when commanding an outpost near Quebec, says he expects to be "another Uriah because he does not agree very well with Mr. General Arnold." He had been "ordered to attack with his attachment of two hundred men, one-half of whom were sick in the hospital" (his brave brother, Captain Jacob Brown, died of small-pox). He himself marched out with his men, but the enemy retired into their fort too soon for him to attack them. He "expected another storm from Arnold, or to be punished for disobedience to orders." Truly, he was not easily subordinate to Arnold, but he was not again "set in the forefront of the battle, that

[Pg 10]

others might retire from him and that he might be smitten and die," as David planned for Uriah, because he was truly loyal to the cause he so nobly served, and Arnold did not dare to destroy him.

To fully describe his conduct in denouncing Arnold and Arnold's tergiversation and intrigues against him would lead me far afield. No doubt his accusations interfered with Arnold's promotion by Congress,—promotion he earned as a great leader in battle,—but as an officer responsible for property he was repeatedly unsuccessful. Brown again and again renewed his charges against the arch-traitor, but was not able to get proper attention from the tribunals that should have relieved him from Arnold's false charges. [See Note 3.]

Again and again historians declare that Arnold was led to treason because he had been unjustly treated by the Continental Congress. What a false view this is! He is willing enough to throw himself into battle for glory and for his country's honor at Saratoga without definite authority, and again he was ready for a fight or an expedition for the relief of this valley *when he could lead*, but he was always in trouble financially. His Philadelphia extravagances and the increase of his indebtedness did not escape all censure.

Although Washington mildly rebuked him, he gave him new offers of high command. It is clear to me that any such statements as are indulged in by historians are of no weight or consequence.

[Pg 11]

I cannot help referring to Colonel Brown's hand-bill of the winter of 1776-77, published and posted in public places, wherein he attacked Arnold with great severity, concluding with the words, "*Money is this man's God, and to get enough of it he would sacrifice his country.*" A prophecy! Unhappily, the same might be said of too many men of to-day. Another incident painful to recall, but characteristic, was told to my great-uncle in 1834 by Colonel Morgan Lewis, a friend of Colonel Brown's, and printed elsewhere. At the camp and in the tent where Arnold sat with other officers at some time during the Saratoga campaign, Brown faced the arch-traitor and denounced him as a scoundrel, and then, apologizing to those present, left the tent. His reiterated charges were not regarded as worthy of him as a soldier, although he had resigned from the Continental service because he could not get justice and because Arnold was not tried for his crimes. Schuyler deplored Brown's conduct as an accuser though respecting him as a brave man.

I am unable to account for the record which accredits him with thirteen months' and eighteen days' service at German Flats, New York. From April 1, 1776, to May 18, 1777, he was Lieutenant-colonel of Elmore's Connecticut Regiment, which was stationed at Albany and later at Fort Stanwix. I suppose his resignation from the Continental army was accepted about May 18, 1777, but, whatever his loyal service in New York may have been, he again marched in September, 1777, in command of Massachusetts militia under direction of General Lincoln, from Pawlet, Vt., with a separate detachment to harry the British at Ticonderoga and Lake George. On the 18th of September, 1777, early in the day he made sudden and successful attacks on the landing-place near Ticonderoga, Mount Defiance, and that neighborhood, demanding the surrender of the fortress; but this time General Powel, of the British army, made a manly reply. His captures of men and material were very valuable. Some American prisoners were released, and a Continental standard of colors was recaptured and sent to General Lincoln with much delight. All the joy of conquest is expressed in his report from Pawlet, Vt., October 4, 1777, but in his letter of September 20, written at eleven o'clock at night to General Lincoln, he said he was censured by officers and men for not suffering them to make a rash attempt to carry the fortress at Ticonderoga, although on mature consideration he thought it impossible to take possession without too great loss of life. Here as late as 1777 appears the tendency of the militia to be insubordinate. He withdrew from Lake Champlain, and planned the capture of Diamond Island in Lake George, a place where some German troops were guarding a large amount of supplies. He had manned an armed sloop and boats, but was thwarted by the escape of a prisoner and a sudden and violent storm on the lake. The prisoner gave warning to the garrison, and the result of the storm gave time for the preparation of a defence, so that after two hours' hot engagement he withdrew after destroying some of his boats. General Lincoln commended him highly for the success of this expedition. He wrote to General Lincoln September 19, 1777, telling him he had given the men all the plunder to encourage them before the attack, although "going beyond the letter of the law." This action General Lincoln approved.

[Pg 12]

The question of plunder and the martial law governing it must have been a great source of trouble in this war among Indians and white men in the invasion of Canada and the Tory invasions hereabouts. [See Note 4.] It seems probable that, when Arnold falsely charged Easton and Brown with plundering the baggage of British officers at the Sorel, he could easily cast a shadow because of the uncertainty about the rules of war and the orders given by general

officers. Plunder was promised the men by recruiting officers as early in the war as when the plan was laid by Ethan Allen to capture Ticonderoga in April or May, 1775. [See Note 5.]

In the early part of the summer of 1780 rumors were received tending to show that Sir John Johnson might again invade the Mohawk Valley, this time by way of Lake Ontario and Lake Oneida. Therefore, on the twenty-second day of June, 1780, the General Court of Massachusetts, at the earnest request of General Washington, directed that 4,726 men should be raised from the militia by draft, lot or voluntary enlistment, to serve three months in New York territory after they arrived at Claverack on the Hudson. These levies, by reason of apparent danger to the cause in Rhode Island, with the exception of 315 or more men raised in Berkshire County, were sent to General Heath at Tiverton, R.I. Various meagre statements are in print in reference to the men who served under Brown at this time. I find in the Massachusetts Archives the names of officers and privates, in all 381 men, who served in the Mohawk Valley probably after August 5, 1780. [See Note 4.] It may be that some of his men were stationed in different forts or block-houses in other places than Stone Arabia, and that only 217 men of the Berkshire Regiment were in the battle of October 19, 1780. The killed and wounded are all from three of the five companies. [See Note 4.] Some writers say that Colonel Brown had New York men with him, and one statement refers to Captain John Kasselman, of Tryon County Rangers, as being in conference with Brown on the day he fell. [See Note 4.]

[Pg 13]

Each soldier was equipped at his own expense with a good fire-arm, with a steel or iron ramrod and a spring to retain the same, a worm priming wire and brush, and a bayonet fitted to his gun, a scabbard and belt therefor, and a cutting sword or a tomahawk or hatchet, a pouch containing a cartridge-box that will hold fifteen rounds of cartridges at least, a one-hundred buckshot, a jack-knife and tow for wadding, six flints, one pound of powder, forty leaden balls fitted to his gun, a knapsack and blanket, a canteen or wooden bottle sufficient to hold one quart.

Long after the Stone Arabia fight, claims were presented to the General Court of Massachusetts for felt hats, coats, vests, linen overalls, shirts, shoes, blankets, canteens, and handkerchiefs, and of course for muskets,—all lost on the 19th of October, 1780.

[Pg 14]

Brown's major was Oliver Root, his adjutant James Easton, Jr., son of his old colonel. Dr. Oliver Brewster was surgeon, and Elias Willard quartermaster. He assumed command July 14, 1780, at Claverack, and marched probably August 5 to some of the Mohawk settlements or forts. His mission was to protect various neighborhoods from sudden raids.

September 5 he was sent with two hundred men from Fort Rensselaer to Fort Schuyler to guard twelve boats with provisions for the relief of the garrison. September 11 he is reported as one of the officers of Van Rensselaer's force at Fort Rensselaer (part of which—a well preserved stone house—remains at Canajoharie under the care of young citizens of that town, being the place where the Tryon County Committee of patriots met). I cannot tell where he was for the month prior to the 19th of October, when he was in command at Fort Paris, a palisaded enclosure of stone block-houses fit for a garrison of over two hundred men, built in 1776-77 by Captain Christian Getman's Rangers on a most commanding position on the beautiful plateau called Stone Arabia, north of the Mohawk between Garoga Creek and Johnstown, where Sir William Johnson's baronial hall was. The fort was more than a dozen miles from Johnstown, and was named for Isaac Paris, who took part in the terrible affair at Oriskany. Sir John Johnson and his career in Tryon County and elsewhere in New York is well known. To me the whole subject of Indian warfare in all our wars seems to open every possible avenue to the extremest horrors and brutalities of war. Philip Schuyler, one of the noblest men who ever lived in New York State, had from his early youth been friendly to Indians. In fact, before he reached twenty-one years of age, he was given a chief's name among the Oneidas for his services to that tribe. His skill and patience made him all important in making treaties and negotiations with "*The Six Nations*" and other Indians. The Patriots very early realized that the Indians were to become a stumbling-block to any attempt at treating with Canada or maintaining what is called civilized warfare (can any warfare be civilized?). Schuyler, Hawley, Oliver Wolcott, and other distinguished men of high character attempted in vain to hold the Indians to neutrality. Congress at one time voted that Indians should not be employed in the service excepting where a whole nation, after full consideration, decided to act together. At another time Congress asked Schuyler to employ two thousand Indians for military service. Sir John Johnson's career, his apparent acquiescence in Schuyler's demands, his conduct when taking and when breaking his parole, his apology being that the Patriots had no established authority, and his repeated invasions of this country showed him to be the growth of the treachery which is bred among men who use the sordid and brutal nature of savages for evil purposes.

[Pg 15]

It is interesting to me that Lieutenant-colonel Mellen led Massachusetts militia to Fort Schuyler

to aid Gansevoort, and that, when in August, 1777, Arnold set out to the relief of Gansevoort he led Massachusetts volunteers from Colonel Learned's battalion, and that again in the summer and fall of 1780 Brown led Massachusetts men to defend this neighborhood from the murderous invasion of Sir John Johnson. At Oriskany, Herkimer was hurried into action by his inferior officers in the manner characteristic of the independent and valorous spirit of his time, and Oriskany in 1777 was one of the most brutal conflicts between Tories and Patriots. Sullivan's retaliating expedition of July, 1778, was as bad in its character and effects as anything ever done on behalf of any cause, good or bad. The destruction of many Indian villages by Sullivan and General James Clinton was no doubt thorough, but of little avail, although it was thought wise to retaliate for the horrors of Wyoming.

Early in May, 1780, the information came to this neighborhood that Sir John Johnson was moving from Lake Champlain towards Johnstown with a considerable force, that Brant was marching against the Canajoharie settlements with a body of savages and that the Tories would join them. Johnson landed at Bulwagga Bay, near Crown Point, and, pushing through the forest and down the valley of the Sacandoga, he appeared near Johnstown. On the 21st of May, 1780, his forces divided, and poured into the lower valley of the Mohawk along a line of ten miles. From Tribes Hill upward they plundered, murdered, and destroyed. Every man capable of bearing arms was said to have been killed. Johnson withdrew hastily, as he was pursued by militia. Of course hundreds of people fled to Albany and Schenectady. Governor Clinton hurried at the head of troops from Kingston to Fort George, and, ordering others to meet him at Ticonderoga, he pushed on to Crown Point, but was too late to capture Sir John.

[Pg 16]

Brant delayed his attack until late in July, 1780, and then made a feigned attack on Fort Schuyler. General Van Rensselaer, then at Stone Arabia, hastened to the relief of Fort Schuyler, and Brant in early August fell upon the Canajoharie settlements and destroyed them mercilessly. Troops were sent from Albany to protect the settlements, but they were not sufficient.

September 7 an extra session of the New York legislature sat at Poughkeepsie, and authorized Governor Clinton to order out such number of militia as he thought necessary. Brigadier-General James Clinton was assigned command at Albany and authorized to call for assistance from the brigades of Generals Ten-Broeck and Van Rensselaer. As I have already said, Colonel Brown on the 18th of October was in command at Fort Paris, subject to orders of General Robert Van Rensselaer. Fort Paris was two or three miles north of the Mohawk. In September and early October Sir John Johnson led his forces by way of the Oswego River, Oneida Lake, and across country to the Susquehanna Valley. He ravaged the Schoharie Valley, laid siege to Middle Fort unsuccessfully, then, turning north, raided all the country from Fort Hunter. He let loose his forces for the general purpose of devastation. He again did his work thoroughly,—brutally, as was customary in Indian warfare at that time. Major Jelles Fonda, one of the victims of this ruthless destruction, who had been a confidential officer under Sir William Johnson, was absent, being a State senator. Sir John's forces burned his homestead, "The Nose," at Palatine, and destroyed, it is said, \$60,000 worth of his property. On the night of October 18 Sir John encamped with his forces nearly opposite or rather above the Nose, and on the 19th he crossed the river to the north at Keder's Rifts, near Spraker's Basin. A detachment of 150 men proceeded at once against Fort Paris, but, after marching two miles, the main body joined them.

[Pg 17]

October 18 General Van Rensselaer found Caughnawaga in flames. He was in camp on a hill near Stanton Place in Florida, perhaps twenty miles from Fort Paris, when he heard that that fort was to be attacked the next morning. 'Tis said he sent a messenger with a letter to Colonel Brown and another to Colonel Dubois at Fort Plain, telling Brown to march out of the fort at nine o'clock the next morning and hold the enemy in check, while Dubois and he with his force were to cooperate. Furthermore, it is said, Brown's officers and men advised him to disobey the order, as that was not the time to leave the fort. However, he marched forth at the head of his detachment, but, being deceived by the false advice of persons pretending to be patriots, he was led to turn aside from the road upon which he marched out into a somewhat narrow clearing in the forest near a small work called Fort Keyser, and was killed nearly two miles from Fort Paris, being attacked on every side in what amounted to an ambushade.

Captain John Ziele, of the Second Regiment of Tryon County militia, Colonel Klock's Regiment, had charge of Fort Keyser that day; and after Brown's defeat George Spraker, John Wafel, Joseph and Conrad Spraker, William Wafel, and Warner (?) Dygert, with two or three other young men, were ready to defend the place from attack, but the enemy fled, whereupon William Wafel, Joseph and Conrad Spraker, and W. Dygert proceeded to where Brown lay and carried his body to Fort Keyser. His scalp was entirely removed, and he was stripped of all his clothing excepting a ruffled shirt. After hard fighting, thirty men or more being killed, some of his men got back to Fort Paris and defended themselves successfully, thus saving the refugees therein from harm.

[Pg 18]

Major Root was in command, and acted skilfully and bravely. Mr. Grider describes the battle as a running or moving fight extending from the eastward to the south-west at least across six farms, and you all know how valuable the evidence is showing that the large boulder with its inscription was the stone behind which six men found refuge and shelter until surrounded and killed.

Washington wrote to the Continental Congress: "It is thought, and perhaps not without foundation, that this invasion [of the Mohawk Valley] was made by Sir John Johnson upon the supposition that Arnold's treachery was successful."

If Johnson acted upon that supposition, Arnold was in some measure the cause of Brown's death, but, however that may be, *John Brown died honorably after living honorably at Stone Arabia the 19th of October, 1780,—it is said between nine o'clock and ten o'clock in the morning.*

I said that poets had not presented him to popular imagination, but his devoted classmate at Yale, David Humphreys, aide-de-camp to General Washington in 1780, wrote verses to his memory. Among his words are these:—

"And scarce Columbia's arms the fight sustains,
While her best blood gushed from a thousand veins.
Then thine, O Brown, that purpled wide the ground,
Pursued the knife through many a ghastly wound.
Ah! hapless friend, permit the tender tear
To flow e'en now, for none flowed on thy bier,
Where cold and mangled, under northern skies,
To famished wolves a prey, thy body lies,
Which erst so fair and tall in youthful grace,
Strength in thy nerves and beauty in thy face,
Stood like a tower till, struck by the swift ball,
Then what availed to ward th' untimely fall,
The force of limbs, the mind so well informed,
The taste refined, the breast with friendship warmed
(That friendship which our earliest years began),
When the dark bands from thee expiring tore
Thy long hair, mingled with the spouting gore."

We do not know whether the news of Arnold's flight from West Point September 25 reached Brown's ears. Perhaps, if it did, he would have appreciated the patriotic and lofty self-control of Washington when the next day he wrote to Rochambeau: "General Arnold, who has sullied his former glory by the blackest treason, has escaped to the enemy." "This is an event that occasions me equal regret and mortification, but traitors are the growth of every country in a revolution of the present nature. It is more to be wondered at that the catalogue is so small than that there have been found a few."

[Pg 19]

Arnold's flight to the enemy was his flight from what all men, excepting Brown and a few others [see Note 6], supposed was his soul's desire; *i.e.*, to serve the people of America to the death. For twenty-one years after 1780 he lived, pursuing a checkered career. John Fiske said he often looked at the sword given him for his valor at Saratoga, and bemoaned the results of his treason. However that may be, his name is remembered with harshness and disgust, the result of an untruthful life.

NOTE 1.

[Pg 20]

"in a state of nature." See "The Struggle for American Independence," Fisher, vol. i, p. 27 *et seq.* Burlamaqui's "Principles of *Natural Law*."

NOTE 2.

See "New York in the Revolution," vol. i, p. 61. "*The Line, Additional Corps, Green Mountain Boys, Major Brown's Detachment in General Arnold's Regiment.*" 244 men.

I take great pleasure in this record. Some writers have intimated that Brown was insubordinate at Quebec because Montgomery referred to one of his friends as going beyond proper bounds in objecting to Arnold. If so, why does Arnold permit Brown to remain in command? Some men went home after the defeat of December 31, 1775, others fled. Fisher says Arnold had only seven hundred men, of which the Brown detachment is a large part,—no doubt induced to stay because they trusted him.

NOTE 3.

Smith's History of Pittsfield, 1734-1800, p. 271:—

Humbly sheweth, that, in the month of February last, Brig.-Gen. Arnold transmitted to the honorable Continental Congress, an unjustifiable, false, wicked, and malicious accusation against me, and my character as an officer in their service, at the time when I was under his immediate command; that, had there been the least ground for such an accusation, the author thereof had it in his power—indeed, it was his duty—to have me brought to a fair trial by a general court-martial in the country where the pretended crime is said to have originated; that I was left to the necessity of applying to Congress, not only for the charge against me, but for an order for a court of inquiry on my own conduct in respect thereto; that, in consequence of my application, I obtained a positive order of Congress to the then general commanding the Northern Department for a court of inquiry, before whom I might justify my injured character; that the said order was transmitted to your Honor at Ticonderoga, in the month of August last; and, notwithstanding the most ardent solicitations on my part, the order of Congress has not yet been complied with; that, upon my renewing my application to your Honor for a court of inquiry, you were pleased to refer me to the Board of War.

Thus I have been led an expensive dance, from generals to Congress, and from Congress to generals; and I am now referred to a Board of War, who, I venture to say, have never yet taken cognisance of any such matter; nor do I think it, with great submission to your Honor, any part of their duty. I must therefore conclude, that this information, from the mode of its origin, as well as from the repeated evasions of a fair hearing, is now rested upon the author's own shoulders.

[Pg 21]

I therefore beg that your Honor will please to order Brig.-Gen. Arnold in arrest for the following crimes, which I am ready to verify, viz.:—

1. For endeavoring to asperse your petitioner's personal character in the most infamous manner.
2. For unwarrantably degrading and reducing the rank conferred on your petitioner by his (Gen. Arnold's) superior officers, and subjecting your petitioner to serve in an inferior rank to that to which he had been appointed.
3. For ungentlemanlike conduct in his letter to Gen. Wooster, of the 25th of January last, charging your petitioner with a falsehood, and in a private manner, which is justly chargeable on himself.
4. For suffering the small-pox to spread in the camp before Quebec, and promoting inoculation there in the Continental army.
5. For depriving a part of the army under his command of their usual allowance of provisions, ordered by Congress.
6. For interfering with and countermanding the order of his superior officer.
7. For plundering the inhabitants of Montreal, in direct violation of a solemn capitulation, or agreement, entered into with them by our late brave and worthy Gen. Montgomery, to the eternal disgrace of the Continental arms.
8. For giving unjustifiable, unwarrantable, cruel and bloody orders, directing whole villages to be destroyed, and the inhabitants thereof put to death by fire & sword, without any distinction to friend or foe, age or sex.
9. For entering into an unwarrantable, unjustifiable & partial agreement with Capt. Foster for the exchange of prisoners taken at the Cedars, without the knowledge, advice, or consent of any officer then there present with him on the spot.
10. For ordering inoculation of the Continental Army at Sorel, without the knowledge of, and contrary to the intentions of the general commanding that Northern Department; by which fatal consequences ensued.
11. For great misconduct in his command of the Continental fleet on Lake Champlain, which occasioned the loss thereof.
12. For great misconduct during his command from the camp at Cambridge, in the year 1775, until he was superseded by Gen. Montgomery, at Point Aux-Tremble, near Quebec.
13. For disobedience of the orders of his superior officers, while acting by a commission from the Provincial Congress of the Province of Massachusetts Bay; and for a disobedience of the orders of a committee of the same Congress, sent from that State to inspect his conduct, and also for insulting, abusing, and imprisoning the said committee; as also for a *treasonable attempt* to make his escape with the navigation men, at or near Ticonderoga, to the enemy at St. Johns, which obliged the then commanding officer at Ticonderoga and its dependencies to issue a positive order to the officers commanding our batteries at Crown Point, to stop or sink the vessels attempting to pass that post, and by force of arms to make a prisoner of the said Gen. Arnold (then a colonel), which was accordingly done.

[Pg 22]

PITTSFIELD 9th June 1779

Sir

I send you the enclosed hope you will present it to Congress the first opportunity not doubting their Disposition to do equal Justice to Persons of every Denomination in these united States, and that in justice in my instance must be owing rather to misinformation than anything else, altho in the present Case it is scarcely supposable.

The very extraordinary trial alluded to in the Petition is truly a Matter of Surprize to every Officer and Citizen in this part of the World and is of such a dangerous tendency that I think it ought to be attended to, what is more extraordinary it is I am told the only trial of the kind ever had in Congress.—In the Year 1776 I petitioned to Congress for a trial who refused me, giving for reason that Congress was not a proper tribunal and therefore refered me to the Officer commanding the northern Department.

Genl. Arnold on the First application obtained a hearing and determination on that Principle I am a Stranger

I am with the greatest Respect

Your hons. most obedt most hmbl Sert.

JNO. BROWN.

The honle. JNO. JAY ESQ.
Predt. Congress

(Continental Congress Papers, no. 42, Petitions, vol. i. 179.)

THE HON^{le} THE CONGRESS

The Memorial and Remonstrance of John Brown of Pittsfield in the State of the Massachusetts Bay humbly sheweth—

That in the Month of Nov^r. 1777 Your Petitioner was passing through York Town to the Southord when he waited on the hon^{ble} Charles Thompson Esqr Secy to Congress, who favoured your petitioner with a Copy of the very extraordinary Trial of Genl. Arnold of which the following is an Extract Viz "In Congress May 20th 1777—

[Pg 23]

A Letter this Day from Genl. Arnold with a printed Paper inclosed signed John Brown was read, order'd that the same be refered to the Board of War together with such Complaints as have been lodged agt. Genl. Arnold." By this your Petitioner would suppose that the Board of War were directed not only to take into consideration his Complaint, but all others that have been lodged agt. Genl. Arnold, particularly those lodged by a General Court Martial composed by thirteen of the principle Officers at Tycondoroga in the Year 1776 as well as those lodged by Colo. Hazen & others altho it does not appear that any other Matter of Complaint was determined on, but that contained in the hand Bill signed John Brown on which the Board of War Report—

"That the Genl. laid before them a variety of original Letters orders and other papers, *which together with the General's own account of his Conduct*, confirmed by Mr. Carroll one of the late Commissioners in Canada now a Member of this Board, have given intire Satisfaction to this Board concerning the General's Character and Conduct, so cruelly and groundlessly aspersed in the Publication."

Your Petitioner begs leave to affirm that Mr. Carroll whatever he might wish knew nothing more or less as a Witness concerning the Charges laid agt. Genl. Arnold owing to an unlucky Alieubi, which happened with respect to him in regard to all the Charges laid in the Complaint. Still how far his evidence might go in assisting Genl. Arnold in proving his negatives your Petitioner does not pretend to say, as this is an intire new mode of Trial.

First Because one of the Parties was not notified or present at the same, consequently the trial ex parte unconstitutional and illegal on every principle.

Secondly Because there was not one Witness at the Trial who will pretend he even had it in his Power to disprove one of the Charges in the Complaint.

Thirdly with the greatest Respect to Congress they had not the least Right to take cognizance of the Crimes enumerated in my complaint, for the truth of this assertion I beg leave to refer them to the military Laws by them compiled and instituted for the Regulation of the Army, which are the only security and protection of the Officers and Soldiers belonging to the same, consequently no other Court or Tribunal would have any Right to take cognizance of the Crimes enumerated but that of a

Court Martial, and therefore the trial of the Genl. above recited was strictly a nullity to all intents and purposes it being Coram non Judge. However should Congress be of a Different opinion with respect to this Matter, and that that the Trial of Genl. Arnold was legal & constitutional, he then expects that Congress will give him the same indulgence and latitude, and that he may be heard by congress on the subject of his Impeachment of Genl. Arnold, in which Case the General's presents & witnesses will not be necessary. Your Petitioner therefore esteems it as a very great grievance that the Honle. Congress by the trial aforesaid have resolved and published and authorised Genl. Arnold to publish to the World that he your Petitioner has been guilty of making and publishing false and groundless aspertions agt. a general Officer, when at the same time every article in the Complaint was sacredly true, and would have been proved so had a proper tribunal been obtained, of which Genl. Arnold was well apprised. 'Tis possible that Genl. Arnold might have suggested to Congress that your Petitioner was not an Officer at the time of trial afd. as to this Matter your Petitioner has not as yet been informed whether his Resignation has been accepted or not, indeed he cannot suppose it compatible with the Wisdom Dignity and Justice of Congress to discharge any of their Officers for the Reason set forth in your Petitioners Letter accompanying his Resignation as he then stood impeach'd to Congress by the same Genl. Arnold of every high Crimes which if true effected the Reputation of the united States and Genl. Arnold's sacred Character stood then impeached by your Petitioners of thirteen capital Charges, which in the opinion of those most knowing would have effected the life of a more honest Man, in consequence of a proper trial before a generous Court Martial—on these considerations your Petitioner presumes his Resignation was not accepted but on Supposition it was, yet your Petitioner conceives that to make no material odds, as it can not be presumed that congress would try a Citizen without a hearing, whatever they may imagine their authority to be. However let this matter be as it may Congress are sensible that your Petitioner notwithstanding the most flagrant abuses received was not out of Service from the commencement of the War untill the reduction of the british Army under the Commandg genl. Burgoyne, in which he challenges to himself some show [?] of merit since no one else (to his knowledge) has been willing to give it him.

Your Petitioner is sensible that Congress at the time of Genl. Arnold's application for a trial were imbarassed on all Quarters, and no doubt laboured under high prejudices with Respect to your Petitioners Character owing perhaps to the Representations made them by Genl. Gates, who 'tis possible has been mistaken to his Sorrow with respect to his Friend—which prejudices your Petitioner hopes time and events have eradicated, he therefore can assure Congress, that he hopes and wishes for nothing more than common justice altho the History of the War and his present infirmities received therein, might entitle him to something more. But to stand conviction by a Decree of Congress of publishing cruel and groundless assertions or Libels without a hearing when actually fighting for Liberty is intolerable in a free Country and has a direct tendency to check the ambition, and even disaffect those Men by whose wisdom Valour and perseverance America is to be made free, not to mention the dangerous president such trials may afford. Your Petitioner therefore implores Congress to reconsider their determination on the impeachment of Genl. Arnold, as there cannot at this Day remain a possibility of Doubt but that the same was premature, and furnished Genl. Arnold with a foundation to establish a Character on the Ruins of a Man who to speak moderately has rendered his Country as essential [?] Service as that Donquixote Genl. whose reasons for evading a trial at a proper tribunal are very obvious and fully set forth in my impeachment & which the Genl. has had his pretended trial by which impeachment it fully appears that Genl. Arnold was resqued from Justice by mere dint of unlawfull authority exercised by Genl. Gates.

Your Petitioner relying on the Wisdom and Justice of Congress begs leave to submit [?] himself most Respectfully their very obedt. Humble Svt.

JNO. BROWN.

Petition [?]

9th June 1779 Hon^{le} JNO. JAY Esq.
Presidt. Congress

NOTE 4.

§1. MILITARY RECORD OF JOHN BROWN.

First. Fourteen (14) days in Ticonderoga expedition, engaged in capture. (See "Connecticut in Revolution," p. 32.)

Second. Major, Colonel Easton's Regiment, service from May 10, 1775, to December 30, 1775, in list of men who marched to Canada. (See "Massachusetts Soldiers and Sailors," vol. ii. p. 642.)

Third. Major of the New York Line, Additional Corps, Green Mountain Boys. "Major Brown's detachment in Genl. Arnold's Regiment." Colonels Ethan Allen and Seth Warner, Quebec, 1776. (See "New York in the Revolution," vol. i. p. 61.) On list sent Provincial Congress of New York, 4 July, 1775.

Fourth. Lieutenant-colonel. Colonel Samuel Elmore's Regiment, raised for one year from Connecticut and Massachusetts, appointed by Congress July 29, 1776, resigned March 15, 1777. Regiment took field July, 1776, under General Schuyler. August 25, marched from Albany into Tryon County. Posted remainder of term at Fort Stanwix. Broke up in spring of 1777. (See "Connecticut in Revolution," p. 113.) The Massachusetts roll states that John Brown was among the men who went to German Flats April 1, 1776, and was discharged May 18, 1777. Service, thirteen months, eighteen days.

Fifth. Colonel Third Berkshire Regiment. Commissioned April 4, 1777. Services in Northern Department not stated. April 14, 1780, further appointment as Colonel. Service, three months, five days. Killed October 19, 1780. (See Massachusetts Rolls.)

[Pg 26]

The above memoranda are imperfect, but I print them from printed records. I have not searched the original sources, believing the public officials have done all that could be done.

§2. COLONEL JOHN BROWN'S COMMAND JULY 14, 1780, TO OCTOBER 19, 1780.

Claverack to Stone Arabia, N.Y.

Colonel, John Brown. Adjutant, James Easton, Jr.
Major, Oliver Root. Quartermaster, Elias Willard.
Surgeon, Dr. Oliver Brewster.

CAPTAIN WILLIAM FOORD'S COMPANY.

Foord, William, <i>captain.</i>	Dean, Joel, <i>private.</i>
Spencer, Alpheus, <i>lieutenant.</i>	Easton, Calvin, <i>private.</i>
Pearson, Abel, <i>lieutenant.</i>	Ellison, James, <i>private.</i>
Benden, Timothy, <i>sergeant.</i>	Foot, Asahel, <i>private.</i>
Rothborn, Daniel, <i>sergeant.</i>	Gleason, Benoni, <i>private.</i>
Sloson, Eleazer, <i>sergeant.</i>	Goodrich, Nathaniel, <i>private.</i>
Wheaton, Samuel, <i>sergeant.</i>	Gates, Jonah, <i>private.</i>
Barber, James, <i>corporal.</i>	Hatch, William of Nobletown, N.Y., <i>private.</i>
Bond, Bartholomew, <i>corporal.</i>	Harrison, Asahel, <i>private.</i>
Tobie, Nathaniel, <i>corporal.</i>	Hewitt, Zadok, <i>private.</i>
Goodrich, Gilbert, of Lenox, <i>private.</i>	Huet, Jeremiah, <i>private.</i>
Austin, Shubael, <i>drummer.</i>	Hull, Warren, <i>private.</i>
Andrews, Colman, <i>private.</i>	Handy, Joseph, of Stockbridge or Lee, <i>private.</i>
Alcock, Stephen, <i>private.</i>	Hide, Charles, <i>private.</i>
Adams, Aaron, <i>private.</i>	Ingraham, Nathan, <i>corporal.</i>
Burt, Thomas, <i>private.</i>	Juhel, Joseph, <i>private.</i>
Baker, William, <i>private.</i>	Knolton, Thomas, <i>private.</i>
Bell, Henry, <i>private.</i>	Ladd, Joel, <i>private.</i>
Bateman, Jonathan, <i>private.</i>	Lewis, John, <i>private.</i>
Blen, Solomon, <i>private.</i>	McKnite, Thomas, <i>fifer.</i>
Balding, Oliver, <i>private.</i>	Meres, John, <i>private.</i>
Bond, Seth, <i>private.</i>	Milliken, William, <i>private.</i>
Cumington, John, <i>private.</i>	McKnight, William, <i>private.</i>
Case, Ezekiel, <i>private.</i>	Mack, Warren, <i>private.</i>
Clarke, David, <i>private.</i>	Noble, John, <i>private.</i>
Carlton, Peleg, <i>private.</i>	North, John, <i>private.</i>
Carlton, Reuben, <i>private.</i>	Newell, Seth, <i>private.</i>
Carter, Elisha, <i>private.</i>	
Cogswell, Levi, <i>private.</i>	
Phelps, John, <i>private.</i>	Sears, David, <i>private.</i>
Parks, Nathan, <i>private.</i>	Taylor, David, <i>private.</i>
Porter, Joseph, Jr., <i>private.</i>	Tomblin, Moses, <i>private.</i>
Porter, Joseph, Sr., <i>private.</i>	West, William, <i>private.</i>
Robbins, Jason, <i>private.</i>	Wilson, Shubael, <i>private.</i>
Reed, Joseph, <i>private.</i>	Woodroof, Amos, <i>private.</i>
Reed, James, <i>private.</i>	Wollison, Shubael, <i>private.</i>
Smith, Ezekiel, <i>private.</i>	Thomas (surname undecipherable), <i>private.</i>
Stearns, Zehiel, <i>private.</i>	Dunham, Calvin, <i>private.</i>
Stiles, Josiah, <i>private.</i>	
Stoddard, Philemon, <i>private.</i>	

[Pg 27]

CAPTAIN LEVI ELY'S COMPANY.

Ely, Levi, <i>captain.</i>	Day, Asa, <i>private</i> , killed Oct. 19, 1780.
Smith, Martin, <i>lieutenant.</i>	Dewey, Heman, of Westfield, <i>private.</i>
Fowler, Bildad, of West Springfield, <i>lieutenant.</i>	Dewey, Oliver, of Westfield, <i>private.</i>
Stiles, Gideon, <i>lieutenant.</i>	Dimmouth, John, <i>private</i> , killed Oct. 19, 1780.
Smith, Jonathan, <i>quartermaster sergeant.</i>	Ely, Edmond, <i>private.</i>

Kendal, William, *sergeant*.
Noble, Jacob, *sergeant*.
Ainsworth, Luther, *private*.
Ashley, James, of Westfield, *private*.
Allen, William, *private*.
Anderson, Samuel, Jr., of Blandford, *private*.
Bruk, Wainwright, *private*, killed.
Bills, William, of Westfield, *private*.
Baird, John, *private*.
Blackwood, Albright, of Soudon, *private*.
Badcock, Nathan, *private*.
Blair, Alexander, *private*.
Church, John, of Westfield, *private*.
Colgrove, Joseph, *private*.
Chapin, John, *private*, killed.
Crooks, James, *private*.
Colhiren, Abner, *private*.
Connors, Abraham, *private*, killed.
Converse, Isaac, *private*.
Crow, John, *private*.
Copley, Matthew, *private*.
Day, Moses, *private*.

Loyhead, Thomas, *private*, killed Oct. 19, 1780.
Miller, Abner, *corporal*.
Morgan, Simeon, *private*.
Moor, William, *private*.
Mathew, Nathan I., *private*.
Nott, Selden, *private*.
Noble, Paul, of Westfield, *private*.
Noble, Jared, *private*, killed Oct. 19, 1780.
Plumm, Jared, *private*.
Pepper, William, *private*.
Pitts, Gideon, *private*.
Rimington, Jonathan, *private*.
Rogers, Isaac, *private*.
Read, Amos, *private*.
Stewert, Jesse, *corporal*.

Farmar, Elisha, *corporal*.
Francis, Aaron, *private*.
Francis, Simeon, *private*.
Gleason, Daniel, *private*, killed Oct. 19, 1780.
Hill, Dan, *private*, killed Oct. 19, 1780.
Hough, Justus, *private*.
Herrick, Ebenezer, *private*.
Haley, William, *private*.
Hubbard, Jonas, *private*, killed Oct. 19, 1780.
Hill, Primus, *private*.
Ingowol, Stephen, *drummer*.
Jones, Judah, *corporal*, killed Oct. 19, 1780.
Jones, Ithamar, *private*.
Kent, Ezekiel, *private*.
Kellegg, Daniel, *private*.
Leonard, Russel, *private*, killed Oct. 19, 1780.
Loomis, Josiah, *private*.

Smith, David, *fifer*.
Smith, James, *private*.
Stewart, Moses, *private*.
Shephard, Elijah ?
Taylor, Joseph, *corporal*.
Taylor, Jonathan, *private*.
Taylor, Thomas, *private*.
Vanslow, Justus, *private*.
Worthington, Seth, *sergeant*.
Worriner, Lewis, *corporal*.
Worthington, Stephen, *private*.
Whitney, David, *private*.
Williams, Roswell, *private*.
Walker, John, *private*.
Woodworth, Roswell, *private*.
Woolworth, Samuel, *private*.
Walton, Elijah, *private*.

[Pg 28]

CAPTAIN JOHN SPOOR'S COMPANY.

Spoor, John, *captain*.
Brooks, Jonathan, of Lanesborough *lieutenant*.
Ball, Isaac, of Stockbridge, *lieutenant*.
Fish, John, *sergeant*.
Jones, William, *sergeant*.
Davis, William, *corporal*.
Edmun, Andrew, *corporal*.
Edy, Briant, *private*.
Foster, Jeremiah, of Williamstown
(also given Weston), *corporal*.
Lemmon, Moses, *sergeant*, killed Oct. 19, 1780.
Tylor, Russell, *corporal*.
Jones, Josiah, *fifer*.
Cetcham, Joseph, *drummer*.
Adams, Peter, *private*.
Abbe, John, *private*.
Bennett, Jeremiah, *private*.
Babcock, Jonathan, *private*.
Bradley, Josiah, of Stockbridge, *private*.
Bush, Japhet, *private*.
Bondish, Asa, *private*.

Gregory, "Isband," *private*.
Hubbard, Baley, *private*.
Heart, Leveret, *private*.
Horsford, Ambrose, *private*, killed Oct. 19, 1780.
Hatch, Solomon, *private*, killed Oct. 19, 1780.
Holmes, John, *private*.
Ingersole, Moses, *private*.
King, George, of Sheffield, *private*.
Lorris, Jacob, *private*, killed Oct. 19, 1780.

Bigsbey, Peletiah, *private*, killed Oct. 19, 1780.
Barry, John, *private*.
Moses, Charles, of Stockbridge, *private*.
Comstock, Medad, *private*.
Curk, John, *private*.
Chapman, Gershom, *private*.
Calender, Ezekiel, *private*.
Charles, Darius, *private*.
Campbel, Sam, *private*.
Dickerman, Joel, *sergeant*.
Davis, Robert, *private*, killed Oct. 19, 1780.
Dewey, Lalson, of Stockbridge, *private*.
Egleston, Elijah, *private*.
Fuller, Boswell, *private*, discharged September 28.
Fitch, Nat, *private*.
Foster, Jeremiah, Jr., of Williamstown
(also given Weston), *private*.
Gaff, Jacob, *private*, killed Oct. 19, 1780.
Giles, James, *private*.

Pixley, Jonah, *private*.
Pior, Abner, *private*.
Raymond, John, *private*.
Rool, "Hewek," *private*.
Ransom, Elias, *private*.
Root, Roswell, of Sheffield, *private*.
Rool, Stephen, *private*.
Standish, Asa, *private*.
Starr, Thomas, *private*.

[Pg 29]

Meeken, Oliver, *private*, killed Oct. 19, 1780.
Mansfield, Josiah, *private*.
Mash, Abijah, *private*.
Monrsurir, Gabriel, *private*.
Noble, Joseph, *private*, killed Oct. 19, 1780.
Orton, James, *private*.

Saxton, Jesse, *private*.
Sprague, Barnabas, *private*.
Shearwood, Jonathan, *private*.
Tylor, Bezaleel, *private*.
Winchel, David, *private*.
Watson, Samuel, *private*.
Wright, Miles, *private*.
Winchel, Ephraim, *private*.
Wood, Amaziah, *private*.
Webb, Will, *private*.

CAPTAIN SAMUEL WARNER'S COMPANY.

Warner, Samuel, *captain*.
Norton, Jonathan, *lieutenant*.
Chadwick, Ebenezer, of Tyringham, *lieutenant*.
Tracy, David, *sergeant*.
Jackson, Joshua, *sergeant*.
Brown, Nathaniel, *sergeant*.
Rand, James, *sergeant*.
Greppen, Alpheus, *sergeant*.
Bush, Caleb, of Sandisfield, *corporal*.
Jewet, Joseph, *corporal*.
Down, Stephen, *corporal*.
Powel, Joseph, of Sheffield, *corporal*.
Belton, Stephen, *corporal*.
Griffins, Thomas, *drummer*.
Pope, Gideon, *fifer*.
Noble, Saul, *private*.
Allen, Rufus, *private*.
Bogworth, Frederick, of Sandisfield, *private*.
Bogworth, John, of Sandisfield, *private*.

Brooks, Shadrack, *private*.
Bradle, Isaac, *private*.
Bond, Joseph, *private*.
Brown, Reuben, of New Marlboro, *private*.
Blackmer, Isaac, *private*.
Bird, Amos, of Tyringham, *private*.
Benton, David, Jr., of Sheffield, *private*.
Brookner, Reuben, *private*.
Beckett, William, *private*, killed Oct. 20, 1780.
Boods, Joel R., *private*.
Bradle, Isaac, *private*.
Core, Noah, *private*.
Clark, Reuben, of Sheffield, *private*.
Clark, Wells, *private*.
Cooper, Benjamin, *private*.
Carter, Elisha, *private*.
Cole, Elisha, *private*.
Conch, William, of Sandisfield, *private*.

Comstock, Rufus, *private*.
Callender, Daniel, *private*, received bounty at Sheffield.
Denely, John, *private*.
Dunham, Calvin, *private*.
French, Ebenezer, *private*.
? French, Elisha, *private*.
Graten, Care, *private*.
Gichel, Joseph, *private*.
Gillet, John, *private*.
Glaston, Willard, *private*.
Guild, Orrange, *private*.
Hodg, Daniel, *private*.
Huggins, Joseph, of Sheffield, *private*.
Heath, George, *private*.
Hines, Ezekiel, *private*.
Hoskins, Anthony, *private*.
Hyde, Theophilus, of Sheffield, *private*.
Higgins, Zenas, *private*.
Hatch, Seth, of Bennington, *private*.
Jaqua, Seth, *private*.
Keyes, Elias, *private*.
Kilbernt, Robert, *private*.
Kelegg, Joel, *private*.
Kingsbury, Nathaniel, *private*.
Lummis, Noah, *private*.

Marel, Abner, *private*.
Marcone, Stephen, *private*.
Mack, Warren, *private*.
Orten, Roger, *private*.
Owen, William, of Sheffield, *private*.
Remington, Simeon, *private*.
Rhods, Adam, *private*.
Root, "Rosel," *private*.
Sage, David, *private*.
Smith, Henry, of Sandisfield, *private*.
Spring, Henry, *private*.
Skinner, Samuel, *private*.
Shed, Samuel, *private*.
Shed, Daniel, *private*.
Todge, Elias, *private*.
Turner, Uriah, *private*.
Tuttle, Benjamin, *private*.
Underwood, Silas, *private*.
Warner, Levi, of Sandisfield, *private*.
Warker, Thomas, *private*.
Webster, Daniel, *private*.
Wollen, Moses, *private*.
Whitne, Silas, *private*.
White, Solomon, *private*.
Bradle, Isaac, *private*.
Wording, John M., *private*.

CAPTAIN WILLIAM WHITE'S COMPANY.

White, William, *captain*.
Beckit, Silas, *lieutenant*.
Sprague, John, *lieutenant*.
Day, Elkanah, *sergeant*.
Stearns, Isaac, *sergeant*.
Barker, Ezra, of Lanesborough, *corporal*.
Allen, Benjamin, *corporal*.
Brown, Luther, of Windsor, *fifer*.
Allen, John, *private*.
Arnold, Jonathan, of Hancock, *private*.
Bundee, Elisha, *private*.
Barnes, Asa, Jr., *private*.

Bryant, John, *private*.
Barus, Aaron, *private*.
Briggs, Benjamin, *private*.
Cleaveland, Jedediah, *private*.
Cook, Amasa, *private*.
Coree, Josiah, Jr., *private*.
Chafee, John, *private*.
Coree, Josiah, *private*.
Carpenter, Benjamin, of Hancock, *private*.
Cole, Solomon, *private*.
Cowing, Elisha, *private*.
Cole, William, Jr., *private*.
Doolan, Patrick, *private*.

Eddy, Andrew, <i>private</i> .	Pettabone, Amos, <i>private</i> .
Gallop, William, <i>private</i> .	Pearce, Levi, <i>private</i> .
Hanks, Levi, <i>private</i> .	Parker, Philip, <i>private</i> .
Haringdon, William, <i>private</i> .	Parker, Giles, <i>private</i> .
Holt, Titus, <i>private</i> .	Powel, Daniel, of Lanesborough, <i>private</i> .
Harris, Joseph, <i>private</i> .	Pettabone, Roger, <i>private</i> .
Hall, Calvin, <i>private</i> .	Richardson, Nehemiah, <i>private</i> .
Hill, Gardner, of Hancock, <i>private</i> .	Ross, Willard, <i>private</i> .
Harringdon, Peter, <i>private</i> .	Robbins, Jonathan, <i>private</i> .
McFarling, William, <i>private</i> .	Reed, Simeon, <i>private</i> .
Jarvis, Joseph, <i>private</i> .	Rice, Daniel, <i>private</i> .
Keeler, James, <i>private</i> .	Smith, Jonathan, <i>private</i> .
Lewis, Richard, of Lanesborough, <i>private</i> , killed October, 1780.	Stevens, John, <i>private</i> .
Leanord, Soloman, <i>private</i> .	Smith, Simeon, <i>private</i> .
Lusk, Asa, <i>private</i> .	Slater, James, <i>private</i> .
McGuire, James, <i>private</i> .	Tracey, William, <i>private</i> .
Morehouse, Matthew, of Hancock, <i>private</i> .	Thrasher, Charles, of New Ashford, <i>private</i> .
Narramore, Asa, <i>private</i> .	White, William, Jr., <i>private</i> .
Oles, Horace, <i>private</i> .	Wollcut, Moses, <i>private</i> .
Parker, Charles, <i>private</i> .	

SUMMARY.

Captain William Foord's Company may have been stationed at Middle Fort, Schoharie Valley, under command of Major Melancton L. Woolsey. See his report of Sept. 27, 1780. It had

2 Lieutenants,	
4 Sergeants,	
1 Drummer,	
1 Fifer,	
4 Corporals, and 63 men	76

Captain Levi Ely's Company had	
3 Lieutenants,	
1 Quartermaster Sergeant,	
3 Sergeants,	
6 Corporals,	
1 Drummer,	
1 Fifer and 66 men	81

Captain Ely and 15 men were killed Oct. 19, 1780.

Captain John Spoor's Company.	
2 Lieutenants,	
4 Sergeants,	
4 Corporals,	
1 Drummer,	
1 Fifer, and 59 men	72

One man taken prisoner, 11 killed Oct. 19, 1780,
2 killed Oct. 20, 1780.

Captain Samuel Warner's Company may have been left at Fort Paris or stationed elsewhere.	
2 Lieutenants,	
5 Sergeants,	
5 Corporals,	
1 Drummer,	
1 Fifer, and 73 men	88

Captain William White's Company.	
2 Lieutenants,	
2 Sergeants,	
2 Corporals,	
1 Fifer, and 56 men	64
1 private killed, 1 private wounded, 1 taken prisoner.	—
Whole force	381

Total killed Oct. 19, 1780, 29; wounded, 1; prisoner, 1.

Besides these Berkshire men, perhaps Captain John Kasselmann's Tryon Company Rangers were at Fort Paris, and Captain John Zelley's Company at Fort Keyser.

Tryon County Rangers.

Captain, John Kasselmann. Lieutenant, John Empie.
Ensign, George Gittman.

Badier, John.	Kasselmann, John.
Bickerd, Adolph.	Kutzer, Leonard.
Dusler, Jacob.	Kulman, Henry.
Empie, John.	Shnell, John.
Ettigh, Conrad.	Smith, Henry.
Fry, Jacob.	Smith, William.
Gittman, Peter.	Strater, Nicholas.
Harth, Daniel.	Tillenbach, Christ
Hayne, George.	Vanderwerke, John.
Hortigh, Andrew.	Walter, Adams.
House, Peter.	Walter, Christian.

Probably at Fort Paris.

[Pg 33]

Captain John Zelley's Company, Second Regiment, Tryon County, Colonel Jacob Klock.

Also John Wafel, William Wafel, Conrad Spraker, George Spraker, William (?) Dygert.

Probably at Fort Keyser.

NOTE 5.

See "Rules and Articles for better Government of the Troops of the Thirteen United English Colonies of North America." Printed by William and Thomas Bradford, 1775. John Hancock, President. Philadelphia, Nov. 7, 1775. (Massachusetts Historical Society Collections.)

Plunder or pillage always incident to war, and, whatever rules exist for restraint, the conflict usually leads to authorized devastation and plunder, retaliatory to exhaust the enemy. For instances, in Civil War of 1861-65, Sherman's destruction of property in march through Southern territory, Sheridan's destroying agents in the Shenandoah Valley.

By Hague rule of 1899, July 29, pillage of a town or place even when taken by assault is prohibited.

How about Allies in Pekin?

See Instructions to United States Army in the field. General Orders, April 24, 1863, War of Rebellion:—

All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, all robbing, all pillage and sacking even after taking a place by main force, all rape, wounding, maiming or killing of such inhabitants are prohibited, under penalty of death or such other severe punishment as may seem adequate to the gravity of the offence.

A soldier, officer, or private may be killed by superior officer for such act. See John Bassett Moore's "Digest of International Law."

NOTE 6.

Brown was more outspoken than General Wayne. See "Major-general Anthony Wayne, and the Pennsylvania Line," by Charles J. Stillé, President Historical Society of Pennsylvania. J. B. Lippincott Company, 1893. (Pages 235 *et seq.*)

GENERAL ANTHONY WAYNE TO H. A. SHEEL.

[Pg 34]

HAVERSTRAW NEAR STONEY POINT
2d Oct 1780.

Dear Sheel

I am confident that the perfidy of Gen^l. Arnold will astonish the multitude—the high rank he bore—the eclat he had obtained (whether honestly or not) justified the world in giving it him.

But there were a few Gentlemen who at a very early period of this war became acquainted with his true character! when you asked my opinion of that officer I gave it freely & believe you thought it

rather strongly shaded.

I think I informed you that I had the most despicable Idea of him both as a Gentleman & a Soldier— & that he had produced a conviction on me in 1776 that honor & true Virtue were Strangers to his Soul and however Contradictory it might appear—that he never possessed either fortitude or personal bravery—he was naturally a Coward and never went in the way of Danger but when Stimulated by liquor even to Intoxication, consequently Incapacitated from Conducting any Command Committed to his charge.

I shall not dwell upon his Military Character or the measures he had adopted for the surrender of West Point—that being already fully Elucidated but will give you a small specimen of his *peculate* talents.

What think you of his employing Sutlers to retail the publick Liquors for his private Emolument & furnishing his Quarters with beds & other furniture by paying for them with Pork, Salt, Flour &c. drawn from the Magazine—he has not stopped here, he has descended much lower—& defrauded the old Veteran Soldiers who have bled for their Country in many a well fought field—for more than five Campaigns among others an old Sergeant of mine has felt his rapacity by the Industry of this man's wife they had accumulated something handsome to support them in their advanced age—which coming to the knowledge of this cruel Spoiler—he borrowed 4500 dollars from the poor Credulous Woman & left her in the lurch.

The dirty—dirty acts which he has been capable of Committing beggar all description—and are of such a nature as would cause the *Infernals to blush*—were they accused with the Invention or Execution of them.

The detached & Debilitated state of the Garrison of West Point—Insured success to the assailants—the enemy were all in perfect readiness for the Enterprise—& the discovery of the treason only prevented an Immediate attempt by open force to carry those works which *perfidy* would have effected the fall of, by a slower & less sanguine mode.—Our army was out of protecting distance the troops in the possession of the Works a spiritless Miserabile Vulgus—in whose hands the fate of America seemed suspended in this Situation his Excellency (in imitation of Cæsar & his tenth legion) called for his Veterans—the summons arrived at one o'clock in the morning & we took up our line of March at 2.

[Pg 35]

HUGH A. SHEEL TO GENERAL WAYNE.

PHILA Oct. 22, 1780

My dear General

... the character you gave me in confidence of Arnold *several months* ago made a strong impression on my mind it has been verified fully—his villany & machinations never could have been carried on but through the medium of his Tory acquaintance in this place....

[Pg 36]

APPENDIX.

A very valuable map of the Province of New York, by Claude Joseph Sauthier, drawn for Major-general William Tryon in 1779, is found in "The Documentary History of New York," showing the Mohawk Valley grants, old forts, etc.

Fort Paris, Dec. 19, 1776, Captain Christian Getman's Rangers, Tryon County militia, were stationed at Stone Arabia, and were ordered, when not ranging, to cut timber for building a fort, under direction of Isaac Paris, Esq. (Mr. Paris was in Provincial Congress and later in State Senate.) It was a palisaded enclosure of stone and block-houses for a garrison of from two to three hundred (200-300) men. Begun in December, 1776, it was completed in the spring of 1777. It was situated on a most beautiful plain three or four miles north-east of Fort Plain, one-half a mile north of Stone Arabia churches, twelve (12) rods from the road. North of it water would run into the Sacondaga, and thence into upper waters of the Hudson; south into Mohawk waters. It is easily reached from Palatine Bridge, and is nearly one thousand feet above sea-level. In the fall of 1779, Colonel Fred. Fisher (Visscher), of Third Regiment, Tryon County militia, was at Fort Paris.

May 12, 1780, Colonel Jacob Klock, Second Regiment of Tryon County men, was there.

June 24, 1780, General Robert Van Rensselaer, of Second Brigade of Albany militia, was ordered to Fort Paris.

July 26, 1780, he left there (perhaps, however, to return), to assist the Canajoharie men at Fort Schuyler.

When John Brown took command there I do not know.

The conclusion of the matter of Oct. 19, 1780 was *battle of Klock's Field* or *Fox's Mills*. On that day and the 18th Sir John Johnson laid waste the whole of Stone Arabia district after burning Caughnawaga.

Brown's defeat in the morning of October 19 did not, however, involve Fort Paris, which was held by Major Root. Although immediate relief of the fort and pursuit of Johnson were essential, Van Rensselaer did not cross the Mohawk until afternoon, crossing at Fort Plain. The enemy was entrenched on the north side of the river, about St. Johnsville, near a stockade or block-house at Klock's. Fort House, a small block-house, was the exact place where just before night a "smart brush" occurred between the British and the Americans under Colonel Dubois. Colonel Dubois took a position above Johnson, on the heights of the north side, to prevent his passage up the river. Colonel Harper, with the Oneida Indians, was on the south side of the river, nearly opposite. General Van Rensselaer after all this forward movement and the slight attack, did not hold his position, but fell back three miles down the river.

[Pg 37]

The enemy camped on land of the late Judge Jacob G. Klock, I suppose, colonel of Second Regiment, Tryon County militia, and, "soon after the moon appeared," moved to a fording-place just above a well-known citizen's (Nathan Christie) residence, and retreated on the south side of the Mohawk, passing Oneida Castle, and pushing westward for Canaseraga on Chittenango Creek, near Lake Oneida.

*** END OF THE PROJECT GUTENBERG EBOOK COLONEL JOHN BROWN, OF PITTSFIELD, MASSACHUSETTS, THE BRAVE ACCUSER OF BENEDICT ARNOLD ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE
THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg™ License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you

follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™'s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.