them. They were told by the Mayor that a legal requisition if necessary, should be made, and that he would urge the Sheriff to do all that the law enjoined, and that *he* would do all in his power as *an officer*, that is, to say as a Justice of the Peace, for as Mayor he had nothing to do with it, to protect them. No sooner did the Mayor return from the jail, than he proceeded to the Sheriff, and strongly recommended to him the propriety of carefully guarding the prison. To the Sheriff are committed the care and protection of prisoners—him the law holds responsible for their safe keeping, and as he is punishable for any escape or rescue, he is invested with ample powers to collect a sufficient force for their safe keeping and prevention. He has the power of calling out the *posse comitatus* or whole force of the county: & every man that he summons, is bound under a heavy penalty to pay implicit obedience to his orders. The law, requiring of him so much, and admitting of no excuse for a rescue or forcing of a prison, *except by the enemies of the state*, is careful to invest him with ample means to do his duty, and the law knows no force greater than the *posse comitatus*. This is undeniable, and I challenge contradiction. It was for this reason that the Mayor as a Justice of the Peace, and in compliance with his promise to do his duty as an officer, was urgent with the Sheriff; and I do not hesitate to assert that this single act of the Mayor was a fulfilment of his promise, and *but* for that promise, he was not bound by any legal or moral obligation to take any further steps after lodging them in Jail. They were in the custody of the law—they had been delivered to the Sheriff by order of a Judge, and it was the duty of the Sheriff to look to the protection of his prisoners. But the Mayor did more. He signed and procured a requisition upon Gen. Stricker, who promptly issued as he had promised orders to Colonels Sterrett and Harris, and to Major Barney, in similar terms to that before issued to Major Barney, and placed them under the orders of the Mayor †. This was about ½ past 12 o'clock. The orders were to assemble at 5, a period of four hours and a half being allowed for the officers to notify their men. At ½ after 5 about *thirty five or forty* infantry out of a regiment of near *one thousand* men, and about six horsemen out of *eighty five*, most of whom were volunteers not belonging to the squadron, assembled in Gay street. It is not true that there were *two* detachments, one under the command of Colonel Sterett, and the other under Major Heath. These *thirty five* men composed the whole regiment commanded by those gentlemen. The number of artillery was small, but the amount not precisely ascertained. It is known, however, to every one at all acquainted with the subject, and no others a right to judge, that artillery unsupported by infantry or cavalry is not only useless but dangerous. This force, had there been occasion to use it before it was dismissed, would have been totally insufficient. But the assemblage at the Jail late in the evening was so small, that every person who returned thence, apprehended no attack. The Chief Justice of the Court of Oyer and Terminer, some federal gentlemen who accompanied him to the prison, the Attorney General, and many others who were there, declared on their return late in the afternoon that nothing was apprehended. Of this opinion, in common with hundreds of their fellow citizens, were the Mayor and General Stricker. Under this impression, and knowing that the force assembled was at all events totally insufficient, General Stricker with the approbation of the Mayor dismissed them. It is not true that they were dismissed contrary to the "advice and remonstrances of Major Heath."

What *honest* man after the above statement, can deny that these officers did more than duty required? Who, that has one spark of honor, that has a soul, can for a moment accuse these men of such terrible treachery? Men who for thirty years and more have, in the extensive circle of their very respectable acquaintance, been pre-eminently distinguished for their honorable and gentlemanly principles, for their amiable and mild disposition, for their benevolent and friendly propensities. If the men would not obey orders if the officers could not compel their attendance, it must be attributed to the proper cause, to the shocking wounds and yet more shocking slaughter of their fellow militia men to the universal indignation thus excited which had pervaded the public mind against the prisoners; an indignation which took such strong hold of the feelings of many men who abhored any attempt to massacre them, but who so strongly disapproved their conduct that the very idea of risking their lives in the defence of men who had rashly provoked their fate by such wanton deeds of blood, was revolting to them.

The author of these reflections is not the advocate of mobs. He has ever considered a mob as a monster whose appetite is only to be satiated with blood, whose pestilential breath withers what it touches, and blasts the fairest plants of the creation. The scene of the 28th of July, brings forcibly to his recollection the horrors of the French revolution, a revolution which has thrown a gloom over all civilized society, which has desolated the fairest portion of the world, a revolution which has shaken the earth to its centre. His object is not to palliate the proceedings of sanguinary cannibals. "*They must and shall be brought to justice.*"

To the Citizens of Maryland the foregoing are perhaps unnecessary. The characters of Mr Johnson and Gen. Stricker, are here too well known, their well earned and spotless reputation is established on too firm a basis, to be shaken by the vile, *electioneering* attacks of malicious slanderers. "*The vipers bite on a file.*" But the unfounded calumnies, if uncontradicted, may have some weight, where the persons so unjustly traduced are unknown. To give them as I have done, a plain, candid and impartial statement of *facts*, is only performing an act of

JUSTICE.

* NOTE.—I am informed that a number of gentlemen, and many *federalists* were at Gen. Stricker's house during the whole time that Major Barney remained there, and at the time he mounted his horse. *They* can inform whether there were any "private orders." The written order under which Major Barney acted, speaks for itself.

† NOTE.—*To Col. Joseph Sterrett.*

Whereas Edward Johnson, John Scott, Job Smith and John F. Harris, Justices of the Peace of the State of Maryland, have certified to me that they have good reason to believe "that the peace & quiet of the State is likely to be endangered," & have recommended and required of me to order out a sufficient number of militia to preserve the peace and quiet of the state: Now therefore, in obedience to the said requisition, you are hereby ordered forthwith to assemble the regiment under your command to preserve the peace and quiet of the state; and you are hereby strictly enjoined to execute the duties imposed upon you by this order, with firmness, but at the same time with humanity; and on no account to fire upon any citizen or use any weapon, unless the life or property of some citizen should be, in the opinion of some magistrate, endangered, or unless you or some of the men under your command should be attacked. Mr. Johnson, a Justice of the Peace and Mayor of the City, will attend you.

(Signed) JOHN STRICKER.

Brig. Gen. 3d Brigade, Maryland Militia.

Baltimore, 28 h July, 1812.

The orders to Maj. Barney & Col. Harris were in similar terms.

From the Pittsburg Mercury, Extra August 28.

Col. Cass of the Ohio volunteers has just arrived in town direct from fort Detroit on his way to the City of Washington. He confirms the accounts of the deplorable and disgraceful surrender of Detroit by Hull. After the evacuation of Sandwick by gen. Hull, the British erected a battery opposite Detroit, from which they threw a few shells into that fort, which killed capt. Hanks and two other officers. The British crossed the river about two miles below Detroit at the Spring wells. Their force consisted of 1030 including British & Indians. At the Spring wells, capt. Shelling of the 4th Regiment was posted with a small detachment.

Previous to the crossing of the British, capt. Snelling sent to the fort for a 6 pounder which was refused by gen. Hull, and capt. Snelling was ordered to Detroit.—Previous to the approach of the British, the army was drawn up in order of battle, but on the arrival of the enemy, they were immediately ordered into the fort. The morning report of our troops of the day counted 1060 men, in which number the Michigan militia, and the detachment under cols. M'Arther and Cass of 350 were not included. The guns of the fort were all loaded, the matches lighted, and the men were anxiously waiting for the word, when gen. Hull surrendered without suffering a single shot to be fired.—The officers and men were so indignant at this dastardly conduct of their general, that they actually shed tears! No doubt was entertained by the army of their ability to have repulsed and routed the enemy; but the general thought proper to make the surrender without consultation and against the remonstrances of the troops.

We understand that col. Miller although reluctantly obliged to acquiesce in the surrender, indignantly threw away his sword, declaring IT should not thus be delivered up.

The British had but three six pounders and two twelves.—Fort Detroit contained about sixty pieces of artillery, among which are sum elegant brass ones taken at the battle of Bennington from the British

The detachments under the commandments of Cols. M'Arthur and Cass had been sent out to meet capt. Brush with the provisions. They had proceeded about 24 miles when they were over taken by a party of dragoons with orders to return immediately to Detroit, as the Fort had been summoned to surrender. The detachment marched until 2 o'clock that night on their return, and the next morning arrived at the edge of the woods, in the vicinity of Detroit, where they drew up in order of battle. They sent forward a party of dragoons to reconnoitre, who returned and informed that the Indians were yelling through the commons but that the American flag was still hoisted on the fort. They however received different advices that the fort had surrendered and it was thought prudent for their detachment to retire about five miles. A flag of truce was here sent to them and a note from gen. Hull informing them of the capitulation, and ordering them in.

On the British taking possession of Detroit, no attention whatever was paid to the articles of capitulation. An indiscriminate plunder of property was made. Even the hats from the heads of the officers and men, their spurs, and the money in their pockets, were plundered from the prisoners.

The noted *Tecumseh* with 800 Indians and a party of 200 British under major Chambers, all mounted, had crossed the river from Malden on their way to fort Wayne, and it was supposed they would scour the whole frontier to Vincennes and make an attack upon that town. Tecumseh, said he had let the British do as they pleased at Detroit & he expected the same Liberty at Fort Wayne.

We understand that the people of Cleveland and along that frontier have sufficient numbers to relieve them from all apprehension, & they only stand in need of ammunition and stores.

"CHILICOTHE, August 28th.

"*Dear Sir*—I received yours of the 11th and 30th June in due time, and will have to apologise for not answering it sooner.—Upon the call of my country, a few days after, I volunteered with a company from this town, to guard provisions and other public stores to Detroit, for our army; and only returned three days since.

"You will have learned, ere this reaches you, the disastrous fate of the North Western army—its disgraceful, treacherous surrender, together with the fortress of Detroit, to our *allied* enemy, of inferior force. At the time of the capitulation of Detroit, the company to which I was attached was in garrison at the river Raisin, 36 miles from Detroit, waiting for a reinforcement from the army to enable us to go through to Detroit. Several attempts were made to reinforce us, without success. The detachment sent for that purpose, after engagements with the enemy were obliged to return. The day after the surrender of Detroit, a British officer (captain Elliott) was sent with a flag of truce to inform us of the affair, and to demand our compliance with the terms contained in the 3d art. of capitulation, which was framed specially for us and M'Arthur's regiment sent to reinforce us. After a council of war was held, it was determined that the garrison should be evacuated, which we did about ten o'clock at night on the 17th inst.—We travelled all night, and passed the rapids of Miami next morning about 11 o'clock, 3½ miles. We brought our arms and accoutrements with us, contrary to Hull's capitulation, and are almost unanimously determined to make the *allied* foe *feel* that we can *use them*, when we have so arranged our affairs as to leave our homes in a situation to sustain our absence.

"This shameful—this ever memorable affair of the surrender, has electrified the western country. The *vengeance* of the people is completely roused. It would do your heart good were you to witness the spirit manifested in the western world—to see in the faces hundreds of hardy "*back woodsmen*," of the blush of shame for their country's disgrace, while their eyes sparkle with vengeance against the *traitor*, and against their country's *allied* foe; and speaks in language which cannot be misunderstood—"*Give me my Sword.*" Never did volunteering run so high as at this time, in the state; already are there four fine companies from *this* county upon the frontier; and in some places the people have turned out *en masse*. Volunteers and regulars are flocking to Urbana, from all parts of this state and Kentucky. Expresses have been sent to collect all the cannon in the state, and every preparation making for an immediate march to the field of action. Such ardour and *real* patriotism among all parties and conditions, I never expected to have seen. In short, give us but *permission* and we will turn out such an army of hardy "back woods men" as will retake the fortresses lost and sweep the two Canadas to the walls of Quebec. There is now in Urbana about 4000 men, regulars and volunteers under the command of Gens. Winchester Payne and Wells—this force will probably be doubled in a few days.

"The council with the Indians at Piqua is suspended, perhaps entirely broken off.—Such general dissatisfaction prevailed among the people on account of the arms and ammunition about to be distributed to the Indians, that they rose in a body determined to prevent it—The Governor has ordered the arms, &c back to Urbana; and it is apprehended that if the Indians should shew any disposition of resistance, they will be cut off, or dispersed by the enraged people."

Copies of Letters from CAPTAIN HULL to the SECRETARY of the NAVY.

United States' frigate Constitution, August 28, 1812.

SIR,—The enclosed account of the affair between the President, Commodore Rogers, and the British, frigate Belvidere was taken by an officer, on board the Belvidere, and fell into my hands by accident! It clearly proves that she only escaped the Commodore by superior sailing, after, having lightened her, and the President being very deep.

As much has been said on this subject; if Commodore Rogers has not arrived, to give you this statement of the affair, if it meet your approbation I should be pleased to have this account published to prevent people from making up their minds hastily, as I find them willing to do.

I am confident could the Commodore have got along side the Belvidere, she would have been his, in less that one hour.

I have the honor to be,
With great Respect, Sir,
Your obedient servant.
ISAAC HULL.

The Hon. *Paul Hamilton, &c.*

An account of the proceedings of His Majesty's ship Belvidere, Richard Byron Esq. Captain 23d day of June 1812.

A. M. at 4, 40 Nantucket Shoal, saw several sail bearing S. W. made sail towards them, at 6, 30, they bore S. W. by S. made them out to be three frigates, one sloop, and one brig of war standing to the S. E. under a press of sail. Observed them to make signals, and haul up in chace of us, hauling down their steering sails, in a confused, and irregular manner. Tacked ship, and made the private signal which was not answered, made all sail, possible. N. E. by E. at 8 moderate and fine weather, the headmost ship of the chace S. S. W½ W. apparently gaining ground on us at times, & leaving her consorts. At 11 30, hoisted our colors, two of them hoisted Commodore's broad pendants, at noon the commodore and the second headmost ship of the chace S. W. ½ W. about 2 and ¼ of a Mile, Nantucket Shoal N. 4 00. E. 48 miles, moderate and fine weather, cleared ship for action, Commodore of chace gaining, the other ships dropping, observed the chace pointing her guns at us, at 3, 40, the Commodore fired three shot, one of which struck the rudder coat, and came into the upper, or Captains cabin, one of which struck the muzzle of the larboard chace gun, the other went through the beam under the skylight, killed William Gould (Seaman) Wounded, John Hill, (armourer) Mortally, Joseph Lee (sea.) severely, George Marlon (ships corpoal) badly, Lieut. Bruce and James Kelly, James Larmont (sea.) slightly.—At 3 45, commenced firing with our stern guns, shot away her larboard lower steering sail, keeping our ship a steady course N. E by E. at 4 the chace bore up and fired her larboard broadside, which cut our rigging, and sails much, the long Bolts, Breeching Hooks, and Breechings of guns & Cannonades frequently breaking (by one of which captain Byron was severely wounded in the left thigh) all of which was instantly replaced. Kept up a constant fire, which was returned by our opponent with bow chace guns, at times by her broadsides which by her superiority of sailing she was enabled to do till 6 45, when we cut away our spare sheet, and small bower anchors Barge, Yawl, and Jolly Boats, and started 14 tons of water; we then gained on him, when he bore up and fired three broadsides; part of which fell short of us, at 7 opponent ceased firing, and the second frigate commenced but finding her shot fall short, ceased again. Employed fishing our Cross Jack yard, and maintop mast (both badly wounded) knotting and splicing our rigging, which was much cut & damaged. At 11 altered our course to E by S ½ S. and lost sight of our opponents.

[Here follows Capt. Hull's letter to the Secretary, giving an account of the prizes taken, &c. during the cruize, which shall appear in the next Star.]

United States frigate Constitution, off Boston Light, August 30, 1812.

SIR—I have the honor to inform you that on the 19th inst. at 2 P. M. being in lat 41, 42, and lon. 55, 48, with the Constitution under my command, a sail was discovered from the mast head bearing E. by S. or E. S E but at such a distance we could not tell what she was. All sail was instantly made in chace, and soon found we came up with her. At 3 P. M. could plainly see that she was a ship on the starboard tack under easy sail, close on a wind; at half past 3 P. M. made her out to be a frigate; continued the chase until we were within about 3 miles, when I ordered the light sails taken in, the courses hauled up, and the ship cleared for action. At this time the sail had backed his maintop sail waiting for us to come down. As soon as the Constitution was ready for action, I bore down with an intention to bring him to close action immediately; but on our coming within gun shot she gave us a broadside and filled away, and wore, giving us a broadside on the other tack, but without effect; her shot falling short. She continued wearing and manœuvering for about three quarters of an hour, to get a raking position, but finding she could not, she bore up, and ran under her top-sails and gib, with the wind on the quarter. I immediately made sail to bring the ship up with her, and 5 minutes before 6 P. M. being along side within half pistol shot, we commenced a heavy fire from all our guns, double shotted with round and grape, and so well directed were they, & so warmly kept up, that in 15 minutes his mizen mast went by the board and his main yard in the slings, and the hull, rigging and sails very much torn to pieces. The fire was kept up with equal warmth for fifteen minutes longer, when his mainmast and foremast went, taking with them every spar except the bowsprit; on seeing this we ceased firing, so that in 30 minutes after we got fairly a longside the enemy, she surrendered, and had not a spar standing, and her hull below and above water so shattered, that a few more broadsides must have carried her down.

After informing you that so fine a ship as the Guerriere, commanded by an able and experienced officer, had been totally dismasted and otherwise cut to pieces so as to make her not worth towing into port, in the short space of thirty minutes, you can have no doubt of the gallantry, and good conduct of the officers and ship's company I have the honor to command; it only remains therefore for me to assure you that they all fought with great bravery; and it gives me great pleasure to say that from the smallest boy to the oldest seaman, not a look of fear was seen. They all went into action, giving three cheers, and requesting to be laid close along side the enemy.

Enclosed I have the honor to send you a list of killed and wounded on board the Constitution, and a report of the damages she has sustained, also a list of killed and wounded on board the enemy, with his quarter bill, &c.

I have the honor to be,
With very great respect,
Sir, your obedient servant,
ISAAC HULL.

The Hon. Paul Hamilton, &c.

Return of killed and wounded on board the United States' frigate Constitution Isaac Hull, Esq. Captain, in the action with his M. S. Guerriere, Jas. R Dacres, Esq Captain, on the 20th day of August, 1812.

KILLED.

Wm S Bush, 1st Lieut. of Marines
Jacob Sago, seaman.
Robert Brice, do.
John Brown, do.
James Read, do.
Caleb Smith, do.
James Belford do.

WOUNDED.

Chas. Morris, 1st lieut. dangerously.
John C. Aylwin, Master, slightly
Richard Dunn, Seaman, dangerously.
Geo. Reynold, Qy. Seaman, dange
Daniel Lewis, do. dangerously.
Owen Taylor, do. do.
Francis Mullen, Marine, slightly.

RECAPITULATION

Killed—One Lieut. of Marines and six seamen—Total killed 7.

Wounded—Two Officers, four seamen and one marine—Total wounded 7.

Total killed and wounded 14.

U. S. Frigate Constitution, Aug. 21, 1812.

ISAAC HULL, Captain.
T. J CHEW, Purser.

[Here follows a list of killed, wounded and missing on board the Guerriere.]

Extract of a letter from Capt. Hull, of the frigate Constitution, to the Secretary of the Navy.

"I cannot but make you acquainted with the very great assistance I received from that valuable officer lieut. Morris, in bringing the ship into action, and in working her whilst along side the enemy, and I am extremely sorry to state that he is badly wounded, being shot through the body; we have yet hopes of his recovery, when I am sure he will receive the thanks and gratitude of his country, for this and the many gallant acts he has done in its service. Were I to name any particular officer as having been more useful than the rest, I should do them great injustice; they all fought bravely, and gave me every possible assistance that I could wish. I am extremely sorry to state to you the loss of lieut. Bush, of marines, he fell at the head of his men in getting ready to board the enemy. In him our country has lost a valuable and brave officer.—After the fall of lieut Bush, lieut Contee, of the corps, took command of the marines, and I have pleasure in saying that his conduct was that of a brave, good officer, and the marines behaved with great coolness and courage during the action, and annoyed the enemy very much whilst she was under our stern."

TRIBUTE OF RESPECT TO CAPTAIN HULL.

At a meeting of the citizens of Philadelphia, held pursuant to public notice, at the Merchant's Coffee House, Saturday, September 5, 1812, for the purpose of divising an appropriate expression of the sense they entertain of the gallant conduct of Captain ISAAC HULL, and the Officers and Crew of the United States frigate Constitution, in their late engagement with his Britannic Majesty's frigate Guerriere.

Commodore RICHARD DALE, was chosen Chairman, and JOHN SERGEANT, Secretary.

The following resolutions were read and unanimously adopted.

The brilliant victory which swells with pride and gratitude every American bosom, is of a character to challenge the annals of naval fame for a parallel, and the more it is analyzed, the more it will exalt the glory of the heroes who atchieved it. It is no less distinguished for the unexampled effects produced in less than half an hour, than for the cool, collected prowess, and trancendant nautical talent, which, while dealing destruction to a brave, skilful and veteran foe, preserved the victors comparatively uninjured and prepared again for battle and for conquest. Let this immortal record of fame, annimate the gallant defenders of our flag to similar deeds of glory, and serve as examples of the high degree of discipline and order, to which a brave crew can be trained in the short space of three months, by the indefatigable zeal and skill of officers, who are no less an ornament to their profession than to society.

Impelled by feelings flowing from a participation in the glory acquired for our country, by the brilliant victory atchieved by the Commander, Officers and Crew of the United States frigate Constitution, on the 20th of August last, over the British frigate Guerriere, Captain Dacres.—

RESOLVED, That a piece of plate of the most elegant workmanship, ornamented with appropriate emblems, devices and inscriptions, be presented in the name of the Citizens of Philadelphia, to Capt. ISAAC HULL, and that another piece of plate also, also of the most elegant workmanship and ornamented with appropriate emblems, devices and inscriptions, be presented in their name to Lieut. CHARLES MORRIS, as a testimony of respect and admiration the citizens entertain of their gallant conduct, in the late action with the British frigate Guerriere; and that such tokens of their high esteem and approbation be presented to the other officers, and to the crew of the frigate Constitution, as the committee to be appointed to carry this resolution into effect may deem proper.

RESOLVED, That commodore Richard Dale, Wm. Jones, George Harrison, Charles Biddle, Thomas W. Francis, and John Sergeant, be a committee, on behalf of the citizens, to carry the foregoing resolution into effect.

RESOLVED, That the proceedings of this meeting be published in all the newspapers in this City.

RICHARD DALE, Chairman.
JOHN SERGEANT, Secretary.

AMERICAN PRIZES.

CHARLESTON, August 29.

Last evening arrived at this port the privateer sch'r. *Eagle*, capt. Beaufeu, of *one gun* and 42 men, after a cruize of 35 days from N. York. On the 17th inst, in lat. 3, long. 65, the Eagle fell in with and engaged ship Grenada, capt. Dutchman, of 11 guns, and the British sch'r. Shaddock, also commanded by a capt. Dutchman, brother to the commander of the ship—and after an action of an hour and a half succeeded in capturing both of them. In the contest the capt. of the sch'r. was killed and two men on board that vessel wounded; there were three men wounded on board the ship, but the privateer had none of her men killed or wounded. The ship was from Point Petre (Guadaloupe) bound to London, with a valuable cargo of sugars, coffee, molasses, caster oil and cotton. The sch'r. was from Antigua, bound to Liverpool, with a cargo of Molasses.—The sch'r. came in last evening in co. with the Eagle, but the ship drawing between 18 and 19 feet water, will be obliged to lighten some before she can cross our bar, or perhaps she may proceed to another port. The prisoners are on board the privateer and prize sch'r—most of the privateer's crew are on board the prize ship off the bar.—Two days since, on soundings spoke a sch'r. 10 weeks from Rio Janeiro, bound to New York.

Canandaigua, Sept 1.

To the obliging attention of that active and intelligent officer Major Mullany, we are indebted for the following articles:

The Major is proceeding to Albany on public business, and is to return to us immediately. He arrived here just as our paper was going to press, but the importance of the matter which he communicates induces us to suspend the publication of the paper until we can insert it.

We learn from him the glorious news that there is no doubt *DETROIT* is *RETAKEN* by our troops under the command of Cols. Wells and Payne. It is certain that Col. Wells marched from Kentucky with 2000 men, and it is supposed that Colonel Payne from Ohio had an equal force. This information is derived from a British deserter and from a gentleman direct from Sandusky. Grant that it be true.