

Lieutenant Hawksworth and the *Magnet* Affair

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Introduction

On 5 October 1813, the American naval squadron on Lake Ontario, commanded by Commodore Isaac Chauncey, intercepted an unescorted British troop convoy off the Ducks Islands. Of the seven sloops and schooners in the convoy, five were captured by Chauncey, one was burned by her crew to avoid capture and only the schooner *Elizabeth* reached Kingston. This success delighted Chauncey but dismayed the British naval commander, Commodore Sir James Lucas Yeo.¹

Yeo's distress was not only due to the capture of the troops on board: the two flank companies of the DeWatteville regiment and small detachments from other units, but by the loss of the six vessels. They composed the majority of the British transport capacity on Lake Ontario and their loss forced Yeo to use a part of his squadron as armed transports the following year. This would have a serious impact on the life and career of a young Royal Navy midshipman who, at the time the convoy was lost, was on his way up the St. Lawrence River to Kingston: George Sarver Hawksworth.²

Abbreviations used in the notes:

Army Letters	NAUS, RG 107, <i>Letters Received by the Secretary of the Army, Registered Series</i> , H-78(8), film M221 roll 62.
Captains Letters	NAUS, RG 45, <i>Letters Received by the Secretary of the Navy From Captains</i> , film M125
CMT	Transcript of the court martial of George Sarver Hawksworth, NAUK, ADM 1/5447
LAC	Library and Archives Canada
NAUK	National Archives of the United Kingdom
NAUS	National Archives of the United States
Regulations	<i>Regulations and Instructions relating to His Majesty's Service at Sea</i> (1808), Sect. XII, Chap. II, Article I and sub-sections.
RG	Record Group

¹ Isaac Chauncey to William Jones #86, 6 October 1813, Captains Letters, 1813 vol 6 item 126, roll 31; James Lucas Yeo to George Prevost, 7 October 1814, LAC, RG 8, C.731, 5-7.

² Much of Hawksworth's history remains unknown. The date & location of his birth, his activities prior to October 1813 and those after April 1815 remain to be documented. It is known that Hawksworth served on board the *Cruizer*-class brig *Mutine*. As a midshipman required several years of service before being considered for promotion to lieutenant, he may have been on board that vessel when she captured the French privateer *L'Invincible* in the Bay of Biscay on 17 April 1813. Faye Kert records this capture but calls the privateer *Invincible Napoleon*. Rif Winfield, *British Warships in the Age of Sail 1793-1817* (Barnsley UK: Seaforth Publishing, 2005): 295. Faye M. Kert, *Privateering: Patriots and Profits in the War of 1812* (Baltimore: Johns Hopkins University Press, 2015): 100. Brian Lavery, *Nelson's Navy: The Ships, Men and Organization 1793-1814* (Annapolis MD: Naval Institute Press, 1994): 93.

Midshipman Hawksworth

Midshipman George Hawksworth arrived on Lake Ontario on 13 October 1813 from H.M. brig *Mutine* at Quebec.³ He was assigned to the gunboat flotilla on the St. Lawrence River under Acting Captain William Howe Mulcaster. He was still on the river when American Major General James Wilkinson's army was defeated at the Battle of Crysler's Farm. The Americans then re-crossed the St. Lawrence River and made camp at French Mills, New York (now Fort Covington), some six miles up the Salmon River from the St. Lawrence.

In early December 1813, Mulcaster, believing that the American boats on the Salmon River were vulnerable to a raid conducted by a few men carrying bombs in a canoe, asked for volunteers. Midshipman John Harvey and Seaman George Barnet volunteered, but the attempt failed when they were discovered and had to retreat back to Canada.

A short time later, Mulcaster tried again. This time it was the American camp's powder magazine that was the target. Once again he called for volunteers and, as before, Midshipman Harvie and Seaman Barnet were chosen, joined this time by Midshipman George Hawksworth.

The three men were provided with "combustable materials" and landed on the American shore. When they reached the American camp, they saw that the magazine was too heavily guarded to attack immediately. They spent several days hiding in the woods, watching and waiting for an opportunity to complete their mission. Finally, with the aid of a local man, Harvey went into the American camp, in disguise, to gather intelligence. While there, he was betrayed by his guide and just managed to escape capture. Frustrated, all three men were forced to return to Canada.

Although the raid failed, the effort aided the career of both midshipmen. Mulcaster's report to Yeo on the two attempts specifically praised Harvey, but Hawksworth also received favorable notice.⁴ In response to Mulcaster's report, Commodore Yeo called Hawksworth's

³ Malcomson cites NAUK, ADM 37/5000, a record of ship's musters from Lake Ontario 1813-1814, as the source, calling the brig *La Mutine* which presents a minor problem. *La Mutine* was a French brig captured by the Royal Navy in 1797 renamed *Mutine* and sold out of service in 1803. *Mutine*, a *Cruizer*-class brig, was built in 1805 and in-service during the War of 1812, so this must be the vessel actually referenced. Robert Malcomson, *Lords of the Lake* (Annapolis: Naval Institute Press, 1998): 383:62; Rif Winfield, *British Warships in the Age of Sail* (Barnsley UK: Seaforth Publishing, 2nd revised edition 2008) 284, 295; David Lyon, *The Sailing Navy List* (London: Conway Maritime Press, 1993) 141, 252.

⁴ William Howe Mulcaster to James Lucas Yeo, 20 December 1813, NAUK, ADM 1/2737.

actions “highly creditable.”⁵ Harvey received his reward, promotion to lieutenant, effective 2 January 1814.⁶ Hawksworth had to wait for his.

On 25 April 1814, Hawksworth joined Midshipman George Collins and Lieutenant Charles W. Griffith Griffin and a number of seamen in an attempt to destroy the American frigate *Superior* then on the stocks at Sackets Harbor. They set off from Kingston in two boats with barrels of gunpowder, planning to sneak on shore that night, place the barrels under the incomplete hull of the *Superior*, light the fuses and escape. As one observer noted, this was a “drama which bid fair to have immortalized the actors, either by the halter or in the explosion.”⁷ Unfortunately their approach was detected by guard boats patrolling off the harbor commanded by Lieutenant James Dudley. An attempt to deceive the guard by pretending to be guard boats themselves failed and the Americans opened fire. With all hope of surprise now lost, Hawksworth and his band quickly dumped their powder barrels overboard and beat a hasty retreat back to Kingston. The next morning six of the barrels were found in the water near the shore.⁸ Although Hawksworth again failed to achieve his object, the merit and gallantry of his effort were recognized by his superiors.

In June 1814, following the loss of officers and men at the battles of Oswego and Sandy Creek, Yeo reorganized his squadron.⁹ As part of that change, Yeo appointed Hawksworth an acting lieutenant and he replaced Commander Edward Collier as captain of the 11-gun brig *Magnet*.¹⁰ As all the squadron’s lieutenants had greater seniority, this demonstrated Yeo’s confidence in Hawksworth’s zeal and ability.¹¹

⁵ *General Order* issued by James Lucas Yeo, 1 January 1814, NAUK, ADM 1/2737.

⁶ *Ibid.*

⁷ Charles Cunliffe Owen to Frederick John Johnston, 28 April 1814, *Johnston Papers*, #16378, Hertfordshire County Archives, UK.

⁸ Isaac Chauncey to William Jones #51, 27 April 1814, Captains Letters, 1814 vol 2 item 186, roll 35.

⁹ At Oswego on 6 May 1814, Yeo lost three killed and ten wounded, including Captain Mulcaster. A month later at Sandy Creek the British lost nearly 200 men, including Captains Popham and Spilsbury. Yeo’s squadron was now short 279 men. James Lucas Yeo to John Wilson Croker #10, 8 May 1814, NAUK, ADM 1/2737; Stephen Popham to James Lucas Yeo, 2 June 1814, LAC, RG 8, C.683, 220-224; *State of His Majesty’s Ships and Vessels on Lake Ontario. — June 2nd 1814*, LAC, RG 8, C.683, 225.

¹⁰ Collier commanded *Magnet* during the attack on Oswego in May. James Lucas Yeo to John Wilson Croker, 8 May 1814, NAUK ADM 1/2737.

¹¹ Hawksworth acknowledged this in his letter to Chauncey: “Sir James Yeo [gave] me so desirable a command in preference to many senior to me.” One such officer was Lieutenant Charles Radcliffe, commanding the smaller schooner *Netley*. George Hawksworth to Isaac Chauncey, 5 December 1814, Army Letters.

The *Magnet*, formerly the 137-ton merchant schooner *Governor Simcoe*, was built at Kingston in 1793. Purchased by the Royal Navy in the spring of 1813, she was refitted and renamed the *Sir Sidney Smith*. In early 1814, in consequence of the lake warships being placed on the regular Royal Navy list, she was “cut down” to improve her sailing, re-rigged as a brig and renamed *Magnet*.¹² When Hawksworth took command, the *Magnet* had a crew of two officers and 56 men (deficient by one officer and 38 men). She carried ten 24-pound carronades and a 9-pound cannon on a pivot-mount.¹³

Logistical Considerations

After his reorganization, Commodore Yeo’s four strongest warships, the frigates *Prince Regent* and *Princess Charlotte* and the corvettes *Montreal* and *Niagara*, blockaded the American naval base at Sackets Harbor on the eastern shore of Lake Ontario, watching Chauncey’s squadron. His other four warships, the brigs *Star*, *Magnet* and *Charwell* and the schooner *Netley*, all now with reduced crews, along with the merchant schooner *Vincent*, were used to transport men, material and provisions from Kingston to York and Niagara. These voyages supported the right division of the British army under Lieutenant General Gordon Drummond.¹⁴

Since the poor state of the roads in Upper Canada made waterborne transport essential if Drummond’s army was to remain operationally effective, this division of naval resources was unavoidable. Still, Yeo realized that such transport would only be possible as long as the Royal Navy commanded the lake. Once the American squadron, now augmented by two large frigates

¹² Survey of *Governor Simcoe*, 24 February, 1813, LAC, RG 8, C.729, 103-104. The *Governor Simcoe* was 74 feet on deck with a beam of 18½ feet and a depth of 12 feet. The oldest vessel on the lake, she was rotten in several places but repairable. James Lucas Yeo to John Wilson Croker, 15 April 1814, NAUK, ADM 1/2737.

¹³ Like many lake warships, the *Magnet* underwent frequent changes in armament. In July 1813 she mounted twelve 24-pound carronades; in October she mounted ten 32-pound carronades and two long 12’s; by March 1814 the 32-pound carronades had been replaced by 24-pounders; by mid-April the two long 12’s had been replaced by a single long 9 on a pivot which was apparently her armament at the time of her loss; *A List of His Majesty’s Ships and Vessels on the Lakes in Canada, 15th July 1813*, NAUK, ADM 1/2736, 124; *Statement of the Numbers and Force of His Majesty’s Squadron on Lake Ontario 8th October 1813*, NAUK, ADM 1/2736; *Statement of the Number and force of His Majesty’s Squadron on Lake Ontario*, 3 March 1814, NAUK, ADM 1/27371 m; *Statement of British Naval Force on Lake Ontario*, 14 April 1814, NAUK, ADM 1/2737, item.78; *State of the Royal Navy on Lake Ontario*, 2 June 1814, LAC, RG 8, C.683, 225.

¹⁴ Gordon Drummond to George Prevost, 2 June 1814, LAC, RG 8, C.683, 226-231.

and two large brigs, appeared, this command would be lost until the ship-of-the-line *St. Lawrence* entered service.¹⁵ That, however, would not happen before October.¹⁶

In the spring of 1814, intelligence reports from Sackets Harbor told Yeo that Chauncey's new ships would be ready by late June.¹⁷ Later, that date slipped into July.¹⁸ By mid-July, although British spies reported that the ships themselves were ready, Chauncey's squadron remained in port.¹⁹ Unsure of the reason for the delay, the British continued their transport efforts, trying to get as much material delivered to Niagara as possible before the American squadron appeared on the lake.

The Magnet's Last Voyage

On Wednesday, 3 August 1814, Hawksworth's *Magnet*, accompanied by the brig *Charwell*, commanded by Lieutenant Henry Spence as senior officer, and the schooner *Netley*, commanded by Lieutenant Charles Radcliffe, sailed from the Niagara River bound for York.²⁰ The next afternoon the *Magnet* was anchored at York, taking on board 30 men from the De Watteville Regiment, two officers of the 100th Regiment, a civilian, Mr. McNabb, and a large quantity of gunpowder and other military stores destined for the Niagara River.²¹

About 4 p.m. The *Charwell* and *Netley* left York for Niagara. Calm winds forced them to use their sweeps.²² The *Magnet* remained at anchor, ordered by Lieutenant Spence to "remain

¹⁵ The new American warships were the 56-gun frigate *Superior*, 42-gun frigate *Mohawk* and the 22-gun brigs *Jefferson* and *Jones*.

¹⁶ The 102-gun *St. Lawrence* sailed for the first time on Sunday, 16 October 1814, *Master's Log* of the *St. Lawrence*, NAUK, ADM 52/4599(5).

¹⁷ Attachments to Gordon Drummond to George Prevost, 14 May 1814, LAC, RG 8, C.683, 152-157.

¹⁸ *Intelligence Report from Sackets Harbor*, 8 June 1814, LAC, RG 8, C.683, 269; Gordon Drummond to George Prevost #2, 16 June 1814, LAC, RG 8, C.683, 280-282.

¹⁹ In mid-July Chauncey became quite ill and remained so until the end of that month. Isaac Chauncey to William Jones, 10 August 1814, Captains Letters, 1814 vol 5 item 84, roll 38; Charles Cunliffe Owen to James Lucas Yeo, 17 July 1814, LAC, RG 8, C.684, 160-163; Noah Freer to Richard Stovin, 31 July 1814, LAC, RG 8, C.684, 248.

²⁰ York is now Toronto. The *Charwell* was named *Earl of Moira* in 1812 and 1813. The *Netley* was the *Prince Regent* in 1812 and the *Lord Beresford* in 1813. Spence was a lieutenant from 21 March 1812. On 29 July the three vessels were alongside the wharf at Niagara, taking on board wounded soldiers for transport to the hospital at York. They sailed the following day, returning in time to sail again for York on 3 August, likely also with wounded on board. *Admiralty Navy List* corrected to 31 December 1814. *Master's Log*, HMS *Star*, entries for 29 and 30 July and 3 August 1814, NAUK, ADM 52/3928.

²¹ CMT, testimony of Midshipman William Arthur.

²² Sweeps were long oars usually manned by two or more men and used to move a vessel slowly when the wind was calm. Most warships under 200 tons (and some larger) had a number of small square "sweep ports" through the bulwarks on both sides.

behind for the purpose of receiving ammunition on board.”²³ The gunpowder was taken on board and stowed so quickly and carelessly that it likely altered the *Magnet*’s trim.²⁴ When loading was complete the *Magnet* was “deeply laden.”²⁵

Loading finished about 6 p.m. and “no time was lost” in leaving York.²⁶ At that time the *Charwell* and *Netley* were still in sight, three miles ahead.²⁷ As the winds remained calm, the crew used the brig’s sweeps to get out of the harbor, steering South South East. After three and a half hours of laborious rowing the *Magnet* traveled only five miles and it was a relief to all when the wind finally sprang up from the East North East. The brig then changed course slightly, now steering South East ½ East.²⁸ Neither of these courses was correct; both sent the *Magnet* to the west of the Niagara River. The *Magnet*’s pilot, John Jeffries, told Hawksworth that the correct heading for Niagara was South East, but his advice was disregarded.²⁹

By 11:30 p.m. the *Charwell* and *Netley* were no longer in sight and by 9 a.m. the next day both were safely in the Niagara River.³⁰ After sailing about 20 miles, at 1 a.m. the wind died and the *Magnet* remained motionless in the fog until 7 a.m. the next morning when a light breeze sprang up. The *Magnet* then resumed her course, arriving about six miles west of the Niagara River by 11 a.m.³¹

²³ CMT, Hawksworth’s defense.

²⁴ CMT, testimony of Quartermaster Andrew Tait. Improperly stored cargo can adversely affect a vessel’s sailing ability.

²⁵ CMT, testimony of Arthur.

²⁶ CMT, testimony of Arthur and Pilot John Jeffries.

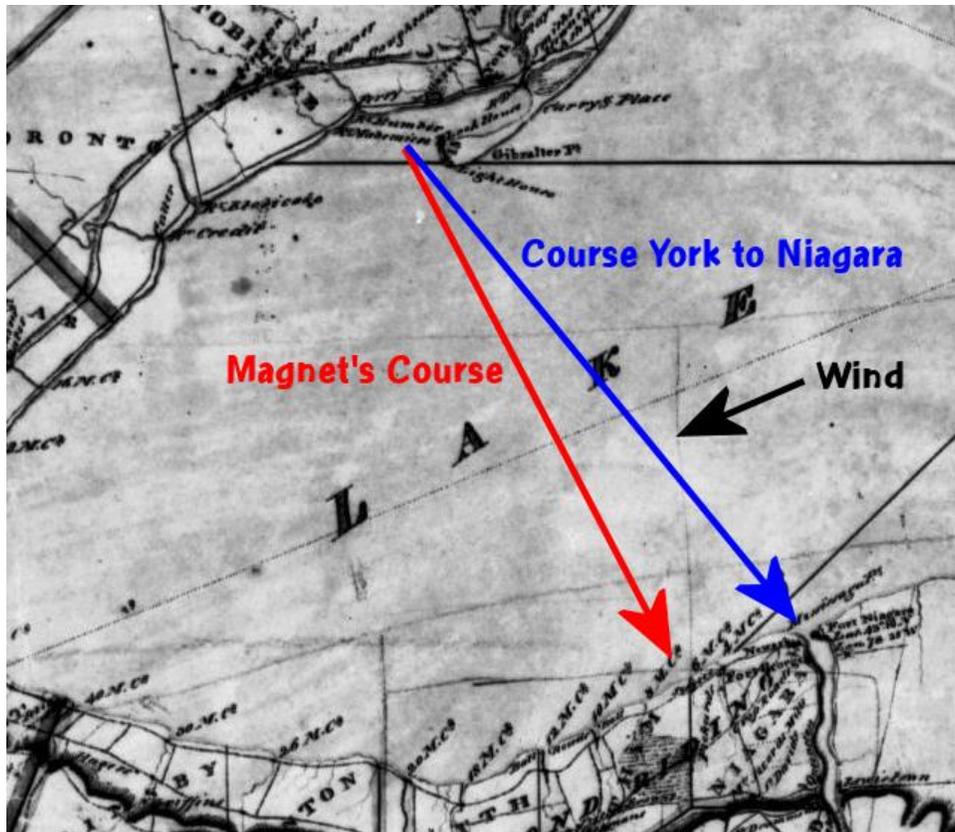
²⁷ CMT, testimony of Arthur.

²⁸ CMT, testimony of Hawksworth, Arthur, Jeffries and Gunner’s Mate James McKinley.

²⁹ CMT, testimony of Jeffries. Tait also testified that the correct course was South East. Jeffries testified that he had not “done any thing to forfeit the confidence of the commanding officer of the vessel.” Hawksworth told Midshipman Arthur he had lost confidence in Pilot Jeffries as he had “run the vessel on shore near Snake Island and several times out of her course” and that he “never would consult him again but attend to the sailing the vessel myself.” CMT, testimony of Arthur. No witness knew of any reason for the course adopted by Hawksworth.

³⁰ George Hawksworth to Alexander Dobbs, 5 August 1814, NAUK, ADM 1/5447; CMT, testimony of Acting Surgeon Joseph Scott; *Master’s Log*, HMS *Star*, entry for 5 August 1814, NAUK, ADM 52/3928.

³¹ CMT, testimony of Jeffries.



Map of the western part of Lake Ontario (1819) showing the correct course from York to Niagara and the one followed by the *Magnet*. Detail from Map of Central Upper Canada 1819, Brock University Map, Data & GIS Library, St. Catherines, Ontario, Canada.

Here the *Magnet* anchored for about 30 minutes while one of the officers of the 100th Regiment and the civilian, McNabb, took one of the *Magnet's* two small boats and rowed themselves ashore.³² Not waiting to recover the boat, the *Magnet* raised anchor and set sail for the Niagara River.³³ Now opposed by the wind, progress was very slow and she sailed only a short distance by 1 p.m. when Commodore Chauncey's squadron was seen approaching from the east.

Chauncey's squadron left Sackets Harbor on 1 August 1814 and set a course for Niagara. Light and contrary winds delayed the squadron and it did not arrive until the afternoon of 5 August. There the squadron sighted a "strange sail" to the west, slowly approaching the Niagara River. Commodore Chauncey ordered the dispatch schooner *Lady of the Lake*, commanded by Acting Lieutenant Mervine P. Mix, to "ascertain what the strange sail was." On her return,

³² Quartermaster Andrew Tait testified this took "better than half an hour."

³³ CMT, testimony of Hawsworth, Arthur, Jeffries, McKinley, Scott and Tait.

Chauncey ordered Master Commandant Jesse Elliott, captain of the brig *Sylph*, to close with and destroy the enemy vessel.³⁴

Sailing into the wind, the *Magnet* could not avoid the American squadron which had the wind in their favor. Hawksworth had to choose between fighting, surrendering, or running the



The Magnet tacking towards Niagara
Sketch by Peter Rindlisbacher

Magnet on shore. The *Magnet's* small crew, the presence of the troops on board, the explosive nature of her cargo and especially the odds against her precluded any thought of combat, and, for Hawksworth, surrender was not an option.³⁵

About 2 p.m. Hawksworth ran the *Magnet* on shore near Four Mile Creek, four miles west of the Niagara River. For

nearly three hours the *Magnet's* crew, soldiers and artillerymen sent by Lt. Colonel Augustus Warburton and part of the crews of the *Star*, *Charwell* and *Netley* and the merchant schooner *Vincent* saved 118 barrels of gunpowder and other military stores.³⁶ That task, however, was slowed by having only one small boat left to support the unloading. At 3:30 p.m. the *Lady of the Lake* approached and fired two 18-pound round shot at the *Magnet*.³⁷ Lieutenant Charles Radcliffe then ordered Hawksworth to destroy the *Magnet*, but before that could be done the

³⁴ *Journal of Lieutenant James A. Dudley* on board the frigate *Superior*, Massachusetts Historical Society; *Journal of Melancthon Taylor Woolsey* on board the brig *Jones*, Detroit Public Library, Burton Historical Collection, *Woolsey Family Papers*; Isaac Chauncey to Jacob Brown, 7 August 1814, *Papers of Jacob Brown*, Library of Congress. The details of the beginning of the *Magnet* affair are missing from Woolsey's *Journal* as the "first 6 hours of this days work erased from the slate before copied." Only the vessel's destruction is recorded in that *Journal*.

³⁵ "I thought it most prudent to run her on shore." George Hawksworth to Alexander Dobbs, 5 August 1814, NAUK, ADM 1/5447.

³⁶ There is some confusion as to exactly where the *Magnet* grounded. Gordon Drummond, in a letter to George Prevost, believed the location to be "at the 10 Mile Creek." The *Master's Log* of HMS *Star*, anchored in the Niagara River, records the location as "near the Four Mile Creek." This work uses the *Star's* data and the most common location recorded during the court martial. Gordon Drummond to George Prevost, 8 August 1814, LAC, RG 8, C.685, 47-50; *Master's Log*, HMS *Star*, entry for 5 August 1814, NAUK, ADM 52/3928.

³⁷ *Master's Log*, HMS *Star*, 5 August 1814, NAUK, ADM 52/3928.

schooner came about and returned to the American squadron. Hawksworth then convinced Radcliffe to continue saving the gunpowder.³⁸



Map showing the location where the *Magnet* landed the officer from the 100th Regiment and Mr. McNabb, and the location where Hawksworth ran the *Magnet* aground to avoid its capture by Chauncey's squadron. Detail of Niagara Peninsula map by Lieutenant Francis Hall, 1818. Brock University Map, Data & GIS Library, St. Catherines, Ontario, Canada.

At 4:40 p.m. the *Sylph* arrived and opened fire on the *Magnet*. It was now too dangerous to unload gunpowder and the *Charwell*'s captain, Lieutenant Henry Spence, ordered Hawksworth to set the *Magnet* on fire.³⁹ A little after 5 p.m. the brig exploded violently, an event clearly seen, heard and felt as far away as York.⁴⁰

*I had gone towards the Bay . . . when I felt a violent concussion of the air, and presently after heard an explosion toward Niagara, much greater than the explosion of our magazine [during the American attack on 27 April 1813] — on looking over the Lake where the enemy's vessels were — I saw a prodigious cloud of smoke, rising to a great height...*⁴¹

This was the only success for Chauncey's squadron that year.

³⁸ CMT, Hawksworth's defense.

³⁹ George Hawksworth to Alexander Dobbs, 5 August 1814, NAUK, ADM 1/5447; CMT, Hawksworth defense.

⁴⁰ Lt. James A. Dudley on board *Superior*, states the explosion happened at 7 p.m., *Journal of James A. Dudley*, Massachusetts Historical Society. Woolsey's *Journal* on board *Jones* records the time as 6 p.m. and the vessel as the *Beresford*, an odd mistake as the *Beresford* was a schooner now renamed *Netley*. The *Master's Log* of HMS *Star* records the time as 5:10 p.m. Royal Navy times on Lake Ontario were often an hour or so behind those recorded by the American navy. British times are used herein. There were no standard time zones in 1814.

⁴¹ Thomas Ridout to T. G. Ridout, 9 August 1814, Archives of Ontario, *Ridout Papers*, reprinted in Edith G Firth, *The Town of York 1793-1815* (Toronto: The Champlain Society, 1962): 332-333.



The Magnet explodes while the crew of the Sylph looks on. Sketch by Peter Rindlisbacher.

The next day, Hawksworth's crew were taken on board the brig *Star*.⁴² Two days later a party from the *Star*, commanded by her gunner, went to the wreck to see what could be salvaged. They returned the same day "with a part of the *Magnet's* rigging," apparently the only thing of value they could find.⁴³ That same day, the senior Royal Navy officer at Niagara and captain of the brig *Star*, Commander Alexander Dobbs, ordered the *Magnet's* crew sent upriver to cooperate with the British army.⁴⁴ There, according to Hawksworth, all but ten men, including petty officers who could support his actions, were killed or wounded in a failed attack on Fort Erie. Later, the absence of these officers became a problem for Hawksworth as did the reported loss of some important documents given to Dobbs.⁴⁵

⁴² *Master's Log*, HMS *Star*, entry for 6 August 1814, NAUK, ADM 52/3928. The *Star* was named *Lord Melville* in 1813.

⁴³ On 20 August the gunner returned to the wreck and discovered more salvageable stores. *Ibid*, entry for 8 and 20 August 1814.

⁴⁴ George Hawksworth to Isaac Chauncey, 5 December 1814, Army Records, Item H-78 (8), M221 roll 62; Robert Malcomson, *Lords of the Lake* (Annapolis: Naval Institute Press, 1998): 341; *Master's Log*, HMS *Star*, entry for 8 August 1814, NAUK, ADM 52/3928. Dobbs was promoted commander on 14 February 1814, *Admiralty Navy List* corrected to 31 December 1814.

⁴⁵ George Hawksworth to Isaac Chauncey, *Ibid*.

Hawksworth's difficulties continued when Lieutenant General Gordon Drummond, commanding in Upper Canada, received a report of the affair from Colonel Warburton. On the



Lt. Gen. Gordon Drummond

basis of this report, Drummond informed Governor in Chief and Commander of the Forces Sir George Prevost that he believed Hawksworth's setting the *Magnet* on fire was "an act of unpardonable precipitation."⁴⁶ Drummond's anger is understandable. His army was besieging the Americans at Fort Erie and the loss of that gunpowder affected that siege. With the American navy now controlling the lake, replacing the lost gunpowder would be extremely difficult. By September, the shortage of gunpowder forced Drummond to "husband every round" of ammunition.⁴⁷ In his report to Prevost on the loss of the *Magnet*, Drummond consoled himself that "the whole of her stores &c have been landed & saved." It is certain his opinion of Hawksworth was not improved when he discovered that was not the case. By mid-November 1814, the siege of Fort Erie had failed and Drummond himself was at Kingston.⁴⁸

With witnesses dead and important documents missing, Hawksworth was hard-pressed to defend himself when to his dismay he was "unjustly reprimanded" by Commodore Sir James Yeo.⁴⁹ Worse was to follow.

⁴⁶ Drummond admitted to Prevost that he was "not yet in possession of the whole of the circumstances," but his prejudicial statements helped to seal Hawksworth's fate. Gordon Drummond to George Prevost, 8 August 1814, LAC, RG 8, C.685, 47-50.

⁴⁷ Donald E. Graves, *And All Their Glory Past* (Robin Brass Studio: 2013): 247.

⁴⁸ Drummond received a 15-gun salute when he landed at Kingston on 10 November 1814. *Master's Log of the St. Lawrence*, NAUK, ADM 1/4599(5).

⁴⁹ Rufus McIntire to John Holmes, 14 December 1814, *Rufus McIntire Letters* #SC4510, New York State Library, Albany, New York.

The Court Martial

It was standard procedure in the Royal Navy, when a warship was lost, for the captain, officers and crew to be court-martialed for their actions at the time. If the captain survived the loss, he became the focus of the court martial. Accordingly, on Sunday, 13 November 1814, Commodore Sir James Lucas Yeo ordered the *Magnet*'s "Acting Lieutenant George Sarver Hawksworth [and] her officers and crew" tried for the loss of the brig.⁵⁰ That court convened the following day at Kingston, on board the ship-of-the-line *St. Lawrence*.⁵¹

Hawksworth's court consisted of Captain Frederick Hickey, Yeo's second-in-command on Lake Ontario, as president with Captains Henry Thomas Davies and Peter Fisher and Commanders Edward Collier and Alexander Dobbs as



Commander Alexander Dobbs
by Sharif Tarabay

members.⁵² This was the minimum number of officers required for a court martial.⁵³ The judge advocate was Royal Marine Lieutenant John Hickey Mallard.



Captain Frederick Hickey

The members of the court were all experienced naval officers and well qualified in that respect to judge Hawksworth.⁵⁴ The presence of Alexander Dobbs on the court, however, is troubling as he was Hawksworth's commanding officer at Niagara and had previously expressed an unfavorable opinion of

⁵⁰ CMT.

⁵¹ Oddly, the *Master's Log* of the *St. Lawrence* incorrectly records the date as Monday, 13 November and Hawksworth's vessel the schooner *Netley*: "a Court Martial was held on board on Lieu^t Hawksworth, late of the *Netley* schooner." NAUK, ADM 52/4599(5).

⁵² Hickey was Yeo's "flag captain" on board the ship-of-the-line *St. Lawrence*; Davies was captain of the corvette *Niagara*; Fisher was captain of the corvette *Montreal*; Collier commanded the frigate *Princess Charlotte* and previously commanded the *Magnet*; Dobbs commanded the brig *Star* and was the senior naval officer in western Lake Ontario and on the Niagara Frontier in the summer of 1814; Robert Malcomson, *Lords of the Lake* (Annapolis: Naval Institute Press, 1998): 341; *Master's Log*, HMS *Star*.

⁵³ Royal Navy regulations allowed only captains and commanders to sit on courts martial, lieutenants were not permitted. Regulations, VI, 406. This restriction did not exist in the United States Navy.

⁵⁴ On 10 November 1813, Hickey lost his own ship, the 18-gun *Atalante*, on Sister's Rocks off Halifax. Rif Winfield, *British Warships in the Age of Sail* (Barnsley UK: Seaforth Publishing, 2nd revised edition 2008): 270.

Hawksworth's actions. By the regulations for naval courts-martial, Dobbs should not have been allowed to sit on the court.⁵⁵ Hawksworth should have had an opportunity to object to the presence of Dobbs, but according to the trial's transcript none was offered and if Hawksworth made any complaint it went unrecorded.⁵⁶

With one exception, the only witnesses called were Royal Navy personnel on board the *Magnet* who survived later events, such as the siege of Fort Erie.⁵⁷ Testimony given by the various witnesses generally agreed as to the sequence and timing of events.⁵⁸ The *Netley*'s captain, Lieutenant Charles Radcliffe, who first ordered Hawksworth to set the *Magnet* on fire, was killed in action a week later.⁵⁹ The captain of the *Charwell*, Henry Spence, the two officers of the 100th Regiment and the civilian, McNabb were not called to testify. The identities of the two officers and McNabb's full name is not in the written record.⁶⁰

The court failed to fully investigate the reason why Hawksworth took the "officer of the 100th" and McNabb on board and then delayed his arrival to land them on shore only a few miles from the Niagara River. The only reason given for doing so came from Surgeon Scott, who testified:

*The reasons were, their having been very sea sick, and not being recovered from their wounds. They solicited Lieutenant Hawksworth to allow them a boat, as he stood in.*⁶¹

With the prosecution's case complete, Hawksworth was offered an opportunity to present a defense. Hawksworth requested time to prepare that defense and this was granted by the court.

⁵⁵ "If any officer, entitled by his rank to sit at a court martial, be personally concerned in the matter to be tried, he is not to be permitted to be of the number of members by whom the court shall be composed." Regulations, V, 405. Yeo, having undergone a court martial himself in 1812 for the loss of the frigate *Southampton*, should have been aware of the rules and excluded Dobbs.

⁵⁶ CMT. Afterwards Hawksworth attributed many of his difficulties to Dobbs: "Cap^t Dobbs is the person to whom I may attribute my misfortune." George Hawksworth to Isaac Chauncey, 5 December 1814, Army Letters.

⁵⁷ Commander Edward Collier was called by the defense, but only to testify as to Hawksworth's character, which was favorable. CMT, testimony of Collier.

⁵⁸ Other than Hawksworth himself, only seven witnesses testified: Commander Edward Collier, Pilot John Jeffries, Midshipman William Stephens Arthur, Quartermasters Andrew Tait and Thomas Cook, Assistant Surgeon Joseph Scott and Gunner's Mate John M^cKinley. Collier, Cook and Thomas for the defense and the others for the prosecution. CMT.

⁵⁹ Radcliffe was killed during the action that captured the American schooners *Ohio* and *Somers* on Lake Erie. Alexander Dobbs to James Lucas Yeo, 13 August 1814, NAUK, ADM 1/2737; James Lucas Yeo to John Wilson Croker #25, 24 August 1814, NAUK, ADM 1/2737.

⁶⁰ CMT, testimony from Arthur, Jeffries and Scott referred only to officers of the 100th Regiment. The written record shows the court never asked for their names.

⁶¹ CMT, testimony of Scott in response to a question by the court,

In many officer court martials the court adjourns until the next day to give the defendant enough time. This was not done in Hawksworth's case. The court resumed the same day and Hawksworth's relatively brief defense statement was read to the court. The original document does not appear in the record, only a transcription of what was read.

Hawksworth's defense was very weak and he made no attempt to justify why he did not steer a course direct to the Niagara River. Furthermore, he claimed he only anchored to await a more favorable wind, saying nothing about landing passengers. Once he resumed his course, he was forced to slowly tack into the wind and, when Chauncey's squadron appeared, he had no choice but to run the *Magnet* aground.⁶² That decision was not questioned by the court.

Hawksworth made a point that he and his crew did everything possible to save the cargo of gunpowder and that a considerable quantity was saved before he received orders to set the *Magnet* on fire. This testimony went unquestioned and unopposed by the court. The court's questions about actions after the grounding focused on what happened to part of the brig's paperwork, which was unavailable.⁶³ Once his ship was aground, the court appeared uninterested in what Hawksworth did afterwards to preserve the cargo.⁶⁴

The court was then cleared and the judges deliberated on the verdict, which they reached that same day. In the Royal Navy, a unanimous verdict in a court martial was not required. In this case, only three votes were needed to convict Hawksworth. While the rules required a roll-call vote in reverse order of seniority, by convention the individual votes were not recorded.⁶⁵ After considering the evidence, the court concluded

*That great blame was imputed to Acting Lieutenant Hawksworth, her commander, and that her loss was occasioned by her being steered an improper course, and run so far to leeward for the purpose of landing passengers as not to be able to fetch the port of Niagara, before she was intercepted by the enemy, which led to the necessity of her being run on shore and finally destroyed.*⁶⁶

⁶² CMT, Hawksworth's defense. The court recognized that the incorrect course and the landing of passengers was the real cause of Hawksworth's wind difficulties after he raised anchor.

⁶³ The court asked about "ships books or any other papers, public or private" on board the *Magnet*, including the "Log Book" and "Signal Book" but neither Scott or Tait could offer any information regarding them. Hawksworth was never asked about them. The inference was that they were missing and probably not saved. CMT, testimony of Scott & Tait.

⁶⁴ CMT.

⁶⁵ Regulations, XI & XII, 408-409.

⁶⁶ CMT, verdict, which also "acquitted the remaining officers and crew of all blame for the loss of the *Magnet*."

The court's then sentenced Hawksworth to be "dismissed from His Majesty's service."

Desertion

This was a sentence that Hawksworth did not expect and it was something that his "English spirit could not brook." Hawksworth blamed the "envy and jealousy" of his brother officers, especially Dobbs.⁶⁷

Extremely unhappy and seeking a better fate, Hawksworth decided to desert to the Americans, believing the information he could provide would earn him a warm reception. Accordingly, on 25 November 1814, less than two weeks after his conviction, Hawksworth left Kingston and traveled down the St. Lawrence River to Prescott where he crossed over to Ogdensburg and gave himself up to the American authorities. He was then taken to Sackets Harbor and, in the absence of Commodore Chauncey, interviewed by Captain Jacob Jones, commanding the frigate *Mohawk*.⁶⁸ Writing to Chauncey, Hawksworth described his motives for changing sides:

*I came here Sir, for protection, to set an example to other young men (whom feel injured as I do) and to let the world see what injustice exists in British service.*⁶⁹

Furthermore, Hawksworth told Chauncey he was "censured for a mere act of humanity (and no detention to the vessel progress;) in landing the officers." This is the only known reference by Hawksworth to his landing the two men, and, as his court rightly observed, that act definitely did detain the *Magnet*.



Captain Jacob Jones
NH 48739

Hawksworth disclosed to Jones details on a wide range of subjects. These included the British army's order of battle in Upper Canada, that the frigate HMS *Psyche*, building at Kingston, was enlarged to carry 52 guns and that preparations were underway to build another ship-of-the-line, that the British had plans to build warships on lakes Huron and Champlain, details on the number of ship carpenters coming upriver to Kingston from

⁶⁷ George Hawksworth to Isaac Chauncey, 5 December 1814, Army Letters; Rufus McIntire to John Holmes, 14 December 1814, *Rufus McIntire Letters*, SC4510, New York State Library, Albany NY.

⁶⁸ Chauncey was at New York City at the time arranging for building ships-of-the-line at Sackets Harbor that winter.

⁶⁹ George Hawksworth to Isaac Chauncey, 5 December 1814, Army Letters.

Montreal, the efforts made by the British to prevent desertion, and that large numbers of cattle were smuggled across the St. Lawrence River to feed the British army.⁷⁰

Captain Jones doubted the accuracy of Hawksworth's information but he told the secretary of the navy that "I have from the conversation and appearance of the man no doubt but that his views are such as he states them to be."⁷¹ When word of the desertion reached Chauncey he realized that it would not be advisable to allow Hawksworth to remain long at Sackets Harbor, so close to Kingston. Chauncey ordered Jones to have Hawksworth sent to meet him at Utica, a destination he later changed to New York City.⁷² Chauncey himself informed the navy department that he believed Hawksworth "had presented himself under very suspicious circumstances."⁷³

On 6 January 1815, Hawksworth arrived at New York City where he was ordered to report to Mayor De Witt Clinton and City Marshal John Smith.⁷⁴ A week later he was sent on to Secretary of the Navy Benjamin W. Crowninshield at Washington escorted by navy Lieutenant Thomas Holdup.⁷⁵ Both Captain David Porter, commanding at New York, and Chauncey, who was now more impressed with Hawksworth than before, believed that his information would be "highly important to the Government."⁷⁶



Benjamin W. Crowninshield
NH 54721-KN

Once in Washington, Crowninshield realized that Hawksworth was a valuable resource for information about the Royal Navy on the lakes and British plans and preparations for 1815.

⁷⁰ Captain Jones was correct in his opinion. The historical record proves that Hawksworth provided the Americans with extremely accurate information. Jacob Jones to William Jones, 6 December 1814, Army Letters. Unusually, this letter appears in the records of the War Department and not the Navy Department, probably a copy to supply the intelligence given by Hawksworth.

⁷¹ *Ibid.*

⁷² Isaac Chauncey to Jacob Jones, 18 December 1814, Isaac Chauncey's *Letterbook* # 6, Manuscript Department, New York Historical Society.

⁷³ Isaac Chauncey to Benjamin Homans, 26 December 1814, Captains Letters, 1814 vol 8 item 141, roll 41.

⁷⁴ Isaac Chauncey to De Witt Clinton and John Smith, 3 January 1815, Isaac Chauncey's *Letterbook* # 6, Manuscript Department, New York Historical Society; Isaac Chauncey to Benjamin Homans #2, 8 January 1815, Captains Letters, 1815 vol 1 item 25, roll 42.

⁷⁵ On 7 December 1815, Thomas Holdup changed his name to Thomas Holdup Stevens.

⁷⁶ David Porter to Benjamin W. Crowninshield, 16 January 1815, Captains Letters, 1815 vol 1 item 48, roll 42.

Unfortunately, most of the value of that information disappeared once word of the Treaty of Ghent, ending the war, arrived at Washington shortly thereafter.

After the war, Hawksworth applied to Crowninshield for a commission in the U. S. Navy. His request was considered but denied. The secretary did, however, approve awarding Hawksworth a payment “not exceeding the sum of one thousand dollars” for his services, to be charged to “secret service money” on Chauncey’s accounts. Hawksworth himself was encouraged to “turn his attention to such service that may best suit his views.”⁷⁷

On 18 April 1815, Hawksworth did receive an appointment as an acting sailing master and was ordered to report himself to Captain Samuel Evans for duty at the New York Navy Yard.⁷⁸ His tenure at New York was apparently brief as his name does not appear on the official list of sailing masters for 1816 or thereafter.⁷⁹ Hawksworth then disappears from the naval record and his subsequent fate remains unknown.⁸⁰

The Mysteries of the Magnet Affair

More than two centuries later, this whole affair retains an air of mystery with a hint of a cover-up. Hawksworth’s conviction was based solely on his deviating from his course “for the purpose of landing passengers.” However, according to the trial’s transcript this act was never examined in detail. While the naval regulations required the court “to attain the fullest insight they possibly can into the matter before them,” the court left many questions unanswered.⁸¹

Why did the *Magnet* sail alone?

The *Magnet* left York some two hours after the *Charwell* and *Netley*. Hawksworth claimed this was due to an order by Lieutenant Henry Spence to load gunpowder. This statement was not questioned by the court. Had the loading started only after Spence’s order or had it been

⁷⁷ Benjamin W. Crowninshield to Isaac Chauncey, 10 December 1815, NAUS, RG45, *Letters Sent by the Secretary of the Navy to Officers*, vol 12 p.248, M149 roll 12. This payment was included in an item in Chauncey’s accounts for \$1,505.00 dated 30 January 1816 and titled “to obtain information from the Secret Agents,” NAUS, RG 217, *Records of the Accounting Officers of the Treasury*, Item 811 Settled Accounts, Alphabetical Series, Chauncey.

⁷⁸ NAUS, RG 45, *Abstracts of Service Records of Naval Officers*, M330 Roll 3 (Volume E).

⁷⁹ *American State Papers*, Class 6, *Naval Affairs*, Vol I, 271, 466, 599.

⁸⁰ Hawksworth was not the only Royal Navy officer to desert during the War of 1812, just the only one to desert to the enemy. In the summer of 1814 Lieutenant Mark Raynham deserted from His Majesty’s service on Lake Champlain. A later report had him travelling to Quebec City in disguise and taking a merchant ship to the West Indies or South America. Letters from James Lucas Yeo to John Wilson Croker, 30 December 1814 and 2 June 1815, NAUK, ADM 1/2730.

⁸¹ Regulations, IX, 407.

going on all afternoon and was just incomplete?⁸² Quartermaster Tait testified that the gunpowder was put on board the *Magnet* so quickly and carelessly that it altered her trim, but Hawksworth's defense did not state when the loading began and no witness was asked about it.

Since Hawksworth himself testified that he believed Chauncey's squadron was at sea, the *Magnet* would have to face American warships alone, should any appear.⁸³ While the *Charwell* and *Netley* themselves would be hard-pressed to defend against one of the American heavy brigs, had the *Magnet* sailed with them it was unlikely any single American brig (or perhaps even the corvette *Madison*) would accept a fight with three Royal Navy warships.⁸⁴ As the *Charwell* and *Netley* reached the Niagara River by 9 a.m., even a two hour departure delay to wait for the *Magnet* would likely see all three together safe under the guns of forts Niagara and Mississauga before Chauncey arrived.

Why did the *Charwell* and *Netley* not wait until the *Magnet* was ready? It would be understandable if the two vessels wanted to take advantage of a favorable wind, but there was no wind. Testimony has the two vessels only three miles from York after two hours and they were using their sweeps to get that far. Since it was Lieutenant Spence's order that delayed the *Magnet*, why was he not called as a witness to explain why the three vessels did not sail together?⁸⁵

Was there a relationship between the two men who were later landed west of the Niagara River and the *Magnet*'s delay in sailing? Had the *Magnet* sailed with the *Charwell* and *Netley*, the captains of those vessels, both senior to Hawksworth, could not fail to notice that the *Magnet* was not heading for the Niagara River. If they ordered Hawksworth to correct his course, the two men would not be landed where they were. If Hawksworth was knowingly allowed to deviate from the correct course for Niagara, Lieutenant Spence, as senior officer, would likely bear some

⁸² Although the exact number of barrels of gunpowder taken on board is not known, the quantity must have been several hundred as even after saving 118 barrels enough remained to create a gigantic explosion. Could the *Magnet*'s crew have stored that many barrels on board in only two hours?

⁸³ CMT, testimony of Scott in reply to a question by Hawksworth.

⁸⁴ The three vessels together had a broadside of 387 pounds. The American heavy brig *Jefferson*'s broadside was 384 pounds. The weakest American brig, *Oneida*, had a maximum broadside of only 108 pounds but from cannon not short-ranged carronades. Robert Malcomson, *Lords of the Lake* (Annapolis: Naval Institute Press, 1998): 341-342.

⁸⁵ It is possible Spence was not at Kingston at the time. His brig, *Charwell*, was reported sailing from York to Niagara on 5 November and arriving at Kingston on 20 November. Her whereabouts in the interval is not known. Nevertheless, if necessary Hawksworth's court could have been delayed until he arrived. *Master's Log of the Prince Regent*, NAUK, ADM 52/3928; *Captain's Log of the Princess Charlotte*, NAUK, ADM 51/2700(5); *Master's Log of the St. Lawrence*, NAUK, ADM 52/4599(5).

responsibility for the loss of the *Magnet*. Did Spence force the *Magnet* to remain behind on purpose to avoid that possibility?

Why did the *Magnet* sit motionless for six hours?

The *Magnet* used her sweeps for the first three and a half hours after leaving York, travelling about five miles. When the wind returned her crew, probably exhausted, had about the same length of time to recover before the wind again died away. Had the second calm not occurred, the *Magnet* could have landed the two men and reached Niagara before the American squadron appeared. In this sense, Hawksworth was just unlucky, but what followed only made matters worse.

Instead of resuming the use of her sweeps, the *Magnet* sat motionless for six hours. Why? Had she resumed sweeping, she could have covered seven or eight additional miles before the wind resumed. This would have allowed her at least an extra hour to reach Niagara after landing the two passengers before Chauncey appeared. This inaction was never addressed by the court.

Who was the civilian, McNabb?

The trial's transcript refers to the civilian, McNabb, only by his last name. Who was he? Available records offer three possibilities. Gray's work lists two McNabbs in the 1st Flank Company of the 1st Lincoln Militia: James McNabb and John McNabb.⁸⁶ John is listed as a private, but James was an acting lance sergeant who served along the Niagara River as a gunner in Captain Powell's militia artillery company. Unfortunately, Gray lists neither man as wounded during the war, but those records are known to be incomplete.⁸⁷ There was also a James McNabb who was well known at Niagara. He served during the War of 1812 as a volunteer commissarial agent as well as, in 1814, a member of a commission to enforce an act authorizing the detention of persons suspected of treason.⁸⁸ It is possible that one of these men was the McNabb landed by Hawksworth, but available information is not sufficient to determine which, if any.

⁸⁶ William Gray, *Soldiers of the King: The Upper Canadian Militia 1812-1815* (Erin ON: Boston Mills Press, 1995) : 133, 174.

⁸⁷ *Ibid*, 249.

⁸⁸ Entry for James McNabb in *Dictionary of Canadian Biography*, Volume V (1801-1820).

Who was the officer of the 100th Regiment?

Court martial testimony is clear that Hawksworth did take an “officer of the 100th” on board and landed him west of the Niagara River, but who was he? Scott’s mention that the officer was recovering from a wound offers a clue. According to Sutherland, at the time the *Magnet* was lost there were nine officers of the 100th regiment wounded recently, most at the Battle of Chippewa on 5 July 1814.⁸⁹ Senior was the regiment’s commanding officer, Lieutenant Colonel George Hay, the 8th Marquis of Tweeddale, who was seriously wounded in the leg.⁹⁰ Although no specific reference to him there has yet been found, it was usual for seriously wounded officers to be moved to the hospital at York.⁹¹ Since the wound did not require amputation, it is probable that he had recovered sufficiently in a month to return to the Niagara Frontier on board the *Magnet*. Although this identification is highly speculative, the Marquis likely had enough influence to



8th Marquis of Tweeddale
BBC Your Paintings

persuade Hawksworth to accommodate his request for special transportation. He also had enough stature to keep his name out of the record as it was his request that led directly to the loss of the *Magnet*.

This identification, however, is not without its problems. If it was Tweeddale, why did he want to be landed where he did? An unpopulated shoreline was a questionable place for a man recovering from a leg wound to go ashore in a small boat. Furthermore, if the officer was Tweeddale, why did Hawksworth not mention his name as part of his defense, or call Tweeddale as a witness? In that case, convicting Hawksworth would be difficult without casting some blame on Tweeddale. Naming Tweeddale, if it was he, may have saved Hawksworth’s career. If it was some junior officer, that may explain why Hawksworth did not mention his name as it would not help his case, but what would have prevented the court from doing so? The court record mentions the civilian, McNabb, by name several times; why not name

⁸⁹ These men included, in addition to Lt. Col. Hay, Captains Fawcett, Sherrard, Sleigh and Williams, Lieutenants Clark, Lyon and Williams and Ensign Johnstone. Stuart Sutherland, *His Majesty’s Gentlemen: A Directory of Regular British Officers of the War of 1812* (Iser Publications, 2000): 403 and details for individual officers marked as wounded.

⁹⁰ Tweeddale was wounded “severely not dangerously.” Phineas Riall to Gordon Drummond, 6 July 1814, LAC, RG 8, C.684, 51 and attached casualty list.

⁹¹ It is not known exactly when Tweeddale returned to duty but he was fully recovered and at Niagara by October. Gordon Drummond to George Prevost, 9 & 10 July 1814, LAC, RG 8, C.684, 44, 59; District General Order, 11 October 1814, NAC, RG 8, C.686, 13-14; John Harvey to Marquis of Tweeddale, 11 October 1814, LAC, RG 8, C.686, 14.

a junior officer? If Hawksworth was encouraged not to name the officer during his court martial, why not do so afterwards? Hawksworth was certainly willing to blame Dobbs. Was there some long-term benefit to Hawksworth in keeping silent? Yet what benefit would compensate for losing your career?

If Hawksworth, as part of his defense, did mention the name of the officer of the 100th and why he wanted to be landed west of Niagara, that explains why Hawksworth did not mention the man afterwards as there was nothing to encourage him to do so. As far as Hawksworth knew, the facts were on the record. Hawksworth's anger would focus on the naval officers, not his army passenger, as it did. If this happened, the transcript is incomplete and perhaps intentionally redacted to keep the identity of the "officer of the 100th" out of the official record. This makes more sense than Hawksworth's complying with a request not to mention that officer by name during his court martial.⁹²

There is one final problem. At York, that officer had three vessels available to transport him across the lake. Yet the one he used, Hawksworth's *Magnet*, was loaded with gunpowder. Why would he choose to sail on what was, in effect, a floating bomb when two alternatives existed, including the larger *Charwell*? Were all three vessels carrying gunpowder? Or perhaps the officer did not have a choice because transportation on the *Magnet* was arranged privately before anyone knew what the *Magnet*'s cargo was going to be. The *Magnet* may have been chosen because Hawksworth, being the most junior officer present, would be the least likely to question a confidential request from someone of much higher rank. If that was the case, the identity of this arranger, or the reason for the arrangement, may never be known.

Why were the two men landed where they were?

Was Hawksworth ordered by a superior officer to take the "officer of the 100th" on board and land him where he did? Presenting those written orders would clear Hawksworth of the charge of delaying his voyage. Since that did not happen, if an order was given it had to be verbal. If someone senior did give Hawksworth a verbal order why did he not include that fact in

⁹² The following analysis is highly speculative but possible. If Hawksworth was encouraged not to name the officer of the 100th regiment during his trial, would his anger at the verdict cause him to do so afterwards? If the court wished to avoid that possibility, the easiest way was to allow Hawksworth and the witnesses to name the officer and mention the circumstances, then delete that testimony from the official record, leaving only references to an "officer of the 100th." Hawksworth's subsequent desertion makes it unlikely he ever saw that record. Could he have been encouraged to desert? Had he remained in Canada and discovered a redacted transcript, possibly as part of an appeal to the Admiralty who received an attested copy of that transcript, how many problems would that cause the members of the court and possibly others? Regulations, XV, 409.

his defense, or mention it in his earlier report to Commander Dobbs?⁹³ It seems unlikely that Hawksworth was ordered to do what he did.

If Hawksworth was asked, not ordered, to delay his arrival at Niagara to land an “officer of the 100th” at a special place, Hawksworth should have passed that request on to the senior Royal Navy officer present, Lieutenant Spence. There is nothing in the record to indicate that happened. Had the *Charwell* and *Netley* already sailed? In any case, that request must have been by someone with sufficient seniority, either by rank or standing, for Hawksworth to agree to comply.

Surgeon Scott was the only witness asked why the two men received special treatment. One reason he gave was that both men were sea-sick. This is difficult to question as the diagnosis was made by the *Magnet*'s medical officer. However, while sea-sickness can be quite debilitating, these men had been at sea for most of a day and landing where they did instead of at Niagara saved them only a very short period of additional discomfort. That, alone, hardly seems to justify the *Magnet*'s interrupting her voyage to do so.

Also puzzling is Scott's testimony that Hawksworth agreed to land the two men west of Niagara only after he arrived there. If this was the case, why was Hawksworth steering in that direction from the time he left York? There is, however, an explanation for Scott's testimony: the officer of the 100th regiment and the civilian, McNabb, had no connection at all. Hawksworth agreed to land the officer west of Niagara before he sailed; McNabb was on board only for a passage to Niagara. When the *Magnet* dropped anchor near Six Mile Creek, McNabb, realizing that if he landed there he would be closer to his destination (important if he was recovering from a wound as Scott testified), asked Hawksworth if he could use a boat. Scott, on deck at the time and overhearing that question, assumed the request applied to both men, an assumption confirmed when he saw both men going ashore together.

This explanation is supported by a question by the court. They asked Midshipman Arthur if McNabb was landed there because it was “near his own house.” Unfortunately, Arthur stated he did not know as he was “not on deck when the boat was sent away,” and that excuse was accepted by the court and no other witness was asked about the matter.⁹⁴ Nevertheless, it seems reasonable that McNabb did live nearby. However, the reason the “officer of the 100th” wanted to be landed there remains a mystery.

⁹³ George Hawksworth to Alexander Dobbs, 5 August 1814, NAUK, ADM 1/5447.

⁹⁴ CMT, testimony of Arthur.

What happened to the *Magnet's* boat?

Whoever those two men were, Hawksworth provided them with one of the *Magnet's* small boats to effect their landing, then the *Magnet* sailed for Niagara without recovering that boat. This, by Hawksworth's own testimony, left the *Magnet* with only a single boat to facilitate saving the gunpowder. That abandoned boat was crown property. Why did Hawksworth not recover the boat? What happened to the boat? Once again, these points were overlooked or ignored by the court.

Why was Hawksworth's sentence so harsh?

Hawksworth's surprise at being dismissed from the Royal Navy is understandable. Other officers, whose actions had more serious consequences, were either not court martialled or received only a reprimand. One such man was Royal Navy Lieutenant Hector MacLean who commanded that British troop convoy taken by Chauncey in October 1813. In Yeo's own words, that loss

*Proceeded from the obstinacy or stupidity of Lieut. Macklean who instead of keeping in with our shore as he was ordered & even recommended the evening he was captured—stood over to the Real Duck Islands and the wind coming from the NNE he could not regain his own shore.*⁹⁵

Despite the devastating and long-term effects of MacLean's disobedience, he received only a reprimand from Yeo, plus time in the United States as a prisoner of war.

In Hawksworth's case, only one vessel was lost, there were no troop or crew losses and a considerable quantity of the cargo was saved. Did Drummond need a scapegoat for his ammunition problems that contributed to his failure at Fort Erie? Did he influence the court? The same day Yeo ordered Hawksworth's court martial, he received a request from Drummond asking that he make another trip to Niagara to transport urgently needed provisions.⁹⁶ The following day, with Hawksworth's court in session, Yeo refused that request, claiming it was too late in the season to risk his ships.⁹⁷ Did Yeo influence the court as a conciliatory gesture to Drummond? Did the "officer of the 100th" influence the court?

⁹⁵ James Lucas Yeo to George Prevost, 7 October 1813, LAC, RG 8, C.731, 5-7.

⁹⁶ Gordon Drummond to James Lucas Yeo, 13 November 1814, LAC, RG 8, C.686, 170-172..

⁹⁷ James Lucas Yeo to Gordon Drummond, 14 November 1814, LC, RG 8, C.686, 173-176. Yeo later dispatched the *Montreal*, *Niagara*, *Charwell* and *Netley* to York with provisions.

Why was the *Wolfe's Log* amended?

There is one final mystery. An entry in the log of the corvette *Wolfe* (renamed *Montreal* in 1814) on 18 October 1813 reads “Joined the Ship M^r Hawksworth late Master of the *Magnet*.”⁹⁸ In 1813 the *Magnet* was named *Sir Sidney Smith* and Hawksworth was a midshipman and master of nothing. Clearly the log entry was made in 1814 not 1813 and it was appended to an already full log, but why? While the month & day could be when Hawksworth returned to Kingston from Niagara in 1814, if the wrong log was used it had to be deliberate. Each log page identified both the *Wolfe* and the year (1813), and Hawksworth himself was called “Mr.,” the title of a midshipman, not an acting lieutenant.

Conclusion

Absent any other evidence, there is no question that Acting Lieutenant George Hawksworth was guilty as charged. A combination of bad judgment and bad luck, coupled with commanding the first Royal Navy warship lost on Lake Ontario, made his conviction inevitable.⁹⁹ Nevertheless, this author believes it was very likely that the court’s verdict and Hawksworth’s sentence were set before the court convened. His sentence, considering Hawksworth’s prior exemplary performance, was excessive and unwarranted. Based on the written record, Hawksworth’s court was highly selective in both the details it chose to address and the details it ignored.

Correct answers to the many questions about this matter remain unavailable. In particular, the identity of the “officer of the 100th regiment,” while never named in the record, had to be known to Hawksworth and almost certainly was known to the members of the court, especially Dobbs. Hopefully some documentation will be discovered in the future that identifies this officer and the reason he inadvertently cost the Royal Navy the *Magnet* and Hawksworth his career.

Acknowledgements

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⁹⁸ Log of the *Wolfe*, 18 October 1813, NAUS, RG 45, Entry 44 vol 5 of 10.

⁹⁹ The British lost merchant vessels and gunboats, but the *Magnet* was the only British warship lost on Lake Ontario during the entire War of 1812.

also acknowledge the kindness of Tom Malcomson in providing the Admiralty transcript of Hawksworth's court martial.