

ACTIONS OF ENOS'S DIVISION: LEAVING THE EXPEDITION WITHOUT PERMISSION AND ITS EFFECT

Enos's division was in the rear of the expedition from the time it left Fort Western and it carried the bulk of the expedition's food supplies. By October 25, 1775, the expedition had been in the field for just over thirty days and was starting to run low on food. The primary reason for this was that the expedition's food supply was being constantly reduced by water damage.

Arnold wrote to Enos on five different occasions expressing his concern about the lack of adequate provisions, and in most cases, giving Enos instructions on how to respond to the problem. Arnold wrote two letters to Enos on October 15. The first letter addressed the sick and those too weak to continue that Arnold found at one of the carrying places. Arnold gave Enos instructions to have a bateau at "each lake" along the route and informed Enos that the men in the first three divisions had twenty-five days of provisions, which Arnold deemed sufficient to "carry them to Chaudière Pond and back". The second letter of the same date tells Enos to hurry to the Dead River "as fast as possible" because it was Arnold's intention to hold a council of war.

Arnold's third letter was sent on October 17th and informed Enos that one of the forward divisions was "very short of provisions". The fourth letter, dated October 24th, tells Enos that the forward divisions now had only twelve to fifteen days of food, which was a significant change from his letter of nine days earlier. Arnold then instructs Enos to "proceed with as many of the best men of your division as you can furnish with fifteen days provision; and that the remainder, whether sick or well, should be immediately sent back to the Commisary".

Arnold's final letter to Enos was written on October 27th. Not knowing that Enos's division had already made the decision and started their return, Arnold instructed him to send on an enclosed letter to General Washington, to take "particular care of the sick", and ended with the words, "I hope soon to see you in Quebeck". This letter was sent two days after the Enos division made the decision to return.ⁱ

By October 25th, the Enos division had decided among themselves that conditions were desperate, and that serious consideration should be given to whether they should continue on to Quebec or return back to Cambridge with the sick troops. them back with all of the men in his division. By the morning of the 25th, snow covered the ground, which made the situation even more dire for the entire expedition and brought the supply situation to a head.

The Senter HSP journal has the only detailed description of what actually took place on October 25th.ⁱⁱ

"The other express [from Greene] went down the river to desire Col. Enos and officers to attend in consultation. They accordingly came up before noon, when a council of war was ordered....The matter was debated upon the expediency of proceeding on for Quebec. The party against going urging the impossibility, averring the whole provisions, when averaged, would not support the army five days....After debating upon the state of the army with respect to provisions, there was found very little in the division then encamped at the falls...The question being put whether all to return, or only part, the majority were for part only returning.... The number and opinions of those present were as follows:

For proceeding	For returning
Lieut. Col. Greene	Capt. Williams
Major Bigelow	____ McCobb
Capt. Topham	____ Scott
____ Thayer	Adjutant Hide
____ Ward	Lieut. Peters
Lieut. Col. Enos.	

The officers who were for going forward, requested a division of the provisions, and that it was necessary they should have the far greater quantity in proportion to the number of men, as the supposed distance that they had to go ere they arrived into the inhabitants was greater than what they had come... To this the returning party (being predetermined) would not consent, alledging that they would either go back with what provisions they had, or if they must go forward they'd not impart any. Col. Enos, though [he] voted for proceeding, yet had undoubtedly preengaged to the contrary, as every action demonstrated....Col. Enos, who more immediately commanded the division of returners, was called upon to give positive orders for a small quantity, if no more. He replied that his men were out of his power, and that they had determined to keep their possessed quantity whether they went back or forward. They finally concluded to spare 2 1/2 barrels of flour, if determined to pursue our destination."

Senter, in both of his journals, says there were eleven officers in the Council of War. A vote of the eleven officers was taken on the question of whether the Enos Division should return, having previously agreed that not all of their men would return if the vote was favorable. The vote was six, including Enos, for continuing on and five for returning.

Some have argued that Enos had already made up his mind, even before the vote, that he was going to return. Although Senter's HSP journal affirms this position, his RIHS journal is even more specific. "It ought not to escape notice that altho' Scott [Enos] voted for a part of the army to proceed, yet is very understood by the officers who were of his party as well by those of Col. Greene's that he had pledged himself not to go forward".ⁱⁱⁱ

Arnold first acknowledged the return of the Enos division in two letters sent to Montgomery and Washington on November 8th. In his letter to Montgomery, Arnold says, "The other part with Col. Enos returned from the Dead River, contrary to my expectation, he having orders to send back only the sick, and those that could not be furnished with provisions". Arnold's letter clarifies that his orders were to send back the sick and those men in Enos's division that could not be provided with ample food. It is obvious that Arnold fully believed Enos' division had sufficient food supplies for his entire division to last the required fifteen days.

Arnold tells Washington he is surprised to find out that the Enos Division "are all gone back". Obviously he was surprised, since he believed that Enos still had sufficient food to send forward the men in his division who were not sick. These two letters are the extent of Arnold's comments regarding the decision by Enos's division to leave the expedition and return to Washington's headquarters.^{iv}

As he was returning to Cambridge, Colonel Enos wrote a letter to Washington, dated November 9th, written at "Brunswick near Kennebunk", in which he informs Washington that he is "on my return from Col. Arnold's detachment". Enos goes on to give Washington his preliminary justification for his return. "Col. Arnold was gone ahead; the Chief of the officers of Col. Greene's division and mine were together when we took the situation of our division into consideration, and upon the whole it was thought best for my whole division to return & furnish those that proceeded with all our provisions except 3 days to bring us back, which I did without loss of time".^v

One problem with this explanation is that it is a misrepresentation of the facts surrounding the Council of War and the decision to return. Enos is factually wrong when he says that "on the whole" it was thought best for Enos to return. Senter, Thayer and Topham record that the majority vote was for him not to return, so Enos's explanation is not accurate.

The second problem with the Enos letter is that the Enos division did not share all of its food provisions, except for three days worth, with the rest of the expedition. In testimony at the court-martial, a fifteen day food supply is presented as the standard, not the three days mentioned in Enos' letter. Keeping a fifteen day food supply would clearly result in the Enos division retaining more food than would be true if they only retained a three day supply.

ROGER ENOS'S COURT-MARTIAL

When Enos returned to Washington's headquarters in Cambridge, Washington ordered him placed under arrest and then convened a Court of Inquiry to recommend a proper course of action. Washington's reactions are described in his letter of December 5th to Arnold as follows: "You could not be more surprised than I was at Enos's Return with

the Division under his Command. I immediately put him under Arrest, and had him tried for quitting the Detachment without your Orders."^{vi}

The Court of Inquiry was held on November 29th with Major General Charles Lee as President, and included Brigadier General Nathaniel Greene, Brigadier General William Heath, Colonel Nixon, Colonel John Stark, Major Durkee and Major Sherburne. The conclusion of the Court of Inquiry was that "after receiving all of the information within their power, that Colonel Enos's misconduct (if he has been guilty of misconduct) is not of so very heinous a nature as was first supposed, but that it is necessary, for the full satisfaction of the world, and for his own honor, that a court-martial should be immediately held for his trial". The Court of Inquiry not only made a recommendation, it also made a tentative conclusion about Enos's innocence.^{vii}

The Enos Court-Martial was held on December 1, 1775, at Cambridge, with Brigadier General Sullivan presiding. The witnesses who presented testimony were Colonel Enos, Captains Scott, Williams and McCobb and Lieutenants Hyde and Buckmaster.^{viii} All of the witnesses were officers in Enos's division, and it is not surprising that their testimony was self serving and inaccurate. Since Arnold and the rest of his officers and men were in Canada when the court-martial was held, there were no other witnesses to present contradictory evidence.

According to the published account of the court-martial, Enos was being tried for "leaving the detachment under Colonel Arnold, and returning home without permission from his commanding officer". In the Connecticut Bar Journal article, Attorney Richard Bell cites Article XXIII of the Articles of War that had been adopted by the Continental Congress on June 30, 1775, as the specific provision under which Enos was tried. Article XXIII states that "Any officer or soldier who shall, without urgent necessity, or without leave of his superior officer, quit his platoon or division, shall be punished according to the nature of the offense, by the sentence of a regimental court-martial".

Enos's own testimony acknowledged that he returned without permission, but left unanswered the question regarding his justification for taking his division back. Each of the Enos division officers testified that, although Enos wanted to go on, they urged him to return with his division. The primary reason given for insisting that Enos return with them is because his presence was necessary in order to control both the men of his division and the sick men from the other divisions, who were returning with them. Buckmaster claims that there were one hundred fifty extra men with them, which is not true based on the numbers shown in Appendix II.^{ix}

What clearly comes across in the testimony is that the other officers' primary purpose was to address the question of "urgent necessity", which would give Enos a justifiable reason to excuse his conduct. The effort is to protect Enos by making his presence on the return a necessity rather than his own desire. Based on the decision of the court, this strategy worked and Enos was acquitted "with honor".

A surprising aspect about this hearing is that although there was a judge advocate present he did not cross examine any witnesses. There is much that the various witnesses said that is subject to doubt and some of the testimony is contradictory. Even without the testimony of officers from the other divisions, it seems like some doubt could have been created by a judge advocate who had experience in trial work. There is no indication that any cross examination was made nor is there any evidence of an attempt by the judge advocate to explore the variations in the testimony of what occurred prior to the return.

The decision of the court-martial was a unanimous opinion: "that Colonel Enos was under a necessity of returning with the Division under his command, and therefore acquit him with honor". The decision uses similar wording to that of the Article XXIII by the use of the word "necessity". It is clear that the court was aware of the wording of Article XXIII and made sure their decision to acquit used the correct wording. They conceded that Enos did not have the permission of his commanding officer so the only other factor that can justify him leaving his assigned task is the concept of "urgent necessity". Bell concludes: "A review of the testimony as recorded doesn't square with the journals in the important particulars noted, and what does come through from the testimony to the Court is an air of prefabrication."^x

General Sullivan, the President of the Court-Martial, must have been the target of complaints from the army in Cambridge, as a result of the court-martial decision, because he issued a certification of the results of the court-martial on April 28, 1776, almost five months after the decision. Sullivan's certification is really a written defense of

the court-martial decision. Sullivan's certification defends the decision by stating that had Enos went on with his division, "... it would have been a means of causing the whole detachment to have perished in the woods, for want of sustenance."^{xi} As Bell says, "This was nonsense". There was only one person, Hyde, who addressed this point directly in his testimony. Sullivan would have known by then that Arnold's other divisions did reach Quebec without the food supplies carried by Enos.

Bell concedes that some losses did occur on the expedition after Enos left, but says the numbers were small. Bell also points out that Arnold was able to resupply his army eight days after Enos left the expedition. There is no evidence that Sullivan's assertion about perishing in the wilderness was true other than the testimony of Hyde who uses the phrase "impossible to get through". Sullivan's certification was self serving and an attempt to justify a faulty decision. The decision was based on hearing only one side of the events and ignoring obvious questions about the return that were not satisfactorily answered.

Since Washington was concerned about army discipline and clearly was not neutral on the actions of Enos, it raises the question of why he didn't delay the Court-martial until Arnold's troops returned from Quebec, so that important witnesses to the War Council could have been called. The answer is found in his letter dated December 11, 1775, to John Hancock, the President of Congress. In this letter Washington informs Hancock that: "Col. Enos has been tryed and acquitted, upon what principles you will see by the process of his trial, which I now send you. As the time of Col. Enos's engagement was near expired, a doubt arose whether he could then be tryed by a Court Martial, this it was which occasioned his trial to come on before Col. Arnold's Evidence could be had." ^{xii}

Attorney Richard Bell points out that when judging the actions of Colonel Enos, we do not have all of the facts due to the passage of time. Moreover, he says, we are trying to reach conclusions based on conflicting testimony as seen "through the murky lens of over 200 years". Bell goes on to point out that defections of military units in the early stages of the war were not uncommon and that we need to judge the Enos decision in the "context of the times". For Bell, these are the extenuating factors that mitigate the negative effects of Enos' action.

Despite these mitigating factors, however, Bell goes on to finally conclude: "But on the Quebec expedition, the die had already been cast, and this force was irrevocably committed to a venture of high risk. Enos's division was a major and critical component, on which others depended. It was the least taxed and the best provisioned. Arnold, the commander, was far in advance. Three of the four divisions were plunging into the unknown, and what's more, they all-- including the Second Division which Enos tried to persuade to turn back-- made it. Enos's defection at Cambridge or Newburyport or even at Fort Western, for whatever reason, might never have come to our attention. Coming when and how it did, it was inexcusable." ^{xiii}

CONCLUSIONS

Even if Enos was justified in returning with some of his division, and even if the murky lens of 200 years is a factor, there is no reasonable defense for the actions of the Enos division regarding the following particulars:

- The unwillingness of Colonel Enos as the commanding officer of his division to respect the majority vote of the war council and, therefore, to instruct his men to go forward with the rest of the army.
- The unwillingness of Colonel Enos to enforce a reasonable division of his food with the rest of the divisions. When Enos was requested to order his men to share their food, his surprising response was that he could not control his men.
- The unwillingness of the Enos division officers to share a reasonable portion of their food supplies with the other divisions. This is an indictment of his officers and not Enos himself.
- The misrepresentations of fact that are contained in Enos's letter to Washington as explained above.

- The misrepresentation of the facts at the court-martial by Enos division officers. Their testimony demonstrates a unified decision to manipulate the facts to achieve the desired result. Much of the testimony presented at the court-martial is contradicted by the journals.
- A callous disregard on the part of Enos and his officers of the potential impact of their actions on their fellow soldiers who were going forward to face unknown dangers and unforeseen circumstances.
- The significant impact, due to the sudden reduction of Arnold's forces, on the ability of the expedition to successfully attack Quebec on its own. This was an important military consequence of Enos's return. There is, however, no guarantee, even with the Enos division present, that Arnold could have waged a successful attack on Quebec when he arrived there in the middle of November.

Hopefully the judgment of history has been rendered on the Enos Division's decision to return and their subsequent actions. George Washington made his feelings clear regarding the impact of Enos' actions on the mission to take Quebec in a November 30th letter to Major General Phillip Schuyler. "Colonel Enos who had the Command of Arnold's Rear Division is returned with the greater part of his men, which must weaken him so much as to render him incapable of making a successful attack on Quebec without assistance from General Montgomery". Subsequent historians of the expedition, including Justin Smith, John Codman and Kenneth Roberts, and continuing to the most recent expedition history, are unanimous in condemning the Enos decision to return.^{xiv}

ⁱ 1) AA, 4th, 3, 829; 2) AA, 4th, 3, 1070; 3) AA 4th, 3, 1085; 4) AA 4th, 3, 1174; 5) AA 4th, 3, 1211.

ⁱⁱ Senter journal, 211-212.

ⁱⁱⁱ Senter RIHS journal, see page 163 of this book for reference to Council of War.

^{iv} Arnold to Montgomery, November 8, 1775. Roberts, 82-83; Arnold to Washington, November 8, 1775. Roberts, 84-85.

^v Enos to Washington, November 9, 1775. American Archives, 4th Ser., 3, 1610.

^{vi} Washington to Arnold, Dec 5, 1775. Washington Papers LOC, image 040140.

^{vii} Enos Court of Inquiry. AA, 4th, 3, 1710.

^{viii} Enos Court-Martial. AA, 4th, 4, 238.

^{ix} AA, 4th, 4, 238.

^x Richard G. Bell. The Court-Martial of Roger Enos, I. Connecticut Bar Journal, vol. 73, 458.

^{xi} Letter from General John Sullivan and other Members of the Board. Connecticut Courant, May 29, 1776.

^{xii} Washington to John Hancock, President of Congress, December 14, 1775. Washington Papers, LOC

^{xiii} Bell, 460-461.

^{xiv} Bell, CT Bar Journal, Parts I and II; Enos wife's pension application; CT Archives, Rev. War, Series I; American Archives; Committee of Safety Records. Collections of New Hampshire Hist. Soc., vol. 3, 1868, 18-2-; 64; 71; 78-79; Royal Hinman/ Historical Collection from Official Records, Files &c of the Part Sustained by Connecticut During the War of the Revolution. Hartford: E. Gleason, 1842; Charles J. Hoadly. The Public Records of Connecticut From October 1776 to February, 1778. Hartford: Case, Lockwood & Brainard Co., 1894; Military Affairs and Haldiman Papers. Collections of the Vermont Historical Society, vol. 2, 1871, 189-196; E.P. Walton. Records of the Governor and Council of the State of Vermont, 107-109, 505, 506; Horace E. Hayden. General Roger Enos, A Lost Chapter of Arnold's Expedition to Canada, 1775. Magazine of American Hist., vol. 8, 1885, 463-476; Daniel Mead. History of Greenwich, Fairfield County, Conn. New York: Baker & Goodwin, 1857; Spencer P. Mead. Ye Historie of Ye Old Town of Greenwich. New York: The Knickerbocker Press, 1911; Roger Enos- Revolutionary War General. Eno Family Association. www.enofamily.org; Washington Papers LOC; Henry Stiles. The History and Genealogies of Ancient Windsor Connecticut. Hartford: Cass, Lockwood & Brainard, 1891.