

With respect to the foregoing charges and opinion, and to the evidence generally taken by the Court of Inquiry, His Excellency directs the publication of the following remarks:

1. Although the order for the assembly of the Court was general in its terms, the special memorandum of instructions furnished for the guidance of the President and members, stated that the Court was assembled to give Lieut.-Col. Dennis an opportunity of refuting charges which had been "made against his personal conduct on the 2nd June, at Fort Erie," and directed the reception of any evidence which might tend to elucidate the truth.

2. The only one of the above six charges which, strictly speaking, the Court was required to consider, was the 4th, which imputed disgraceful and cowardly conduct to the accused officer.

3. His Excellency approves of the opinion of the Court with respect to the 1st, 3rd, 4th, 5th and 6th charges.

4. With respect to the second charge, His Excellency is of opinion that Lieut.-Col. Dennis committed an error in judgment in removing the small force under his command, from the means of secure retreat afforded by the steamer, before he had ascertained with some degree of certainty the probable force of the enemy, of whose near approach he was informed; but if the accusation made against Lieut.-Col. Dennis in this charge be correct, that he did so remove his force from the shelter of the steamer for the purpose of attacking an enemy, whose numbers he knew to be overwhelming—the proceeding savours rather of rashness than of timidity. Had Lieut.-Col. Dennis been the coward which his accusers would have the public believe, he would in such a case have eagerly availed himself of the remonstrances which it is stated were made to him, to return with the men under his command to the deck of the steamer.

5. The first charge being one of imputed intention only, the fulfilment of which it was not attempted to establish, was not a proper charge for investigation by any Court.

6. The sixth charge is also an improper charge to have preferred or investigated. No Commanding Officer would be safe