

EXTORTING PHILADELPHIA: COMMODORE BERESFORD AND THE VIXEN PAROLEES

Ross Hassig

Philadelphia was an official though little-used prisoner-of-war (POW) exchange station for nine months at the opening of the War of 1812. But notoriously, it was also the locus of the most egregious violation of the sanctity of cartels returning paroled POWs in the entire war. This violation of the bilateral exchange agreement and international law, benefiting the British as it did, was castigated by the Americans but ignored at all levels by the British naval commanders and the British government.

When the US Congress declared war on Great Britain on June 18, 1812, the United States had no current laws or regulations to deal with POWs. The State Department took responsibility for caring for POWs in the United States, and by late August Secretary of State James Monroe had designated six cities as the only authorized places to dispatch and receive the ships known as cartels conveying POWs—Boston, New York, Philadelphia, Baltimore, Norfolk, and Charleston—and had established formal rules for their conduct.

When the British ambassador left the United States on the declaration of war, the British chargé d'affaires, Anthony St. John Baker, was left at Washington as the temporary official in charge of POWs in the United States. In that capacity, Baker designated

officials at these cartel cities to act as his agents. Alexander Walker, a British merchant in Philadelphia, had already been superintending the departure of British subjects ("Enemy Aliens") from the United States at Philadelphia. In August 1812 Baker appointed him to be the British agent for POWs there.¹

On the American side, the US Marshals were responsible for POWs. The office of the marshal for Pennsylvania, John Smith, was at Philadelphia. The British POWs who came into Smith's custody were paroled to towns outside Philadelphia, if they were officers, passengers, or other noncombatants. The rest were confined in local jails.²

Philadelphia was designated as one of the American exchange stations in the first exchange agreement between the United States and Great Britain, which was signed at Halifax on November 28, 1812.³ By this agreement, each side named four exchange cities: Halifax, Quebec, Bridgetown (Barbados), and Kingston (Jamaica) for the British, and Boston, New York, Philadelphia, and Charleston for the United States. Among the agreement's provisions, each side was to employ two cartel vessels to transport POWs, who were to be furnished passports from both governments. They would sail as flags of truce, fly the agreed-on flags indicating their cartel status, and not enter the appointed exchange ports except in emergencies.

It was expected that Philadelphia would receive POWs from New York and from every part of the Chesapeake, primarily by inland waterways.⁴ But such was not the case. Philadelphia received relatively few POWs compared to the other exchange stations, as the latter were closer to the various British depots.

Although Secretary of State James Monroe was not entirely satisfied with the agreement that Mitchell had negotiated at Halifax in November 1812, the government had nevertheless put most of its terms into effect.⁵ On the British side, Admiral Sir John Borlase Warren, the commander-in-chief of the British naval forces on the North American and West Indian stations, approved the agreement, as did the Lords Commissioners of the Admiralty in London, with minor exceptions.⁶ Thus, the agreement of November 12 remained in effect in early May 1813 when the *Rebecca Sims*, an American merchant vessel captured by HMS *Southampton* on September 12, 1812, entered the waters of the Delaware as a cartel under a flag of truce.⁷

To avoid the threat of British capture, many American merchant vessels obtained British licenses that allowed them to sail unmolested. The British had granted such licenses to American ships prior to the War of 1812 and continued thereafter. Although these licenses were explicitly outlawed by

the US Congress, shippers adopted many ruses to continue trading with the British, and both Portugal and Spain were nominally neutral countries, so shipments could theoretically continue with them. Most of these vessels sailed from the United States for either the West Indies or the Iberian Peninsula to supply British forces.⁸ Legitimate capture meant ultimate forfeiture of the ship and imprisonment of the crew, but this determination was made not by the capturing ship but by each country's courts of admiralty. In the case of the *Rebecca Sims*, this meant adjudicated by the court of Vice Admiralty at Jamaica. Until the case was decided, however, capture meant at least temporary imprisonment of the crew and sequestration of the ship. But since the *Rebecca Sims* had a British license, she was ordered released by the court, and on February 28, 1813, the commander at Jamaica, Vice Admiral Charles Stirling, ordered her crew released.⁹

With the sickly season at Jamaica approaching, and many of the American POWs held there already ill, Admiral Stirling was anxious to send the American POWs back to the United States before disease broke out on the two prison ships at Port Royal.¹⁰ Neither the United States nor Great Britain had put the cartel ships specified in the November 28 agreement into service at this time; customary practice thus far had been for each nation simply to employ various vessels as cartels to convey POWs under flags of truce.

The judicial release of the *Rebecca Sims* and her crew provided an ideal opportunity to engage the freed ship to convey released American prisoners on parole back to the United States. On April 4, 1813, 113 Americans on parole in Jamaica were sent on board the *Rebecca Sims* for exchange in America, and among them were 23 men of the USS *Vixen*.¹¹ Most of the men sent were sick.¹²

James Turner, acting British agent for POWs at Jamaica, had received a copy of the November 28 exchange agreement, and per its provisions he directed the *Rebecca Sims* to sail to Philadelphia as one of the four American exchange stations.¹³ While Admiral Stirling had received Warren's proclamation declaring the Chesapeake and Delaware to be in a state of strict blockade and so informed the commanders of His Majesty's ships on April 1, it is unclear if Turner was informed or whether that order was considered to affect cartels, since they had been established by the exchange agreement of November 28, which Warren had previously ratified.¹⁴

In any case, the *Rebecca Sims* sailed from Port Royal bound for Philadelphia on April 5 with Turner's authorization.¹⁵ The day after the *Rebecca Sims* sailed, it was stopped and boarded by HMS *Vengeur*, a seventy-four-gun ship, and

then allowed to proceed. The cartel was again boarded on the thirteenth by the American privateer *Sparrow* of Baltimore, which also allowed her to proceed. In an era when even national navies frequently used false flags to deceive the enemy, it was common to stop and inspect all ships, even those clearly flying cartel flags. On the seventeenth, the *Rebecca Sims* put into Havana for provisions and water and resumed its voyage the next day. Then on the evening of May 1, it reached Cape Henlopen at the entrance of the Delaware River and passed within musket shot of HMS *Poictiers*. The British warship fired one of her great guns and a volley of musketry at the cartel, forcing her to come to anchor, and then boarded her.¹⁶

HMS *Poictiers*, with seventy-four guns, was the flagship of Commodore John Poo Beresford, commanding the British fleet in the Delaware. At this time, the Delaware had been in a state of blockade by Beresford's squadron for weeks.¹⁷ The order for the blockade had not been Warren's idea, but had originated with the Prince Regent and was sent to the Lords Commissioners of the Admiralty on December 26, 1812, by Viscount Castlereagh in the Foreign Office. By that order, a strict and rigorous blockade of the ports and harbors of the Chesapeake Bay and the Delaware River was to be implemented. The Admiralty, in turn, sent orders to Admiral Warren to initiate the blockade. When the Admiralty's orders finally reached Warren at Lynnhaven Bay, near Norfolk, Virginia, he publicly proclaimed the blockade on February 6, 1813.¹⁸

Blockades were intended to stop all unauthorized ships from entering or exiting blockaded ports. But the British did permit some licensed American ships to cross, and cartels or flags of truce acting as cartels should have been admitted. Indeed, by mutual agreement, both countries had already designated Philadelphia as an exchange station, which should have exempted cartels from the blockade.

The cartel situation, however, was in some flux. The Lords Commissioners of the Admiralty had appointed Thomas Barclay as the permanent British agent for POWs in the United States in November 1812 to supersede Baker, who was serving in that capacity temporarily. The Admiralty had also directed Barclay to negotiate a new cartel agreement.¹⁹ Nevertheless, they were apparently in no hurry for him to do so, and only ordered Barclay to sail from Portsmouth, England, on January 7, 1813.²⁰ With a stop at Bermuda, it took Barclay nearly three months to reach the United States, arriving at New York on March 31 or April 1, from which he traveled to Washington and was accredited by the United States by mid-April.²¹

Warren then wrote Barclay on April 29 that cartels would be allowed to go to any unblockaded port.²² Warren's restriction was problematic. Four American ports had been designated as exchange stations by the cartel agreement of November 28, which he had ratified and the Admiralty has approved, and his newly announced blockade would impede one of them: Philadelphia. Obstructing agreed-upon exchange stations was apparently of little concern to the British government, as the Prince Regent ordered a subsequent blockade that would include New York, Charleston, Port Royal, Savannah, and the Mississippi River. Warren ordered this further blockade implemented on May 26, effectively obstructing a second of the four exchange stations.²³

In any event, on May 2, the day after the *Rebecca Sims* was first sighted by the *Poictiers* in the waters of the Delaware, the cartel ship sent a lieutenant on board the British warship, and on the day after, the *Poictiers* came alongside the cartel. Commodore Beresford then ordered the American parolees brought on board the *Poictiers* and detained. The *Poictiers* sent three boats alongside the *Rebecca Sims* and took out Lieutenant Glen Drayton and twenty-two other members of the crew of the USS *Vixen*.²⁴

There was no confusion over the identity or character of the *Rebecca Sims*; the captain's log of the *Poictiers* clearly records her as an American cartel and distinguishes her from mere flags of truce.²⁵ Nevertheless, Beresford removed paroled American POWs from the cartel authorized at Jamaica to the *Poictiers*, and among them were the twenty-three men of the USS *Vixen*. He then sent a second lieutenant on board the *Rebecca Sims*, who called the muster roll of the crew and demanded to know why they had left Ireland. He then seized three native-born Americans and a Swede and declared them to be either English or Irish, which the *Rebecca Sims*'s captain denied, but three of the men were nevertheless taken to the *Poictiers*, although they were subsequently returned on the third. On the fourth, the *Rebecca Sims* was also boarded by HMS *Acasta*, but was not detained further, and the cartel then sailed out of the Delaware for New York City. Encountering a fierce gale en route, the cartel reached New York on the tenth.²⁶

Beresford's focus was on the men of the US brig-of-war *Vixen*. In November 1812 the *Vixen*, Lieutenant George W. Reed commanding, mounting twelve eighteen-pounder carronades and two long nines, and carrying a complement of 130 men, had been cruising for five weeks without capturing any British ships when she encountered HM frigate *Southampton*, commanded by Captain James Lucas Yeo. The *Southampton* mounted twenty-six twelve-pounders and six six-pounders, and had a complement of 210 men; it encountered and

captured the *Vixen*. Unfortunately for both the *Southampton* and the *Vixen*, both ships were wrecked and lost on the reefs off Conception Island in the Bahamas on November 27, with the loss of everything aboard except the men. The *Vixen*'s men were then sent to Jamaica on board the HMS *Rhodian*, where they arrived on December 14. There the men were sent on board the prison ship *Loyalist*.²⁷ The *Vixen*'s commander, Lieutenant Read, though recorded as having been discharged, was apparently paroled, as he died at Spanish Town, Jamaica, on January 4, 1813.²⁸

The political situation regarding POWs was uncertain at the moment Beresford seized the returning paroled Americans from the *Rebecca Sims*. Barclay and American Commissary General for Prisoners of War John Mason were then negotiating an exchange agreement at Washington to supersede the earlier one.²⁹

The British Commissioners of the Transport Board, who were directly responsible for POWs under the auspices of the Admiralty, had given Barclay a model exchange agreement to serve as the basis for negotiating a new agreement to replace the earlier one. The model agreement was, however, silent on the location or treatment of exchange stations.³⁰ And although discussions were ongoing between Barclay and Mason to alter the agreement of November 28, it remained in force in early May when HMS *Poictiers* sighted the *Rebecca Sims* sailing toward Philadelphia and seized her passengers.

On the surface, stopping the *Rebecca Sims* might appear to have been part of the enforcement of the blockade of the Delaware, with which Beresford and his squadron had been charged, however muddled the legal authority in the face of the existing cartel agreement. But his actual reason for detaining the paroled prisoners was not for violating the blockade. Rather, it was to hold them hostage for the return of some of his own crew who were captives in Philadelphia. They would be exchanged, he promised, if his men were returned.³¹

On April 12, three weeks before the arrival of the *Rebecca Sims*, Beresford had sent a captured American vessel, the *Montesquieu*, into Philadelphia to initiate a POW exchange. The *Montesquieu* was a Philadelphia merchant vessel that had been captured by Beresford's squadron on March 27 at the mouth of the Delaware. Returning from Canton, China, it was completely unaware that war had been declared when it was captured by HMS *Paz*.³² The owner, Stephen Girard of Philadelphia, ransomed the *Montesquieu*, which Beresford then nominally sent to Philadelphia as a cartel with eight American prisoners who had been captured by the British squadron.³³ For their return, Beresford

demanded the immediate exchange of an equal number of British POWs. If the authorities at Philadelphia refused to release the British prisoners, he wrote, the eight Americans were to be returned to the *Poictiers*.³⁴

This demand was refused. The following week, having received no returned British POWs from Philadelphia, Beresford wrote to Alexander Walker Jr., the British agent for POWs at Philadelphia, noting the same. His only complaint in that letter, however, was about a new cable he had put on the *Montesquieu* before dispatching it, for which he was responsible.³⁵ Beresford's complaint about the cable but not about the failure to return the British POWs suggests that he recognized that this was not a simple failed POW exchange.

Beresford had nominally sent the *Montesquieu* to Philadelphia under a flag of truce to exchange prisoners, but its actual purpose was to secure water and provisions for his ship. The vessel, however, was detained by order of the military commander at Philadelphia, Brigadier General Joseph Bloomfield, who deemed the cartel's flag of truce to be a ruse. He accordingly notified Secretary of War John Armstrong, the situation was relayed to President Madison, and Bloomfield's actions were approved. Armstrong responded to the general that the *Montesquieu* might be disposed of in the courts and her owners apprehended and tried, presumably suspecting they were collaborating with the enemy. As shipping goods which were then "captured" by the nearby British warships was not unheard of, the *Montesquieu*'s owner paid the British \$180,000 to ransom his ship, an enormous sum at that time.³⁶

All the evidence was on the American side. Beresford had in fact sent the *Montesquieu* in as a ruse, which the British agent at Philadelphia also acknowledged.³⁷ The reason Beresford had undertaken this scheme stretched back weeks earlier. The *Poictiers*'s supplies were running low in mid-March, so on March 16, 1813, Beresford attempted to extort provisions from the town of Lewes, Delaware. He demanded the town send twenty-five live bullocks, vegetables, and hay to the *Poictiers*, for which he pledged to pay Philadelphia prices. But he also threatened to destroy the town if it refused.³⁸ The governor of Delaware, Joseph Haslet, refused the demand and three weeks later, on April 6, Beresford began shelling Lewes. The bombardment continued for six hours that day and was repeated on the seventh and eighth.³⁹ But the undefended town nevertheless refused to capitulate, and in the face of this failure the British finally withdrew.⁴⁰

Still in need of provisions and water, Beresford immediately concocted the ploy of sending a ship to Pennsylvania under the pretext of being a cartel to

secure the needed supplies. But when this attempt also failed, Beresford took the opportunity presented by the arrival of the *Rebecca Sims* and violated the cartel agreement and the flag of truce under which she sailed. He seized the paroled Americans and held them aboard his ship as hostages to extort the release of his men held at Philadelphia. The previous POWs offered were seamen taken from merchant ships, and they had failed to achieve his ends. But now Beresford was holding US Navy crewmen.⁴¹ While the men were held on board the *Poictiers*, they were victualled at the two-thirds ration, as was British practice with POWs, although this may reflect the depleted state of the *Poictiers's* provisions.⁴²

As Armstrong was informed, Beresford offered to exchange the men of the *Vixen* for the British officers and crew Bloomfield held who had arrived in the *Montesquieu*. Bloomfield regarded this offer as an acknowledgment that the British officers and marines sent in the *Montesquieu* were not protected by their pretended flag. Nevertheless, on the advice of the naval commander at Philadelphia, Captain Alexander Murray, he had negotiated an exchange with Alexander Walker on May 6 under the provisions of the cartel agreement of November 28, 1812. On the seventh, US Navy Lieutenant Drayton sailed from Philadelphia in a pilot boat with a flag of truce and a passport to deliver the sixteen British POWs to Beresford in order to redeem the American prisoners. The next day, two British petty officers and fourteen men who had been held as POWs at Philadelphia were sent on board the *Poictiers*. Beresford then ordered thirty-five Americans taken from the *Rebecca Sims* to board the flag of truce and proceed to Philadelphia.⁴³

The Americans had thus been twice released, once on parole from Jamaica, and again now in an unwarranted exchange with Beresford. Although the United States regarded Beresford's seizure of paroled POWs from a cartel vessel as an outrage, administratively the *Vixen's* men were treated as having been exchanged.⁴⁴ But even in this extorted exchange, Beresford did not live up to his side of the arrangement.

When Lieutenant Drayton returned from the *Poictiers*, he wrote Secretary of the Navy Jones that he had brought back nineteen men from trading vessels, plus the members of the crew of the *Vixen* being held, but not carpenter John Stevens or seaman Thomas King.⁴⁵ In blatant disregard of the agreement negotiated with Walker that had provided for the exchange of all the seized Americans, Beresford refused to release two, Stevens and King, charging that they were British subjects.⁴⁶ At the same time, however, Beresford had impressed Americans on board the *Poictiers*, who were involuntarily forced to

serve.⁴⁷ In some cases, Beresford seized their birth certificates proving their American birth to remove any claim that they were not British.⁴⁸

Beresford's accusations were just that, and lacked any foundation. As the *Vixen's* purser reported, Stevens joined the *Vixen* in July 1811 and King did so at about the same time. Neither was a British subject nor did either believe he had ever been in the British service. King's protection recorded his birthplace as Brooklyn, New York, and Stevens was a native of South Carolina, as the British subsequently noted in his prison records.⁴⁹

Jones then wrote the naval commander at Norfolk, Captain Charles Stewart, directing him to relate the facts of the seizure of the *Rebecca Sims* to Admiral Warren, Beresford's superior. He was also to inform him that Beresford had detained the POWs on board the *Rebecca Sims*, had furthermore extorted the return of British POWs held at Philadelphia for the return of the paroled American POWs, and finally permanently detained both John Stevens and Thomas King of the *Vixen*, charging them with being British subjects. He was further to inform Warren that, in retaliation, the United States would immediately order the detention of four British subjects who were POWs to be held in duress and to suffer whatever treatment was inflicted on Stevens and King.⁵⁰

Stewart sent the requested letter to Warren on May 20, denouncing Beresford's violation of the rights of parole, expressing the hope that Warren would issue instructions to prevent a repetition of such an incident in the future, and seeking his attention to the situation of Stevens and King who were being detained on board HMS *Poictiers*.⁵¹ Admiral Warren, however, had left Lynnhaven Bay some days earlier, leaving Rear Admiral George Cockburn in command. In Warren's absence, Cockburn opened, read, and responded to Stewart's letter. Stating that no account of Beresford's actions regarding the *Rebecca Sims* and her POWs had reached him or Admiral Warren, he promised an inquiry would be made and a satisfactory explanation given to the US government. But because Stewart had threatened to confine four British subjects in retaliation, Cockburn claimed this was an affront and refused to pursue any further correspondence with him on the matter. He would, however, forward the letter to Admiral Warren without delay.⁵²

On May 12, 1813, shortly after most of the *Vixen's* men were returned to Philadelphia, Mason and Barclay signed a new POW exchange agreement. The new exchange stations in North America were to be Halifax (Nova Scotia), Quebec (Canada), Bridgetown (Barbados), and Kingston (Jamaica) for Great Britain. For the United States, they would be Salem

(Massachusetts), Schenectady (New York), Providence (Rhode Island), Wilmington (Delaware), Annapolis (Maryland), Savannah (Georgia), and New Orleans (Louisiana).⁵³ While the four British locations were the ones officially recognized by the British in North America and the West Indies, a number of others were in operation that were unacknowledged so no US agents would be sent there. For the United States, the POW depots that were actually put into operation were Salem, Providence, and Savannah on the seaboard, and Pittsfield (Massachusetts) and Greenbush (New York inland), although the United States also added other depots as occasion demanded. With Philadelphia having been eliminated as an exchange station, Alexander Walker was removed as the city's British agent.⁵⁴ Unlike the British, however, the United States permitted British agents at all but the most temporary depots. The initial list, mutually approved by both Barclay and Mason, included Wilmington, which was agreed to long after Barclay was notified of the blockade of the Delaware by Admiral Warren. Barclay's approval of Wilmington as a POW depot strongly suggests that such locations were exempted from the blockade for purposes of cartel exchanges.

Since Stevens and King were still being held as British subjects on board HMS *Poictiers*, Marshal James Prince at Boston was directed to select four British subjects by lot as hostages for the safety of King and Stevens from among the Royal Navy prisoners in his custody. Two of these men were to be seamen for seaman King, and two carpenters or men of equal rank for carpenter Stevens, to be closely confined and subject to the same treatment as King and Stevens.⁵⁵ William Kitts, carpenter, and Henry Reddingfield, boatswain, of the British packet *Swallow*, and seamen John Squirrell and James Russell of HMS *Dragon*, were accordingly designated as the hostages and confined in Concord jail.⁵⁶

On June 10 Mason sent Barclay a copy of Captain Stewart's letter to Warren and Cockburn's reply. Cockburn had misunderstood Stewart's letter, he wrote, and no threat was intended as he clearly stated that the American government had already made the decision to confine four British POWs. Mason then gave Barclay the names of the four men to be confined.⁵⁷ Barclay responded that he could not interfere in the actions of His Majesty's officers or the army or navy. The matter was, he wrote, a political one to be dealt with by His Majesty's ministers, and then complained that Mason had not written Warren directly rather than Stewart.⁵⁸

Nevertheless, on July 14, Barclay wrote Warren, informing him of the *Rebecca Sims* incident and enclosing relevant correspondence. And despite his

assertion that he could not interfere in His Majesty's officers' actions, Barclay then proceeded to recommend that the Americans should not be allowed to confine British POWs whenever British subjects (in his words) taken in their service were detained. He then recommended confining double the number of men that the United States confined, and then try, sentence, and execute all British subjects taken in American arms. He further recommended that Warren not release any American prisoners unless he received British subjects in return, man for man. Barclay, by the way, was virulently opposed to the United States: A New York loyalist, he had fled to Canada, his property was confiscated, and he had been attainted for treason by the state in 1779. In 1805 DeWitt Clinton had described him to then-Secretary of State James Madison as "very rancorous against our government."⁵⁹

In early August, Barclay also wrote Captain Talbot at Halifax about the four men held in retaliation for King and Stevens. Ignoring Beresford's seizure of Stevens and King in violation of their authorized release, he wrote that the conduct of the American government in holding these hostages and "in excepting them from the benefit of exchange, and holding them as objects on whom they intend to inflict whatever may be done to the two men late of the *Vixen* is in my opinion incapable of justification." He further recommended that Admiral Warren protest and, if not successful, retaliate.⁶⁰

The Beresford incident must have caused some furor at the Admiralty, as the Lords Commissioners ordered Beresford to send his log to their office, which he did on July 31.⁶¹ That log, however, contains only the fact that the *Rebecca Sims* arrived in the Delaware on May 1, a lieutenant from the cartel came on board the *Poictiers* on the second, and then on the eighth some American POWs were exchanged. The seizure and the forced exchange are entirely ignored, and whatever interest the Admiralty had in the events in question, they apparently did not pursue the matter further.

And while Mason tried to pursue the case with Barclay, the British agent refused, arguing that the matter involved citizenship and nationality and would therefore have to be dealt with by the two governments.⁶² While thus claiming to be above the fray, Barclay was actively recommending various courses of action to Warren and others, but never admitting as much in his correspondence to the Americans.

Shortly after King and Stevens were taken from the cartel in the Delaware, HMS *Poictiers* sailed to Bermuda where the two men were confined in the *Ruby* guard ship as British subjects.⁶³ Accordingly, neither was listed in the American POW records at Bermuda. King said many attempts were made to

induce them to declare themselves British subjects, but both men uniformly rejected these.⁶⁴

King was held on board the *Ruby*, a sixty-four-gun ship, which was temporarily serving as a prison ship, from May 10 to July 25 and, by his own account, was poorly treated. While on the *Ruby*, King sold some of his clothing and used the money to purchase a pocket compass from one of his mess-mates. He then watched for an opportunity to escape.

The *Ruby* kept a seven-ton yawl alongside, seven feet in breadth and twenty-two feet in length, which the ship's officers frequently took out sailing. They were supposed to secure the boat and remove the gear on their return, but on July 25, having returned at dusk, the officers neglected to secure it, and left her masts, sails, rudder, and other equipment all standing. King told his companions that he intended to escape and invited them to accompany him. Thinking him mad to risk crossing the ocean in that small boat without supplies, they all refused. So alone, at 12:30 a.m. on July 26, while the guard was changing and vigilance was lax, King crawled out of a lower deck porthole onto the larboard (port) boom, and lowered himself into the yawl. Casting off, he drifted on the tide until he was fifty yards from the ship when he heard the bell strike 1 and the sentinel cry, "All's well." Knowing he had not been seen, he hoisted the sail and, obscured by a squall, sailed away, steering due north until daylight.

The yawl contained eleven small casks of water, which had served as ballast, so King had water but little food. He brought two one-pound loaves of bread with him but uncertain how long he would be at sea, to stretch his food, King limited himself to just one-eighth of a loaf (two ounces) per day, and less when he could manage. At daylight, King steered west-northwest, until the third day when a brig hove into sight. Quickly standing north again, he wetted his sails to catch the breeze and lost the brig, which proved to be the only ship he saw during his voyage, and then returned to his original course. He lashed his arm to the tiller at night so if the boat veered off course, he would be awakened by the jerk of the rudder. He occasionally had to bail water out of the boat, which he did with one of the casks.

At 4 p.m. on the ninth day, King spotted the lighthouse at Cape Henry, Virginia, and made toward it. But once inside the cape, he again saw sails and, presuming them to be British, he headed southward, landing ten miles south of Cape Henry on August 3. He then furled his sail and slept until sunrise. On waking, he walked to the nearest house, which belonged to a Mr. Whitehouse, who accompanied him to Norfolk. There he reported to

Captain John Cassin, who gave King money to compensate Whitehouse. King sold his boat for \$30 and then proceeded to Washington, DC. His escape was widely reported in American newspapers and King was given the rank of master's mate and reentered the US Navy.⁶⁵

When Mason learned of King's escape, he ordered the two British POWs who were held as hostages for his safety, John Squirrell and James Russell, returned to the ordinary state of POWs. Although King's return owed nothing to British actions, Mason released the two men to avoid any pretext for complaint and so informed Barclay.⁶⁶ Mason's goodwill gesture, however, was largely wasted. When Barclay responded, he acknowledged the release of Squirrell and Russell and said the four American POWs held in counter-retaliation would be released when the former arrived at Halifax. But the main thrust of his letter was that the British government was retaliating for the treatment of British prisoners in the United States and repeatedly noted that Great Britain held more POWs than America, implying that British practices should not be challenged on threat of even more lopsided retaliation.⁶⁷

The British had, indeed, retaliated twofold for the American retaliation for King's and Stevens's detention. Only on October 8, a month and a half after Mason wrote him that two of the British hostages had been returned to the status of ordinary prisoners, Barclay wrote Admiral Griffith commanding at Halifax to release Joseph Goodall, John Chappel, James Peterson, and Isaac Porter, then held in Halifax gaol as hostages for Squirrell and Russell.⁶⁸

Although both British naval commanders and politicians in North America continued to argue the legitimacy of seizing Stevens and King, the British government never made that claim. Nevertheless, Stevens remained a prisoner at Bermuda until he was sent to England. Once again, as a "British subject," his arrival was not recorded in American POW records. He only appeared as an American in British POW records in 1814 when he was sent from Plymouth to Dartmoor prison on July 2. In the Dartmoor records, Stevens was described as twenty-seven years of age, five feet, eight and a half inches tall, stout, with a round face, dark complexion, black hair, hazel eyes, with large whiskers, and, most important, as an American born in South Carolina.⁶⁹

No account of Stevens's capture, parole, or seizure had apparently reached the Transport Board or, if so, it had been ignored. The lapse also suggests that the American agent for POWs in London, Reuben G. Beasley, had also not raised the issue with the board, so either he did not receive Mason's account

of January 6, 1814, or he made no inquiry, having never been informed that Stevens had been sent to England.⁷⁰ But more tellingly, Barclay, who was fully aware of the incident, did not inform the board either.

After reaching Dartmoor, Stevens wrote the Transport Board that he had been exchanged at Jamaica in April 1813 and sought his release on that basis. The board ordered their agent at Plymouth, Lieutenant Richard Cheesman, to inquire into his claim, as they were skeptical that they could have remained ignorant of the facts so long. By Stevens's account, he had now been paroled for almost seventeen months, but reimprisoned for sixteen of them. Since all the POW records and exchanges were held by the Transport Board, the inquiry quickly confirmed Stevens's claim and the board finally ordered his release. Sent from Dartmoor to Dartmouth on October 19, 1814, Stevens joined sixty-six other American POWs on board the cartel *Jenny* the next day to return to the United States, apparently under a new parole. He finally reached New York on December 2, 1814, twenty-one months after his initial exchange.⁷¹

The two British POWs held for Stevens's safety, William Kitts and Henry Reddingfield, remained as hostages at Concord until the end of the war. They were then released on March 31, 1815, and embarked on the American cartel *Hope*.⁷²

Occasional violations of cartel ships occurred throughout the war, as did violations of flags of truce by both sides and British violations of neutral ports, notably in the attacks on the USS *Essex* at Valparaiso and on the *General Armstrong* at Fayal. But Beresford's violation of a cartel with paroled POWs was unprecedented in the war. Prisoner-of-war exchanges continued, but this and other such incidents caused considerable difficulties, and the number and quantities of the exchanges diminished. Nevertheless, as long as violations such as Beresford's were successful, they brought no condemnation from British authorities.

Philadelphia was officially a POW exchange station from August 1812 until May 12, 1813. But during that time, none of the British prison depots sent cartels to Philadelphia except for the *Rebecca Sims*, as other American stations were more conveniently located in relation to them. Philadelphia had, however, received POWs from privateers and ships they brought into that port, both before this new agreement and afterwards. Even British warships thereafter occasionally sent prisoners into Philadelphia for exchange.⁷³

Officially, the cartel of May 12, 1813, ended Philadelphia's role as a POW exchange station. But if any other cartel vessels brought released American prisoners to Philadelphia, they went unmentioned in depot records. British POWs were held for varying periods at both Philadelphia and Pittsburgh, and British officers were paroled to a number of Pennsylvania towns. Philadelphia experienced no further incident as outrageous as the one involving the *Rebecca Sims*. But the effect of its seizure on Philadelphians and Pennsylvanians generally is difficult to assess, though for the rest of the war Pennsylvania remained a staunch supporter of the Madison administration and its war efforts.⁷⁴

ABBREVIATIONS USED FOR ARCHIVES CITED

HS-Penn	Historical Society of Pennsylvania, Philadelphia
IULL	Lilly Library, Indiana University, Bloomington
LC	Library of Congress, Manuscripts Division, Washington, DC
NA	National Archives, Washington, DC
NMM	National Maritime Museum, Greenwich, England
NYHS	New-York Historical Society, New York, NY
TNA	The National Archives, Kew, England.
ADM	Admiralty
CO	Colonial Office
FO	Foreign Office

NOTES

I would like to acknowledge the support of a Helms Fellowship in 2004 at the Lilly Library, Indiana University, and the Huntington Library/British Academy for a 2001 fellowship, both of which significantly aided the research on this project. James Monroe to Anthony St. John Baker, August 26, 1812, TNA FO 5/88, 57.

1. Anthony St. John Baker to James Monroe, Aug. 28, 1812, TNA FO 5/87, 244; St. John Baker to Monroe, Aug. 29, 1812, TNA FO 5/87, 243.
2. John Smith to James Monroe, Aug. 28, 1812, NA RG 94, entry 127, box 16, folder 2, 202.
3. Cartel for the Exchange of Prisoners of War, Nov. 28, 1812, TNA FO 5/88, 312.
4. John Mitchell to James Monroe, Nov. 20, 1812, NA RG 94, entry 127, box 13, folder 4, 50.

5. James Monroe to John Mitchell, March 20, 1813, NA RG 94, entry 127, box 3, folder 1, 56; Monroe to the Marshals, March 20, 1813, LC-Mitchell-2, 231.
6. John Barrow to Admiral Sir John B. Warren, March 9, 1813, TNA ADM 2/932, 242.
7. General Entry Book of American Prisoners of War at Jamaica, TNA ADM 103/190.
8. Michael J. Crawford, "The Navy's Campaign against the Licensed Trade in the War of 1812," *American Neptune* 46 (1986): 165–72.
9. Journal of Admiral Charles Stirling, Feb. 28, 1813, TNA ADM 50/95 (hereafter Stirling journal); Stirling, Feb. 28, 1813, NMM MSS/80/171.0; [Mason], June 1813, NA RG 45, box 607; Charles Calvert Egerton, *The Journal of an Unfortunate Prisoner, on Board the British Prison Ship Loyalist, in Jamaica, from November 1, 1812 to April 5, 1813* (Baltimore, 1813), 43.
10. Stirling to Admiral Sir John B. Warren, March 21, 1813, NMM WAR/69, 110.
11. American POWs discharged by Stirling, April 4, 1813, NMM WAR/79, 382.
12. James Turner to Lt. William Miller, May 22, 1813, NMM WAR/79, 443.
13. Egerton, *Journal of an Unfortunate Prisoner*, 7.
14. Stirling journal, April 1, 1813.
15. James Turner to Thomas Barclay, May 8, 1813, NYHS–Barclay-Papers, box 6.
16. Egerton, *Journal of an Unfortunate Prisoner*, 64.
17. Committee Report, April 1813, *Public Archives Commission of Delaware*, 5 vols. (Wilmington, DE, 1911–16), 4:391–92.
18. Viscount Castlereagh to the Lords Commissioners of the Admiralty, Dec. 26, 1812, TNA FO 95/367, 20; Lords Commissioners of the Admiralty to Admiral Sir John B. Warren, Dec. 26, 1812, TNA ADM 2/1375, 337; Admiral Sir John B. Warren's Proclamation, Feb. 6, 1813, TNA ADM 1/503, 107.
19. Reuben G. Beasley to James Monroe, Nov. 5, 1812, NA RG 94, entry 127, box 2, folder 2.
20. Alexander McLeay to Thomas Barclay, Jan. 5, 1813, TNA ADM 98/292, 20.
21. Peter Curtenius to James Monroe, March 31, 1813, NA RG 94, entry 127, box 12, folder 3, 8; Thomas Barclay to the Commissioners of the Transport Board, April 18, 1813 NYHS–Barclay Letterbook, Oct. 1813–Sept. 1814, 1; Thomas Barclay to Admiral Sir John B. Warren, April 14, 1813, NYHS–Barclay Letterbook, April–Sept. 1813, 2.
22. Admiral Sir John B. Warren to Thomas Barclay, March 29, 1813, NMM WAR/43.
23. *British and Foreign State Papers: 1812–1814* (London, 1812–14), March 30, 1813, 1367.
24. Captain's log, HMS *Poictiers*, May 1–3, 1813, TNA ADM 51/2694; John Mason to Reuben G. Beasley, Jan. 6, 1814, NA RG 45, series 464, box 606; Thomas King's narrative, Nov. 6, 1813, *Essex Register*; Egerton, *Journal of an Unfortunate Prisoner*, 65.
25. Captain's log, HMS *Poictiers*, May 1–3, 1813.
26. Egerton, *Journal of an Unfortunate Prisoner*, 65–66; *Baltimore Patriot*, May 11, 1813.
27. Alexander Jamaica to James Monroe, Feb. 12, 1813, NA RG 45, series 464, box 614; *Rhodian, Rolla*, and *Caledonia*, Dec. 13–14, 1812, NMM MSS/80/171.0; Stirling to John W. Croker, Dec. 16, 1812, TNA ADM 1/264; Muster Roll, HMS *Rhodian*, Jan. 1813, TNA ADM 37/3858; Egerton, *Journal of an Unfortunate Prisoner*, 13.
28. General Entry Book of American Prisoners of War at Jamaica, TNA ADM 103/190, no. 440; Egerton, *Journal of an Unfortunate Prisoner*, 20; William Jones to John Mason, April 27, 1813, NA RG 94, entry 127, box 13, folder 3, 12.

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29. Thomas Barclay to John Mason, April 12, 1813, TNA CO 42/154, 149.
30. Project of a proposed Cartel, n.d., TNA ADM 98/292, 13–18.
31. John Mason to Reuben G. Beasley, Jan. 6, 1814, NA RG 45, series 464, box 606; Thomas King's narrative, Nov. 6, 1813, *Essex Register*.
32. *Poulson's American Daily Advertiser*, April 1, 1813.
33. *The Columbian*, April 10, 1813.
34. Capt. John Poo Beresford to the Officer commanding the cartel, April 8, 1813, NYHS–Barclay Papers, box 11; Receipt of eight American POWs from HMS *Poictiers*, April 13, 1813, NYHS–Barclay Papers, box 11.
35. Capt. John P. Beresford to Alexander Walker Jr., April 22, 1813, NYHS–Barclay Papers, box 11.
36. John Armstrong to Brigadier General Joseph Bloomfield, May 4, 1813, NA RG 45, box 587.
37. Alexander Walker Jr. to Thomas Barclay, May 8, 1813, NYHS–Barclay Papers, box 6; affidavit of William Prior, April 27, 1813, *Public Archives Commission of Delaware*, 4:400–401.
38. Capt. John P. Beresford's demands to Delaware, March 16, 1813, *Public Archives Commission of Delaware*, 4:370; *New-England Palladium*, March 26, 1813.
39. Joseph Haslet to Capt. John P. Beresford, March 26, 1813, *Public Archives Commission of Delaware*, 4:374; Captain's log, HMS *Poictiers*, April 6–7, 1813, TNA ADM 51/2694; *Public Archives Commission of Delaware*, 4:392.
40. Committee Report, April 1813, *Public Archives Commission of Delaware*, 4:391–92.
41. E.g., Affidavit of William Prior, April 25, 1813, *Public Archives Commission of Delaware*, 4:400–401; April 1813 Joseph Haslet to Samuel B. Davis, April 30, 1813, IULL–War of 1812.
42. Muster Book, HMS *Poictiers*, May 1–June 30, 1813, TNA ADM 37/3807
43. Brigadier General Joseph Bloomfield to John Armstrong, May 7, 1813, NA RG 94, entry 127, box 10, folder 5, 64; List of 19 American POWs exchanged, May 8, 1813, NA RG 45, box 571.
44. William Jones to John Mason, May 11, 1813, NA RG 94, entry 127, box 13, folder 3, 6; John Mason to the secretary of the navy, May 11, 1813, LC-T-A17.040.1, 38.
45. Lt. Glen Drayton to William Jones, May 11, 1813, NA M 125, roll 28; Drayton to Edwin S. Satterwhite, May 11, 1813, NA RG 45, box 571.
46. Capt. John P. Beresford to Lt. Glen Drayton, May 8, 1813, NA RG 94, entry 127, box 10, folder 1; Captain's log, HMS *Poictiers*, May 1–3, 1813, TNA ADM 51/2694; John Mason to Reuben G. Beasley, Jan. 6, 1814, NA RG 45, series 464, box 606; Thomas King's narrative, Nov. 6, 1813, *Essex Register*.
47. E.g., David Underhand to his father, April 6, 1813, NMM WAR/79, 562.
48. E.g., Thomas Lynch to John Mitchell, April 6, 1813, HS–Penn, Mitchell.
49. Edwin F. Satterwhite to John Mason, May 17, 1813, NA RG 45, box 571; American Prisoners of War at Dartmoor, TNA ADM 103/88, no. 1688.
50. William Jones to Capt. Charles Stewart, May 17, 1813, NA RG 94, entry 127, box 11, folder 2.
51. Capt. Charles Stewart to Admiral Sir John B. Warren, May 20, 1813, NA RG 94, entry 127, box 10, folder 1.
52. Rear Admiral George Cockburn to Capt. Charles Stewart, May 21, 1813, NA RG 94, entry 127, box 10, folder 1.
53. Cartel for the exchange of POWs, May 12, 1813, TNA ADM 103/465 pt. 1, 201–10.
54. John Mason to John Smith, May 15, 1813, LC-T-A17.040.1, 48.

55. John Mason to James Prince, May 28, 1813, LC-T-A17.040.1, 73.
56. John Mason to William Jones, June 10, 1813, LC-T-A17.040.1, 92; Return of POWs, Sept. 1, 1813, NA RG 94, entry 127, box 21A, folder 1.
57. John Mason to Thomas Barclay, June 10, 1813, NMM WAR/79, 513.
58. Thomas Barclay to John Mason, June 15, 1813, NMM WAR/79, 532.
59. Thomas Barclay to Admiral Sir John B. Warren, July 14, 1813, TNA ADM 1/3765, 231. For information on Barclay see DeWitt Clinton to James Madison, May 1, 1805, *Papers of James Madison: Secretary of State Series*, vol. 9, ed. Mary A. Hackett et al. (Charlottesville: University of Virginia Press, 2012), 303–4.
60. Thomas Barclay to Capt. John Talbot, Aug. 2, 1813, TNA ADM 1/3765, 249.
61. Capt. John P. Beresford to John W. Croker, July 31, 1813, TNA ADM 1/1555.
62. Thomas Barclay to John Mason, Aug. 29, 1813, NA RG 94, entry 127, box 6, folder 5, 218.
63. Aug. 21, 1813, *Essex Register*.
64. Thomas King's narrative, Nov. 6, 1813, *Essex Register*.
65. Aug. 6, 1813, *Essex Register*, Aug. 21, 1813; Thomas King's narrative, Nov. 6, 1813, *Essex Register*.
66. John Mason to James Prince, Aug. 24, 1813, LC-T-A17.040.1, 272; John Mason to Thomas Barclay, Aug. 25, 1813, NA RG 94, entry 127, box 17, 1:67.
67. Thomas Barclay to John Mason, Sept. 17, 1813, NA RG 94, entry 127, box 6, folder 5, 232.
68. Thomas Barclay to Vice Admiral Herbert Griffith, Oct. 8, 1813, NYHS–Barclay Letterbook, Oct. 1813–Aug. 1814, 5.
69. General Entry Book of American Prisoners of War at Dartmoor, TNA ADM 103/88, no. 1688.
70. John Mason to Reuben G. Beasley, Jan. 6, 1814, NA RG 45, series 464, box 606.
71. Reuben G. Beasley, Oct. 20, 1814, NA RG 45, box 566.
72. British POWs held by the United States, NA RG 45, entry 615, vols. 1–2.
73. Charles Adams et al. to John Smith, Jan. 1, 1815, NA RG 94, entry 127, box 10, folder 3, 2.
74. E.g., Simon Snyder, "The Administration of Simon Snyder, 1808–1817," *Pennsylvania Archives* (1900, 4th ser.) 4:834–35; March 5, 1814, *Essex Register*.