

Retreat, Pursuit, and the Siege of Saratoga

Retreat (and Recriminations) Begin

Early on during his advance southward from Canada, General Burgoyne proclaimed that “this army does not retreat.” The fall of Breymann’s Redoubt during the final hours of the fighting on October 7, 1777, reduced that proclamation to a hollow boast. The loss of the stronghold exposed the right wing of the British fortified camp to enfilade fire, making it untenable. With his men outnumbered and exhausted, his supplies fatally depleted, and his hopes of assistance from Sir Henry Clinton founded more on desperation than reality, the general ordered his battered army to withdraw to their fortified line’s left wing. There, protected by what writers later called the Great Redoubt, his soldiers spent the eighth under a harassing sniping and artillery fire, preparing to retreat.¹ At dusk, the commander and his senior officers escorted the body of Brigadier Simon Fraser, who died that morning, to the redoubt, where Chaplain Edward Brudenel read the Church of England’s Burial Office, and American gunners, unaware of the procession’s nature, did their best to break up the burial party.²

Immediately following the burial service, with preparations for withdrawal complete, and the hospital, the wounded, sick, and attendants commended to General Gates’ care, the army formed in column. Alexander Fraser’s company of rangers, accompanied by the Loyalists and the few Indians who remained, formed the advanced party, followed by the Germans, the British 9th Regiment, the 47th Regiment, the artillery and wagons, and the rest of the British troops. Fraser’s Advanced Corps, now commanded by Lord Balcarres, provided the rearguard. Alexander Fraser’s rangers marched at 9:00 p.m., von Riedesel’s Germans followed one hour later, and Balcarres’ Corps moved at 11:00 p.m. The last men did not leave the encampment until shortly before 4:00 in the morning of October 9.³

“On the night of the 8th and the 9th we actually started,” wrote von Riedesel in his October 21 letter to the Herzog von Braunschweig. “I was supposed to make the advanced guard with 4 battalions,” he continued,

the baggage following me, the army and rear guard. Thus as I came to Overgotta [Dovegat]

House, I saw that the enemy had occupied the heights of Saratoga, which however, he left and placed himself across the Hudson behind the Battenkill. Here there was still time to get through, if we had continued our march leaving behind the heavy artillery, bateaux, and baggage; but we stopped at Overgotta House and remained there despite my pleas.⁴

The intention of this disingenuous summary was to advise the baron's sovereign of the campaign's failure in a manner that placed the onus for the loss of the men of his command squarely on the shoulders of General Burgoyne. The German's account was misleading because it implied that von Riedesel could, from Dovegat [modern Coveville], see that the Americans had occupied the village of Saratoga and that they had retreated across the Hudson behind the Battenkill. He could not have seen that from Coveville, and the Americans did not cross the river behind the Battenkill, but downriver of that stream. He probably learned that the enemy was on the hill above the village of Saratoga from Alexander Fraser's scouts, and the Americans under General John Fellows did not withdraw across the river until after von Riedesel and their retreating column left Dovegat. In her account, published in 1800, the Baronin von Riedesel repeated the substance of her husband's report.⁵

Burgoyne provided a description of prevailing conditions in an account that was more detailed, as well as free of recriminations. "A defeated army was to retreat from the enemy flushed with success in front, and occupying strong posts in the country behind," began the general's account, which continued thusly:

We were equally liable upon that march to be attacked in front, in flank, or rear. The disposition of march had been concerted as much as circumstances would admit; and it was executed by the officers and troops in general with a precision that experience in critical situations can only teach. The baggage, which could only move in one column, and in an arrow road, fell into the confusion which it is impossible to guard against in the dark, because a single accident of an overturned or broken wheel, or even the stupidity or drunkenness of a driver, may stop and often confuse the motion of the whole line. Care was taken that no such accident should break the order of the troops, and orders were sent to Major General Phillips, who commanded the rear guard, in case he was attacked, to pay attention only to the main object of covering the troops; or, if occasion were [offered], of taking a position to give them time to form.... At day-break the next morning [October 9] the army had reached very advantageous ground [Dovegat] and took a position in which to receive the enemy. A halt was necessary to refresh the troops, and to give time for the bateaux, loaded with provisions, which had not been able to keep pace with the troops, to come a-breast. A portion of the provisions was delivered also from the bateaux, not without apprehension that delivery might be the last: for there were parts of the river in which the boats might be attacked from the other side to great advantage, notwithstanding the correspondent movement of the army.... The above purposes being effected, the army proceeded in very severe weather, and through exceeding bad roads.⁶

The general accurately described the situation he and his army faced. Contrary to the impression often given, General Gates had, even before engaging the enemy on October 7, taken measures to thwart his escape by ordering militia commanders to post themselves east of the Hudson River and in Burgoyne's rear. John Stark and his heroes of Bennington reappeared,

captured Fort Edward's small British garrison, and advanced down the river toward Saratoga.⁷ Two thousand New Hampshire militiamen under Brigadier General Jacob Bayley constructed an entrenched camp on high ground north of old Fort Edward. More immediately affecting the retreat, Gates ordered Brigadier General John Fellows, commanding about 1,300 Berkshire County, Massachusetts, militia to move northward up the east side of the river to the mouth of the Battenkill, cross the Hudson, and entrench on the heights of Saratoga.⁸ Fellows' men were the troops von Riedesel claimed to have seen. They were too few in number to halt the retreat, but Gates could reinforce Fellows and follow Burgoyne so closely that the latter would be caught between pursuing and interdicting forces.

Sometime after the retreat march got under way, Lieutenant Colonel Nicholas Sutherland returned from reconnoitering Fellows' position at Saratoga and urged Burgoyne to permit him take his regiment, the 47th, and surprise the militiamen, whose perimeter security was temptingly lax. The general refused because he feared the loss of cohesive control. Like almost every decision taken by him, some writers have criticized Burgoyne for losing an opportunity to dislodge Fellows. There was a sound reason, however, for his decision. A successful retreat in the presence of the enemy required absolute control, and the detachment of an entire regiment without concert and support from the main column would jeopardize, and perhaps sabotage, that control. In addition, while Fellows' men were lax about security, as militia usually were, the 47th Regiment could muster no more than 250 men against Fellows' 1,300 fresh troops in a prepared position.⁹

As the above-quoted accounts reported, the army halted at Dovegat, about four miles north of where it began its retreat. At that point the road, for the first time, left the river flats and climbed to gently sloping higher ground where, to von Riedesel's avowed disgust, Burgoyne ordered a halt to distribute rations and secure communication with his bateaux. About this decision, too, critics have had much to say. The burden of their comments is that he should have pressed on, without concern for his baggage. This criticism does not explain, however, how the retreating army could have effected its retreat without taking along its supplies. The country north of Fort Edward was so sparsely settled and cultivated that it could not have supported a fraction of the army even under favorable conditions, which of course were nonexistent. Two armies had traversed the area within less than three months, and those incursions had occurred too late in the year for people to replant and restock.

An influential contribution to the litany of criticism emanated from Freifrau von Riedesel's industrious pen, reporting that Burgoyne so coveted an "Order"—promised him if he effected a junction with Sir William Howe—that he could not reconcile himself to retreating, and jeopardized his army by resorting to frivolous excuses for halting the withdrawal, including a pause to inventory his cannon. Instead of counting his guns, she argued, Burgoyne should have abandoned his artillery train, which would have enabled his men to march rapidly enough to have, within four miles, crossed the Hudson and been free of their pursuers.¹⁰ Some students have subscribed to her interpretation, or have at least found it persuasive.¹¹ Yet, no evidence that the King and ministry had promised the general a peerage exists. More important was this question: Would abandoning the artillery to the Americans have secured a successful escape?

That very question arose during the House of Commons' inquiry into General Burgoyne's conduct. Charles Stanhope, Viscount Petersham (after April 1, 1779, Earl of Harrington) was asked, "Would leaving the heavy artillery behind...have made a difference of four miles in the

march?” His lordship answered. “I can’t conceive that it would. The enemy were in force behind us; not having the numbers to contend with them, it would have been a very desperate circumstance to have abandoned our cannon in case of an attack.” To the question whether the guns were of use during the retreat, he replied that they were not of “any use than that of their not being turned against us.” When asked whether they could not have been rendered useless by spiking the vent and knocking off the trunnions, Stanhope responded, “I understand that spikes in the cannon are easily removed,” and that breaking off the trunnions was “not an easy matter, I believe almost an impossibility, with any tools that are carried in an army.” Later in the interrogation he testified that even without the artillery the soldiers were too tired to continue without a rest, saying “The army was certainly much fatigued, I believe they could have gone but little further. They were certainly not in a state for a long march.”¹²

One of the most thoughtful journals kept by a veteran of the campaign was that of Lieutenant William Digby of the 53rd Regiment of Foot. After noting other criticisms of his commander, Digby penned the following:

They also said that even [on] the 10th by spiking our cannon and destroying all baggage &c.— a paltry consideration in comparison, in our circumstances—we might have made our retreat good to Fort George, saving the troops and Musquetry: but then it was not certain that vessels were prepared to convey us over the lake [George]; in which case it would have been a worse post than Saratoga for the army. These were the opinions of unsatisfied and discontented men, who had never approved of anything that turned out contrary to their expectations. Had Burgoyne been fortunate, they would not have dared to declare them; as he was unsuccessful, they set him down guilty.¹³

The British commander wisely determined to keep his force concentrated and in possession of its artillery train and stores. As events soon demonstrated, he came very close to proving the wisdom of his decision when General Gates imprudently ordered an advance for October 11—a move aborted by the prudence of the American commander’s subordinates.

That observation aside, contrary to the baroness, the Europeans would have had to march much more than four miles through torrential rain to be free of Gates’ equally sodden army. The air-mile distance from Old Saratoga to Fort George, from whence boats might have transported them over Lake George to within a few miles of Ticonderoga, exceeds twenty-five miles. The shortest route, a primitive track west of the river, led to the ford at Fort Edward—the one taken by Colonel Sutherland—thence over the portage between the Hudson and Fort George. John Fellows with 1,300 men, Jacob Bayley with 1,300 men, and John Stark with 1,400 men were poised to contest that avenue of escape.¹⁴

An alternative to that route would entail crossing to the east side of the Hudson above Saratoga near the mouth of the Battenkill. Major Duncan Forbes of the 9th Regiment of Foot later testified concerning this route:

Q. Did the battery of the enemy on the other side of the river at Saratoga command the ford on that river?

A. It did....

Q. Had the passage of the ford been affected, and then proceeded towards Fort Edward, on the east side of the river, must they most necessarily have passed Batten Kill?

A. Undoubtedly.

Q. Do you remember the ford at Batten Kill?

A. Yes.

Q. Would it have been possible for the army to have passed that ford without artillery to cover them, and the enemy posted on the other side?

A. Certainly not. I had an opportunity of seeing the twentieth regiment pass that ford [during September 13] without an enemy to oppose them, and they took a considerable time, owing to the depth of the water, the rapidity of the current, and the stones being remarkably slippery, so that several of them fell into the river.¹⁵

Fellows, Bayley, and Stark were even more prepared to interdict that route than the units west of the river. Burgoyne's parliamentary critics apparently saw no advantage in trying to exploit criticism of his decision to retain his supply and artillery, and the subject did not surface during the rest of the inquiry.

A sound strategic reason for preserving an artillery capability existed. If the opportunity presented itself to make a last-ditch stand and await action by Sir Henry on the lower Hudson, the guns might make the difference between survival and certain defeat. As has been noted above, such an opportunity briefly existed as the army went on the defensive on "the Heights of Saratoga." And Captain Hoffman Nickerson, who delighted in exposing the professional flaws of both Burgoyne and Gates, did not include the von Riedesel condemnation of the decision not to abandon the guns to the Americans, who would certainly have appreciated their foes' awarding them their supplies and ordnance.

The Europeans resumed their retreat through the cold drenching rain, crossing the Fishkill to the village of Saratoga [Schuylerville] during the evening of October 10. "[N]ot only does it rain incessantly, the roads are soaked and almost impassable," Schuler von Senden recorded in his diary. "We have burnt our tents and all encumbrances, because the troops can no longer carry them. We arrive at a river [the Fishkill] that flows into the Hudson. What the leadership only now realize, we built a bridge here during the advance march, but the enemy had destroyed it. There is nothing to do but wade the river, inspite of the water's depth and inspite of its being very cold to wade. It is rather dark."¹⁶

General Fellows had prudently, and in compliance with orders, withdrawn his militia to the east of the river and positioned them to interdict the ford at Saratoga and to cannonade the embattled enemy. Thus, von Senden continued, "The enemy artillery, nevertheless, fires at us during the crossing as they had sighted their guns at the ford during daylight. We suffer new losses. We assemble again before the small village, Saratoga, which we hopefully passed a short while ago in a southern direction."¹⁷

The exhausted soldiers tried to build fires to warm themselves and dry their clothing, but

the American artillery targeted the flames from their positions across the river. In an effort to keep from freezing in the icy wind, the men trudged about constantly through the long night. “Towards morning the rain stops, but a heavy frost sets in,” Senden wrote as he concluded the day’s diary entry. “To make our desperation complete, the detachment which had been sent to build the bridge [over the Hudson] returns. General Burgoyne had recalled it. We are supposed to entrench here, but the ground is stony, the men are exhausted and half frozen to death.”¹⁸

Baroness von Riedesel added titillation to the story of the soldiers’ misery that delighted Americans who batted on British depravity for two centuries. After detailing how she and her children had to sleep on a bed of straw, she wrote of being visited by General William Phillips, whom she asked why they were halting instead of pressing northward. If her account is at all accurate, she must have known what everyone knew: that the men who had fought a battle and slogged ten miles along a road so muddy that a brass cannon sank out of sight were too near the end of their resources to continue. Even her redoubtable spouse had been so tired that he had, at one point, climbed into her carriage and slept with his head on her shoulder for three hours—and the baron rode a horse. The men marched, or rather slogged, on foot and were even more weary. Yet, the baroness professed not to understand why it was imperative that the column halt. By the time she finally published her story, General Phillips had been dead for nineteen years, so it was safe to quote him verbatim: “Poor lady, I admire you drenched to the skins you are, yet have the courage to go on in this weather. If only you were our commanding general. This halt is because he [Burgoyne] is very tired and wants to stay here this night and give supper.”¹⁹ The most generous alternative to considering the passage a complete invention is that the German noblewoman’s English was so poor that she misunderstood Phillips.

But there is more to the tale. Instead of sharing his soldiers’ exhaustion, Burgoyne was (alleged the baroness) “happily merry, spending half the night singing and drinking and amusing himself with the wife of a quartermaster who was his mistress and like he loved Champagne.”²⁰ The callous commander was not only disporting himself with the wife of a member of his staff, he was doing so in the manor of patriot General Philip Schuyler, a house he soon wantonly burned. John Burgoyne was certainly a libertine. He was also a conscientious, humane commander who earned the sobriquet “Gentleman Johnny” because he treated his troops with unusual decency. To accept the baroness’ unsupported testimony to the contrary, as many writers did, was more partisan than scholarly.

The truth was much more prosaic. Simply put, the commander, his officers, the enlisted men, and the women and children accompanying the column were too near collapse to go farther. Three days under arms—one day of battle and two of being subjected to harassment while expecting attack—and ten miles of moving themselves, their gear, their field guns, and wagons along a road that marching men, horses, cattle, and wheels had churned into a muddy trench had extracted a crippling emotional and physical toll.²¹

Because the bridge over the Fishkill was out when the main body of troops crossed, the cannon remained with Hamilton’s Brigade south of the creek until the next day, when they too waded to its north bank and joined the main column on high ground overlooking the Schuyler estate and the river.²²

Contrary to the baroness’ allegation that Burgoyne was reluctant to continue the retreat, the general ordered Lieutenant Colonel Nicholas Sutherland to march his 47th Regiment, Hill’s 9th Regiment, Alexander Fraser’s Rangers, MacKay’s Canadians, and the army’s artificers about

twelve miles up the Hudson's west bank to opposite Fort Edward. Because the 9th and 47th had been less heavily engaged in the fighting of the seventh, they were the freshest men available. Once opposite Fort Edward, Lieutenant William Twiss, since June 26 commander of the Corps of Engineers, would direct construction of a bridge to the eastern side of the river. Its obvious purpose was to provide for a retreat to Fort Ticonderoga. Given that Burgoyne had probably been informed by his scouts of Stark's and Bayley's presence east of the Hudson, he was aware that the odds facing him were indeed discouraging. Charles Stanhope (later Lord Harrington) testified that the general entertained even more desperate ideas, including trying to ford the river and making a forced march down the east side of the river to Albany.²³ Burgoyne was so determined to save his army from capture that he contemplated measures certain to fail.

About 4:00 in the afternoon of October 10, the American advance guard reached the Fishkill and found the enemy camped and entrenched on the "heights of Saratoga."²⁴

Retreat and Pursuit Segue into Siege

While Burgoyne's men began their slow northward retreat, Gates' soldiers drew and cooked rations, replenished their ammunition rounds, and rested. Some writers have savaged the American commander for his tardy pursuit of a battered and outnumbered enemy. Indeed, he could have immediately committed the 2,856 men of Patterson's and Nixon's Brigades who had not engaged in the fighting of October 7. But the militia, who comprised those brigades, were not the men to undertake rapid, disciplined movements. The best troops, the Continentals, had been heavily engaged on the seventh and were as tired and hungry as the men they had fought. They needed to be re-provisioned and fully rested. The same rain that drenched their enemy and turned the Albany Road into a quagmire also fell upon the victors and so slowed their pursuit. Any veteran of ground combat understands "General Mud's" impact on operations.

Horatio Gates was in no great hurry to run his opponent to ground, for Burgoyne had no haven to which to flee. Bayley, Stark, and Fellows were east of the Hudson with 4,032 effectives.²⁵ "Granny" Gates knew that only a serious tactical blunder by him or his subordinates, or a British relief from the lower Hudson, would save Burgoyne. Patience and prudence had served him well, and he hoped to continue to enlist them in closing his campaign.

As soon as the Americans arrived at the Fishkill's south bank, Major Ebenezer Stevens deployed several cannon into battery and opened fire on the bateaux and working parties off-loading supplies.²⁶ The British defensive position north of the Fishkill was a strong one. Just north of the stream, a ridge stretches northward, breaking sharply on the east and flattening into a plateau toward the west. Behind a breastwork British Grenadiers, Loyalists, the British 9th, 24th, and 21st regiments, and Alexander Fraser's Rangers deployed, supported by field pieces. Most of the Germans deployed northeast of them and north of where Schuylerville now lies. The German Jagers and about 100 Canadians were athwart an east-west road. The other British regiments deployed north of the stream. The artillery park was on a low knoll southeast of the German regiments Riedesel, Rhetz, Specht, and Erbprinz [Hesse-Hanau]. The Hudson covered the eastern flank, and the Fishkill provided a moat on the south. Unlike the battlefield, cultivated fields and river meadows provided wide open fields of fire. The soldiers occupied entrenchments prepared by them during September 13 and 14 on their way south, took over ones begun by Fellows' men on September 9, and dug more of their own. Burning General Schuyler's

country house, mills, and estate buildings expanded the field of fire south of the creek.²⁷

Quotations from the journals of two officers, one British and the other German, provide glimpses of what the men of Burgoyne's army experienced in their new camp. First, Lieutenant William Digby of the 53rd Regiment of foot:

[October] 11th. Their cannon and ours began to play on each other. They took many of our Batows [sic] on the river, as our cannon could not protect them. We were obliged to bring our oxen and horses into our lines, where they had the wretched prospect of living but a few days as our grass was gone, and nothing after [that] but leaves of trees for them; still they continued fireing [sic] into us from Batteries they erected during the night, and placed their riflemen in the tops of trees; but still did not venture to storm our works. At night we strengthened our works and threw up more.²⁸

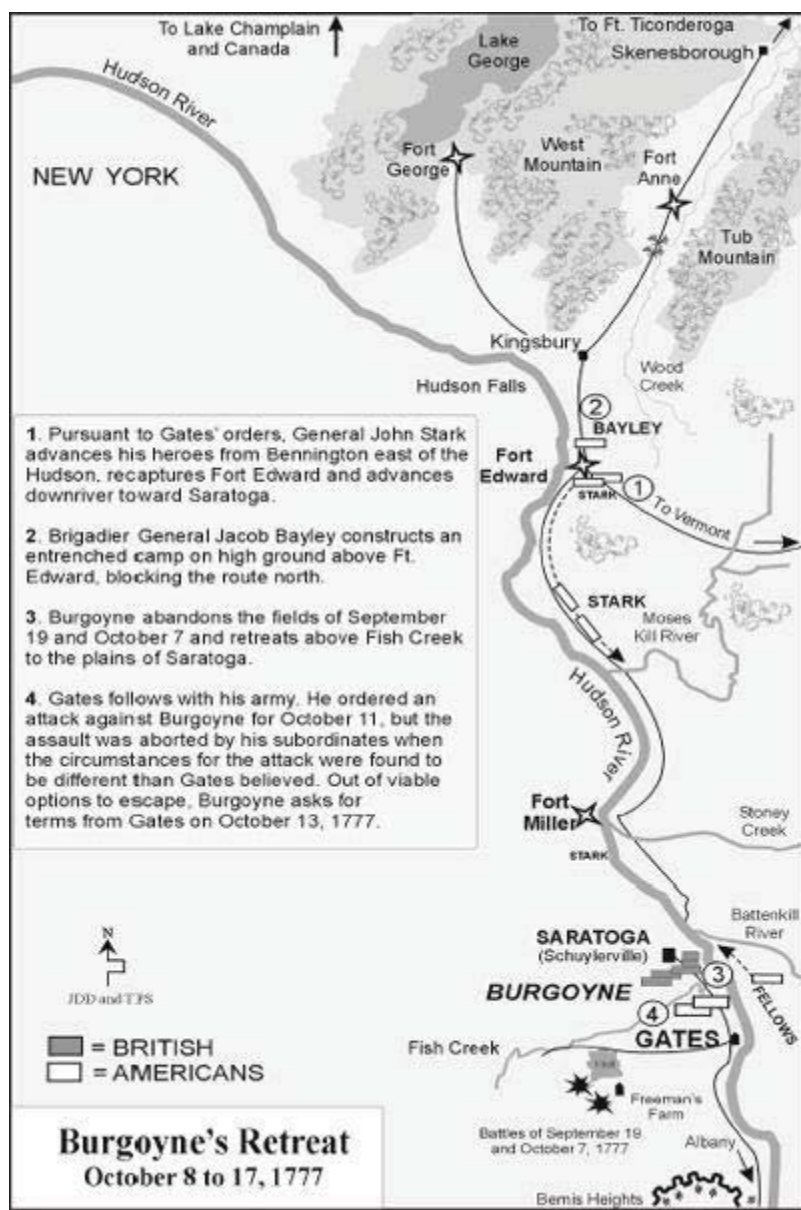
“Today [October 11],” wrote Schuler von Senden of the Regiment von Specht, “the enemy appear in greater numbers on the other shore of the Hudson, so that there can be no further thought of our crossing.”²⁹

The Americans Abort an Attack

General Gates misinterpreted intelligence that a body of troops had moved northward (Sutherland's departure for Fort Edward). From that news, he assumed his enemy's main body was abandoning its position and resuming its northward retreat, presenting an opportunity to attack an outnumbered enemy deployed in column with every tactical factor in his favor. When he shared that assumption with his adjutant general, James Wilkinson, the young colonel warned that he would be exposing his army to a possible trap. The general insisted that Burgoyne had, in fact, retreated, leaving only a strong rearguard to cover his move.³⁰

If Wilkinson was right—as he was—the American commander was about to do what he had so wisely refused to do while camped on Bemis Heights: engage the enemy on his terms. Anticipating an attack, Burgoyne had recalled Sutherland with the 9th and 47th regiments to reinforce his main body in its strong defensive position. “Had Burgoyne merely proposed to stand where he was...his position would have been strong enough to enable him to turn back his assailants with heavy loss,” was how Hoffman Nickerson succinctly described the tactical situation. “Worn down as his army was, he still had his two chief assets, first, the ability of his disciplined regulars to defeat even a far more numerous body of the improvised troops of the rebels should the latter engage them on ground suitable to their close-order formations, and second, the fire of the twenty-seven guns remaining, exclusive of the mortars....”³¹

Wilkinson recorded that he made an inspection of the outposts before going to bed. When he returned at 11:00 p.m., he found Gates still awake. The general showed him an order he had issued for a general attack at dawn on the eleventh. When the young officer remonstrated against that decision, Gates ordered him to make a predawn reconnaissance.



Gates planned to have Morgan's Corps deploy against the British right while the rest of the army advanced across the open river bottom south of the Fishkill. Before Wilkinson could report the results of his reconnaissance, Morgan moved out in a dense fog, crossed the creek about a mile southwest of its mouth, and cautiously probed the outposts of the units posted in the entrenchments on the heights of Saratoga. When pickets fired on his skirmishers Morgan halted, perhaps suspecting Burgoyne's army had not withdrawn as believed. If that hunch was correct, having the Fishkill at his back must have made Morgan uneasy. Being unfamiliar with the ground and surrounded by fog, however, he was uncertain of how to change position. At that moment, with characteristic fortuity, Wilkinson rode through the mist and saved Morgan, just as he had done on September 19. Because Wilkinson had become familiar with the terrain during the American retreat southward, he was able to advise the colonel to oblique leftward into a position that would make him less vulnerable to being pinned against the creek. After promising that he would secure support, Wilkinson hurried to Gates' head quarters and received orders to direct Learned's and Paterson's brigades to reinforce Morgan.³²

Meanwhile, Nixon's and Glover's brigades, while preparing to cross the Fishkill not far from its mouth, captured a picket who reported that the main body of Burgoyne's army was still in position. Undeterred, the two brigade leaders continued their advance. Nixon, Glover's senior in rank, crossed first. Before Glover could follow, a British deserter informed the Americans that not only were the Europeans still in their entrenchments, but that Sutherland had returned with the two regiments detached toward Fort Edward. Nixon halted on the news and the fog lifted quickly, revealing the enemy in position and well prepared to defend themselves against any attack. Nixon's men immediately came under fire from artillery and small arms and fell back across the creek in disorder.³³

Learned's Brigade forded the Fishkill about three-quarters of mile left of Nixon and almost directly in front of the British position's strongest point. Because a "standing order" issued the previous day mandated "[t]hat in case of an attack against any point, whether front, flank, or rear, the troops are to fall on the enemy at all quarters," Wilkinson feared that Learned, hearing the firing to his right, would go on the offensive. When he arrived with the intent of warning Learned, Wilkinson found the veteran Continentals resolutely advancing up the slope against the men of the British Grenadiers and Light Infantry, the British 9th, 21st, and 24th Regiments, Alexander Fraser's Rangers, and Loyalists, strongly entrenched and supported by cannon. Their commander was reluctant to disregard the standing order until after Wilkinson convinced him that Nixon and Glover had withdrawn. While his men drew back the British fired upon them, killing an officer and several enlisted men.³⁴

The battle-wise prudence of Gates' adjutant-general, coupled with the leadership skills of the corps and brigade commanders, saved Gates from accepting the dangerous challenge that Burgoyne had offered. With no other viable option facing him, the American commander settled down to the siege that he hoped would break the back of the invasion "from the side of Canada."

The British Cast about for Options

When his opponent did not engage on his terms, Burgoyne's situation degenerated from desperate to hopeless. His logistical problem, always difficult, became insoluble when the Americans captured his bateaux and the supplies they carried. "[O]ur cattle began to die fast and the stench was very prejudicial in so small a space.... We now began to perceive their design by

keeping at such a distance, which was to starve us out,” was what Lieutenant Digby scribbled into his journal on October 12. After noting that he believed Burgoyne’s “greatest wish” was to receive an attack, Digby complimented his enemy, labeling as “prudence” their decision to forego that opportunity, “well knowing what a great slaughter we must have made among them: they knew exactly the state of our provisions, which were [sufficient for] but 4 or 5 days more, and that upon short allowance.”³⁵

The baroness was the most prolific commentator on conditions in the beleaguered camp, and her description is graphic. But her animosity toward Burgoyne and her egotism detract from her testimony. The “greatest misery and utmost disorder prevailed in the army,” wrote the noblewoman. The commissaries had forgotten to distribute rations; and although there were plenty of cattle, no one had slaughtered them. More than thirty starving officers came to her to be fed, and she exhausted her supplies and appealed to Stanhope (Earl of Harrington), “Come and see for yourself these officers, who have been wounded in the common cause, and are now in want of everything, because they do not receive that which is due them. It is, therefore, your duty to make are presentation to the general.” According to the baroness’ creative imagination, she so shamed Burgoyne that he soon came to her and “pathetically” thanked her for reminding him of his duty and complained that he was poorly served and his orders not obeyed. He then asked the officers why they did not avail themselves of his kitchen, and they explained that doing so was not proper. In a less self-absorbed vein, she described shortages of food and water and the constant cannon and small arms fire.³⁶

The elusive compiler of *Travels Through the Interior Parts of America* wrote that “incessant rain” fell from October 6 until the Convention [surrender]— an exaggeration, but the account is nonetheless quite evocative of conditions, and worth a careful reading:

After our arrival at Saratoga, debarred of that very essential to the health and convenience of troops, water, although close to a fine rivulet, it being at the hazard of life, in the day time, to get any, from the number of riflemen the enemy had posted in trees, and at night the men were prevented, as they were sure to be taken prisoners, if they attempted it. All the water that the army was supplied with was from a muddy spring, and what they could get out of the holes the cattle made with their feet; by want of luxury, and render their provisions more palatable, when it rained hard, the men used to catch it in their caps, to mix with flour. Officers in general found the same as the soldiers, most of them young campaigners, and not so provident of their liquors, relying upon a fresh supply that was following the army. This was the only time in life I found money of little use; I was not the only one who, when drenching wet and shivering with cold, would have given a guinea for a glass of any spirit.³⁷

In brief, the Royal Army’s situation was desperate. Rations were almost exhausted, the Americans were subjecting the besieged to constant fire, the numerical imbalance was increasing daily in favor of the Americans, and hopes for relief from the south were hard to sustain. The hints of approaching winter were apparent in the frigid nights and frosty mornings. Every soldier and officer in the entrenchments at Saratoga feared that nothing could save them from defeat and surrender.

On October 12, General Burgoyne convened a council of war, with another the next day. Their minutes constitute some of the campaign’s most important and revealing documents. They

are excerpted at length as examples of how the bureaucratic processes of armies continue even when, or perhaps especially when, events teeter on the verge of disaster. Present on the 12th were the commander, Major General von Riedesel, Major General Phillips, and Brigadier James Hamilton.

The Lieutenant General states to the council the present situation of affairs. The enemy is in force, according to the best intelligence he can obtain, to the amount of upwards of 14,000 men, and a considerable quantity of artillery, are on this side of the Fish-Kill and threatens to attack. On the other side of the Hudson River, between this army and Fort Edward is another army of the enemy, the numbers unknown; but one corps which there has been opportunity of observing, is reported to be about 1500 men. They have likewise cannon on the other side of the Hudson's River, and have a bridge below Saratoga church, by which they can communicate.... The bateaux of the army have been destroyed, and no means appear of making a bridge over the Hudson's River, even if it were practicable from the position of the enemy.³⁸

Having candidly described a situation of which all of them—even von Riedesel—were aware, the commander discussed the tactical options attending a retreat. “The only means of retreat, therefore, are by the ford at Fort Edward, or by taking [to] mountains in order to pass the river higher by rafts, or by any other ford which is reported to be practicable with difficulty, or by keeping to the mountains, to pass the head of Hudson's River, and continue to the westward of Lake George all the way to Ticonderoga,” explained Burgoyne. “It is true, this last passage was never made but by Indians, or by very small bodies of men.”

Important and immediate problems attended choosing from among those options:

In order to pass cannon or any wheel carriages from hence to Fort Edward, some bridges must be repaired under fire of the enemy from the opposite side of the river; and the principal bridge will be the work of fourteen or fifteen hours; there is no good position for the army to take to sustain the work, and if there were, the time stated as necessary, would give the enemy on the other side of the Hudson's River an opportunity to take post on the strong ground above Fort Edward, or dispute the ford while General Gates' army followed in the rear.³⁹

Burgoyne next turned to the one forlorn hope that remained: Clinton's and Vaughan's campaign south of Albany:

The intelligence from the lower part of Hudson's River is founded upon the concurrent reports of prisoners and deserters [even with the British at Gates' mercy, some Americans deserted], who say it was the news in the enemy's camp, that Fort Montgomery was taken; and one man, a friend to government, who arrived yesterday, mentions some particulars of the manner in which it was taken.... The provisions of the army may hold out to the 20th; there is neither rum nor spruce beer.⁴⁰

With these uncomfortable facts and bits of suspicions set forth, Burgoyne solicited his subordinates' “sentiments on the following propositions”:

1. To wait in the present positions an attack from the enemy, or the chance of favourable events;
2. To attack the enemy;
3. To retreat, repairing the bridges as the army moves for artillery, in order to force the passage of the ford;
4. To retreat by night, leaving the artillery and the baggage; and should it be found impracticable to force the passage with musquetry, to attempt the upper ford, on the passage around Lake George;
5. In case the enemy by extending to their left, leave their rear open, to march rapidly for Albany.⁴¹

Von Riedesel and the British triumvirate of generals responded to those alternatives this way:

Upon the first proposition resolved, that the situation would grow worse by delay, that the provision now in store not more than sufficient for there treat should impediments intervene, or a circuit of the country become necessary; and as the enemy did not attack when the ground was unfortified, it is not probable they will do it now, as they have a better game to play;

The second inadvisable and desperate, there being no possibility of reconnoitering the enemy's position, and his great superiority of numbers known.

The third impracticable;

The fifth thought worthy of consideration by the Lieutenant-General, Major General Phillips, and Brigadier-General Hamilton; but the position of the enemy yet gives no opening for it.

While the three British generals were inclined to consider that option, the German vigorously opposed it and argued for adopting the fourth. After some debate, the council

Resolved that the fourth proposition is the only resource, and that to effect it, the utmost secrecy and silence is to be observed; and troops are to put into motion from the right in the still part of the night, without any change in the disposition.⁴²

The generals agreed to put their resolution into effect and move their troops out at 10:00 that night. Preparations were made, rations distributed and, according to von Riedesel, the

Germans were ready to depart on schedule. The British were not yet prepared, and scouts reported that the American “position on the right was such, and they had so many parties out, that it would be impossible to move without our march being immediately discovered.” Because secrecy was requisite for success, the orders were countermanded.⁴³

That night, John Stark and his Bennington veterans crossed the river on rafts and closed the road that led up the west bank to Fort Edward. They had refused to remain at Bemis Heights and participate in the fight of September 19, but they were willing to close the gap that forced Burgoyne to capitulate—possibly influenced by the prospect of plunder. Stark’s Knob, north of present day Schuylerville, memorializes their contribution to American victory.

The Last Recourse: Consideration of Surrender

With the last forlorn hope of escape lost, Burgoyne convened another council. Its minutes read as follows:

Minutes and Proceedings of a Council of War, consisting of the general Officers and Field Officers, and Captains commanding Corps, on the Heights of Saratoga, October 13.

The Lieutenant-General having explained the situation of affairs, as in the preceding council, with the additional intelligence, that the enemy was entrenched at the fords of Fort Edward, and likewise occupied the strong position on the Pine plains between Fort George and Fort Edward, expressed his readiness to undertake at their head any enterprise of difficulty or hazard that should appear to them within compass of their strength or spirit. He added, that he had reason to believe a capitulation had been in the contemplation of some, perhaps all, who knew the sequence to national and personal honour, he thought it a duty to his country, and to himself, to extend his council beyond the usual limits; that the assembly present might justly be esteemed a full representation of the army; and that he should think himself justifiable in taking any step in so serious a matter, without such a concurrence, of sentiments as should make a treaty the act of the army, as well as that of the general.

The first question therefore he desired from them to decide was, Whether the army of 3500 fighting men, as well provided with artillery, were justifiable, upon the principles of national dignity and military honour, in capitulating in any possible situation?

Resolved, nem. con. In the affirmative.

Question 2. Is the present situation of that nature?

Resolved, nem. con. That the present situation justified a capitulation upon honourable terms.

The Lieutenant-General then drew up the message, marked No. 2, and laid it before the council It was unanimously approved, And upon that foundation the treaty opened.⁴⁴

Including in the council the field officers and captains who, like Alexander Fraser, commanded independent units was certainly unusual, but Burgoyne was unwilling to accept the full responsibility for capitulating. He knew that losing not only a critical campaign but an army would meet violent political censure back home, and he wanted to make clear to the members of Lord North's ministry that his surrender met the approbation of his army's senior officers. Gentleman Johnny was a member of parliament and an experienced politician with no intention of allowing Lord Germain and the ministry to sacrifice him. He was preparing his defense even before he provided the occasion for censure.

Baron von Riedesel confused the deliberations of the two councils in his report to the Duke of Braunschweig. He was eager to convince his sovereign that the burden of responsibility for losing the troops entrusted to him by "His Serene Highness" rested squarely with the British commander. But the baron's letter contained important details, some of which may have been his personal interpretations or inventions to make the news more palatable to the duke. They also probably included information not included in the second council's minutes.

According to von Riedesel, Burgoyne presented four alternatives: (1) "to attack the enemy in a much more advantageous position than our present, but however, even if we could beat him, for want of provisions, we could not reach Fort George"; (2) "to remain as long as we could in our faulty position [which was, of course, a position taken in spite of the baron's advice], and when we ran out of food to surrender ourselves at discretion"; (3) "to capitulate on suitable terms, or (4) to permit each one to make his own way through the woods as well as he could to get to Fort George, which was possible for wild animals, but not for soldiers."

He reported that the staff officers, both British and German, unanimously agreed that if General Burgoyne "believed there was a possibility of attacking the enemy with success, they were willing to sacrifice life and limb." However, added the German officer,

to effect a retreat of from 60 to 70 miles through pathless woods and to lose cruelly an entire army would be sheer sacrifice, as the army would have only enough for 4 days, so in case the enemy did not intend to attack, it would be better to think about an adjustment and honorable capitulation while it was still possible to consider the day when we had to surrender ourselves at discretion [i.e., on American terms] because of complete lack of provisions. After mature deliberation, and in order not to sacrifice completely the troops and subjects of your Serene Highness, I agreed to this opinion, and for the following reasons...⁴⁵

The baron began his analysis by pointing out that even if the Europeans had attacked and beaten the Americans, their food supply was too small to support them until they reached Fort George, and that their horses were so weak that the baggage and artillery could not be transported. "If our army had been beaten, which was expected, on account of its weakness," he continued, "the terrain and its unfortunate position, and on account of the fallen spirits of the soldiers, all of the men would have been sacrificed. The king [of Britain] would lose an army of 3500 men and your Royal Highness your brave subjects." Because the Americans would not attack and "could pick the very day when we had eaten the last mouthful and take us prisoners at discretion," an American attack would have separated the British and German contingents and resulted in a rout. Trying to retreat across the Hudson with all of the fords interdicted by

Americans was a “wild dream,” and “to break our way separately through the woods, at the hazard of each, was also an impossible plan, and would sacrifice the whole corps, especially the Braunschweigiers, who were not made to adapt themselves in pathless woods.”

After noting the council’s decision to send a flag to the American commander, the baron got to the heart of his message: “[B]efore we went our separate ways, I asked General Burgoyne in the presence of all the staff-officers to declare that he had never disclosed his plans to me, or asked my opinions, and that I had not the least part in all the events which had occurred, to which he not only agreed, but also declared that all events which had happened, even the situation in which he now found himself, were entirely his own and no other’s responsibility.”⁴⁶

Von Riedesel was asking the British commander to be complicit in a lie when he asked him to agree that he had never informed the German of his plans nor asked his opinion. The baron attended every council of war and recorded their deliberations in his personal papers, making a point that he had contributed his opinions, including the instances when he dissented. That Burgoyne assumed full responsibility for the campaign’s military fate was unremarkable. He did that, at least formally, during councils and before the parliamentary inquiry. (In every surviving document, Burgoyne’s references to von Riedesel were favorable, while the baron and his lady, unknown to the Briton, often repaid Burgoyne in a different coin.)

Returning to the council of October 13, the letter Burgoyne drafted to Gates and submitted to his council reads as follows:

After having fought you twice, Lieutenant-General Burgoyne has waited some days in his present position, determined to try a third conflict against any force you could bring to attack him. . . . He is apprised of the superiority of your numbers, and the disposition of your troops to impede his supplies, and render his retreat a scene of carnage on both sides. In this situation he is impelled by humanity, and thinks himself justifiable by established principles and precedents of state, and of war, to spare the lives of brave men upon honourable terms. Should Major-General Gates be inclined to treat upon that idea, General Burgoyne would propose a cessation of arms during the time necessary to communicate the preliminary terms by which, in any extremity, he and his army mean to abide.⁴⁷

Appended to the letter was the following message:

Lt. General Burgoyne is desirous of sending a field officer with a message to M. Genl. Gates upon a matter of high moment to both Armies. The Lt. Genl. requests to be informed at what hour Genl. Gates will receive him tomorrow morning.⁴⁸

General Gates replied at 9:00 in the evening of October 13:

Major General Gates will receive a field officer from Lieut. Genl. Burgoyne, at the advanced post of the Army of the United States, at 10 o’clock tomorrow morning from whence he will be conducted to Head Quarters.⁴⁹

