

(Copy.)

District of Niagara, } SETH CONKLIN, late of Syracuse, in the State of New-York, but now
to wit. } of Chippewa, in the Province of Upper Canada, Miller, deposeth upon
oath and saith, that he went to Navy Island on Sunday the seventh of January, instant; that
he left the Island on the following morning; that he was taken up by a party of the Militia
of the State of New-York, stationed on Grand Island; that he was accused by said Militia of
being a spy on Navy Island, when a Sergeant of said Militia held a pistol to Deponent's
breast and threatened to shoot him, and at the same time five or six of his men seized Depon-
nent and dragged him to a boat, in which they attempted to put him, for the purpose of taking
him over to the Patriots upon Navy Island; that at the earnest entreaty of Deponent, he was
taken back to the Commanding Officer on Grand Island, Colonel Ayer, by who he was
questioned as to where he had been, and why he had been at the Island; that Colo. Ayer
then ordered him to be searched, upon which he claimed protection of Colonel Ayer, as an
American Citizen; and Colonel Ayer said he should be protected, and gave him in charge of
a Sergeant, who kept him a prisoner till after dark; that Major Chase, of the Navy Island
Patriots, then came from the Island, to sup with the United States Militia Officers, when another
Colonel of the United States Militia, a tall man, with a dark complexion, told Deponent that
he must return to the Island; that Deponent again claimed from this Officer protection, as an
American Citizen, but that he replied—"You shall go immediately, and if you hesitate we
will force you." He said further, that if Deponent remained on Grand Island, he would be
shot, and that if any disturbance occurred concerning him, he, the Colonel, would shoot him
with his own hand. That when Major Chase, of the Navy Island Patriots, demanded Depon-
nent, the last-mentioned Colonel said that he might take him; that Deponent again claimed
protection as an American Citizen, when Major Chase said, if Deponent was allowed to
remain on Grand Island he would escape and inform the British of the state of Navy Island;
that upon this, fifteen or twenty of the United States Militia declared that Deponent should go,
but that the Sergeant who had him in charge wished, that to satisfy General VanRansselaer
he might be sent to Buffalo Gaol, to which Deponent consented; that the rest of the Militia
insisted upon his going to Navy Island, and that he entreated of them not to send him there,
alleging that he would certainly be shot before he got there; that the Sergeant then proposed
for him to choose three men of the guard to accompany him. Deponent fearing that he should
be murdered before he got there, did choose three men to accompany him, and he was taken
by five Militia-men, namely, a Sergeant and four men of the United States Militia, in company
with Major Chase, and delivered by them at General VanRansselaer's quarters, in charge
Major Chase. Major Chase told the sentries at the head of the Island, to allow the boat with
brought over Deponent to pass, as it was a friendly boat. That Deponent remained a prisoner
upon Navy Island until the Patriots evacuated it, during which time he was kept in confinement,
in a house on the south front of the Island, which was open to the fire of the
British guns; and that three of their shot passed through the house whilst he was confined
there.

(Signed)

SETH CONKLIN

Sworn before me at Chippewa, }
this 18th day of January, 1838. } (Signed)

SAMUEL STREET, J. P.