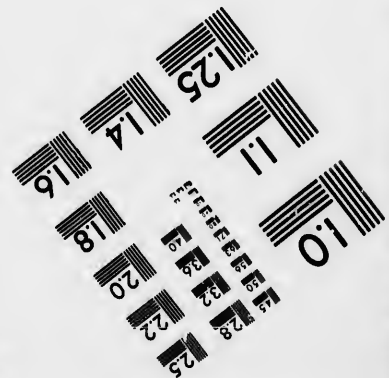
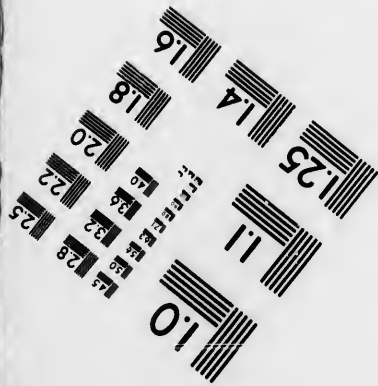
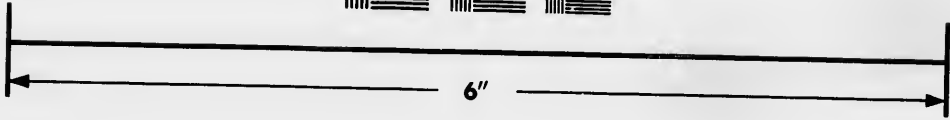
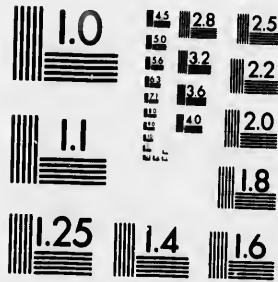


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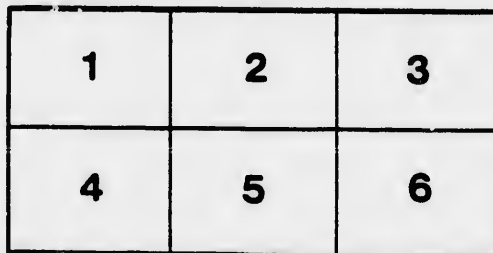
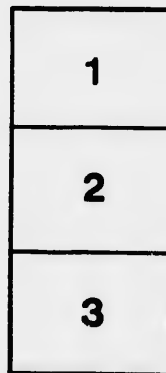
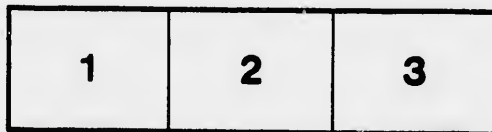
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PROCEEDINGS AND REPORT
OF THE
COURT OF INQUIRY

ON THE
CIRCUMSTANCES CONNECTED WITH THE LATE ENGAGEMENT AT

LIME RIDGE.

PUBLISHED BY ORDER OF HIS EXCELLENCY THE COMMANDER
IN CHIEF.

OTTAWA:
PRINTED BY G. E. DESBARATS,

1866.

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PROCEEDINGS
OF A
COURT OF INQUIRY

*Held at Hamilton on Tuesday, the third day of July, A. D. 1866,
by order of His Excellency the Commander-in-Chief, on the appli-
cation of Lieutenant Colonel Booker, to examine and report on the
circumstances connected with the late engagement at Lime Ridge,
dated Ottawa, June 24th, 1866.*

PRESIDENT :

Colonel GEO. T. DENISON, Commandant Vol. Force, 5th M. D.

MEMBERS :

Lieutenant Colonel JAMES SHANLY, Commandant Vol. Mil., London.

Lieutenant Colonel GEO. K. CHISHOLM, Commanding Vol. Rifle Company,
Oakville.

The Letter of Instructions from Colonel MacDougall the Adjutant General of Militia, for the guidance of the Court, addressed to Colonel Denison, the President, and also the letter from Lieut. Colonel Durie, by authority of the Adjutant General on the same subject, also addressed to the President, were both read and duly considered by the Court previous to their entering upon the subject of inquiry.

Lieutenant Colonel Booker having previously received due notice of the sitting of the Court and of the object of the inquiry, was permitted to be present, and he desired liberty of the Court to put in a written narrative of events as they occurred from the time he left Hamilton until he returned from Lime Ridge to Port Colborne.

The Order for the assembling of the Court was now produced and read.

The Court then considered the subject of Lieutenant Colonel Booker's application to put in his narrative, and after due deliberation came to the conclusion that they ought to comply with his request, and accordingly granted him permission to put in his narrative.

He then read and afterwards handed in to the Court as his statement of his connection with the late engagement at Lime Ridge, the following narrative which is signed by him :

" NARRATIVE.

" On the morning of the 1st of June, 1866, at the hour of 5.30 I received the following telegraphic message from Lieut. Colonel Durie, A. A. G. M.

" June, 1st 1866. By Telegraph from Toronto to Lieut. Col. Booker, Commandant. Call out your regiment for active service at once and proceed by special train to Dunnville *vid* Paris immediately, complete your men to sixty rounds per man, take spare ammunition with you, ascertain enemy's position as you progress who are reported to have landed at Fort Erie. In proceeding to Dunnville stop at Caledonia Station and take command of (2) two Volunteer Companies, Caledonia and York, in readiness there, better take cars with you for their transport.

" By Order,

" (Signed) WM. L. DURIE,

" Lt. Col. A. A. G. M.

" If port Colborne is occupied by the Enemy, secure yourself at Dunnville and report to me.

" By Order,

" (Signed) WM. L. DURIE,

" Lt. Col. A. A. G. M.

" And I proceeded to warn the 13th Battalion, under my command, for immediate active service.

" The members mustered rapidly at the rendez-vous, but as many came without overcoats or breakfasts, I caused them to return home for breakfast and report again within the hour instructing them to bring their overcoats, and those who had them their haversacks with food.

" I cautioned them that I could not tell when nor where they would have the next opportunity for a meal.

" At about seven (7) A. M. the Commandant Colonel Peacocke, informed me that he also was under orders to leave shortly afterwards; the Manager of the Great Western Railway notified me that the Cars were ready for transport.

" The 13th Battalion say (265) two hundred and sixty-five of all ranks embarked at 9.30 A. M., and proceeded by way of Paris to Dunnville, taking up the York and Caledonia Companies, Captains Davis and Jackson who reported (95) ninety-five of all ranks.

" On arrival at Dunnville, where we expected to remain during the night, we were met by the Reeve of the Town who provided the men with

Billets and I reported our arrival to Colonel Peacocke, by telegraph. We were at dinner when I received the following telegram.

" *By Telegraph from Clifton*, June 1st.

" To Commander Hamilton Volunteers, Dunnville.

" Go on to port Colborne, at once.

" (Signed)

G. PEACOCKE.

" A few minutes sufficed to see all on the cars (which had been retained at Dunnville for orders) *en route* for our destination, which we reached at about (11) eleven o'clock P. M. We found the Queen's Own of Toronto had preceded us during the afternoon (say 480 of all ranks.) The Queen's Own had secured all the billets, and the command with me endeavored to settle themselves as best they could in the cars for the night.

" During the night, at my request, Major Skinner endeavored to secure a Bread Ration for the men. Some biscuits and bread were obtained, and that officer reported to me that the baker would prepare a batch of bread to be ready at (3) three A. M., of the second (2nd).

" I may now mention that being the senior officer present, the entire command of the Force at Port Colborne devolved upon me.

" About midnight I received the following despatch by telegraph:

" *By Telegraph from Chippawa*, 2nd June.

" To Officer Commanding Port Colborne.

" I have sent Captain Akers to communicate with you. He will be with you at about half past one, send back the Great Western Cars, if after seeing Captain Akers, you think they are not wanted. If you get the Ferry Boat send a detachment to patrol the River.

" (Signed)

G. PEACOCKE, Col.

" And Captain Akers arrived punctually.

" On his arrival it appeared that Lieut. Col. Dennis and myself were in possession of later and more reliable information of the position of the Enemy, than Colonel Peacocke seemed to have had when Captain Akers had left him at midnight.

" It then seemed necessary to enquire whether the original plan for a Junction at Stevensville, to attack the Enemy supposed to be encamped near Black Creek should be adhered to, when it appeared they were encamped much higher up the River and nearer to Fort Erie.

" It was therefore proposed that the Tugboat " T. Robb" whose Captain had expressed a desire to be of service should patrol the shore of the Lake so far as Fort Erie and endeavour to communicate with Colonel Peacocke's command.

"It was at the same time suggested that I should take my command down by rail to the Railroad Buildings at Fort Erie, occupy and hold them until seven (7) A. M. If not communicated with before 7 A. M., to proceed to Frenchman's Creek on the north side of which it had been reported to me by an Officer of Her Majesty's Customs, Fort Erie, that the Fenians were encamped not more than four hundred and fifty (450) strong, that they had during the day stolen (say) 45 or 50 horses and were drinking freely.

"It was also suggested that in the event of my not being communicated with before seven (7) A. M., and then being at Fort Erie, I should proceed to Frenchman's Creek and attack the enemy, if still there. This course, however, was to depend upon the approval of Colonel Peacocke."

"In the mean time and before I had received the telegram No. 4, Lieutenant Colonel Dennis and Captain Akers had left in the Tug (in company with the Welland Field Battery, armed with Short Enfields, under the command of Captain King) for Fort Erie. Captain Akers, at the last moment, leaving the final arrangement with me in words which I then took down in writing as follows:—

Memo.—Move at not later than 5 30. 5 if Bread be ready. Move to Depot at Erie and wait till 7. If not communicated with before 7 move to Frenchman's Creek. If *no* by telegraph disembark at *Ridgway* and move to Stevensville at 9 to 9 30, A. M. Send pilot engine to communicate with Lieut.-Colonel Dennis at Erie and with telegrams.

"Soon after their departure I received Colonel Peacocke's Telegraph, as follows:

"By Telegraph from Chippawa,

"June 2nd, 3 50, A. M.

"To Commanding Officer, Port Colborne,

"Have received your message of (3) three, A. M. I do not approve of it. Follow original plan. Acknowledge receipt of this.

"(Signed),

G. PEACOCKE.

"This negatived our proposed change of plan and left me to follow the instructions which I had received from Colonel Peacocke through Captain Akers, namely:

"Move at not later than 5 30, 5 if bread be ready." * * *

"Disembark at Ridgway and march to Stevensville at 9 to 9 30 A. M. * * * * *

"The bread ration having been secured, the train left Port Colborne soon after 5 A. M. en route for Stevensville.

"The only horse on the cars belonged to Major Skinner, 13th Battalion, who had kindly offered him for my service. I expressed a desire that the Field Officers of the Queen's Own would take their horses down, but was met by the reply that they would be of no use in the woods where we should likely be, and that it was thought best not to take them.

"I sent a Pilot Engine in advance of the train some ten (10) or fifteen (15) minutes, and instructed its driver, if possible, to communicate with Fort Erie.

"The train with Volunteers proceeded very slowly and cautiously, and arrived at Ridgway, without a sign of obstruction, after more than an hour from its departure from Port Colborne.

"At Ridgway we formed Battalions in column of companies, right in front.

Means of conveyance for my stores not being at hand, I thought best to distribute as much spare ammunition amongst the men as possible, and requested those who could do so, to carry an extra (10) ten rounds in their pockets.

At this time it was reported to me that the Caledonia Company had no percussion caps, and but few rounds of cartridge. I supplied them from the spare ammunition of the 13th Battalion.

I endeavored to procure a horse or team for my Medical Officer's Stores, but without success, and failing means of transport, I returned tents and blankets to Port Colborne, relieving the cars from further waiting at Ridgway.

"After a little delay, I requested Major Gillmor (as the Queen's Own was the senior Battalion) to take the lead of the column, and as one of his companies was armed with the "Spencer" repeating rifle that it should form the advance guard.

"When the Battalions were proved and before forming the advance guard, I gave the order to the column "with ball cartridge load."

"I made enquiries from the inhabitants as to their knowledge of the whereabouts of the enemy. The reports were contradictory and evidently unreliable.

"To take proper precaution and keep my appointment at Stevensville was my obvious duty.

"The column of route was formed as follows, viz:—Advance Guard of Queen's Own—Remainder of that Battalion, Major Gillmor commanding—York Rifles, Captain Davis—The 13th Battalion, Major Skinner in command.—The Caledonia Rifles, Captain Jackson forming the Rear Guard.

" On the advance I was in the centre of the column looking out for signs of the enemy.

" After proceeding about (2) two miles, the advanced guard signalled indications of men moving in our front.

" The column (say 840 all ranks) was hereupon halted on the road. I gave the horse on which I rode to the orderly, in order that I might carefully examine with my field glass the country over which we were advancing.

" Soon after I observed loose horses moving about in the woods to our left front, but saw no men.

" Before ordering the advance, flanking parties were thrown out to scour the woods right and left. This duty was performed by companies of the Queen's Own. Proceeding in this order for some distance, a volley was fired upon our advancing men from behind the zig-zag fences in the open. Our volunteers accepted the challenge. The affair had commenced.

" The Queen's Own as skirmishers and supports slowly advanced, pushing back the enemy. We gradually changing our front to the right, when Major Gillmor wished me to relieve the Queen's Own, and send out the reserves, as his men were falling short of ammunition, and that the one Company had none for their Spencer Rifles. I at once directed the right wing of the reserve to deploy on the rear Company to the right and extend. Major Skinner commanded the 13th and acted throughout very gallantly. The movement was admirably executed. The York Rifles were on the left. No. 1 Company of the 13th Battalion, was on the right of the line. A hearty cheer was given by the Queen's Own when they saw the 13th advancing, who, with the Company named, relieved the Queen's Own, supported by the left wing of the reserve, which was composed of the 13th Battalion. The Queen's Own then became the reserve. The 13th and York Company in advance, driving the enemy before them to the woods, cheering heartily and answered by the yells of the Fenians. I felt anxious about our right flank, as with my glass I noticed the enemy throwing back his right into the woods. I requested Major Gilmour, who was in command of the reserve, to keep a sharp look-out for the cross-roads on which the reserve rested, and to send (2) two Companies from the reserve to occupy and hold the woods on the hill to our right. He sent the Highland Company, "Queen's Own," to perform that duty.

" At this time (nearly 9.30 A. M.) two (2) Telegrams were brought to me by a Gentleman from Port Colborne. The one informing me that the

column under Colonel Peacocke could not move until seven (7). The other in the words following :—

“ Chippawa, June 2nd, 5.30 A. M.

To Officer Commanding Port Colborne.

Be cautious in feeling your way for fear obstacles should prevent a junction ; if possible, open communication with me and and I will do the same.

(Signed,)

G. PEACOCKE.

“ At this unexpected information I was much disappointed. Major Gillmor was then with me and I shewed it to him. I at once realized that the force which I had expected about this hour at Stevensville, could not now render me assistance, and turning to detective Armstrong, (who had accompanied us from Hamilton, and obtained a horse at Ridgway), I desired him to convey to Colonel Peacocke, a message I wrote on the Telegram I had just received, to the effect, that the enemy had attacked us in force at 7.30, 3 miles south of Stevensville.

“ Immediately afterwards Major Gillmor reported that the Highland Company had been compelled to leave the woods on our right, as they had found the woods occupied by Fenians.

“ Almost simultaneously cries of “Cavalry,” and “look out for Cavalry,” came down the road. I then observed men doubling down the hill.

“ In the next few moments events succeeded each other very rapidly.

“ As the cry came down the road, directions were given to the reserves on the road to form square.

“ At this crisis the fire of the enemy came heavily to our right flank as well as into the front and rear of our force in advance. I saw nothing to justify the first impression that we were to be attacked by cavalry. I gave the word to reform column with the view of deploying, when to my surprise I found the rear of the reserve which had formed part of the square had dissipated, and moving down the road, Major Gillmor came and reported to me that the enemy was bringing up his reserves. I asked him how he knew, he replied, I saw them myself, I then enquired in what shape, when he replied “in column in mass of column” I then ordered the retire. But the confusion had become a panic. The 13th did all that men could do under the circumstances and were the last in the retreat, which became general.

“ Many men were trodden down, I endeavored to rally the retreating mass, gave orders to hold the woods on either side, and some little distance down the road, was assisted by Surgeon Ryall, of the 13th, and several men,

but all of no avail. Bugler Clarke, of the Queen's Own, sounded "the halt" at my request many times. The horse was brought to me, I mounted and rode amongst the men.

"I entreated them to rally and implored them to halt, but without effect. If I could form at Ridgway, I might regain order. I there found Lieut. Arthurs, of the Queen's Own, and other officers, attempting to rally and form companies, I called for coverers for the men to form, I was answered, the men could not find their officers. I then ordered the men to fall in so as to shew a good front. The attempt was made, but without success, and I ordered the retreat upon Port Colborne, towards which place many had previously turned their steps. I requested a gentleman from Toronto, (Mr. George Arthurs) who was present at Ridgway, and mounted to ride forward to Port Colborne, and report that we were retiring, and to send help down the road for stragglers. I saw the colors of the 13th were safe, and I moved on with the column.

"A short distance from Ridgway, I dismounted and walked with a member of the Queen's Own, who was wounded, and kept the road afterwards for some time with him.

"A volunteer rode the horse into Port Colborne where we arrived much fatigued and distressed at about 3 p. m.

"Nearly 2 miles from Port Colborne, I was with others taken up by the second train which came down the road to meet us. The train took up several officers of the 13th and the Queen's Own.

At Port Colborne, through the kindness of Mr. Pring, the collector of Customs, I was provided with the requisites for writing my despatches to the Major General Commanding and to Colonel Peacocke. The drafts were perused by Major Gillmor, and one despatch was copied by Major Cattley, of the 13th, and the other by a non-commissioned officer of the Queen's Own.

"Shortly after returning to Port Colborne, I received advice of a reinforcement of (10) ten Companies of Volunteers from Paris. Others arrived during the evening. Amongst the latter were the Home Guard of St. Catherines, Lieut. Col. McGiverin. I beg leave especially to thank that officer for the assistance he afforded and for very generously dividing with my command, the provisions he had brought from Saint Catherines with him for his own men.

Prisoners were being brought in in numbers, every question was referred to me personally. I had no Major of Brigade. No aide, no Staff. Not even an office clerk of whose services I could at the moment avail myself, while farmers as scouts were coming in with their varied reports.

I felt it due to the large force of Volunteers under my command to request the Major General Commanding to relieve me and send a professional soldier, (one from whom I might take my orders) to assume the command.

"When at Port Colborne I reported that the 13th and Queen's Own were alike tired and hungry, and that, if it were possible, they should have a day's rest and that those Volunteers who had arrived during the day of the 2nd June at Port Colborne should be sent forward first.

"I pointed out, that uncooked rations which it was intended to serve out to the Queen's Own and 13th would not benefit them as they were without the necessary appliances to cook and make use of them. But it was not by my wish that the 13th were detained at Port Colborne on the morning of the 3rd, while the Queen's Own were ordered to march on Fort Erie.

"I was anxious that both should be thoroughly refreshed, and I felt regret that the companions of the day previous should be separated, as they were equally able to proceed.

"Then, either from misunderstanding or perhaps that I was not sufficiently explicit, I found that I had been relieved from the command of my own Battalion, and not of the General Command only as I had expected. I immediately communicated to Majors Skinner and Cattle that I had been relieved.

"The History of my connection with the campaign which resulted in the expulsion of the Fenians from the Niagara District has now been detailed, from the moment I received orders until I was relieved from command. I submit to those to whom the enquiry of my conduct on the occasion may be entrusted that the state of affairs which existed at Port Colborne on my arrival there at 11 o'clock P. M., on Friday, 1st June, will be better understood if the communications which previously passed between Colonel Peacocke and the Officer Commanding at Port Colborne were obtained.

"I have reason to believe they will bear materially in explaining the plans proposed, and under consideration before Captain Akers' arrival, and the propriety of the modification, which, if Colonel Peacocke's approval were obtained, was to have been pursued.

"I further submit the Official Despatches connected with the affair at Lime Ridge, published "By Authority" in the *Canada Gazette* of Saturday 23rd June, 1866. Upon two points I expect enquiry will be directed, viz: to the capacity and care shewn by me for the command entrusted to me, and my own personal conduct on the Field. On this latter point I ask for the evidence of those who were present.

“ That every precaution, and every consideration, for the comfort and advantage of my Battalion, which the circumstances did permit, I confidently assert were taken.

“ The Volunteer Force from Hamilton answered to the call for service with alacrity. The entire force which I had the honor to command was animated with the highest feelings of patriotism and zeal. All personal considerations gave way, all hardships were borne cheerfully and without a murmur. We had but one wish—to meet the enemy—and but one hope—to aid in his discomfiture—and if under the trying circumstances in which we were placed, the result was not so triumphant as the devotion and heroism of the Volunteers deserved, I trust, that as their conduct cannot be impugned, the Court of Enquiry will on appreciation of the facts, exonerate their commanding officer from the complete want of success of an attack which undoubtedly caused the enemy to abandon their plans of invasion, and commence their retreat.

A. BOOKER, Lt.-Col.

The Court then proceeded to the Examination of Witnesses.

First Witness called by Lieutenant Colonel Booker.

Major Charles T. Gillmor, commanding the 2nd or Queen's Own Rifles.

Question from Lt. Col. Booker.—When I relieved the Queen's Own and advanced the 13th, did you report to me that your men were becoming short of ammunition?

Answer.—On some one occasion I mentioned that one or two companies stated to me that they were short of ammunition.

Question from Lt. Col. Booker.—When the 13th were in action did you send out the Highland Company, at my request, to the woods to hold the woods to our right, and the road, from the reserve?

Answer.—I did send out the Highland Company with orders as described, but I cannot say if it was before or after the 13th went out.

Question from Lt. Col. Booker.—What did they report on their return?

Answer.—I don't recollect their return, I believe them to be the last to leave the field.

Question from Lt. Col. Booker.—Did you hear the cry of cavalry?

Answer.—Yes.

Question from Lt. Col. Booker.—Did you see the Fenian reserves advancing after the cry of cavalry?

Answer.—No.

Question from Lt. Col. Booker.—Did you see that we were outflanked to the right?

Answer.—No. I believe it was the reserve. I could not see the extreme right.

Question from the Court.—On what do you ground your belief that they were not outflanked on the right?

Answer.—Principally on the statements of the officers and men who were out skirmishing on the right.

Question from Lt. Col. Booker.—Did you notice men coming down the hill to our front at a double in front of the reserves crying cavalry?

Answer.—No.

Question from the Court.—When three companies of the 13th were sent out to relieve the Queen's Own, had the movement been executed before the retreat was sounded?

Answer.—No, so far as my knowledge extends. Both lines of skirmishers, rifles and 13th came in together.

Question from Lt. Col. Booker.—Was the endeavour made to bring the men out of square into column?

Answer.—Yes. They did reform column.

Question.—Was the rear of the column or square now in retreat?

Answer.—No. Not at that time.

Question from Lt. Col. Booker.—Do you consider there was a panic when the retreat commenced?

Answer.—I think the retreat was caused by a panic. After the column was reformed I ordered the two leading companies again to extend and skirmish, they did so. I ordered the rest of the column, which at that time, was composed of Queen's Own and 13th mixed together, to retire as they were then exposed to a heavy fire on the front and right from the enemy's front and left. This order was being obeyed by the men with reasonable steadiness, when as I was standing in rear of the retiring column I heard

them cheer loudly and call out "*re-inforcements.*" I then saw some men in red whom I believe was the left wing of the 13th and whom these men, I suppose, took to be re-inforcements. When these men in red heard the cheer they broke and retired. Then the whole column became disorganized. This was about nine o'clock a. m. The first shot was fired about half past seven a. m.

Question from Lt. Col. Booker.—Did you believe when you saw my despatches to Colonel Peacocke and General Napier that they were correct, and did you concur in the correctness of them when you were with me in the Custom's Office at Port Colborne.

Answer.—Yes, the general tenor of the Report was correct, and I assented to it.

Question from the Court.—Is there any thing in Lt. Col. Booker's report, just read to you, that places the 13th Battalion in a false light?

Answer.—No.

Question from Lt. Col. Booker.—Do you think the men could have been rallied after they had commenced the retreat?

Answer.—The whole force could not have been, but I could have rallied two or three hundred men around me at any time during the retreat had I been disposed to do so, officers of both the Queen's own and the 13th were frantically exerting themselves to rally their men—but knowing that I could not be relieved by Colonel Peacocke and fearing the enemy might pass to our rear I thought it wiser to conduct the retreat in as orderly a manner as I could.

Question from Lt. Col. Booker.—Were you satisfied with my conduct on the field?

Answer.—Colonel Booker asked me the same question in Port Colborne, and I now give him the same answer that I did then, which was, that I could see nothing in his conduct to disapprove of, except with regard to the formation of the squares, which I thought at that time was a mistake—and I think so still.

Question from Lt. Col. Booker.—As you were not mounted, would you explain the reason why you did not take your horse with you beyond Port Colborne?

Answer.—I had my horse at the station at Port Colborne, when Mr. Magrath, the manager, told me I could not get him off the cars at Ridgeway without breaking his legs, there being no platforms.

Second Witness called by Lieutenant Colonel Booker.

Charles Clarke, a Government Detective Officer by commission from Mr. McMicken, the Stipendiary Magistrate at Windsor.

Question from Lt. Col. Booker.—Where you with the Volunteers in the affair at Lime Ridge on the 2nd June ?

Answer.—Yes.

Question from Lt. Col. Booker.—Did you see the square disperse ?

Answer.—Yes. I was with the reserve in the ranks when the square was formed, a number of men as they were coming in on the reserve cried out "prepare to receive Cavalry" I should say it came from as many as fifty men. I saw the column reformed. At this time a body of red coats were coming around a curve in the road about two hundred yards in rear of the square ; the Queen's Own and those of the 13th began to cheer, supposing them to belong to the 47th Regiment coming to their relief—as soon as we ascertained that they were not the 47th, we supposed they were two Companies of the 13th who had been driven in by main force, and the result was, we became panic stricken and we all broke. I saw several officers both belonging to the Queen's Own and the 13th endeavouring to rally their men. I saw Lt. Col. Booker endeavouring to rally the men, telling them to get into the bush on both sides of the road about four or six hundred yards from where they commenced to retreat. He got the Bugler to sound the "halt" several times and I heard the Bugler say he was tired sounding the halt. The men continued to retreat, except 16 or 17 of us who got over the fence into the bush on our left, but had to leave because the main body continued their retreat towards Ridgeway. At Ridgeway I saw Colonel Booker with four officers of the 13th and one of the Queen's Own, each with a revolver in his hand and Colonel Booker had his sword, threatening to shoot the men if they did not stop—they broke through the line of these officers.

Question from the Court.—When Col. Booker ordered the Battalions that were retreating to get into the woods on each side of the road, what was your impression of his object ?

Answer.—He wanted to make a stand by getting into the bush to repulse the Fenians, and it was a splendid opportunity from the country being open in front of the bush. I served nearly six years in India in the 40th Regiment during the affairs in the Candahar.

Question from the Court.—Did you see Lt. Colonel Booker on the field before and during the retreat ?

Answer.—Yes, several times.

Question from the Court.—Did you observe any thing in his conduct which appeared to you like shirking his duties?

Answer.—No, on the contrary, I saw him urging on a company of the 13th which appeared to be dilatory.

Question from Lt. Col. Booker.—Do you recollect the fact of our Force being out-flanked to our right?

Answer.—Yes.

Question from Lt. Col. Booker.—Was the firing from the Fenians more rapid than that from our own men?

Answer.—Yes, much more so, part of the time it was like file firing. I am since aware that they used both the “*Sharp*” and “*Spencer*” rifle.

Question from Lt. Col. Booker.—Did you receive a letter from Major Gillmor, and other officers of the Queen’s Own complimenting you for your coolness and conduct at Lime Ridge?

Answer.—I did.

Third Witness called by Lt. Col. Booker.

George Allan Arthurs.—A merchant of Toronto.

Question from Lt. Col. Booker.—Where you at Ridgeway on the 2nd June, and what did you see there?

Answer.—I was there, and was at Ridgeway when the army was retreating. I there saw the Bugler come from the field on Col. Booker’s horse, my brother Lt. Arthurs of the Queen’s Own, mounted the Colonel’s horse and drew his pistol threatened to shoot the first man that did not do his duty. Colonel Booker came up as my brother was checking the retreat. He mounted his own horse and rode back towards the field to consult with his officers. The retreat was checked so far by my brother that he told off a Company of men composed of red coats and green coats. I did not see any exhibition on the part of Col. Booker of either cowardice or fear.

Fourth Witness called by Lt. Col. Booker.

John Douglas.—Capt. in no. 4 Company of the Queen’s Own.

Question from Lt. Col. Booker.—Did you, on the 2nd June last, see me at Lime Ridge?

Answer.—Yes, in front of your command under fire.

Question from Lt. Col. Booker.—Did his conduct on that occasion attack your attention?

Answer.—Yes, it struck me that he was not very careful of his own safety, he being in front of the column of the Queen's Own, he being in scarlet, he was directing the movements with a field glass in his hand. This was when the Queen's Own were in column after part of the 13th had gone out in skirmishing order, I saw no hanging back on the part of any officer or man up to that time.

Question from Lt. Col. Booker.—How did Col. Booker go from Ridgeway to Port Colborne?

Answer.—I found Col. Booker on the last train going into Port Colborne, Major Gillmor and several other officers of both regiments with men of both regiments were in the same train. The great bulk of the force had preceded them.

Fifth Witness called by Lieut. Col. Booker.

Wm. Arthurs—Lieut. in No. 4 Company of the Queen's Own.

Question by Lt. Col. Booker.—Were you at Ridgeway when Lt. Col. Booker arrived there during the retreat on the 2nd June, and what did you see.

Answer.—Yes. I saw Col. Booker on the retreat and he seemed in no way flurried or excited but quite cool and collected. He spoke to the men. He asked them to form on their coverers. Several companies were formed up and retreated in order.

Sixth Witness called by Lieut. Col. Booker.

Francis Clark.—Bugle Major of the Queen's Own.

Question from Lt. Col. Booker.—Did you sound the halt on the 2nd June by order of Lt. Col. Booker during the retreat?

Answer.—Yes, repeatedly. He used his best endeavours to halt the men, and then he went forward amongst the men, and asked them to halt and front and form. It had no effect, he said Oh God! what is this, they still moved on. They retreated red and green mixed together, as far as I could see, to the turn of the road.

Seventh Witness called by Lieut. Col. Booker.

Alexander Muir—Private in the Highland Company of the Queen's Own, a Lieutenant of Militia and President at that time of the Highland Company in its civil organization.

Question from Lt. Col. Booker.—Were you at Lime Ridge on the 2nd June and will you recite what you saw there?

Answer.—After leaving the cars at Ridgeway, before marching the whole force received orders "with ball cartridge load," the column then advanced. After proceeding about two and a half miles I perceived a number of horses, about between twelve and fifteen in number, loose in an open near the corner of a bush about three quarters of a mile in front on the left side of the road. These having attracted my attention, I also perceived a number of men fitting among the trees near to the horses. I cried out "*I see the Fenians, there is the Fenians.*" My discovery was made known to Col. Booker, who, perhaps, from hearing my cry, came up to me. I was the left hand front rank man of the Highland Company, the rear company of the battalion. He gave the order to halt. He then asked me, where? I pointed out to him where I saw the men and the horses. He had a field glass which he then used. He tried to use it on horseback, but the horse was so restive that he could not use the glass, he then dismounted by my side, at this moment Major Gillmor came up. I directed him to the proper point to see them. Both he and Major Gillmor seemed convinced that all was not right in that bush. No. 1 or the *leading Company* of the column was then sent out to reconnoitre to the left in the direction of these horses, in skirmishing order supported by the next company. The column remained at the halt. After the skirmishers had advanced to within a short distance of where the horses were, the bugle sounded the *retire* or the *incline* to the skirmishers, and the column was advanced. The rear party of the advanced guard had halted at the time the column halted, and just after the column moved, I saw several of them, if not all of them, with their hats on their rifles raised in the air and moving them indicating thereby that the enemy was in sight. The column was again halted—at that moment a bullet came whistling from the direction of an orchard on our right front. This was the first shot and came close to Capt. Gardner and myself. Here the Queen's Own were ordered to skirmish and our company furnished the right company of the line of skirmishers and in this order we advanced, in a northerly direction. The firing commenced opposite the centre of the line of skirmishers immediately upon their advancing. We continued advancing and firing for some dis-

tance, perhaps three hundred yards at that time, then the order came for the Queen's Own to fall back on its supports; we had then been under fire about three quarters of an hour. I distinctly heard Col. Booker's words of command given with coolness and deliberation as we were going into action. The Queen's Own were then relieved by the 13th. The 13th advanced in skirmishing order appearing to take the ground which had previously been occupied by the Queen's Own, the enemy continuing their fire during the advance of the 13th. The enemy had evidently been previously driven back by the Queen's Own. An order from Col. Booker now came to our company, which was then under cover of the school house, acting in reserve, directing our company to take possession of the road to the right which led in the direction of Fort Erie, because the enemy was manœuvring to outflank our right. Capt. Gardner was told it was an important position and he then advanced our company till we came opposite a bush north of the road; he then ordered us to advance in skirmishing order through that bush, which we did. After passing through the bush we came to a wheat field on the opposite side of which we found the Fenians thickly posted opposite our front and to our right. When we entered the bush they had evidently been in the same bush at the farther side of it, and had retreated on our advance to the other side of the wheat field, we had reason to know this because we found quantities of their ammunition, a company sheet roll, and a blank book, a roll book, also a Fenian drill book with the name of "*Capt. George Sweeney Comy. B. 19th Regt. Irish Republic Volunteers, Cincinnati, Ohio.*" The Roll book contained about 120 names, with the trades, residences and callings of the men. I have seen the list of prisoners now in the Toronto Gaol, and I believe that some of the names are the same as those in this Roll Book. We commenced firing upon the enemy as soon as we saw him, and they began to retreat—they were about 200 yards from us. We fired here for some time until an order came to advance from Capt. Gardner, we leaped over the fence and entered the wheat field. We fired from this wheat field for some time. After entering the wheat field I saw the line of the 13th Regt. to my left below me, in skirmishing order, advancing towards the enemy. While they were thus advancing I distinctly saw the enemy retreating a long distance before them towards a bush in the rear. Suddenly they seemed to rally and came down upon the line of the 13th yelling, at this moment I saw a wavering in the line of the 13th. The Fenians advanced in a loose manner but in great strength. Here the 13th retreated at the double, but I did not hear the "retire" sounded for that purpose. As the Fenians rushed upon the 13th we from our position gave them two

or three volleys which seemed to check them, and their left swerved inwards from us towards their own centre. While we were here in this position a Sergt. Bain of our company cried out "retire" "retire," we then retired firing; I heard bugle call to retire. When I came to the school house I was surprised to see our forces marching back again towards Ridgeway. I turned round and saw the Fenians advancing from the orchard on the road at the same place where I saw our advance guard give the signal before the action commenced. I thought there were as many as 600 or 700 on the road and more moving out of the orchard. I leaned my rifle over a fence and took my last shot at them with one arm, several of my comrades fired also. This drew fire upon us from them, and here it was that McHardy and White were wounded. On my return to the cross road at the Hotel, nine-tenths of our force had passed on towards Ridgeway. I there saw Col. Booker, and spoke to him, he was on foot. I heard "halt" "halt" called but no one seemed to notice it.

Question by Lt. Col. Booker.—Are you satisfied we were outflanked on our right?

Answer.—Yes.

Question from Lt. Col. Booker.—Did you see Lt. Col. Booker after this?

Answer.—I saw him at Ridgeway.

Question from Lt. Col. Booker.—What was he doing?

Answer.—He was standing in conversation with some one on the road.

Question from Lt. Col. Booker.—Did you see him afterwards, and where.

Answer.—I saw him afterwards on the march to Port Colborne, after leaving Ridgeway, I became weak and exhausted, and was taken into a house about 250 yards south by two of my comrades where Dr. Neff, assisted by two others, set my arm and left me alone, I had become insensible, and while in that state had lost all recollection of the fight. After I came to myself, I heard a volley and ran to the door. I saw the Fenians surrounding the Village. I ran to try and catch up to our Force which had all left and they fired upon me. I had my hand in a sling and my tunic flying from my right shoulder. I overtook the force after running for some distance nearly a mile, and there I again saw Col. Booker in the rear of the Force, he offered me his horse, I declined the offer because I thought it would pain me more to ride than to walk. Where the main road crosses the railway, he dismounted and gave his horse to some one of the 13th with

some orders to Port Colborne. He then took my arm and assisted me along the track until we got into the last train and went to Port Colborne.

Question from Lt. Col. Booker.—How many rounds of ammunition had been issued to you previous to the engagement? and were issued?

Answer.—I received 5 rounds at Toronto before leaving, (30) thirty at Port Colborne, that was I had thirty-five rounds.

Eighth Witness called by Lt. Col. Booker.

Ranald Archibald McKinnon, at present a Cadet in the Military School at Toronto.

Question from Lt. Col. Booker.—Were you present at Lime Ridge on the 2nd June last, and in what capacity did you act?

Answer.—I was present at the engagement at Lime Ridge, and acted as a Volunteer Officer with the Caledonia Rifle Company, though not regularly attached to the Company.

Question from Lt. Col. Booker.—Did you see Lt. Arthurs mounted on Lt. Col. Booker's horse?

Answer.—Yes.

Question from Lt. Col. Booker.—Were you with Lt. Arthurs endeavouring to rally the men at Ridgeway?

Answer.—Yes.

Question from Lt. Col. Booker.—Were you there when Lt. Col. Booker arrived from the field at Lime Ridge?

Answer.—Yes.

Question from Lt. Col. Booker.—Was Lieut. Colonel Booker mounted when he returned from Lime Ridge to Ridgeway?

Answer.—Yes.

Question from Lt. Col. Booker.—Were you with the rear guard of the column before Action?

Answer.—Yes.

Question from Lt. Col. Booker.—When you saw Lieut. Arthurs mounted on Lt. Col. Booker's horse, was it previous to the arrival of Lt. Col. Booker mounted on his return from Lime Ridge?

Answer.—I cannot say, but I know that after I saw Lieut. Arthurs on Col. Booker's horse, I saw Col. Booker ride back towards Ridgeway.

Ninth Witness called by Lt. Col. Booker.

Robert Benham, a Private in the 13th Batt. Major Skinner's groom.

Question from Lt. Col. Booker.—Did Lt. Col. Booker's orderly bring you back the horse which Col. Booker rode at Lime Ridge before the firing commenced?

Answer.—Yes.

Question from Lt. Col. Booker.—During the Retreat what became of the horse?

Answer.—I was leading him away to Ridgeway, Quarter-Master Stoneman said "get on the horse." I then mounted him and rode him to Ridgeway, and there watered him, and while I was watering him one of the officers of the Queen's Own came up and asked me who owned the horse? I told him that the horse belonged to Major Skinner, but that Col. Booker had been using him. The officer then took the horse from me and mounted him. I saw him while mounted draw a pistol and endeavoured to stop the men by threatening to shoot if they did not stop. I saw Col. Booker on the horse afterwards.

Tenth Witness called by Lt. Col. Booker.

Captain Henery:—Adjutant of the 13th Battalion. Formerly a Serjt.-Major of the Coldstream Guards.

Question from Lt. Col. Booker.—Will you recite what from your own knowledge occurred from the time the 13th were engaged at Lime Ridge until the retire? And how long they were in action?

Answer.—At the commencement of the action, or rather just previously to the action, the Queen's Own were thrown out to skirmish, the reserve being composed of the 13th Battalion, with the York and Caledonia Rifle Companies. Soon afterward the action commenced. The whole force continued to advance in this order. The reserve then halted, the skirmishers and supports continuing their advance. We remained halted only about three minutes, before an Officer of the Queen's Own came up and shouted "*Surgeons to the Front.*" I then saw two officers in green running

to the front. I then heard Major Gillmor tell Col. Booker to deploy his right wing of the 13th Battalion, and relieve the Queen's Own because their ammunition had been expended. Col. Booker then gave the command to the 13th Battalion to deploy the right wing on No. 3 Company, which was executed after advancing a few yards to enable them to deploy and avoid an obstacle in its way. This wing was then extended to skirmish and relieve the Queen's Own from its left towards the right side of the road, the whole wing and its supports were on the right side of the road. While this deployment was being executed, several Companies of the Queen's Own came and formed in quarter distance column in rear, forming the reserve. The right wing then advanced and relieved the Queen's Own in a very steady manner, their supports being regularly posted, then I advanced between the supports and the skirmishers. I was not mounted. The supports layed down after arriving at the orchard under cover. I then left the supports and joined the skirmishers. They continued firing for some time receiving the fire of the enemy. There was then a cry of Cavalry from my right rear. I was on the road with the left of No. 2 Company of the line of skirmishers. I looked and saw two or three horses and cried out that there was no cavalry. I heard no bugle blow the retire; when I looked round I saw both red and green coats running to the rear from the line of skirmishers, in order, but not firing. I think this retreat was about one hour after the 13th took the field. I think that those of the Queen's Own who formed the reserve as we were deploying came in about ten minutes after the firing commenced.

Eleventh Witness called by Lieut. Col. Booker.

Robert Maun—a private in the 13th Battalion, who had served in the 100th Regiment.

Question from Lt. Col. Booker.—Will you state what you saw at Lime Ridge on the 2nd June?

Answer.—I was orderly on the Field Hospital Staff. There was a cry for the Doctor in one of the Companies of the 13th, acting support in the orchard. I was sent to find the man and found him, he had been wounded in the wrist, he was a rifleman not one of the 13th. I saw no other green soldier there. Just as we had finished dressing the man's hand I heard a cry of "*cavalry, cavalry, look out for cavalry,*" coming from the direction of the right of the skirmish line. I saw a Company of Rifles in the line of skirmishers with the 13th. I suppose they were the York Rifles. When

I heard the cry of cavalry I was near the support of one of the companies, and there I also heard an order given to the *Reserve* to form square. I suggested to the Doctor that we should get to the square formed on the road by the reserve. He came with me towards the square but I cannot tell whether he got into the square or not. I was too late to get in. I threw myself under the bayonets of the front face of the square. This square was composed of the Queen's Own and the color party of the 13th, was with them. A Company of the 13th came up at a steady double, most of them at the *trail* but some of them at the *slope* and passing the right face of the square formed in rear of the Queen's Own. I then, finding a Company of my own Corps at hand, jumped up, fixed my bayonet and joined them. It was now that I saw a few struggling men of the 13th mixed with some rifles retiring from the direction of the skirmish line towards us. An order was then given by a voice which I took to be Col. Booker's, to "*re-form column*," which was done. At this moment a rather sharp fire came upon us but was rather too high to do us much damage. I then heard an order to "*deploy on the rear Company*," in the same voice which I took to be that of Col. Booker, at this time there was a company of the 13th which formed the rear Company of the Reserve, the rest of the Reserve was composed of the Queen's Own. When the order to deploy was given, a heavy volley struck the column, and I heard a sound which I took to be that of men falling. The column swayed backwards as I supposed from the effect of the fire. The column broke immediately and commenced a retreat down the road. The main body of the 13th were at this time in the field, and firing was going on more to the right. I went down the road with the retreat and felt a heavy fire from a wood on our left as we retired. I saw several jumping a fence as if they were intending to pursue the retreating column. I fired on them, several others of our men also fired at them, after I had loaded my rifle I returned from the direction in which we had just come, and met Col. Booker with the 13th following the Queen's Own or the retreating column. The 13th were in a confused mass, and I heard several officers say to Col. Booker, "*let us stop them*" or words to that effect, and prevent a rout. Col. Booker then said he would go on to the front to stop the men of the retreating column, and then ran out at the double and got in front of nearly all the 13th, he then faced about and slashing his sword about (whether it was drawn or not I cannot say) and said "*for God's sake men dont make cowards of yourselves*." I had followed him in search of the Doctor and so had the opportunity of witnessing this on the part of Colonel Booker. I dont know the names of the officers who said to Col. Booker "*let us try and stop them*

and prevent a route." The men seemed to pay no attention to Colonel Booker's entreaties for them to stop, but continued the route. A man of No. 3 Company of our Battalion who was shot through the thigh demanded my attention, and I went to him and Dr. Ryall was with him attending to him, we got him on a waggon and took him down the road to Ridgeway, while going with this man I heard several officers, Col. Booker of the number, urging the men not to run away, but to take to the woods, as there was good cover there. I think Adjutant Henery was one of the officers who urged the men to do this. At this time I saw a number of the York Rifles obeying the order to take to the woods, they cried out "Hurrah for old York, let us take to the woods and we will give them hell," there was only about a dozen of them, I passed on with the waggon and saw no more.

Question from Lt. Col. Booker.—Did you hear Lt. Col. Booker when under fire encouraging the Reserves?

Answer.—I heard him joking them about their politeness in their bowing to the bullets that passed over their heads.

First witness re-called. Major Gillmor, recalled.

Question from the Court.—State the Companies of the Queen's Own who were first advanced as skirmishers, how armed and the amount of ammunition to each man.

Answer.—No. 5, Company were the centre skirmishers, they were armed, about forty of them, with *Spencer Rifles*, and for those rifles they had under thirty rounds each man, the remainder of the Company were armed with the Long Enfield Rifle. No. 1 and 2, were the other skirmishers, they were armed with the Long Enfield.

The whole regiment had on an average forty rounds of ammunition per man.

Question from the Court.—How long were they under fire when the right wing of the 13th Batt. were advanced to their relief?

Answer.—I could not form any idea as to time. The men armed with the Spencer Rifle were relieved by another Company long before the 13th Batt. went out to skirmish.

Question from the Court.—Who gave the order to form square?

Answer.—Lt. Col. Booker gave the caution to "look out for Cavalry" and I gave the command to "form square."

Question from the Court.—Can you state what portion of the Queen's Own were undrilled recruits?

Answer.—They were as a rule partially drilled, some men undrilled, recruits are joining every week, all the available men drilled and undrilled were in the field.

Question from the Court.—What porportion of the whole Battalion had never been exercised with blank cartridge?

Answer.—With the exception of one or two days in May when the whole Battalion was out skirmishing, I am satisfied that half of the men had never fired a shot.

Question from the Court.—What proportion of the Battalion had never practised with Ball cartridge?

Answer.—The proportion was about the same, about half.

Question from the Court.—What proportion of the Regiment was composed of lads under twenty years of age?

Answer.—I should say more than half the Regiment.

Question from the Court.—Did you observe any difference in the demeanor of the lads and the older soldiers going into action?

Answer.—No. Each were equally cool, I particularly noticed the companies that morning as they marched out to skirmish and all were equally cool. I may state here, that this was the first occasion in which the whole regiment had an opportunity to skirmish as a Battalion; I also wish to state that I saw the right wing of the 13th extend and advance in skirmishing order and that nothing could exceed the steadiness and regularity with which they advanced.

12th Witness called by Lt. Col. Booker.

Wm. T. Urquhart.—of Wellington Square, Assistant Editor of the *Spectator* Newspaper, acted as Private in No. 4 Comp. 13th Batt.

Question by Lt. Col. Booker.—Do you recollect seeing Lt. Col. Booker after the fight at Lime Ridge and where?

Answer.—I do, I saw him on the rising ground immediately in rear of where the action took place.

Question by Lt. Col. Booker.—Were you exposed to a heavy fire?

Answer.—We were.

Question by Lt. Col. Booker.—Where were you in the retreating column ?

Answer.—In the rear.

Question by the Court.—What was Lt. Col. Booker doing at the time you noticed him ?

Answer.—He was trying to restore order.

Question from the Court.—Where were you when the right wing went out to skirmish ? and did your skirmishers relieve those in front of you ?

Answer.—We were on the right, I was in the Company forming the support to the right skirmishers, and the skirmishers of our Company in front relieved those of the Rifles in front of them. The Rifles retired in order to the reserves, I certainly saw two Companies come in, but I cannot speak as to the whole line.

Question from the Court.—From the time your skirmishers were posted until the retreat how much time elapsed ?

Answer.—I should think about an hour.

Question from the Court.—What caused the retreat in your opinion, and what succeeded ?

Answer.—We retreated because the bugle sounded the retreat and we were also ordered to retreat by Lieutenant Routh, the officer in command of our Company, who said shortly afterwards that it was a mistake as it should have been the advance, and ordered us to halt and front—and we halted and fronted accordingly. The skirmishers immediately came down upon us who were all men of our Battalion and we all retreated together to the cross road near the place where we first deployed. Two or three Companies of Rifles came down this cross road from the right of the attack at this moment and the whole became mingled together and the formation was immediately destroyed. Several attempts by officers of the 13th and the Rifles were made to rally or reform the men. I noticed Colonel Booker and Adjutant Henery do this and Ensign Armstrong who carried the colors. I saw Lieutenant Arthurs endeavouring to stop the men and other Rifle officers whose names I am not acquainted with.

Tenth Witness recalled. Adjutant Henery, recalled.

Question from the Court.—State the names of the officers of the right wing of the 13th Battalion who were present when that wing was ordered to skirmish ?

Answer.—Major Skinner—Captain Grant,
 Lieutenant Gibson, } No. 1 Company.
 Ensign McKenzie. }
 Captain Watson, } No. 2 “
 Lieutenant Sewell. }
 Lieutenant Ferguson, No. 3 “

Question from the Court.—How long have you been connected with the Regiment? and in what capacity?

Answer.—As Drill Instructor and adjutant about four years.

Question from the Court.—What proportion of the 13th Regiment was wholly undrilled at the time of the affair at Lime Ridge?

Answer.—One man only, and the others were all drilled men.

Question from the Court.—Had the whole Battalion previously been exercised with blank cartridge?

Answer.—Yes, but not very frequently.

Question from the Court.—Had they had practice with Ball?

Answer.—I think 180 men had previously had ball practice.

Question from the Court.—Was a large proportion of the Regiment composed of boys under twenty?

Answer.—I think about 150 were under twenty, and a large proportion of those were between 18 and 20.

Question from the Court.—Did you observe any difference in the demeanor of the men and the lads when under fire.

Answer.—No difference, all seemed equally steady.

Question from the Court.—What number of rounds had the men of the 13th when going into action?

Answer.—Sixty rounds per man. Caps in proportion.

1st Witness called by the Court.—Major Skinner, 13th Battalion Volunteer Militia.

Question from the Court.—Were you present at Lime Ridge on 2nd June last, when the right wing of the 13th Battalion was sent out to Skirmish?

Answer.—Yes.

Question from the Court.—State the orders given, and by whom, for the movement, and what took place under your own observation.

Answer.—Colonel Booker said to me at some distance about ten yards “Major Skinner, you will skirmish with the right wing,” I then

advanced with the skirmishers, we went over a fence and across a field and over another fence into an orchard, on the right hand side of the road ; we went through that orchard up to another fence and there remained for some time ; while approaching this fence the enemy's shot passed over our heads, after remaining some time at this fence we found their shot getting closer. We then crossed that fence and passed over a field to another fence ; after halting at the fence where we remained for some time, I passed to the right of the skirmishers of our Battalion. I went there because I saw a number of men in green uniform, on our extreme right towards our front, and knowing they were some of our men told my men not to fire upon them. I cannot say that I saw any of the enemy. They fired upon us from under cover. We met a few skirmishers in green in the orchard, we passed through them.

Question from the Court.—Before you deployed, what was the position of your regiment as regards the Queen's Own?

Answer.—The Queen's Own were all away in front and the York Rifles also.

Question from the Court.—How long after the first shot was fired by the enemy was it, until the 13th were ordered to skirmish?

Answer.—About ten minutes elapsed from the first shot fired until some men of the Queen's Own came in, and we were ordered to relieve the skirmishers. I heard a call for the surgeons to go to the front about seven minutes before we were ordered to skirmish, at the same time Ensign McEachren was carried to the rear. After going to the right of our skirmishers and cautioning the men not to fire upon the men in green on our right, I went back again to the centre of our men, we remained there at this fence about a quarter of an hour, and the enemy getting our range, it became so hot that we again advanced, we ran across a field ; this time, the whole of No. 3 Company must have been on the left of the road, I was on the right of the road ; we found a brick house with a wooden addition to it, it was locked up with a padlock and one of our men opened it, we went in and opening the front door used the house for cover, firing through the doorway. We were about 150 yards from the woods occupied by the enemy. I saw a man on horseback galloping past in the woods among the trees. We left the brick house and ran forward into the orchard and continued firing on the enemy. Some one on the left of the road called out "*don't you hear the bugle.*" I thought it was meant for me. I said "*no,*" what does it say? the reply I got was the "*retreat.*" I then looked round to the rear for the first time since we

came out, and I saw our men at the right running in. I then heard some one on my left say "*why! they are preparing to receive cavalry.*" I looked round and said "*where is the cavalry,*" implying that I saw none. I then ran across the road to the left and saw that the men were all running as fast as they could to the rear. I ran for a barn and remained there a few moments to get breath, and then ran for another fence. I saw a few of our men behind me and the enemy pursuing them. Two of our men were shot here—Stewart and Powell. I then made for the road where we had previously deployed expecting to find the reserve there—I found none. Our skirmishers were there comprising men of all our companies mixed with those in green—I suppose there were about 150 red coats and about 30 or 40 green. I then asked for the commanding officer—I got no answer. I then asked for Col. Booker, and one man in the crowd cried out "he is off three miles ahead." I don't know who it was who said so. I then called for Major Gillmor and got no reply. I then thought I should do something and I ran to the front of the retreating men on the road and told them to halt; they paid no attention to me. I called upon an officer of our Battalion, who was on the right of the men retreating, to draw his sword and see if we could not stop them. We then again went to the front of our men, retreating backwards for a few minutes when we at last got them to halt. A couple of boys of our Regiment had their bayonets fixed endeavouring to stop them, and before I could do further a number of men in green rushed past on the left and one of the boys disappeared and then commenced a further retreat of all present. No companies were formed on the retreat. I assisted to carry two boys who were wounded by getting doors and carrying them to Ridgeway—they were rifles. When we reached Ridgeway there were about 150 of us, mixed red and green. We found no one of the force in Ridgeway when we arrived there; it was half-past ten o'clock when we reached Ridgeway. I remained there about three quarters of an hour, the men continually leaving and going on towards Port Colborne. I left the village just as the Fenians were coming down the hill. I had about fifty men and officers with me. We took the road towards Port Colborne, at the turn of the road we halted and looked back and saw a large column of about four hundred of the enemy marching down the hill into Ridgeway. I wished to state that the whole Regiment had sixty rounds each, and that when the order for the retreat was given we had not expended half our ammunition.

Question from the Court.—Is there any thing of your own knowledge which you wish to state that is important this Court should know?

The General Order directing the assembling of the Court and the

Instructions to the Court having been read to this witness he answered the above question :

Answer.—No.

Second witness called by the Court.—Isaac Ryall, M. B. Surgeon to the 13th Batt : Vol : Militia.

Question from the Court.—Were you present at Lime Ridge on the 2nd June last, and in what capacity ?

Answer.—Yes, as Surgeon of the 13th Batt :

Question from the Court.—State your position during the action, and what occurred under your own observation ?

Answer.—I remained with my own battalion until the order was given by Col. Booker to skirmish and relieve the Queen's Own, the Regiment at this time was standing on the road beyond the Tavern. I followed the line of skirmishers behind No. 4 company which passed along the road to the School House, and there advanced up to a fence near an orchard ; while here a man of the Queen's Own who was wounded came from the front, he was a rifleman but I cannot say what corps he belonged to, I examined him and sent him to the rear, I then returned to my post, a few minutes afterward the No. 4 Company were ordered to advance and they went over the fence into the orchard. I then went down to the fence with the orderlies to assist and then passed down along the fence until coming near the end of it, I cut across the angle to the main road and there I saw Col. Booker with his Bugler and an orderly. The Rifles in reserve were behind Col. Booker who was between them and the line of skirmishers on the road. Immediately on reaching Col. Booker, I heard an order or cry (which was *not* from Col. Booker,) to "*prepare for Cavalry,*" I looked around and could not see any Cavalry. I then walked to the rear, I am quite positive that the first order to "*prepare for Cavalry,*" was *not* given by Col. Booker, because I was quite close to him at the time and the word came from the front, an order was then given by Col. Booker to "*form square,*" which was done. I am not positive this order was given by Col. Booker, but I think so. They did not seem properly to form square and in a few seconds they commenced retreating, the square I have referred to was composed of Rifles and the Color party of the 13th ; my orderly Robert Maun was with me at this time. I did not see any of the 13th come up and form in rear of the square. I was going to the rear and saw them commence running. I walked down the road

and the men passed me running. About a quarter of a mile from where the square was formed, I heard Col. Booker give an order which I repeated twice, for the men to go into a wood on the left hand side. The order did not seem to be obeyed. I spoke to one man of the 13th and asked him why he did not obey the orders; he said he would go in if the others did, but he would not go in by himself. Immediately after I saw a man named Powell, of the 13th, who had been wounded, who was assisted by two men. I first examined him and found there was no necessity for immediate action and then got him into a wagon and took him into a farmer's house beyond Ridgeway. I did not notice Col. Booker again until I got about a mile or more from the Ridgeway Station, on the road south of the Railway. He had been given some stimulants to a sick soldier of the 13th who was mounted on his horse, the man's name was Daniel Laker. I went on with the men, I saw the Rifles resting themselves by the road side and the 13th passing them after leaving Ridgeway, when we arrived at the point where the railway track crossed the main road; some of the men took the railway track and some followed the road. Col. Booker and I both followed the railway track, and a train shortly came up upon which a number of men got, as many as it could carry, and Col. Booker walked on or remain behind; it was only an Engine and a baggage car, there were no passenger cars.

Third witness called by the Court.—John Wm. Ferguson, Lieut. 13th Batt. No. 3 Company.

Question from the Court.—Did you command No. 3 Company of the 13th Batt. at the Battle of Lime Ridge, on the 2nd June last?

Answer.—Yes.

Question from the Court.—State what took place that day under your own observation?

Answer.—About ten or fifteen minutes after the firing commenced Major Gillmor came back to the rear and told Col. Booker, that his men were tired and their ammunition was being expended, and he asked Col. Booker to send out the right wing of the 13th and relieve his men. Col. Booker then gave the order to the right wing of the 13th to deploy on No. 3 Company, and this being done, an order was given to extend from the left. We then advanced over a fence through the field and in the middle of the field we were halted by bugle. In a few minutes the advance was sounded, and we continued advancing until we came under fire. The Queen's Own

were then retiring in good order. We then commenced firing, advanced across a field after this firing, my company had to cross the road to the left side. Here I changed my front a little to the right and saw the enemy about one hundred yards off. I heard a bugle sound the "retreat" and I gave the command to retire. We retired about forty yards in line into the original position and retired firing and retiring, when I again heard the bugle sound the advance, I then ordered the Company to advance but not to fire until they got where they were before under cover. I again heard a bugle call which I did not know, but on enquiry was told was the "alarm." I looked for the cavalry but could see none. I let my men remain as they were. I then heard the "assemble" followed by the *double*, I then ordered the men to make for the square the shortest way they could, and they retired to the square. Three of them were wounded on this retire. When I saw the enemy coming out of the wood, I ran after my men. I saw Major Skinner and Adj. Henry making for the same point, that is the square. When I reached where the reserve stood, scarcely any men were there; on my way down I saw one of the Queen's Own lying dead as I passed, several ineffectual attempts were made to form up the men. At Ridgeway I saw Col. Booker on his horse forming up his Battalion into column; they were falling into column of companies right in front, facing towards Port Colborne past Ridgeway; as soon as we had formed I heard Col. Booker give the command "*Form fours*" "*right*" "*left wheel*" "*Quick march*" and the column moved off in the direction of Ridgeway. Col. Booker was in advance of the column until we came near a wood, when he told us to keep a sharp look out for firing from the woods, and he passed back towards the rear towards Ridgeway. The main body of the Rifles was before us and about two companies or less in rear of us. I did not see Col. Booker again. I saw his horse passed up with a boy on his back in read clothing. This was about four miles this side of Port Colborne.

Fourth Witness called by the Court.

Robert H. Davis—Captain York Rifles.

Question from the Court.—Where you present at the engagement at Lime Ridge on the 2nd June last?

Answer.—I was.

Question from the Court.—State what position you held in the engagement and what you know of your own knowledge of what occurred?

Answer.—When the firing commenced I was in front of the 13th Battalion in column in reserve. I was sent out with my company alone as a Company in support of the left skirmishing Company of the Queen's Own, that was Capt. Sherwood's Company, Trinity College Rifles. I remained there until the skirmishers were called in, when I took my Company to the rear in fours and formed them up in rear of the reserve which was then formed by the Queen's Own. After I halted and fronted the Company, I looked in front of the column and saw that the 13th were all out. I thought I was not in my right place and I countermarched my Company to the head of the column, taking as I supposed, the ground I should have taken when I came in, namely, that held originally by the 13th to which I was attached. I had scarcely halted here when an order came for two more companies to extend the leading Company to take ground to the left. I went almost over the same ground from which I had just returned and got to the left of the skirmishers already extended when I extended my own Company from the right. The Company on my right being a Rifle Company. When within about 500 yards of the enemy we commenced firing and advancing, we crossed two fields on the other side of the cross road called the Garrison Road. When I had formed my men by a fence to give them a direct fire into the enemy, I heard a bugle call which my Sergeant said was the retire, saying it was a mistake that they meant the advance. In a few minutes the advance did sound and I took my Company over the fence behind which they were lying and told them to get to the next one as soon as they could. When about half way across the field, the *retire* was again sounded followed by the *double*. I looked along the line of skirmishers and saw them firing and retiring, and a good many men running in. We retired the men firing occasionally until we again reached the Garrison Road. I then closed the company on the centre and crossed the Garrison Road to the next field, there formed fours right and marched to where I left the reserve. In the field on the Ridgeway side of the Garrison Road there was a small farm house on the hill close to the side of the Ridgeway Road, and when I came up with the Company to this house, I saw a company of Rifles in close column of sections kneeling to receive cavalry. I expressed my surprise at this and moved my own company up to the road. When I reached the fence alongside the road I saw a good deal of confusion and I asked generally what was the matter and what they were going to do; some officer told me that the order had been given to form square on the leading company of the reserve. I did this with my company and halted in rear of the column. The order was now passed from the front for the column to retire, and the attempt was made to retire and in two minutes all was confusion.

Question from the Court.—Have you any further information to give the Court respecting what occurred at the engagement at Lime Ridge?

Answer.—I saw several officers of Rifles and Infantry using all their exertions, like good men, to induce the men to rally and form up again or to fight at all any way, I mean Major Skinner, Adj. Henery and Capt. Gardner, of the Highlanders, and Mr. Ramsay, of the Highlanders. I had sixty rounds of ball in going into action and the men expended between fifteen and twenty rounds each.

Fifth Witness called by the Court.

John Gardner—Captain Highland Company of the Queen's Own.

Question from the Court.—State the company you commanded at Lime Ridge on the 2nd June last, and the particulars of the engagement which took place under your own observation?

Answer.—I commanded on that occasion No. 10, or Highland Company of the Queen's Own—after getting out of the cars at Ridgeway, the Brigade was formed in *quarter distance column* right in front. The Queen's Own in front, the 13th Battalion next, and the York and Caledonia Rifles in the rear, the latter corps under Capt. Jackson forming the rear guard, after loading with ball, No. 5 Company of the Queen's Own, Capt. Edwards, was sent out as an advanced guard. I believe that Company was sent on this duty because it was the only Company that was armed with the Spencer rifle. I cannot say whether we were marching in column of Companies or subdivisions, but after the advanced guard had got out a reasonable distance, the column was moved on; after marching some distance we were halted, then the skirmishers were thrown out. The whole then advanced in this order and halted once or twice to maintain their proper distance. Upon seeing what they took to be the enemy on the left two additional Companies were sent out, at this time Col. Booker and Major Gillmor endeavoured by the use of their glasses to ascertain what they were, then the skirmishers of the left stopped for a moment when the Bugle sounded "*Incline to the left,*" and some of them I think raised their hats upon their rifles, but did not obey the call probably from not hearing it; a sergeant was sent to them to direct them to incline more to the left. He had just reached them when firing commenced, by two or three shots being fired on the left of the road and almost immediately the enemy opened upon us a regular volley from our front and our men then returned their fire continually advancing until they occupied the ground from which

the Fenians first fired upon them; at this time eight Companies of the Queen's Own were out, 9 and 10 were with the reserve on the road; at this time No. 9, Capt. was sent out to the right of the skirmish line and my Company as their support. I dont think I was more than two minutes supporting them until I was ordered to re-inforce them by joining them. As soon as I had joined him, No. 9 Company moved into the wood on my right. I remained about 15 or 20 minutes in this open field, firing at the enemy, who were under cover in the woods. Bullets coming like hail. I was then relieved by one of the Companies of the 13th Battalion, and I retired to the reserve on the road, none of my men were injured. I had just halted my Company in rear of the column, when Col. Booker came up to Major Gillmor and told him he wanted a company sent out to our right to prevent the Fenian left from flanking us. The column at this time forming the reserve was composed partly of Companies in red and partly of Companies in green. Major Gillmor looked at the column and said to me "*Capt. Gardner take your Company,*" at this time the column was standing at the crossing of this road with the Garrison road. I then faced my Company to the right and marched along the Garrison road in file all the time exposed to the fire of the enemy, until we reached the wood on the right. I extended while marching towards the woods. I then ordered them to enter the wood in skirmishing order. We had no support and so continued during the engagement. The enemy was in the wood in front of us, and on our approach retreated. On reaching the other side of the bush they retired and there we found on the ground, they had been occupying, several articles which I believe are still forthcoming. We remained on the edge of this field firing upon the enemy who were in the opposite bush, who kept up the fire upon us. The field between us was about four hundred yards, varying in width. We continued here engaged with the enemy for some time, until we heard some cheering on our left front along the enemy's line. I thought it was our men cheering and making some dash on the enemy. I then ordered my men to get over the fence and cross the field to the left in the direction from whence the cheering came, as soon as we came to the opening commanding a view of the field (I was followed by the left subdivision of my Company), we perceived that it was the Fenians who cheered and were advancing in large numbers towards our force. Sergt. Bain from an elevated position saw the enemy coming down upon them on a run, cried out "*retire*" "*retire*" and then we made for the head of the column of reserve on the road. In reaching this point we had to pass through the fire of the advancing enemy the whole time. At first the fire passed over our heads, but as we neared the column

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it lowered and struck around us everywhere. My left subdivision alone came in with me. The right went with Ensign Gibson through the wood to the rear and round to our reserve, but I cannot particularize as to them. On crossing the fence next the column I met Captain Davis of the York Rifles, and saw the column in the road standing in the form of three sides of a square, and a number of men standing loosely around, some of those in the square had their bayonets fixed, and some had not. I here saw Major Gillmor, Capt. Otter, Captain Morrison, Lieut. Bennett, all of the Queen's Own, also Lieut. Bevan, Capt. Brown, Capt. Douglass, and perhaps others of the Queen's Own, I also saw Capt. Henry of 13th Batt. (adjutant) other officers of that Corps might have been there, but I did not see them. Lieut. Ramsay, came in with me and stayed till the very last. Capt. Davis and myself organized a strong Company of Volunteers from this crowd composed of red and green mixed (only three red coats) when Major Gillmor came up to me and said there was no use in sacrificing these men, look behind you, meaning to the large body retreating towards Ridgeway. I looked in that direction as he desired me, and I saw the men of our force scattered along the road towards Ridgeway as far as I could see. These men that were remaining in the rear kept up an incessant fire upon the enemy all the time they were standing there. The fire from the enemy suddenly ceased, and it was now that Capt. Davis and I endeavored to form up the Company composed of Volunteers to make a stand. Major Gillmor, having expressed his opinion that it was of no use to sacrifice these men, we all deliberately retreated—as we proceeded towards Ridgeway, a few stray shots were at one time fired at us but no further attack was made upon us on the way to Ridgeway, the men retreating were generally mixed, red and green together.

Question from the Court.—Have you any further information to give the Court respecting the engagement at Lime Ridge which you think may be of public interest?

Answer.—No.

Sixth witness called by the Court. Thomas A. McLean, Ensign in No. 6th Company of the Queen's Own.

Question from the Court.—Were you at the engagement at Lime Ridge on the 2nd of June, and state what you know of your own knowledge of what transpired on that day?

Answer.—I was present at the engagement on the 2nd of June. While the column was advancing on the road from Ridgeway to Stephenville, the

advance guard gave the signal that the enemy was in sight. I saw on the left what I took to be a small party of men running towards the wood, at the distance of about half a mile. A party of several companies was now sent from the Queen's Own to skirmish and our company (No. 6) went out as a right flanking party—being posted at right angles with the line of skirmishers at skirmishing order. We advanced through a wood on our right feeling for the enemy; saw no one and were recalled in about fifteen minutes, and sent as support to a company on the right of the road and toward the right of the skirmishing line. As we were advancing in this order fire was suddenly opened from the enemy in front along our line, which the skirmishers immediately returned. As soon as the fire opened the skirmishers double up to cover, and we were advanced to a wheat field and were ordered to lie down. We again advanced; the enemy retreating. In about twenty-five minutes the order came to relieve skirmishers. We at once doubled up, extending on the double and relieved the company in front of us who retired and, I suppose, formed our support. Our company on getting into the skirmish line, immediately fired and advanced at the double over two fields, then there was a check for a short time with a sharp fire on both sides, and then we advanced again: inclined rather to the left and drove the enemy out of the orchard and from the barns and fences. We held the barn and orchard for some time under a very sharp fire until the end of the action. After we had been there some time a company of the 13th Batt. came up in extended order in our rear; they did not relieve us; they were from 30 to 60 yards in rear of us. One or two officers and two or three men came up to the line of skirmishers, and my men complained to me that those men of the 13th behind us, would shoot them, as they were firing over the heads of my men. I got up and said, "For God's sake have you come to relieve skirmishers." I got no answer. I turned round to my men and said, "*Boys peg away, they are not going to help us.*" They did not relieve us but stayed at the fence in rear of us, and some of them fired from that position over the heads of my men and some to the left. The firing continued for a little while after this, and I saw the Fenians advancing down the road, they were pushing forward their skirmishers and were advancing as I thought in a heavy column of Companies—they continued their advance and we received an order to retire, we then retired as skirmishers usually do in closing on their supports; we came out but found no support to close upon and reached the open space where there was a large body of men formed into a square; after reaching this open space I heard a cry of cavalry but saw none. I heard a cheer from our square and from some cause the rear of the square seemed to turn and go down the road,

the square now seemed to dissolve and the men formed a confused mixture of red and green down the road towards Ridgeway—some men halted in the rear and delivered their fire—Many officers used their endeavours to stop the men without any effect. I left the main body because I found that from the effect of a heavy fall I had just received, I could not keep up with the column, and I therefore went into the woods on our right as we were retiring and kept out of the reach of the enemy. I advanced as they advanced, in line with their skirmishers so long as their fire lasted from half to three quarters of a mile. I then stopped and laid down by a fence to watch the main body of the enemy pass on the road. I had a good position to see from at the distance of about 400 yards. I noticed that every time our men fired it checked the enemy—the line of skirmishers would halt. The main body advanced as I thought in column of fours. I counted a number of fours and then as they passed I gauged another party and so until all passed, and allowing for their advanced skirmishers and rear guard, I think there were 1500 men, if they were marching in fours as I believed they were; after they had all past I made for a farm house and shortly after I left for Colonel Peacocke whom I heard was a short distance from me at New Germany. I arrived there about half past one o'clock and reported myself to Colonel Peacocke, he ordered me to stay with his force.

Question from the Court.—Have you any further information within your own knowledge of public interest to convey to the Court respecting the engagement at Lime Ridge?

Answer.—No.

Seventh Witness called by the Court.

David Inglis.—Minister of the Canada Presbyterian Church.

Question from the Court.—Were you present at the engagement at Lime Ridge on the 2nd June last?

Answer.—I was.

Question from the Court.—State your position on this occasion, and whatever part of the action or proceedings that came under your observation that may furnish any information to the Court?

Answer.—I left Ridgeway in the ammunition wagon and was behind the main body among the rear guard. A little before the firing commenced, the rear guard halted, and the wagon on which I rode was

brought up to the rear of the main body. After the firing commenced the rear guard passed us and the wagon was then halted. The Revd. Mr. Burwash and myself left the wagon, and hastened on to the rear of the 13th Battalion. A cry was raised that one of the Queen's Own was wounded. "Where is the Doctor?" We hastened on and met Dr. May with several men of the Queen's Own, bearing Ensign McEachren from the field. They took him into a log house on the left hand side of the road, and Dr. May desired me to inform him that his wound was mortal. I told him so, and I spent some time with him in religious service, then left him with Mr. Burwash, whose parishoner he had been some time previously, and I went out to see if I could be useful elsewhere. I afterwards took up a position on a pile of stones on the road which gave me a view of the position of the troops. I think it was now about twenty minutes since the firing commenced that killed McEachren, up to my getting upon this pile of stones. At this time I observed a part of the 13th out as skirmishers, and other portions of the same regiment in more compact bodies behind them. I think I saw a Company of green coats out on the right of those companies of the 13th, that were skirmishing. At this time on the main road were formed up near to me a body of men in green coats, composed I should say of three or four companies, and with these men were the Colors of the 13th Regiment, surrounded by a few men of that corps and two or three scattered red coats amongst them. The firing at this time from the enemy was very rapid. I left this place and went back to the hospital and returned again in between half an hour and three quarters. On my return I noticed that the firing of the enemy on our left had very materially slackened, but was kept up regularly but not so rapidly on the right. A bugle sounded near the Colors of the 13th Regt., it produced an obvious commotion among the men, they were looking about them very much as though they knew not what to do. After a short interval another bugle call from near the centre of the reserve where the colors were. The men on the reserve by command formed a square after this bugle sounded, it was not a perfect square. This was succeeded by another bugle call and words of command. The result of that was that these men who had formed square were getting back into their former position. Then came a fourth bugle call. The effect of this was that the whole line of skirmishers and those in support of them as well as those in the road near to me made a motion to turn round; at this moment a small number of men, about 25 or 30 men, broke from the ranks and ran down the road leaving the remainder standing mostly faced to the rear; these men were all in green. Immediately

behind those that were running away, came from 6 to 8 men in red coats and ran after the others down the road. The skirmishers and supports were also retiring. I then ran over to the hospital and told Dr. May that our men were retiring. He said he would take all the wounded men with him. Just afterward I noticed so great a rush of men to the rear. I left the hospital to see how matters were and to see if our men were still retreating, and returned to go to the hospital, but the rush of men was so great that I could not get across to the hospital. This retreat continued with the red and green mixed together. I again passed down and got upon the ammunition wagon and found that Dr. May was ahead of me with his patients. While on the wagon I noticed in the rear of the retreating column a number of men, between 100 and 200, I think, composed of red and green, seemed to be drawn across the road in pretty good order. Down the road a short distance an attempt was made to rally or reform the men which was to a good extent successful. Before we came to Ridgeway there was a halt. A man in uniform came and took the horse which Col. Booker had been using. Shortly after this I saw Col. Booker on the horse coming towards Ridgeway. From all I saw and heard from the men I can bear testimony that with very few exceptions there was no evidence of cowardice, they displayed good spirit and were all eager to meet the Fenians on the following morning.

OPINION.

The Court having duly considered the evidence brought forward by Lt. Col. Booker as well as such evidence which the Court have considered necessary with a view to the further elucidation of the truth, *are of opinion*.—

First, that in so far as the personal courage and character of Lieutenant Colonel Booker with reference to his conduct in the Command of the Force engaged with the enemy at Lime Ridge, on Saturday the 2nd of June last, are affected, there is not the slightest foundation for the unfavorable imputations cast upon him in the public prints, and most improperly circulated through that channel and otherwise; on the contrary the Court desire to express the further opinion that Lieutenant Colonel Booker having as will appear fallen into an error, promptly exerted himself in person to repair the effects of that error, in a manner which can leave no stain upon his personal courage and conduct subsequently to the period of actual contact with the force opposed, and also that the disposition of his force, the manner in which before an unseen enemy, whose strength was unknown to him, he planned his attack, and the desire and anxiety which he showed to carry out those plans, to the best of his ability by his presence

at points where it was his duty to be, have, in conjunction with the statements of officers and others in evidence before the Court, led the Court to be further of the opinion that at no period of that day, could want of personal coolness be imputed to Lieutenant Colonel Booker.

With reference to the circumstances connected with the late engagement at Lime Ridge, this Court are further of opinion, that the entire force under the command of Lieutenant Colonel Booker, from the formation of the expedition to the time it came out of action, was under disadvantages with which Her Majesty's Regular Forces have seldom, it is submitted, if ever, had to contend, in the want of cavalry, artillery, commissariat arrangements, or even the requisite means of carrying with them cooked provisions, or supplying themselves with water in the country through which they were about to move, in a season when the heat rendered it especially needful that this last point should receive careful attention.

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| 13th Infantry | 270 | } 95 forming the largest proportion of the whole force |
| 2nd Queen's Own | 500 | |
| York Rifles | | |
| Caledonia Rifles | | |

Total 865 which left Port Colborne for Stevensville on the morning of the 2nd June was composed of youths not exceeding, and in many instances, not having reached twenty years of age; that a large proportion of the force had been but for a very short time accustomed to bear arms, that in a somewhat less proportion, many had not even been exercised with blank cartridge, and that practice with *ball* cartridge was, by very many of the rank and file of that force, to be entered upon for the first time in their lives, on that day.

That notwithstanding these disadvantages the Court have, from the evidence produced, arrived at the conviction, that no Force could have commenced a march, with the knowledge that they were advancing into a country occupied by an enemy, whose numbers (exaggerated as they were afterwards known to be) were unknown to them, and whose position they might at any moment be called upon to attack, in finer spirits, or a more ready desire to show by obedience to command, that they were deserving of the confidence which their employment on this occasion showed was reposed in their courage, and in this respect no difference was perceptible between the mere "tyros" and the more seasoned men of the expedition. This the Court find was the state of facts up to the time which will be referred to in a later part of this opinion.

On the arrival of the Force under Lieut. Colonel Booker at Ridgeway, on the line of the Buffalo and Lake Huron Railway, and in being formed in open column of companies, the Court find that the order in which it advanced to form a junction with the brigade under Colonel Peacocke, H.

M. 16th Regiment, at Stevensville, was as follows: The 2nd Battalion Queen's Own Rifles in front, the York Rifles attached to the 13th Battalion of which it formed the leading Company, and the 13th Battalion next, and last the Caledonia Rifle Company forming the rear guard. The advanced guard of the force being No. 5 Company of the Queen's Own, having 40 Spencer rifles as part of their armament, and the Court are of opinion that Lt. Colonel Booker in advancing used every precaution by extending companies to skirmish on the right and left of the road by which he was moving his Force, which military rule, and the nature of the country demanded, and that in the forward movement from Ridgeway, the manner in which it was conducted by Lt. Colonel Booker and the officers of the Force under his orders was regular, and in accordance with the well understood rules by which such duties are governed. And here the Court think it their duty to point to the fact that in Lt. Col. Booker the force had a Commanding Officer, who for the first time in his experience found himself in command of a larger body than one weak battalion on parade, and that this officer being without the assistance of any staff, and not even accompanied by a mounted officer or orderly to transmit his instructions was placed in a position of unusual difficulty in the event of coming into contact with the enemy.

The Court have further found from the evidence adduced before them, that the column under Lt.-Col. Booker, was proceeding in this order, and had reached a point on the road leading from Ridgeway to Stevensville, at about two miles from the former point when the advanced guard became aware that the woods on the right and left front of the line of advance were occupied by the enemy, and are further of opinion that the movements then directed by Lt.-Col. Booker, and the subsequent disposition of the forces at his disposal up to the time subsequently mentioned were in strict accordance with well down principles, and such as at least to hold an enemy not greatly superior in numbers in check, if not to drive them back; and that the manner in which the movements directed were executed, the advance of the Companies of the Queen's Own, sent out to strengthen the skirmishers on the left, the advance of the right wing of the 13th Battalion extended on the right of the road, and of No. 10, Company of the Queen's own, further still to the right, were highly creditable to the officers and men, particularly as during the whole of these movements the force was under fire from an almost unseen enemy under cover of the woods, our troops being in open ground and exposed to the effect of such a fire, which fortunately though well sustained was not very effective.

This Court are of opinion that to this point, the direction of the attack

and the position of the attacking force was well and skilfully managed, and the enemy had been forced back to a considerable distance from their position when first encountered. The Court find that at this time and when every thing looked favorable for the attacking force, there occurred an alarm of the truth of which a moment's reflection on the part of the men with whom it was originated and who appeared to be some of the advance skirmishers, would have shewn the impossibility. It was to the effect that a force of Cavalry was advancing upon our forces, and instantly the cry of "Cavalry" spread with electric rapidity from the front to where the column stood in reserve, with which part of the Force Lt.-Col. Booker as commanding officer remained—and then assuming to cry to have its origin in fact, that officer gave the order "Look out for Cavalry" and squares were instantly formed to receive cavalry both by the column and the Companies skirmishing within hearing of the order, a mistake which being as quickly perceived Lt.-Col. Booker endeavoured to remedy by the order to re-form column.

The Court with respect to this part of the affair are of opinion that to adopt the idle rumour that the enemies force was partly composed of cavalry in a country where such an arm could be of scarcely any value in attack, or to assume even for a moment that a mounted corps which he could not see, was advancing at such a rate as to render it necessary to give the words of caution which he used, was illjudged and was the first act which gave rise to the disorganization of his force which then followed.

This Court further find that at this moment and when the officer commanding had, as before mentioned, given the order to re-form column, he perceived that the column was rapidly falling back. The attempt to re-form not having been successful, the men becoming mingled together, and that the effect of the mistake just referred to became so perceptible in the disorganization of the column, at a moment when in the opinion of this Court to give the order to advance would have had the best effect in the encouragement of the Force, and in a very short period would have effected the route of the enemy, the officer in command apparently hesitating as to whether he should advance or retreat, unfortunately gave the order to retire, and the buglers having taken it up at the advanced posts of the attack our forces began to fall back, and notwithstanding the exertions of the officers, who, in every case shewn in the evidence before the Court, behaved in a very steady and energetic manner, to rally their broken ranks. The column had retreated too far in the direction of Ridgeway before the advanced parties had all come in to render this possible, and this being the state of the Force, at the time the officers in command finding it impossible to

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rally, and with the concurrence of the next senior officer whom he consulted, decided upon falling back on Port Colborne by the road by which he had advanced. And the Court lastly find that the whole of the wounded and sick were brought with the retreating column, and that it reached Port Colborne suffering much from fatigue and hunger, but without further casualties than those which are already known in the official reports of the affair.

G. T. DENISON, Colonel,
President.

Members. { J. SHANLY, Lt. Colonel,
 { GEO. K. CHISHOLM, Lt. Colonel.

Hamilton, 12th July, 1866.

G. O.

On application of Lt. Colonel Booker, the Commander in Chief directs the Assembly of a Court of Enquiry at Hamilton, on Tuesday, the 3rd July, 1866, to examine and report on the circumstances connected with the late engagement at Lime Ridge.

President, Colonel G. T. DENISON.
Members. { Lt. Colonel JAMES SHANLY,
 { Lt. Colonel G. K. CHISHOLM.
(Signed,) P. L. MACDOUGALL,
Colonel, A. G. M.

Ottawa, 24th June, 1866.

A True Copy.

WM. L. DURIE, Lt. Col.,
A. A. G. M.

TORONTO, 2nd July, 1866.

SIR,

In reply to your inquiries on Saturday last, I am directed to inform you, that "the court of inquiry is to be closed," and that Col. Booker can produce any evidence he thinks proper. If the court requires further evidence, it may produce witnesses.

I beg to remain,
Yours truly,

COLONEL DENISON,
President, Court of Inquiry.

WM. L. DURIE,
Lieut. Col., A. A. G. M.

OTTAWA, JUNE 23rd 1866.

SIR,

I have the honor to instruct you that the Court of Enquiry, of which you are named President, is ordered on the application of Lt. Colonel Booker, in order to give that officer the opportunity of disproving the unfavorable imputations which have been cast upon him in the public prints. You will therefore be pleased to take all evidence which may be produced before the Court by Lt. Col. Booker,—and you will also endeavour to procure all other evidence which may tend to elucidate the truth.

The opinion of the Court of Enquiry must of course be based on and sustained by such evidence only as is embodied in the written proceedings.

I have the honor to be,

Sir,

Your very obedient Servant,

P. L. MACDOUGALL,

Colonel A. G. M.

COLONEL G. T. DENISON,
President Court of Enquiry, &c.,
Toronto.

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A. G. M.

