

0. BOONE'S COURT MARTIAL - Story Preface

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This engraving is an artistic impression of Daniel Boone's 1769 capture by Shawnees. It is included in *The Life & Times of Col. Daniel Boone*, by Cecil B. Hartley, published in 1859. The illustration is titled "Capture of Boone and Stuart."

Boone's trial was held at Logan's Station. (Logan's Station eventually became the City of Stanford in Lincoln County, Kentucky). Official records have disappeared, probably destroyed by some well-meaning friend of Boone who found the whole episode embarrassing.

Even the one letter which Boone wrote to Rebecca about the charges was destroyed. But a trial participant—the presiding judge, Daniel Trabue—wrote an account of the court martial nearly fifty years after it was over. What we know about the details of the court martial comes from that account.

Trabue says that four charges were brought against Boone:

- In order to save himself, after his capture in February, 1778, he handed over his men against their consent, although the Indians were "not going towards these men"
- As a prisoner, he consorted with the enemy, and at Detroit "did bargain with the British Commander that he would give up all the people at Boonesborough"
- On his return to the fort, he had weakened the garrison by persuading a large number of men to leave the fort on a foolish and perhaps treacherously conceived raid
- He had exposed Boonesborough's leaders to a Shawnee ambush by agreeing "to take all our officers to the Indian camp to make peace out of sight of the fort"

If Boone was found guilty, he would hang.

Boone was prosecuted by Col. John Bowman. His chief accusers were Capt. Richard Callaway from Boonesborough and Col. Benjamin Logan, the founder of Logan's Fort.

Boone refused to be represented by a lawyer because, as he said at the time, he wanted to speak for himself. He did agree to accept advice and counsel from Samuel Henderson (son of Boone's former employer, Judge Richard Henderson) and James Harrod.

Surprisingly, Boone did not dispute the facts. The main thrust of his defense was the interpretation of those facts.

Capt. Callaway's evidence pointed to Boone's conduct. He tried to prove Boone was guilty of treachery against his men and his fort:

Boone was in favor of the British government. All his conduct proved it.

Going even further, Callaway claimed that Boone

ought to be broak of his commission.

Boone's defense was relatively simple:

The fort was in bad order and the Indeans would take it easy.

He said he told the Shawnee and the British:

...tails to fool them.

The court took testimony from Captain Richard Callaway, the escaped captive Andrew Johnson and another escapee, William Hancock.

Boone also testified. He told the court that he knew the salt makers and the fort could not withstand an attack by Blackfish and his men. He convinced Blackfish the fort was too strong to take at the time and, if the Chief waited, the fort's defenses would be weaker. He told Blackfish he would get the men to surrender if Blackfish agreed to treat them well.

Boone told the same story regarding the British—the Shawnee's allies. His objective was to hold up any attacks on the fort and his men in order to buy time for his community.

Some of the strongest evidence in Boone's favor appeared to be his genuine belief that his actions were the only way to save both the salt-making party and the fort. He used his "neutrality" to help his immediate community. (At the time, many people were more loyal to their immediate community than they were to either the "American" or the "Loyalist" cause.)

The officers deciding Boone's fate reached a quick decision: Not guilty.

The trial result was not just an acquittal for Boone—it was a total vindication. Immediately thereafter, he was promoted to Major.

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