

was universally denounced as a coward and traitor; he was shot at several times, and was hooted through the streets of Buffalo. He was shifting his tent in every direction to avoid the indignation of the soldiers. Judge Granger, MUCH TO HIS HONOR, refused to afford any shelter to Smyth, and every tavernkeeper declined the infamy of his company. Poor Smyth!—this treatment was experienced from the very men whom Judge Peck but six weeks before had upbraided for their cowardice. We suppose, however, that this behaviour of the populace is to be classed amongst the benefits resulting from a Democratical form of government. General Smyth's defence will be found below* with a few remarks on it by Gen-

*GENTLEMEN,—Your letter of the 2d December is before me, and I answer it in the the following manner :

On the 26th October, I ordered that 20 scows should be prepared for the transportation of artillery and cavalry, and put the carpenters of the army upon that duty.

By the 26th of November 10 scows were completed, and by bringing some boats from Lake Ontario, above the Falls of Niagara, the number was increased to 70.

I had, on the 12th Nov., issued an address to the men of New York, and perhaps 300 had arrived at Buffalo. I presumed that the regular troops, and the volunteers under Colonels Swift and McClure, would furnish 2350 men for duty; and of General Fannehill's brigade from Pennsylvania, reporting a total of 1650, as many as 412 had volunteered to cross into Canada. My orders were to "cross with 3000 men at once." I deemed myself ready to fulfil them.

Preparatory thereto, on the night of the 27th of November, I sent other two parties, one under Lieutenant-Colonel Bærstler, the other under Captain King, with whom Lieutenant Angus, of the navy, at the head of a body of seamen, united. The first was to capture a guard and destroy a bridge about five miles below Fort Erie; the second party were to take and render useless the cannon of the enemy's batteries, and some pieces of light artillery. The first party failed to destroy the bridge—the second, after rendering unserviceable the light artillery, separated by misapprehension. Lieutenant Angus, the seamen, and a part of the troops, returned, with all the boats, while Captain King, Captain Morgan, Captain Sproul, Lieutenant Houston, and about 60 men remained. The party thus reduced, attacked, took, and rendered unserviceable two of the enemy's batteries, captured 34 prisoners, found two boats, in which Captain King sent the prisoners, and about half his party with the other officers; he himself remaining with thirty men, whom he would not abandon.

Orders had been given, that all the troops in the neighborhood should march, at reveillee, to the place of embarkation. A part of the detach-

eral Porter. These remarks led to a duel in which both parties behaved *most heroically*.

We suspect that the American people would have preferred a battle at Fort Erie to a private rencontre.

By an Act of Executive power, General Smyth was excluded from the regular army, and *deposed without a trial*. This proceeding was of course complained of, and a petition presented to the House of Representatives, who, however, referred it to the secretary at war, which was in fact delivering the lamb to the wolf, as the secretary was the arbitrary power complained of. This is a significant example of the mode in which justice is sometimes administered in free countries, and how the exe-

ment sent in the night returned and excited apprehensions for the residue, about 250 men, under the command of Colonel Winder, suddenly put off in boats for the opposite shore; a part of this force had landed, when a force deemed superior, with one piece of artillery, was discovered; a retreat was ordered, and Colonel Winder's detachment suffered a loss of six killed and 18 wounded, besides some officers.

The general embarkation commenced as the troops arrived—but this being a first embarkation, the whole of the scows were occupied by about one third of the artillery, while about 800 regular infantry, about 200 twelve months' volunteers, under Colonel Swift, and about 200 of the militia who had volunteered for a few days, occupied all the boats that were ready. The troops then embarked, moved up the stream to Black Rock without loss, they were ordered to disembark and dine.

I had received from my commanding general an instruction in the following words—"In all important movements you will, I presume, consider it advisable to consult some of your principal officers." I deemed this equivalent to an order, and the movement important. I called for the field officers of the regulars, and twelve months' volunteers embarked. Colonel Porter was not found at the moment. These questions were put—Is it expedient now to cross? Is the force we have sufficient to conquer the opposite shore?

The first question was decided in the negative by Colonels Parker, Schuyler, Winder, Lieut.-Colonel Bærstler, Coles, and Major Campbell; Colonel Swift alone gave an opinion for then crossing over.

The second question was not decided. Cols. Parker, Schuyler, Lieut.-Colonel Coles and Major Campbell were decidedly of opinion that the force was insufficient. Colonels Winder, Swift, Lieut.-Col. Bærstler, and Captain Gilman deemed the force sufficient.

I determined to postpone crossing over until more complete preparation would enable me to embark the whole force at once, the counsel prescribed by my orders. The next day was spent in such preparation, and the troops were