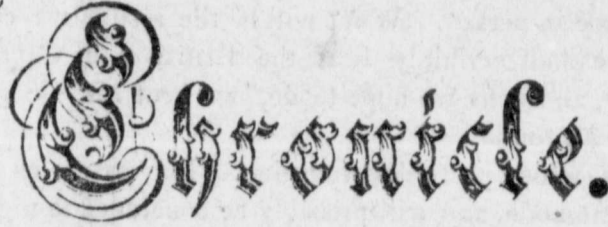
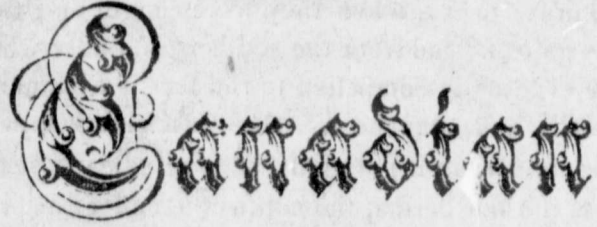


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THE NEW ERA,

OR



VOL. II,

DE OMNIBUS REBUS ET QUIBUSDAM ALIIS.

NO. 10

FOUR DOLLARS }
PER ANNUM. }

BROCKVILLE, FRIDAY, JUNE 10, 1842.

{ PAYABLE
{ IN ADVANCE

COOPER AND THE COMMERCIAL.

Having vanquished the Philistines of the Corporation, (says the Commercial) and never wishing to lose any thing so precious as time, we are now engaged in fighting the battle of Lake Erie over again. In other words, Mr. James Fenimore Cooper's long-pending libel case against us is now upon the tapis—the same having been removed from the Circuit Court of Otsego county, to be tried for a moral as well as a legal decision, before a board of referees. These referees are Samuel Stevens, Esq., of Albany, chosen by the plaintiff, Daniel Lord, Jr., Esq., chosen by the defendant, and Samuel A. Foot, Esq., chosen by mutual consent.

This action has grown out of a review published in the Commercial Advertiser in May or June, 1839, of Mr. Cooper's account of the battle of Lake Erie, as contained in the first edition of his history of the Navy of the United States. It struck us, on reading Cooper's account of that battle, that the author had attempted to snatch the laurel crown from the head of Perry, for the decoration of the brows of Elliott, his second in command, whose vessel, as all the world knows, obstinately refused to get into the battle, until after Perry, whose ship had been shot from under him, went on board the vessel of Elliott, and took the command. Then, and not till then, did the Niagara—for thus was Elliott's vessel called—obey her helm and her new commander—rush into the hottest of the fight—and decide the fortunes of the day.

Ignorant, however, of seamanship, and utterly incompetent to review an account of a naval action, involving intricate questions of nautical science, we placed the work in the hands of an accomplished scholar who had once been a naval officer under the lamented Decatur, and by whom our review was written, and it was published with a signature to denote that it was not from the pen editorial. The review was somewhat harsh toward Mr. Cooper personally, although modified by us before it went to press; and it was very severe, justly so, as we thought, toward Captain Elliott. Mr. Cooper took offence at the review, and after brooding over it for nearly a twelvemonth, commenced an action against us in the Spring of 1840. We demurred; and the question of demurrer was argued at the Utica term of the Supreme Court, in July, 1840, and decided against us very erroneously as we think.

Since that time it has been hanging along in the Court—having been once noticed for trial, and put off by reason of the absence of an important witness for the defence. Last fall it was taken out of Court, after some months of negotiation, and referred; and it is now on trial. The attendance of many witnesses has been rendered unnecessary by a mutual stipulation that a vast mass of documentary testimony—in the possession of the historian, or accessible to him when writing his book—should be received in evidence.

The referees met in the United States Court-room, on Monday afternoon, when the cause was opened at great length by Mr. Cooper himself, who introduced a series of diagrams of the battle of Lake Erie, by way of showing, from the course of the wind, the relative positions of the fleets, and the movements of particular vessels, that Captain Elliott did all that a brave man and a skilful sailor, obedient to his orders, could have done in that battle. Mr. Cooper stated that in regard to the battle of Lake Erie, his individual impressions were adverse to Commodore Elliott; but in looking at the proceedings of the Court of Inquiry, called by request of Commodore E., and at other documents, he found that there were great doubts

and much conflicting testimony in relation to the subject, and he did not consider himself called upon as a historian to decide in respect to the merits of the point at issue. He stated what he believed to be the facts in the case, without bias or leaning toward Commodore Elliott.

In the illustrations of his diagrams, Mr. Cooper quite overwhelmed us with his nautical vocabulary, and as Commodore Perry and several officers at the navy yard, upon whom we were relying as witnesses, had made a mistake as to the day, the historian had the field pretty much to himself. Having concluded his opening, and the publication being admitted by the defendant, the prosecution rested. The defence was opened by William W. Campbell, Esq., of council, with M. S. Bidwell, Esq. for the Commercial. This opening was considered by those who heard it as able and in parts very beautiful.

Mr. Campbell having concluded, the proceedings were adjourned over until Tuesday afternoon, when they were resumed at half past four o'clock. Captains Sands, Mackenzie and Paulding were successively examined, at considerable length, in reference to Mr. Cooper's diagrams, and his positions as to the manœuvres of Elliott in the battle. Their views were in all respects opposed to the theories of the author, and the conduct of Captain Elliott.

[The question was, did Capt. Elliot bring his vessel, the Niagara, into action in proper season. Com. Perry had given especial orders for the vessels to keep in line and within half a cable's length of each other, each vessel to engage, as she came up, a particular one of the enemy, qualified, however, by the well known remark of Lord Nelson, that if they laid their vessels alongside the enemy they could not be out of place. The Laurence (Commodore Perry's ship) was ahead, and soon became engaged making a signal for the other vessels to come up. The Caledonia, a slow sailing vessel, was between the Laurence and the Niagara. Capt. Elliott came up to her, touching the taffrail with his jibboom, and the question generally asked the witnesses was, if they considered Captain Elliott bound, under the peculiar circumstances of the case, in order to relieve his Commodore, who was suffering from the concentrated fire of the enemy, as a brave man anxious to engage the enemy, to exercise a sound discretion in so far deviating from his orders as to enable him to proceed to the support of the Laurence, or not. Coupled with the order to keep in line, was one for each vessel to range up alongside the adversary designated for it as early as possible. This, and the critical situation of the flag ship, they considered sufficient authority to break the order of battle; and each of the gentlemen declared that he would have done so, passing to the leeward of the Caledonia, notwithstanding it would stop her firing from her 24 pounder pivot guns for a few seconds, and bring the Niagara into close action.]

Mr. Cooper then called Commodore De Kay, formerly of the Buenos Ayres service, but now a rural judge of New Jersey. His testimony was favorable to the view of the author. The defence then called Ogdon Hoffman, Esq., now United States District Attorney, and a brave midshipman in the Navy during the last war with England, upon the stand, whose testimony was clearly and distinctly, and decidedly, in every respect, at war with the views of the author and the tactics of Captain Elliott.

The oral testimony on both sides having closed, Mr. Campbell commenced summing up for the defence. The arguments on both sides will be long, as the documentary testimony before spoken of necessarily enters into them by way of analysis and comment.—

The proceedings were adjourned over at 9 o'clock to yesterday afternoon. Mr. R. Cooper, nephew and counsel of the plaintiff, will follow Mr. Campbell. He will be succeeded by Mr. Bidwell, and the plaintiff will close in person. What will be the result, we cannot anticipate. We shall certainly beat the British and Captain Elliott in the battle, and if, as we hope to do, we beat Mr. Cooper, we shall beat them all round.

Thus far we wrote yesterday morning. The case was resumed yesterday afternoon, and will probably be concluded to-night. We shall recur to it.

(To be Continued in our Next.)

ARRIVAL OF THE UNICORN AT QUEBEC.

The Royal Mail Steamer Unicorn, from Pictou, arrived at Quebec, on Saturday, shortly after 12 o'clock, with the 19th May English mail, which reached Halifax by the Columbia steamer on Tuesday the 31st ult. The Unicorn left Pictou on Wednesday afternoon at 5 o'clock.

The Tariff had not yet passed the House of Commons.

The following is a summary of the latest intelligence:—

PARLIAMENTARY PROCEEDINGS.

On the 9th, in the House of Lords, the dismissal of Mr. Biddulph from the Irish magistracy, for recommending a compounding of felony, was intimated by Earl De Grey.

In the Commons, the debate on Mr. Roebuck's adjourned motion for an inquiry into certain alleged cases of bribery and corruption at elections, was agreed to without a division. The report on the income tax bill was brought up, and after a short discussion agreed to.

In the Peers, on the 10th, Lord Brougham's bill for the prevention of bribery at elections was read a second time.

In the Commons, Sir Robert Peel brought on the tariff in a speech of great length, which we have noticed elsewhere. He named the 23d for the third reading of the income tax bill.

On the 11th, Sir James Graham obtained leave to bring in a bill to continue the poor law commission for five years. The right honourable baronet pointed out several alterations he intended to make in the present new poor law bill, and intimated his intention of introducing a clause to abolish the Gilbert unions.

On the 13th, Mr. Roebuck proposed his select committee to inquire into certain alleged cases of bribery at late elections. Mr. Duncombe moved an amendment extorting an assurance from every member of the committee that he had not, directly or indirectly, been guilty of bribery, or any corrupt practices at elections. The amendment was negatived by a majority of 160 to 17. The house resolved itself into committee on the tariff. The house then adjourned, to the 20th.

The greatest activity prevails in the laboratory department at Woolwich, the men working each day from daylight in the morning until dusk in the evening, averaging, according to the number of hours they are employed, nine day's work per week.

The late rains have produced the most beneficial effects on vegetation in all parts of the country.

It is calculated that, by the end of 1845, the Assam Tea plantations will produce 850,000 lbs. of tea.

Lord Brougham has transferred to the London University College upwards of a hundred books, printed by the government press at Cairo, and presented to his lordship by Mehemet Ali.

The Chancellor of the Exchequer has agreed to take five per cent. on the gross receipts from railway passengers in lieu of the present mileage system.

Indian News.—A letter was received in Canterbury on Wednesday, bearing date "23th, March," from a private in the 14th Light Dragoons, stationed at Kirkee, in which mention is made of Sir Robert Sale having had an engagement with the Affghans, whom he had totally routed, and killed 500 of their number. The letter also states that there is a report of Lady McNaghten having committed suicide, in consequence of the diabolical treatment she had received from one of the Affghan Chiefs.—*Kent Herald.*

The reduction of the duty on coffee and the various other articles likely to be effected by the tariff cannot take place before the first of June next, and it will probably be deferred to a much latter period.

We regret to announce the return of two vessels which sailed from this port last week for Quebec, with passengers to settle in Canada, but were obliged to put back, after having been over two hundred miles to sea, when they were caught on Friday night in a furious gale of wind from the south west, under which they lay to, but were eventually compelled to run for the Shannon, after loss of boats bulwarks and stanchions, the seas having repeatedly made clear decks, and were it not night, and that the passengers had been all below in their berths, the confusion and disaster would have been awful to contemplate. These two vessels which fortunately escaped into port, are the John White and Maria—the former having it is said, lost 2 men overboard, and the other none, though her cook was carried over the side by a wave, but providentially thrown in by the revolving swell.

It is reported that the Anne Moore, hence for Quebec, is driven into Galway.

The following vessels cleared out in the week ending yesterday, for Quebec—Boadicea, 111; Mary, 118; and Jessie, 103 passengers.

Five vessels sailed from Cork for North America in the last week, with 580 passengers.

The Albion and Luna sailed from Sligo, last week, with 300 passengers for Quebec.

On Saturday the Jane Duffie and Susan Jane, the property of Messrs. M'Donnell, sailed from Donegal for the Canadas, also the Gazette, chartered by Messrs. Bradshaw; and the Caroline, the property of Mr. Green, is waiting a fair wind to take her out of the Bailyshannon port.

Emigration.—On Tuesday morning at an early hour, a strong party mustered at Dunkeld, on their route to America. This party numbered about forty in all, and, besides considerable capital, took with them five heavily laden carts of baggage.

Nearly 1000 emigrants have already sailed from Sligo, the greater part of them to Canada and New Brunswick, and a number of vessels are still in port to convey more passengers.

On Wednesday night last, within three miles of the Tipperary side of Mitchelston, as three policemen were on patrol, they fell in with twelve armed men. The police endeavoured to arrest some of the party, but a simultaneous attack was made upon them, and two were beaten in such a manner as to leave no hope of their recovery! The third policeman escaped, and in the struggle, took off one of the party's guns instead of his own, which may be the means of detecting the gang. The body of one of the fellows was found a mile distant from where the conflict took place. His death was caused by a bayonet wound, in the conflict with the police.

The High Sheriff of Tipperary has convened a meeting of Magistrates at Nenagh, to consider the present disturbed state of the North riding of that county. Resolutions were passed, and forwarded to Government.

A frightful catastrophe has occurred on the Versailles railroad, by which 50 persons were killed, and 150 wounded.

Advices from Hamburgh, of the 14th, states that in clearing away the ruins 160 bodies had already been found. The number of houses totally destroyed was 1500, and 720 more were so injured as to be uninhabitable.

A meeting was held in London on the 20th for the relief of Hamburgh, the Lord Mayor presiding. A large committee was appointed to receive donations.

The British government had sent over a large supply of tents and blankets, and £10,000, already subscribed, had been sent over.

The following donations are also announced:—
"The King of Prussia has given 50,000 dollars, and has ordered a general collection to be made throughout the kingdom.

The City of Berlin has given \$10,000.
The King of Denmark 100,000 florins.
The Grand Duke of Mecklenburg Schwerin, 50,000 florins.
The Estates of Hanover have granted 100,000 dollars.
The city of Frankfort 100,000 florins.
The city of Bremen 30,000 dollars.

RECOLLECTIONS OF THE WEST INDIES.

(Continued from our last.)

In the summer of 1817, a general Court Martial being ordered to assemble in the Island of Grenada, for the purpose of trying several men of the York Rangers for desertion; one field officer, two captains, and several subalterns, were embarked for that destination in the army gun-vessel Duke of York, kept for the purpose of transporting of officers and conveying despatches from one Island to another. The field officer selected for this duty, was the Major of our Regiment, who had recently arrived from England to relieve the Colonel, then

On the 5th, at one o'clock in the afternoon, we were within two miles of the Moravian village, but in defiance of that repeated experience which should have taught us the hopelessness of combating a concealed enemy, the troops were ordered to defile into the heart of a wood, not very close it is true, yet through the interstices of which it was impossible for the view to extend itself beyond a distance of twenty paces, much less to discover objects bearing so close a resemblance to the bark and foliage of the trees and bushes as the costume of the Americans; whereas, on the contrary, the glaring red of the troops formed a point of relief on which the eye could not fail to dwell. In this position, we continued to remain during two hours, our left wing extending to the road, in which a solitary six pounder was posted, and the right flanked by the Indians to the number of 1,000 under Tecumseh, when the bugles of the enemy sounding at length to the attack, the engagement commenced. The result of an affair, against a body of such numerical superiority, and under such circumstances, may easily be anticipated. Closely pressed on every hand, and principally by a strong corps of mounted riflemen, the troops were finally compelled to give way, and completely hemmed in by their assailants, had no other alternative than to lay down their arms—about fifty men only, with a single officer of the regiment, (Lieut. Bullock) contriving, when all was lost, to effect their escape through the wood. General Procter, mounted on an excellent charger, and accompanied by his personal staff, sought safety in flight at the very commencement of the action, and being pursued for some hours by a detachment of mounted Kentucky riflemen, was in imminent danger of falling into their hands.

In this affair, I had an opportunity of witnessing the cruel dexterity and despatch with which the Indians use the tomahawk and scalping knife. A Kentucky rifleman, who had been dismounted within a few yards of the spot where I stood,—and the light company, to which I was attached, touched the left flank of the Indians—was fired at by three warriors of the Delaware tribe. The unfortunate man received their several balls in his body, yet, although faint from loss of blood, he made every exertion to save himself. Never was fear so strongly depicted on the human countenance, and the man's hair (for he was uncovered) absolutely seemed to me to stand on end, as he attempted to double a large fallen tree, in order to elude the weapons of his enemies. The foremost of his pursuers was a tall powerful man—a chief whom I well knew, having, only a few days before we commenced our retreat, obtained from him a saddle in exchange for a regimental coat, purchased at the sale of the effects of Lieut. Sutherland, wounded at Maguaga. When within twelve or fifteen paces of the rifleman, he raised and threw his tomahawk, and with such precision and force, that it immediately opened the skull, and extended him motionless on the earth. Laying down his rifle, he drew forth his knife, and after having removed the hatchet from the brain, proceeded to make a circular incision throughout the scalp. This done, he grasped the bloody instrument between his teeth, and placing his knees on the back of his victim, while at the same time he fastened his fingers in the hair, the scalp was torn off without much apparent difficulty and thrust, still bleeding, into his bosom. The warrior then arose, and after having wiped his knife on the clothes of the unhappy man, returned it to its sheath, grasping at the same time the arms he had abandoned, and hastening to rejoin his comrades. All this was the work of a few minutes.

While this brief scene was enacting, the main body of the enemy, who had by this time succeeded in breaking through our centre, and had wheeled up, in order to take the Indians in flank, moved rapidly upon us in every direction; so that the resistance the light company had hitherto opposed, was now utterly hopeless of any successful result. Persuaded moreover, from the sudden cessation of the firing in that direction, that our centre and left, (for the wood intercepted them from our view) had been overcome, we, at the suggestion and command of Lieutenant Hailes, the only officer with us, prepared to make good our retreat, but, instead of going deeper into the wood as we purposed, we mistook our way, and found ourselves unexpectedly in the road; when on glancing to the right, we beheld, at a distance

of about five hundred yards, the main body of our men disarmed—grouped together, and surrounded by American troops. On turning to the left, as we instinctively did, we saw a strong body of cavalry coming towards us, evidently returning from some short pursuit, and slowly walking their horses. At the head of these, and dressed like his men in Kentucky hunting frocks, was a stout elderly officer whom we subsequently knew to be Governor Shelby, and who, the moment he beheld us emerging from the wood, galloped forward and brandishing his sword over his head, cried out with stentorian lungs "surrender, surrender, it's no use resisting, all your people are taken, and you had better surrender." There was no alternative. The channel to escape had been closed by the horsemen in the wood, as well as those in the road, and a surrender was unavoidable. We accordingly moved down to join our captured comrades, as directed by Governor Shelby, yet I well recollect burying my musket in the mud, which was very deep, in order to avoid giving it up to the enemy. Perfectly also do I recollect the remark made by a tall Kentuckian as I passed by him to the group—"Well I guess now, you tarnation little Britisher, who'd calculate to see such a bit of a chap as you here." But I heeded not the sneer of the Kentuckian. My eye had fallen and rested upon a body of American Indians, about fifty in number, from some one of whose tomahawks, I apprehended the death blow—I had seen their weapons too often exercised (and indeed, as has been seen, only a few minutes before) to feel any thing like security. But my fear was without foundation. As I watched them more narrowly, I found that their countenances wore an expression of concern, and that, so far from seeking to injure us, they seemed rather to regret our fate. Nor is this at all unlikely, as it was well known that the greatest portion of the warriors who had taken up the hatchet in favor of the United States, had been induced to do so from compulsion alone. This little anecdote, otherwise too personal perhaps, affords another in support of the many striking evidences of the strong attachment of the Indians for the British.

The most serious loss we sustained on this occasion was that of the noble and unfortunate Tecumseh. Only a few minutes before the clang of the American bugles was heard ringing through the forest, and inspiring to action, the haughty Chieftain had passed along our line, pleased with the manner in which his left was supported, and seemingly sanguine of success. He was dressed in his usual deer skin dress, which admirably displayed his light yet sinewy figure, and in his handkerchief, rolled as a turban over his brow, was placed a handsome white ostrich feather, which had been given to him by a near relation of the writer of this Narrative, and on which he was ever fond of decorating himself, either for the Hall of Council or the battle field. He pressed the hand of each officer as he passed, made some remark in Shawanee, appropriate to the occasion, which was sufficiently understood by the expressive signs accompanying them, and then passed away for ever from our view. Towards the close of the engagement, he had been personally opposed to Colonel Johnson, commanding the American mounted riflemen, and having severely wounded that officer with a ball from his rifle, was in the act of springing upon him with his tomahawk, when his adversary drew a pistol from his belt, and shot him dead on the spot. It has since been denied by the Americans that the hero met his death from the hand of Colonel Johnson. Such was the statement on the day of the action, nor was it ever contradicted at that period. There is every reason to infer then that the merit, (if any merit could attach to the destruction of all that was noble and generous in savage life) of having killed Tecumseh, rests with Colonel Johnson. The merit of having flayed the body of the fallen brave, and made razor strops of his skin, rests with his immediate followers. This too has been denied, but denial is vain. On the night of the engagement, when seated around a fire kindled in the forest, partaking, on the very battle ground, of the meat which General Harrison's aids de camp were considerably and hospitably toasting for us on long pointed sticks, or skewers, and which, half-famished as we were, we greedily ate without the accompaniment of either salt or bread, the painful subject was discussed, and it is not less an eulogy to the memory of the

high-minded Tecumseh, than a justice to that of General Harrison to add, that that officer was the first to deplore his death; while the sentiments he expressed, when the circumstance and manner of his fall were made known, were such as to reflect credit on himself, both as a man, a christian, and a soldier.

Doubts as to the fact of Tecumseh having fallen at all at the Moravian town, have, in the same spirit of party which has denied to Colonel Johnson the act of having shot him, been entertained; and it has even been asserted that the mutilated remains which were supposed to have been his, were in reality those of another Chief. Would for the honor of humanity it had been so: but this is incorrect. Several of the officers of the 41st., on being apprized of his fall, went, accompanied by some of General Harrison's Staff, to visit the spot where Tecumseh lay, and there they identified (for they knew well) in the mangled corpse before them, all that remained of the late powerful and intelligent Chieftain. Of the pain with which the sight was viewed, and the deep regret which his death was regarded, no stronger evidence can be given than in the fact that there was scarcely an officer of the captured Division who, as he reposed his head upon the rude log, affording him the only pillow that night, did not wholly lose sight of his own unfortunate position in the more lively emotion produced by the untimely fate of the lamented and noble Indian. It has ever been a source of profound regret to me that I was not present at this inspection, for although the sight of the mutilated hero could not have failed to inflict upon my heart pain of the most poignant kind, it would have been at least a consolation to have seen the last of his remains on earth: and this not more from the reverence and honor in which I had, and have, ever held the Warrior, than from the opportunity I should now possess of bearing attestation to the fact and manner of his fall, from my own positive and personal observation. I was not, however, aware of the proposed visit until the party had returned, and made it the subject of conversation, in presence of General Harrison, as already stated. Nor was there time afforded for remedying the unintentional omission.

But the battle of the Moravian town (if indeed battle it can be called,) embracing as it does an important portion of Canadian History, and involving the honor of the British arms, is not thus briefly to be dismissed. The Right Division has been grossly vilified for its conduct on the occasion, and that vilification stands on public record. The proud—the honorable—the gratifying task of refuting the unmerited aspersion has devolved on the young, and humble, and comparatively unnoticed volunteer, who had the advantage of tracking it throughout its whole course of unceasing service, and whose lot it seems to have been nursed in the regiment, chiefly to become, at this distant day, the impartial chronicler of its deeds, and the vindicator of its unjustly sullied name.

First on the list of calumny stands the general order issued by Sir George Prevost—a commander whose marked imbecility and want of resolution, on more than one occasion, (reflecting the deepest disgrace on the British arms) had doubtless been ordained as a fitting punishment for his arrogant censure of the conduct of a corps, whose general excellence he was incompetent to appreciate, and whose only positive crime was that of its weakness, its physical disorganization, and its utter destitution. Here is the insulting and most uncalculated for document, and who, on perusing it, after having traced the regiment through its previous course of glory, will fail to entertain a sentiment of deep indignation at its injustice.

General Order, Head Quarters, Montreal—Nov. 24th 1813.

His Excellency the Commander of the Forces has received an Official report from Major General Procter of the affair which took place on the 5th of October, near the Moravian village, and he has in vain sought in it, for grounds to palliate the report made to His Excellency by Staff Adjutant Reiffenstein, upon which the General Order of the 18th October was founded—on the contrary, that statement remains confirmed in all the principal events which marked that disgraceful day; the precipitancy with which the Staff Adjutant retreated from the field of action, prevented his ascertaining the loss sustained by the division on that occasion; it also led him most grossly to exaggerate the enemy's force, and to misrepresent the conduct of the Indian Warriors who instead of retreating towards

Machedash, as he had stated, gallantly maintained the conflict, under their brave Chief Tecumseh, and in turn harassed the American Army on its retreat to Detroit.

The subjoined return states the loss the right division has sustained in the action of the fleet on Lake Erie on the 10th Sept. and in the affair of the 5th of October near the Moravian village, in the latter but very few appear to have been rescued by an honorable death, from the ignominy of passing under the American yoke, nor are there many whose wounds plead in mitigation of this reproach. The right division appears to have been encumbered with an unmanageable load of unnecessary, and forbidden private baggage—while the requisite arrangements for the expedition, and certain conveyance of the ammunition, and provisions, sole objects worthy of consideration, appear to have been totally neglected, as well as all those ordinary measures resorted to, by officers of intelligence, to retard and impede the advance of a pursuing enemy. The result affords but too fatal a proof of this unjustifiable neglect. The right division had quitted Sandwich on its retreat, on the 26th September, having had ample time, for every previous arrangement, to facilitate and secure that movement: on the 2nd October following, the enemy pursued by the same route, and on the 4th succeeded in capturing all the stores of the division, and on the following day, attacked and defeated it almost without a struggle.

With heart-felt pride and satisfaction the Commander of the Forces had lavished on the Right Division of this Army, that tribute of praise which was so justly due to its former gallantry, [and steady discipline. It is with poignant grief and mortification that he now beholds its well earned laurels tarnished, and its conduct calling loudly for reproach and censure.

The Commander of the Forces appeals to the genuine feelings of the British soldier from whom he neither conceals the extent of the loss the Army has suffered, nor the far more to be lamented injury it has sustained, in its wounded honor, confident that but one sentiment will animate every breast, and that zealous to wash out the stain, which by a most extraordinary infatuation, has fallen on a formerly deserving portion of the Army, all will vie to emulate the glorious achievements recently performed, by a small but highly spirited and well disciplined division, led by Officers possessed of enterprize, intelligence, and gallantry, nobly evincing, what British soldiers, can perform, when susceptible of no fear, but that of failing in the discharge of their duty.

His Excellency considers it an act of justice, to exonerate most honorably from this censure the brave soldiers of the right division who were serving as marines on board the squadron on Lake Erie. The Commander of the Forces having received the Official Report of Capt. Barclay of the action which took place on Lake Erie on the 10th September, when that gallant Officer, from circumstances of imperious necessity, was compelled to seek the superior force of the enemy, and to maintain an arduous and long contested action under circumstances of accumulating ill fortune.

Captain Barclay represents, that the wind, which was favorable early in the day, suddenly changed, giving the enemy the weather-gage, and that this important advantage was, shortly after the commencement of the engagement, heightened by the fall of Captain Finnis, the commander of the Queen Charlotte. In the death of that intrepid and intelligent officer, Captain Barclay laments the loss of his main support. The fall of Captain Finnis was soon followed by that of Lieut. Stokoe, whose country was deprived of his services at this very critical period of the action, leaving the command of the Queen Charlotte to Provincial Lieutenant Irvine, who conducted himself with great courage, but was too limited in experience, to supply the place of such an officer as Capt. Finnis, and in consequence this vessel proved of far less assistance than might be expected.

The action commenced about a quarter before 12 o'clock, and continued with great fury until half past 2, when the American Commodore quitted his ship, which struck shortly after, to that commanded by Capt. Barclay (the Detroit.) Hitherto the determined valor displayed by the British Squadron, had surmounted every disadvantage, and the day was in our favor; but the contest had arrived at that period when valor alone was unavailing—the Detroit and Queen Charlotte were perfect wrecks, and required the utmost skill of seamanship, while the Commanders and second officers, of every vessel were either killed or wounded: not more than fifty British seamen were dispersed in the crews of the squadron, and of these a great proportion had fallen in the conflict.

The American Commodore made a gallant, and but too successful an effort to regain the day. His second largest vessel, the Niagara, had suffered little, and his numerous gun boats which had proved the greatest source of annoyance during the action, were all uninjured.

Lieutenant Garland, First Lieutenant of the Detroit, being mortally wounded, previous to the wounds of Captain Barclay obliging him to quit the deck, it fell to the lot of Lieutenant Inglis, to whose intrepidity and conduct the highest praise is given, to surrender His Majesty's Ship, when all further resistance had become unavailing.

The enemy, by having the weather gage, were enabled to choose their distance and thereby avail themselves of the great advantage they derived in a superiority of heavy long guns, but Captain Barclay attributes the result of the day, to the unprecedented fall of every Commander, and second in Command, and the very small

number of able seamen left in the squadron, at a moment when the judgement of the officer, and skilful exertions of the sailors, were most imminently called for.

To the British seamen, Captain Barclay bestows the highest praise—that they behaved like British seamen. From the officers and soldiers of the regular forces serving as marines, Captain Barclay experienced every support within their power, and states that their conduct has excited his warmest thanks and admiration.

Deprived of the palm of victory, when almost within his grasp, by an overwhelming force which the enemy possessed in reserve, aided by an accumulation of unfortunate circumstances, Captain Barclay and his brave crew have, by their gallant daring, and self devotion to their country's cause, rescued its honor and their own, even in defeat.

Return of the Right Division of the Army of Upper Canada :

Detachment serving as marines on board the squadron in action on 10th September 1813.

Killed 1 lieutenant, 1 sergeant, 21 rank and file ;

Wounded—3 sergeants, 49 rank and file ;

Prisoners—2 lieutenants, 1 asst. surgeon, 4 drummers 167 rank and file.

Killed, wounded, and missing in the retreat and in the action of the 5th October 1813.

1 Inspecting field officer, 1 dep. asst. gr. master general, 1 fort adjutant, 1 hospital mate 1 lieutenant col. 6 captains, 12 lieutenants 3 ensigns, 1 paymaster 1 asst. surgeon, 54 sergeants, 13 drummers 559 rank and file, 46 horses.

Assembled at Ancaster on the 17th Oct., 1813.

1 Major general 1 major of brigade, 1 aid-de-camp 1 staff adjutant 3 captains, 5 lieutenants, 2 ensigns 1 adjutant, 1 quarter master 2 asst. surgeon, 15 sergeants, 9 drummers, 204 rank and file 53 horses.

Total strength of the Right Division on the 10th September 1813.

1 Major general 1 inspecting field officer, 1 major of brigade 1 dep. asst. q. m. gen 1 aid-de-camp 1 staff adjutant 1 fort adjutant 1 hospital mate 1 lieutenant colonel, 9 captains, 20 lieutenants 5 ensigns, 1 paymaster 1 adjutant 1 quarter master, 4 assistant surgeons, 57 sergeants, 26 drummers, 994 rank and file, 99 horses,

Killed—Lieutenant Garden, Royal Newfoundland Regt.

Edward Baynes,

Adjutant General.

Well timed indeed, and with a befitting grace does the insulting censure, contained in the opening of the above order, emanate from the man who had previously made a descent upon Sackett's Harbor, with a view of destroying the enemy's naval and military works, and who at the very moment of accomplishment of the object of the expedition, and when the Americans were retreating, turned and fled with precipitation to his boats, presenting to the troops who were unwilling sharers in his disgrace, the monstrous yet ludicrous anomaly of two hostile armies fleeing from each other at the same time. Well does it become the leader who, at Plattsburg, covered the British army with shame, and himself with enduring infamy, by retiring at the head of 15,000 men—chiefly the flower of the Duke of Wellington's army—before a force of Americans not exceeding as many hundreds; and this even at the moment when the commander of these latter was preparing to surrender his trust without a struggle. Well does it proceed from him, who through timidity and vacillation alone, at an earlier period of the war, entered into a disgraceful armistice with the enemy at the very moment when General Brock was preparing to follow up his successes on the Western frontier, by sweeping the whole southern border of the St. Lawrence. Happily was it devised by the authority to whose culpable inattention and neglect alone was owing the loss of the gallant Barclay's fleet, and the consequent helplessness of that very Right Division he has hesitated not to condemn for a disaster attributable to himself alone. Nay, well and most consistently does the sting issue from the Commander of the Forces, who, on the occasion of the capture of Detroit, and the victory obtained at the River Raisin, ordered Royal salutes to be fired in honor of conquests which had been achieved principally by the 41st Regiment, and whose remarks, even on the occasion of their unavoidable repulse at Sandusky, convey rather a compliment than dispraise.

That Sir George Prevost had been induced to issue this order, on the gross mis-representation of General Procter, who, in order to shield himself from the consequences of his incapacity, scrupled not to sacrifice the reputation of the regiment, which had so often repaired, by their valor, what his marked inefficiency had endangered, there can be no question. It is only necessary to refer to an earlier

memorandum on the subject to be fully satisfied of the fact. But this does not the more exonerate Sir George, whose duty it was, before publishing a document, the tendency of which was to cast odium on a corps which he himself admits to have previously won his warmest admiration, to possess himself of the true facts of the action; nor, by any exercise of undue severity, to have provoked commentaries on his own conduct of a far more humiliating character. But posterity will judge of the Right Division, not by the sweeping and unfounded denunciations of an angry and misjudging Governor, but by its universally admitted gallantry on all former occasions.

Who on looking over the state of the 41st Regiment, which ostentatiously appears at the close of the General Order, would not infer that, in the action of the Moravian town, they mustered at least 1,000 men, including non-commissioned officers? Even General Harrison, in his most voluminous despatch, enumerates the prisoners taken by him in such a way as to create the impression that his (admitted) force of 3,000 men had been opposed by 600 British Regulars, present in action. This is not worthy of General Harrison, who must have known that our actual force in the field, was, according to the state of the Adjutant of the Regiment—the original of which is before me at this moment—1 Lieut. Colonel, 6 Captains, 9 Lieuts., 3 Ensigns, 2 Staff, 26 Serjeants, 81 Corporals, 4 Drummers, and 297 Rank and file—and these divided into two open, and irregular lines. The remainder of the 600, captured by General Harrison, many of them sick and wounded men, had been taken, without a possibility of opposition, in the boats conveying stores, during the early morning of the action, and on the preceding day. Yet the American General seriously claims the palm of "superior bravery" for his force of 3,000 men, opposed in their native woods (wherein he himself admits in his despatch they "can ride better than any other people") to not as many hundreds, and these almost wholly unaccustomed to them. It is impossible to entertain a feeling of disrespect for General Harrison, but there is something so absurd in this remark, that the reader cannot forbear a smile. Nor can it be pretended that the Indians are to be considered as having formed any portion of our force during the first advance of the enemy, for General Harrison has distinctly stated that he formed his assailing columns in such manner as to direct them wholly upon the 41st., leaving the Indians unmolested, until he should be enabled to break through our feeble and extended line, and then turn their position. This plan was acted upon. What then was there in this defeat to justify Sir George Prevost, in the sweeping and splenetic denunciation cast upon a corps who had done so much for the country, and had only now been overcome through the incompetency of their Chief? But let us turn to General Procter.

That officer has stated in his specious defence before the Court Martial which tried him for general misconduct in the retreat, that he had drawn up his men in a position the most favorable for a successful stand against the enemy's cavalry, and that he had expected a result which the want of firmness manifested by the regiment alone had denied to him. Who will second General Procter in this view of the subject? Who, with him, will aver that the proper place for British troops to engage an enemy is the woods, and that he was justified in the selection, when, not two miles in his rear, were numerous houses in which to throw his men, a wood on his right flank, and the river on his left, while immediately in front ran a ravine difficult of access by cavalry, and capable of being swept by his guns which, singularly enough, had already been stationed there without the slightest use or service in the battle planned by him to be waged. On what does General Procter ground his claim to be considered as competent to decide upon the success which ought to attend his military movements? Is it on his dispositions at the River Raisin where, instead of attacking an unprepared enemy sword in hand, he absurdly and unaccountably apprized them of their danger, giving them ample opportunity to arm and cripple his own force, in such a manner as to render victory for a period doubtful? Is it on his arrangements at the Miami, where he suffered an important line of batteries to be left without the support of even a single company? Is it on his attack upon Sandusky, where he ordered his men to storm before any breach had been effected, without a fascine or scaling ladder, and

with axes so blunt that he might have been suspected of treason in suffering them to be placed in the hands of the unfortunate men who perished while fruitlessly wielding them? Yet this man, whose brows the 41st Regiment covered in these several instances with glory, when they rather should have been bowed to the earth in shame, turns upon his gallant supporters in the moment of their misfortune, and, in his base attempt to redeem his own blighted military reputation, scruples not to charge them with misconduct in the field. Where was this misconduct? In what did it consist? It has been seen that 3,000 men 1,500 of whom were mounted riflemen, dashed through the front line composed of something less than 200 men, receiving the only two volleys there was time to pour in before they had completely surrounded them—Was it possible to make a more lengthened defence against an enemy who thus overwhelmed them *en masse*? The true matter for surprise is, not that the force yielded so soon, but that it had ever made a stand at all; for the strong conviction on the mind of every officer and man present, was that General Procter was making a wanton sacrifice of their lives, for the sole purpose of covering the departure of his family and personal effects from the Moravian town; and that it was for this reason also that he had drawn them up in the heart of a wood, in preference to occupying a position which all had been previously informed was susceptible of the best defence against the expected cavalry.

I have said that only two volleys were fired by the men, before they were overwhelmed by the American force. This was I believe the case on the centre and left, upon which the main attack of the enemy was directed. On the right, and near Tecumseh's flank, where the horsemen opposed to us were less numerous, the action was of at least twenty minutes' duration, and in this time much desultory firing took place. The instance I have already given of the shooting, tomahawking, and scalping of an American rifleman who had been dismounted in the action, is an evidence that the engagement was not so speedily brought to a close as General Procter sought to make it appear. But I will relate another fact in corroboration. Only a few minutes before this scene was enacted before our eyes, a mounted rifleman was in the act of taking aim at one of the light company, who was moving quickly at the time and whom therefore he could not conveniently cover. My attention was called to this man by Lieut. Hailes, (since commanding the 28th regiment) who was near me at the time, and who suggested that I should fire at him. I raised my musket, supporting it against a tree, and before the American, who was still following his object with his eye and weapon, could find what he deemed a favorable moment for discharging it, I fired, when his rifle tumbled from his shoulder to the ground, and he sank over his horses side.

Now if, as General Procter states, the line "had discharged their pieces without orders," had given way, and had dispersed in a manner to preclude all hope of their being again formed "there could have been no time for these two deliberate actions." When a few minutes afterwards, we, from a consciousness of having been cut off from our main body, attempted a retreat, we were not so sorely pressed as to have failed in our object, had we taken the proper direction. We had continued firing to the close, and it was only on emerging from the wood into the road, and beholding our captured comrades, that we found resistance to be hopeless. Including Lieut. Hailes we were then about twenty in number.

I have already stated that General Procter was without the confidence of his army. This is strictly correct. So far from their having the slightest knowledge of the object of his movements, or of his intentions, not even his second in command was consulted on any one occasion during the retreat. As for the expression of surprise, contained in the defence, that Dover had not been fortified it is perfectly ridiculous. Independently of its peculiar unfitness for that purpose, no such instructions had ever been left with Colonel Warburton, who, when repeatedly asked by the officers of the Division what was proposed to be done, or to what tended General Procter's unaccountable conduct, could only shrug his shoulders, and in a manner indicative of mingled mortification and contempt, reply that they knew as much of the matter as he did. How, indeed, and under what direction was Dover to be fortified, when, as General Procter himself admits, he

had taken with him to the Moravian town the only officer of Engineers (Captain Dixon) who was attached to the Division?

Such was the general feeling of distrust, produced by General Procter's continued absence from, and in advance of the army, at a moment when the enemy were known to be near us, and when the second in command was left wholly in the dark, as to the course it was expected of him to pursue, that serious intentions were formed of depriving General Procter of the command, and investing Colonel Warburton with it. This indeed was only not done, because it was assumed that any disaster which might, in consequence of the extraordinary delay and want of military capacity hitherto manifested in its conduct, occur to the Division, would be gladly seized hold of by the General with a view to exonerate himself from the heavy responsibility he was already so fearfully incurring. Of the sentiments entertained by all, a tolerable correct estimate may be formed from the following memoranda at the time by an officer of the regiment.

3d Oct., Dolsons. A report of the Americans being within two or three miles of us. Our dragoons fell in with their advanced guard. The General at Moravian town 26 miles from Dolsons, or Dover. Marched from this place 2½ miles; halted and formed on the bank of the river in expectation of the enemy every instant. Marched a few miles further and halted for the night. Col. Warburton did not appear to know how to act, the General not having left any directions, but he decided on falling in with the wishes of the Indians.

4th Oct. This morning the Indians thought it advisable to proceed at once to Moravian town. We accordingly marched: at dusk the rear guard halted at Richardson's; the remainder proceeded about a mile farther, within five miles of Moravian town.

5th Oct. This day we proceeded towards Moravian town, and when within a mile and a half of it, were halted and marched back a few paces, when we halted a second time: no person appeared to have any idea of what was going to be done. A report came in of the Americans being within a very short distance of us, and that they had taken all our boats, in which was most of our baggage and the whole of the ammunition, except what the men had in their pouches. After having halted for nearly an hour, we were suddenly ordered to form in the midst of a very thick wood apparently without any previous arrangement and in such a manner that the grenadiers were nearly in the centre of the line, and the light company towards the right—a second order came for the grenadiers and No. 1 company to march to the rear as a reserve, which was done. The men were formed at extended order, and the enemy, it was said, were strong in cavalry and mounted riflemen. N. B. No brush wood to prevent the cavalry acting. About four o'clock the enemy attacked us, and succeeded in driving us from our ground. The company I commanded had not received their provisions for the two last days, until the very moment before we received the order to march: the consequence was that those men who had time to do so, cut off a slice of the raw beef and ate it uncooked. The rest had none at all.

Mem.—While at Dolson's was told by G—le that a council of war was going to assemble immediately, in order to decide whether or not the command should be taken from the G. The day before the action Captain Muir remarked to me that the G. ought to be hanged for being away, and that Col. W. ought to be hanged for not assuming the command. A few moments before the action Captain D. said it was downright murder if we attempted to make a stand where we were—Colonel Elliott told me that the day the G. went to the Moravian town, the Prophet (Tecumseh's brother) asked him Col. Elliott where the G. was going, and on being informed remarked that he had a great mind to take the epaulettes off his shoulders, for he was not worthy to wear them."

General Procter furthermore asserts in his defence, that his original intention was to fortify a position on the Thames, for the twofold purpose of protecting the centre Division, and conciliating the Indians. I am not prepared, at this distant day, to state with exactness what was the original proposal made to the Indians in the celebrated council, but my strong impression has ever been (and I was present during the whole of the debate) that it was only in consequence of the deep and unconcealed indignation, manifested by Tecumseh and many of the inferior Chiefs, on his intimating the necessity which existed for a retreat upon the centre Division, that he was compelled to yield to the will of the Indians, and to name the Moravian town as the understood termination of his proposed march. Even this proposal was received by Tecumseh with mingled regret and disdain, for he was desirous of meeting the Americans at the moment of their landing, and trying the chances of battle before incurring the odium of a retreat; but on the inexpediency of defending a fortress which had been wholly deprived of its heavy guns for the purpose of arming the fleet, being farther discussed and pointed out to him, he finally assented, and in a second short speech, which does not appear to have been placed on record, consented to retire as far as the Moravian town, declaring however, at the same time, that at that place he was fully determined to conquer or lay down his life.

returning on leave, and to assume the command. On the afternoon of the second day we came in sight of Grenada, whose lofty hills contrasted in no ordinary manner with the low country we had just quitted, and as the more minute features of the Island developed themselves to our view, the eye hung with admiration on various points in the perspective. Rich and flourishing vallies clothed in green, and teeming with the various produce of the climate, were every where visible between the dark and frowning masses, whose summits lay buried in the dense clouds perpetually rolling along these ridges of mountain, while, in the foreground, the town of St. George; built on a sloping ground, rose like an amphitheatre before us, and crested by the distant and imposing fortifications on Richmond Hill which, in the direction by which we approached, seemed to rise immediately over it, presented at once a picture of the beautiful and sublime. In a few hours we reached the commodious and land locked harbour of the Carenage, and being speedily disembarked, we were conducted by the Fort Adjutant to quarters assigned us in an old dilapidated Barrack, where the General Court Martial was to sit.

The town of St. Georges is built much more in the English style than that of Bridgetown. The houses are in general good—chiefly of a lead color—and covered with red tiles, which gives them a pleasing appearance, and is far less offensive and injurious to the eye. The streets however are truly infamous, being paved with small rough stones which are exceedingly painful to the feet. Foot paths are luxuries unknown here, consequently men and beasts mix promiscuously in the middle of the streets the stronger animal selecting the best part at the expense of the weaker. Immediately at the top of the town, and distinctly and pleasingly seen on approaching from the sea, are the Church and Parsonage, the latter half concealed amid a cluster of trees of rich foliage, and ornamented with a lawn tastefully disposed. Viewed collectively and from a distance, the houses appear to wear an appearance of elegance, but when examined separately and minutely, not one habitation in the town of St. Georges will be found worthy the attention of the stranger. The only building on which any taste or architectural skill appear to have been bestowed, is the Government House, situated about half way between the town and Richmond Hill Barracks, which are at the distance of a mile.—This building is spacious, and adapted to the purpose for which it was designed. It has rather extensive grounds attached to it, and is usually occupied by a General officer, who unites in his person the offices of Military Commander and civil Governor. In Barbadoes many little villa's are seen rising immediately on the skirts of Bridgetown. On an elevated and slightly projecting neck of land, the town of St. Georges is protected on one side, and the harbour on the other, by a strong fortification which commands the approach. This has however been much neglected, and the small barracks attached to it, and fixed on for our temporary residence, seemed ready to tumble about our ears at every gust of wind.

The criminals summoned before the Court were six in number, and all found guilty of repeated desertions. Three were condemned to die, and three to receive eight hundred lashes and have the letter D marked on their backs. The sentence of one of the latter was commuted from death to corporal punishment (although a very hardened character) on account of his age and the circumstances of his having two sons serving in the 71st Regiment. Here I cannot forbear remarking on the impropriety of suffering very young officers to sit on Courts Martial in cases of life and death; for, however disposed a young man may be to exercise his own judgment, there cannot be a doubt that it is often influenced by the opinions of his seniors in rank and years, and that even when he inclines to mercy, he delivers a contrary decision less in accordance with his own sense of the propriety of that decision, than with the necessity he conceives existing of adopting the maturer judgment of his superiors. Hence it not unfrequently results that one or two voices, if not delivered in levity, at least in doubt, decide the fate of the unhappy criminal, and launch him with all his crimes on his head into eternity. It is true that the sentence may be strictly just, but it is no less culpable in a member of so serious and imposing a tribunal, to pronounce his opinion, without having duly weighed and deeply considered every circumstance of the case, and where the life of a fellow being is at stake, it would be much better, in the event of doubt, to lean to the side of mercy, than to adopt the severer decisions of others.

No officer who has not completed seven years of actual service, and attended at least as many General Courts Martial as an attentive witness of the proceedings, should ever be selected for this purpose, and even then the President of the Court should be required not only to receive their simple opinions, but to inquire of the junior Members on what particular points of the evidence adduced these opinions are principally grounded.

I make these observations, because on this General Court Martial the first I had ever attended, I do not think my own experience was sufficient, and I greatly fear that in pronouncing sentence on these unhappy men, I was less governed by my own judgment than by that of the senior officers, who pointed out the nature of the crime and the penalty affixed to it by the articles of War. I know not whether the unwillingness I inwardly felt to adopt this severer decision was the result of the important character in which I stood, and of the awe and unpleasantness one must naturally entertain to deprive a human being of existence, even in conformity with the laws of justice, but often since that period has the recollection of those unhappy men occurred to me, and as often have I wished that my voice, although it would not have turned the scale, had not been for death. Other members of the Court even younger than myself, were, I have no doubt, influenced, in the same manner, for their experience was even less; nor were their judgments more mature. The only circumstance which can at all excuse the practice of summoning young and inexperienced officers to sit on General Courts Martial, is the difficulty of procuring a sufficient number to be spared from their regiments, who are better qualified for the duty. Yet in cases of so much importance to the criminal, it would seem not only more humane but more judicious to send the older and more experienced for this temporary purpose, and leave the discharge of regimental duties to the younger officers. It is in the West Indies chiefly, that this practice, which time and reflection have taught me to deprecate, is suffered to prevail. In the present instance however it had been deemed necessary to have recourse to severe and summary measures in order to put a stop to desertion, which had become very frequent in the York Rangers. These troops were all what are termed condemned men, destined to serve in the West Indies for life, and without any other chance of ever revisiting their native shores than that afforded by desertion; and one of the criminals now sentenced to die, had been convicted of repeated offences. Even after he was reconducted to prison, at the termination of his trial, he declared to the serjeant of the guard, that if he escaped with his life on the present occasion he would desert immediately afterwards. Mistaken man! he little imagined that at that moment a sentence was passing which would for ever arrest his future attempts, and that in a few days he would be summoned to expiate his numerous offences with his blood.

One of the greatest annoyances to every regiment going to the West Indies, is that of having numbers of these condemned men drafted into them from those they relieve. Doomed to serve in this climate alone, they are handed over to each corps in succession, and mixing with the mass of the regiment often corrupt by their example men of hitherto irreproachable character. Conscious that the climate in which they serve must receive their bones, they become at once reckless of life and indifferent to punishment. Shame that has long ceased to operate on the minds of men habituated to, and enduring the penance of crime, fails to inspire that natural horror of humiliating punishment which tends indirectly to the production of good, and they are, in consequence rendered obdurate and intractable.—Three hundred of these men were sent to us on the arrival of the Regiment in the West Indies, and proved a source of perpetual anxiety to their officers. In the company to which I was attached were three or four of these fellows, who seemed far to surpass their companions in sloth, filthiness, and inattention, and these men gave me more trouble than all the rest of the company together. One in particular must, I am persuaded, have been flogged a dozen times in six months, for no sooner was he out of hospital than he was brought to the triangles again. This man was incorrigible. He used to bear his punishment with sullen and uncomplaining endurance, and I am convinced that when finished he used to congratulate himself on the prospect of continuing a few weeks longer in hospital, and thereby evading the trouble and fatigue he appeared to find in the discharge of his duty.

ADVERTISEMENTS.

IN THE DISTRICT COURT.

DISTRICT OF JOHNSTOWN, } NOTICE is hereby given, that by virtue of a
TO WIT: } warrant of attachment, issued out of Her
Majesty's District Court at Brockville, and to me directed, against the estate
of William Cowan an absconding or concealed debtor, at the suit of Edward
Harrison, for the sum of £25 7 11. I have seized all the estate, real as well
as personal, of the said William Cowan, and unless the said William Cowan
return within the jurisdiction of the said Court, and put in Bail to the said action
or cause the claim of the said Edward Harrison to be discharged within
three calendar months all the real and personal estate of the said William Cowan,
or so much thereof as may be necessary, will be held liable for the Payment,
benefit and satisfaction of the said claim.

ADIEL SHERWOOD,
Sheriff, J. D.

Sheriff's Office Brockville, }
30th March 1842. }

PUBLIC NOTICE.

THE Undersigned offers his MILL Property at Fort Erie Rapids for sale
viz:
Two thirds share of the Mill, and a strip of ground attached thereto, extending
one half mile up stream—Mill, 40 by 45—three and half stories high.
A Store-house 30 by 36 contiguous thereto.
A frame Dwelling House two stories high—Out-houses, Garden, and two small
Orchards.
A Barn, Stables and Sheds.
Three parcels of Land, embracing about 20 to 25 Village Lots of one-fourth
acre each.
This property only requires to be seen to be fully appreciated.
The above will be disposed of on the 20th April next without reserve, to suit
purchasers, and the payment will be as follows;—say one-fourth down, one-
fourth in 6 months, another in 12 months, and the remaining one-fourth in 18
months from date of sale with interest, retaining security on the property.

JAMES KERBY.

Fort Erie Rapids, }
14 Feb'y, 1842. }

LITERATURE.

SEVERAL of our cotemporaries, having intimated a desire that an accurate
account of the events of the war of 1812 in this country, should be given
by those who participated in it—and the Montreal Herald in particular hav-
ing done the Editor of this paper the honor to name him, among others, who
could, from personal experience, supply the desired information, we beg to
state, for the information of our Subscribers, that on the completion of the ad-
ventures of "Jack Bragg in Spain," we shall publish a "Narrative of the oper-
ations of the Right Division of the Army in Upper Canada." All Officers
who served in that war, and who now, in this country, have it in their power
to supply detailed accounts of the operations of the centre and left Divisions,
are requested to send us their various statements (free) with a view to a com-
pilation which will embrace the principal occurrences of that period. The form
of the personal narrative connected with the military operations detailed will
as more interesting to the public, as well as more corroborate of the historical
events recorded, be desirable. The operations of the Right Division by the Ed-
itor, will embrace the several actions in which Tecumseh was engaged with
the British Troops, and will throw a light upon the character of that renowned
Indian, which has never yet been thoroughly revealed to the Canadian public.
As the copy right of this Narrative will be secured, those only who now are,
or may become, subscribers to the "New Era," will have an opportunity of
possessing themselves of an important portion of Canadian History, which cannot
be without interest to the Canadian public—particularly to the admirers of
Tecumseh.

We request our cotemporaries, to whom we have to express our unfeigned
acknowledgements for the highly complimentary manner in which they have,
on various occasions, quoted largely and approvingly from our columns, to do
us the additional favor to copy the above, or otherwise notice the subject in any
other manner they may judge expedient.

WACOUSTA AND THE CANADIAN BROTHERS.

THESE NATIONAL AND HISTORICAL WORKS, having been
got up at great expense and serious inconvenience to the author, without
that remuneration from the Canadian public, which as a Canadian writer, he
has had a right to expect from the more liberal portion at least of the commu-
nity, are now to be disposed of at the reduced price of FIVE dollars for the
complete set, containing FIVE VOLUMES, three of which alone, (Wacousta)
have always been sold in England, for no less than SEVEN dollars: The
two works will be neatly and separately bound, so as to make two books which
as volumes of reference, it cannot but be supposed, will find their way into the
library of every Canadian Gentleman, desirous of knowing any thing connect-
ed with the early history of his own country. And it must be borne in mind
that the English Edition of Wacousta, sent for to this country, EXPRESSLY
FOR CANADIAN READERS, is the only correct one that has ever issued
from the Press. The piratical reprint in Waldie's Circulating Library, is in
correct, several of the most forcible passages in the book, being left out togeth-
er. A fac simile of the autograph letter, sent to HIS MAJESTY, KING
WILLIAM THE FOURTH, and accepted with the presentation Copy, will
be prefixed to each SUBSCRIBER'S number of WACOUSTA. Every sub-
scriber will moreover, be entitled to a copy at half price of TECUMSEH, the
last English number of which is to be placed under the foundation stone of the
Monument to be erected to that celebrated Warrior, yet which, it is intended
to reprint from the original MSS.—thus completing the series of CANADIAN
WORKS.

We trust our cotemporaries, who have already afforded the most flattering
testimony of the Author's attempt to infuse a spirit of National Literature into
his native land, will not be slow in urging upon the consideration of the public
the reasonableness of his present proposition. We subjoin, a few of the Eng-
lish and Canadian notices, which have stamped these works with value.

The Edition of WACOUSTA, embraces not more than 300 copies—and th
moment one half of these are subscribed for, in the manner above named, by
those who really intend to redeem their own signatures, the set will be ready
for delivery. Independently of private subscriptions lists, the several POST-
MASTERS and principal BOOK STORES, will receive the names of those who
wish to relieve the author from a weighty responsibility incurred in the further-
ance of CANADIAN NATIONAL LITERATURE.

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PRINTED and Published for the Proprietor, every Friday by
J. CORBIER, at the office of the NEW ERA, Brockville, Canada.