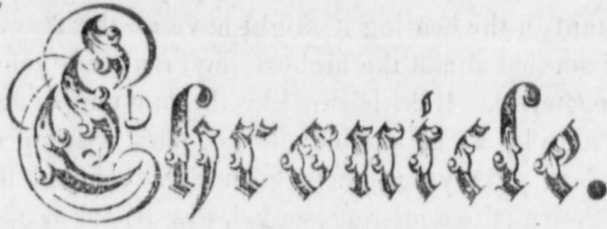
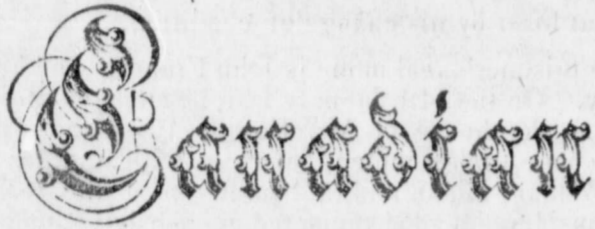


dup.

THE NEW ERA,

OR



VOL. II,

DE OMNIBUS REBUS ET QUIBUSDAM ALIIS.

NO. 12

FOUR DOLLARS }
PER ANNUM. }

BROCKVILLE, FRIDAY, JUNE 24, 1842.

} PAYABLE
{ IN ADVANCE

COOPER AND THE COMMERCIAL.

(Continued from our last.)

Mr Cooper said that that chapter was in the hands of the printer, or he would show it to him. He said he had no doubt it would be entirely satisfactory to Captain Perry who thought it rather strange that that particular chapter was not accessible to him. Captain Perry had farther interviews with Captains Stevens, who advised him, on his return to New York, to send on documents. Captain Stevens had also written to him upon the subject of Cooper's design to give an incorrect or untrue account of the battle.

Mr. Cooper—Did he write this? Have you any such letters?

Captain Perry—Yes I am quite sure he did. I think, also, I have the letters. I generally preserved them.

Captain Perry farther stated that he forwarded to Mr. Cooper the letter, now in evidence, of Lieutenant Packet, and also the letter of General Harrison, but Mr. Cooper had made no use of them, not even so much as referring to them in a note. Captain Perry said he had not read the history. When the book came out, he turned to the account of the battle of Lake Erie, which he found to be so utterly false that he threw the book down in disgust. He had previously been very intimate with Mr. Cooper, but had not spoken to him since the publication of that book. And such had been Mr. Cooper's conduct in this matter, he wished never to have any farther intercourse with him.

The letter of General Harrison, however, was not put in evidence, notwithstanding the consent of the plaintiff—the defence not caring to open the door to any thing not strictly admissible.

Mr. Campbell was followed, as we have already stated, by Mr. Bidwell, not in the regular argument which he was to make, but in a succinct statement of the legal positions he proposed to assume, in justification of the review—particularly in regard to the point he intended to establish, that, being a review, it was a *privileged article*—and therefore not actionable, unless malice were shown. Mr. Richard Cooper, nephew of the plaintiff, argued the law questions in reply to Mr. Bidwell's positions, and in anticipation of the argument that was to follow. In the course of these proceedings the competency of the notice of the defence, which accompanied the plea that had been put in, of the general issue, to allow of testimony in justification of the alleged libel, was contested. The arbitrators decided that it was not sufficient for that object, but it was sufficient for all the purposes of the other ground of defence, viz: that the review was a *privileged article*. Mr. R. Cooper argued against this assumption at considerable length.

Mr. Bidwell commenced his reply on the same evening, resuming and completing it on the next day—Thursday. As a legal argument it was very clear and very able. He spoke, in all, about five hours and a half. His analysis of the documentary testimony admitted in the case was indeed masterly. The documentary testimony that had been gathered and published to the world, in various ways, by Captain Elliott, was scattered to the winds; while nothing could be more clear, from the testimony of Commodore Perry, and the gallant officers who really shared with him in the glory of the battle of Lake Erie, than the fact asserted by the reviewer, that Captain Elliott had signally failed in the discharge of his duty, and that his whole conduct in that battle, and the course he afterwards took to bolster up his reputation by means of certificates, were highly reprehensible.

He argued that it had been clearly proved, beyond the possibility of doubt or contradiction, that Elliott was not substantially in the battle. It had been proved—nay, on all hands it was admitted,—that it was very early after the battle had commenced—only about twenty minutes, as was generally said, and certainly not more than forty—when Elliott's jibboom crossed the taffrail of the Caledonia, and when he ordered Captain Turner to get out of the way that he might go to the relief of the Lawrence. And where was Elliott with his vessel during the two hours that followed, before Perry,—his own ship being disabled—came on board, and brought her into the battle, and decided the fortunes of the day? The Caledonia, under that brave, daring fellow, Captain Turner, found no difficulty in getting into the battle.—She was a dull sailer, and according to Elliott's view, and the defendant's history, could scarcely get out of Elliott's way. Yet the Caledonia dashed into the thickest of the battle. But she ran down to leeward, as Captains Sands, Mackenzie, and Ogden Hoffman had testified that Elliott, with the Niagara, would have done, if he had been very anxious to get into the fight. But he did not. And where was he during those two hours when Perry was receiving the concentrated fire of the enemy's heaviest ships? Was he in the battle? No: He was hovering on the edge of the fight,—keeping his topsails brailled up,—loitering along to the windward,—receiving now and then a random shot from several of the enemy's long guns, perhaps,—but still hugging the wind, and bearing round at a distance—taking no position where the ship could render effective service, until Perry's own ship had been reduced to a useless hulk—when he seemed to be nearing the head of the squadron. But Perry himself, the master-spirit of the day, then came on board,—and immediately there was no difficulty. There was no want of wind then! Elliott, however, volunteered to go in the small boat, and bring up the gun boats—which were yet in the rear! This was the entire of his merit. When his own ship was going into battle in earnest, the brave Elliott went off to bring up the gun boats in the rear! All this is a mere outline.

Mr. Bidwell proceeded. Mr. Cooper, he said, as professing to give an impartial history, was bound to investigate all the facts in the case, and as the conduct of Capt. Elliott was a controverted point to give a fair statement of these facts, so far as he was able, leaving to his readers the privilege of forming their own judgement of the case. But in fact, he had, in his history, so ingeniously recorded his account of the battle, as to leave the impression that to Capt. Elliott was due in great measure, if not entirely, the honor of achieving the victory, at the same time studiously keeping out of sight the fact that the conduct of Capt Elliott at the battle was a matter of dispute. This, counsel contended, was a fair subject of criticism and animadversion. Mr. Cooper, as a historian, presents his story to the decision of the American people, for their favor or condemnation. The reviewer, looking upon the same facts in a different light, appeals to the same tribunal in behalf of his own view of the subject. This, the counsel argued, would not, and ought not to be made an actionable offence, unless personal malice was shown in the inditing of the criticism. It is a question as to be true view of certain facts for the decision of which both appeal to the same tribunal. And in this way only, by the allowance of full and free discussion, and by the collision of antagonist authors, can the actual truth be elicited. The counsel considered the decision of the arbitrators in this case, as highly important, constituted as it was of men of high standing, and whose opinions would have great weight on the public mind.

It was important as tending to establish the principle whether historical works could be fully and fearlessly criticised. If they could not be, there was an end to all true freedom of the press. The decision was also important in the bearing it might have on the Navy. Those engaged in the service attach the highest importance to their name and fame with posterity. If criticisms like the one under consideration were decided to be an actionable offence, what assurance could they have that if, in after years, their good name should be called in question, or their actions misrepresented, any friend would come forward to vindicate them, as by doing so he would subject himself to the vexatious litigations and expenses of a lawsuit? In this case it was not merely whether justice had been done to Captain Elliott, but whether injustice had not also been done to Commodore Perry. The object of the reviewer was to correct what he considered to be injustice to the memory and fame of Commodore Perry; and the question for the arbitrators to decide was, whether it was a criminal offence to defend the fame of a friend from what was considered to be injustice and aspersion.

Mr. Cooper summed up one of his own side in person. He denied that any improper motives had influenced him in his account of the battle of Lake Erie, as had been intimated by the counsel for the defendant and that his aim was to give an impartial account of the battle and its principal actors from the most authentic testimony he could procure. For this purpose he went to Philadelphia to print his work, where a greater number of naval officers were generally assembled than at any other place.

He then proceeded to analyse the testimony given on both sides, by officers who were engaged in the battle, from which and his own professional knowledge of the naval service, he had been and was satisfied that Captain Elliott did his duty in that battle. He said his first prejudices were in favor of Commodore Perry, but he was first led to investigate the subject by noticing the fact, that among the officers who gave their testimony on the subject, 14 testified in favor of Capt. Elliot, and 11 against him. This majority in favor of Elliot led him to inquire into the character of the testimony, and the result was what he had given, in his view of the truth of the case, in his history of the battle. He threw Perry out of the testimony against Elliot, as he had first eulogized Elliot and afterward recalled it. He went on to analyse the testimony of others, reducing the number against Elliot to six.

Mr. Cooper concluded his argument for this day by reading the testimony by Lieut. Webster and Dr. Barron, now in Virginia, whom Tristram Burgess's pamphlet had waked up, he added, like Rip Van Winkle after 20 years sleep, to prove that the Niagara under Captain Elliot, had suffered severely in killed and wounded, before Commodore Perry came on board to bring her into close action. This showed, he continued, she had been within fighting distance, and had been in danger. The reverse was the generally received opinion, he knew, of officers of the navy, but it was founded on prejudice, and ignorance of the facts, and not on any investigation of the testimony. This, he contended at length, was an important fact, having a great bearing upon this case, particularly when Elliot was assailed for having kept out of harm's way.

Mr. Cooper, (abruptly)—How long do you intend to sit? (to the arbitrators)

Mr. Foote—How much more time shall you occupy?

See seventh page.

ARRIVAL OF THE BRITANNIA.

The news brought by the Britannia is comprised in a few sentences. Ghuznee, garrisoned by a few Scapoys, had capitulated to the Affghans. General Polloch had, on the other hand, obtained possession of the all-important Khyber pass. General Sale had made a successful sortie from Jellalabad—and preparations on an extensive scale were being made for carrying on the war with vigor against the enemy. Thus much for Indian affairs.

In London a great sensation had been created by a young vagabond who had, on two several occasions, pointed a pistol at the Queen in which there is no reason to believe there was even powder (since one person only pretends to have heard any report) and whose evident objects were notoriety and a sea voyage at the expence of the Government—nothing more. He had been arrested and examined be-

fore the Privy Council and thus having attained one of his views, will in all probability secure the other, by being sent to a country in which, if we are to believe the following account of him, he will be no great loser by his change of condition.

The prisoner's real name is John Francis, and he is about five-and-twenty. On the 14th January last, he engaged the second-floor back room at the house of Mr. Foster, 105 Great Titchfield street, Marylebone, and occupied that room with another young man named William Elam, and they jointly paid the rent. The prisoner was considered a good-tempered, inoffensive young man, and came home regularly to his meals, and was never out late at night. One person, of a rather superior class of society, from his dress and general appearance, has latterly been in the habit of visiting him, and remained for some time alone with him in his room; but no parcels were ever sent to him, as appears from very particular inquiry made upon this subject by the police.

The prisoner's conduct during the last few days appears to have been extraordinary. He had been all along getting his livelihood by working as a journeyman carpenter, but on Monday week he engaged a shop and parlor at No. 63 Mortimer-street, which adjoins Great Titchfield-street, at the weekly rent of twenty four shillings, and expressed his intention to open in the trade of a tobacconist. He then employed a painter to put his name over the door, as it now appears—"Francis Tobacconist;" and expressed his intention to open the shop on Thursday morning. In the meantime he caused cards to be printed, and a great quantity of snuff, tobacco, cigars, and such articles were sent in, and on Thursday morning the shop was opened, and the prisoner attended in it all day. On that night having closed the shop, he went home to bed as usual, and the next morning he again proceeded to the snuff shop, and remained there until his fellow lodger had gone to work; he was then seen to go up into his room and remain there a short time, when he again left the house.

Upon the young man, Elam, returning he found that his box had been broken open, and that four pounds ten, in gold, had been stolen. He immediately gave information to Mr. Foster, his landlord, who at once proceeded to the snuff shop in Mortimer street, where he found the prisoner sitting in a most unconcerned manner behind the counter. He [Mr. Foster] immediately said to him, "what have you been about? I suppose you know what I have come here for?" The prisoner immediately replied, "Oh, I suppose you want the money," and directly pulled out the gold and gave it to Mr. Foster, who then told him not to enter his house any more. The prisoner expressed some anxiety about his boxes, and said he supposed Mr. Foster would not object to letting him have them. Mr. Foster suspecting from the discovery that had been made that the prisoner might have committed some other depredations that would be discovered by searching his boxes, determined upon retaining possession of them, and told him that he would take care of them for him, but that he should not have possession of them for the present.

It appears that on this same day the persons of whom the prisoner had purchased the articles to stock his shop, and to whom he promised immediate payment, came to him and insisted upon receiving the amount of their goods. He told them he was unable to pay them, and they insisted on having back their property, and the whole of the goods were accordingly removed, and the shop closed. This occurred in the latter part of the day, and about dusk on Tuesday evening the prisoner shut up the shop, and was seen to walk away. He then, it appears, not having the opportunity, for the reason above stated, of going to his own lodging proceeded to a coffee shop at the end of Oxford-street, where he hired a room, and there remained until the Monday, when the desperate act was committed.

Sir James Alexander, in an account of his late travels in the Rocky Mountains, mentions a singular race of Indians living far in the interior, of fair complexion, with a language of their own, and possessing considerable knowledge of the arts. It is supposed they may be descendants of the colonists who left Wales, under Prince Madoc, in 1162.

TO OUR SUBSCRIBERS—As the second number from the present of the New Era, will complete the Operations of the Right Division of the Army in Canada, during the war of 1812, and as it will necessarily require some time to prepare those of the Centre Division with that fidelity which alone can render them of value, we have determined, in compliance with the wishes of many of our Subscribers to publish, as a sort of appendix to the operations of the Right Division, the Poem of Tecumseh, the last remaining printed copy of which, it will be recollected, has been set apart for the purpose of being placed under the foundation stone of the monument to be erected to the memory of that Great Chief and Warrior at Amherstburg. All persons desirous of obtaining copies of the complete publication, from the commencement, can obtain them through the several post offices, on enclosing two dollars, or six months subscription. We shall feel obliged if the press will do us the favor to notice this.

COOPER AND THE COMMERCIAL.

(Continued from second page.)

Mr. Cooper—It will take me at least an hour and a half to make an analysis of the testimony. I have been ill during the day, and if I go on any longer, I shall sleep none to-night. And besides, I shall want an hour and a half to show the malice. You have no idea how much malice there is in that review.

The case was therefore adjourned over until Friday afternoon, when *Mr. Cooper* resumed, and spoke more than six hours.

He commenced by an analysis of the testimony against Captain Elliot, and he had been satisfied, he said, by examination, that there was a disposition manifested through the whole testimony to cavil and find fault with Captain Elliot, and a disposition to make mountains out of mole hills, which he thought should throw a distrust over the whole testimony. For instance, as to the charge made that Captain Elliot's men were engaged during the action in "dodging the chain shot," he thought they were fully justified in keeping out of the way of articles so much harder than their own heads; but after all there were circumstances about it which made him doubt the truth of the whole story which grew out of it. And it was moreover most undignified cavil on the part of Capt Elliott's accusers.

The testimony of Capt. Barclay, (British) he thought should be received with great distrust, not on account of his character, for that was unexceptionable—but on account of his position. Capt. Barclay was not in the United States fleet, and at such a distance from the Niagara that he could not be supposed to be able to know what was going on on board the Niagara.

He then proceeded to examine the testimony of the witnesses, as given on the stand before the arbitrators. In reference to the testimony of Capt. Sands, he said as to the charge that Elliot ought to have "kedged down" to the English fleet, it was an exploit that could not have been done under the circumstances. It would be necessary, in order to do it, to take the boats right down in the face of the fire of the English fleet; and whatever one may otherwise think of the British, it must be allowed that they are "ugly customers" to meet on sea or land, and we may think we do well if we can get down upon them under the sail and protection of a frigate.

He insisted that political feeling had been mixed up in these attacks upon Capt. Elliott, and ever since the affair of the "figure head," at Boston, he had drawn upon him the malevolence of most of the Whig press of the country. This remark was made in introducing a letter to Capt. Elliott from Major Roach, who he said was a decided politician, who told him (Mr. C.) that he could not help giving Capt. Elliott the letter, although he said he "felt scur about that confounded figure head business." The letter was in regard to the capture of the British brigs near Detroit, in 1812. Mr. Roach was then a major in the U. S. Artillery, and he gives his testimony in favor of Elliot, as behaving gallantly in the capture of these brigs.

Mr. C. next examined the official letter of Captain Perry, commanding Elliot, and his retraction of those commendations some years after. He said he believed that the commendations in the official letter were the free and frank expressions of his (Perry's) feelings and judgment at the time, immediately after the battle, and that the retractions were made under the influence of feelings which afterward arose toward Elliot. And to sustain this position, he went on to show by letters on both sides, that a bitter and vindictive quarrel had arisen between Perry and Elliot. He therefore felt, when he wrote his history, that he should look at the charges made by Perry against Elliot with a good deal of caution. It was evident he said, that there was a personal quarrel between these two gentlemen, and he felt himself bound, as an impartial historian, to take rather the testimony of Perry before this quarrel arose, than the charges made when these officers were at personal issue. That there was such a quarrel he argued at great length, from the nature of the specifications made by Perry against Elliot, many of which he pronounced untrue, and most of them grossly exaggerated. In his examination of the specifications, Mr. C. made use of a diagram to show the actual positions of the vessels at the battle, and his illustrations and nautical terms we should hardly be able to make intelligible.

RECOLLECTIONS OF THE WEST INDIES.

(Concluded.)

This painful duty accomplished, the line was wheeled back into divisions, and in conformity with the practice usual on such occasions, marched in slow time past the bodies and coffins of the criminals. Here however our task was not ended, for the sentence of the remaining prisoners was to be carried into execution, and a second party conducting the men who were to be flogged soon afterwards appeared. The triangles were soon prepared, and the furnace which was to heat the ignominy-stamping iron lay smoking at a distance. Being quickly stripped, the first who was to suffer extended his arms and legs for the purpose of being secured to the triangle, and beneath the eyes of his fellow criminals, who must have suffered nearly as much in the anticipation as in the actual punishment itself, received as many lashes of the number awarded as the medical men present pronounced him capable of enduring. The hot iron was then brought forward, and beneath its hissing surface, on a part of the back which remained untouched by the lash, was traced the character which to a soldier is ever that of infamy. The other prisoners were successively tied up, flogged, and branded, nor was it until a late hour in the morning that this scene terminated.

Of all the capital punishments inflicted by man on man, a military execution is at once the most imposing and the most affecting. The criminal who perishes on the scaffold is often a stranger to the thousands who, attracted by vulgar and unfeeling curiosity, rush tumultuously to witness the writhings and sufferings of a fellow being. No feeling save that of instinct finds entrance into their bosoms, and even at the solemn moment of death the most disgusting scenes of contention frequently occur. Often does the coarse and brutal jest of some ruffian call forth the still more brutal laugh of the populace, and mingling with the last prayer of mortality, outrage both nature and humanity. The pangs of the victim are witnessed by the mass without emotion, and the spectacle is viewed only with the eagerness of curiosity which would be exhibited at a tragic representation on the stage. Few return better than they came, or benefit by the example they have witnessed, and when they relate the tale of ignominy and death to their children, it is less with a view to inculcate a salutary precept, than to impress them with a high opinion of their knowledge, or of the wonders they have seen. How different is the other. The soldier criminal, when conducted to suffer the penalty of his crimes, beholds in each individual a friend and a companion, and in the awful silence of that moment traces feelings even amid the gloom of inflexible features, which are only checked by a deep sense of military subordination. Men who have been nursed in camps, and hourly accustomed to the sight of blood, feel their hearts sink within them at the anticipation of the scene which is to follow, yet though their sympathies are deeply excited no murmur escapes their lips, for all acknowledge the justice of the sentence. No other image is suffered to engross their attention, but absorbed in contemplation of what is passing, they await in motionless attention the termination of the tragedy, and as the tearless eye of the veteran glances on his officer, he feels that such even would be *his* fate were he to violate those articles of military law which entail the penalty of death. The feelings of the officer are no less moved, but with him as with the soldier, they are only expressed in the stern fixedness of his gaze, and the gloom which overspreads his features. Nor is the solemnity of the last act of justice interrupted by any other sounds than the reports of the instruments of death, and the occasional groanings of the victims. All else is still and motionless as the grave, and when aroused from the statue like appearance they have hitherto maintained, the numerous columns have been marched slowly past the bodies of the criminals, they return to their quarters with minds deeply impressed with solemnity and dread at what they have witnessed, and inclined to become better soldiers, and better men.

CAPTAIN SCHENLEY.—Yesterday, at a special confirmation, held purposely at St. Paul's, Mrs. Schenley, the youthful bride of E. W. H. Schenley, Esq., was confirmed by the Lord Bishop of Llandaff, Dean of St. Paul's, &c. This lady, respecting whose marriage the American newspapers have indulged in so much rancour and rhodomontade, has been sitting for her portrait to T. Lewis, Esq.—*London paper.*

resolution never to resign his liberty but with his life, to a foe so regardless of all sense of honor, justice and the rights of war.

(Signed) Edward Baynes, Adj't. Gen.

Extract from a letter from the Secretary of State to the Governor of Kentucky.

Nov. 27, 1813.

Sir,—The British Government seems to have given to this war every degree of savage barbarity and cruelty which it may be able to inflict. In the close of the late campaign, the British commanders at Quebec seized and sent to England, twenty-three of our soldiers who had been prisoners, to be tried for treason, on the pretence that they were British subjects. For so unjust and outrageous an act, the President was bound to confine a like number of British prisoners in the United States, which he did in the expectation that the British Government, seeing the inevitable consequence of the first measure, would relax from it, or at least leave the affair in the state in which it had thus been placed for accommodation by treaty. More recently, however, a measure of still greater injustice has been adopted. The Prince Regent has ordered into close confinement forty-six officers of the United States upon the principle, as he says, of retaliation, expecting, by the violence of the proceeding, to intimidate this government into a submission to the extravagant and unfounded claims of the British Government. The President has met this measure with equal decision, by ordering into like confinement forty-six British officers, as a pledge for the safety of those on whom the British Government seems disposed to wreak its vengeance.

These officers are ordered to be conveyed to Frankfort in Kentucky, to be confined there in the penitentiary of that State, which is represented to be a building affording the twofold advantage of good and safe accommodations.

This step is taken in the full confidence that every facility will be afforded to its complete execution, by Your Excellency, that may be expected from a character so strongly attached to the union, and decided in the support of all the necessary measures to secure success to the just war in which we are engaged.

General Order, Adjutant Generals Office,
Head Quarters, Montreal, 12th December, 1813.

His Excellency the Governor in Chief and Commander of the Forces has to announce to the troops under his command, that he has received a communication from Major General Wilkinson, commanding a Division of the Army of the United States of America, by order of His Government, of which the following is an extract:—

“The Government of the United States adhering unalterably to the principle and purpose declared in the communication of Gen. Dearborn to you, on the subject of the twenty-three American soldiers, prisoners of war, sent to England to be tried as criminals; and the confinement of a like number of British soldiers, prisoners of war, selected to abide the fate of the former; has in consequence of the step taken by the British Government, as now communicated, ordered forty-six British officers into close confinement, and that they will not be discharged from their confinement until it shall be known that the forty-six American officers and non-commissioned officers in question are no longer confined.”

It would be superfluous to use any argument to refute an assumption so extravagant, unjust, and unprecedented, as to deny the right of a free nation to bring to legal trial, in a due course of law, her own natural born subjects taken in the actual commission of the most heinous offence that man can commit against his King, his Country, and his God; that of raising his parrioidal arm against his allegiance to his countrymen, by leaguering with their enemies; a crime held in such abhorrence by every civilized nation in Europe, that summary death by the law Martial is its avowed reward, and is inflicted with unrelenting severity by France, the ally of the United States. This pretention must appear to every unprejudiced and upright mind as iniquitous and unjust, as is the retaliation which the Government of the United States has adopted, by placing in close confinement three and twenty British soldiers, as hostages for an equal number of infamous wretches, the unworthy offspring of Great Britain, who, when drawn from the ranks of the enemy, solicited to be suffered to expiate their treason by turning their arms against their employers. These Rebels have (with the contempt they merit) been consigned to the infamy and punishment that await them from the just laws of their offended country, while the Government of the United States does not blush to claim these outcast traitors as their own, and outrage the custom of civilized war, in the persons of honorable men, by placing them on a par with Rebels and Deserters.

No alternative remains to the Commander of the Forces, in the discharge of his duty to his king, his country, and his fellow-soldiers, but to order all the American officers, prisoners of war, without exception of rank, to be immediately placed in close confinement as hostages for the forty-six British officers so confined, by the express command of the supreme authority in that country, until the number of forty-six be completed, over and above those now in confinement.

His Excellency directs that this General Order together with that issued on the 27th of October, be read to the troops, that the British soldier may be sensible of the terms on which America has determined to wage this war; confident that he will meet them with proper spirit and indignation; for should he become the prisoner of a foe so

regardless of those laws, which for ages have governed civilized nations in war, he would be doomed to a rigorous confinement, and that only preparatory to a more savage scene.

(Signed) Edward Baynes, Adj't. Gen.
North America.

But more than either of the foregoing documents, does the following statement, copied from the Salem Gazette, prove the nature and consequences of this cruel system of retaliation, as carried on between the two countries.

“TREATMENT OF BRITISH PRISONERS OF WAR IN THE UNITED STATES.—It is time that the public should be correctly informed on the subject of the unfortunate prisoners at Ipswich. Seventeen of our fellow beings have been immured in dungeons in our own neighborhood, three months, and the public attention has not been called to their sufferings. The following we believe to be a correct statement of this affair.

On the seventh day of October 1813, James Prince Esq., Marshal of this District issued his mandate directed.

“To the keeper of the gaol of the United States at Ipswich, within the District aforesaid—Greeting”—requiring him “to receive into his custody, and safely keep in dungeons in the gaol aforesaid, the bodies of Thomas Cooper, John Clark, Adam Kirby, Samuel Thorp, Thomas Hewes, John Bendow, James Onion, Richard How, Daniel Dowland, and James Humphries, in retaliation for cruelties said to be exercised on certain persons at Halifax, and also as hostages to respond for any acts of violence which may be inflicted on them.”

By similar orders dated Oct. 11th, 12th, 13th, and Nov. 2d, he also directs the under keeper to confine in dungeons the bodies of Wm. Nickerson, Elkanah Clements, R. Kirkland Black, Wm. Owen, Benj. Johnson, and James Ross in retaliation for “cruelties” said to be committed on other American prisoners of War in Halifax.

By another order dated Oct. 12th, the Marshal directs the gaoler to receive and detain in his custody the body of Peter H. Diedale, a maritime prisoner of war, without alledging any other cause, and he has been confined in a dungeon with the rest.

These men have ever since been kept in dungeons as dreary as Mr. Madison could desire. The gaol is a gloomy stone building. The dungeons are seven feet by ten on the ground floor, of rough stone at top, bottom, and on all sides. There are loop holes or narrow openings of two or three inches wide through the upper part of the stone walls, to admit the little light and air which these unfortunate victims are allowed to enjoy. In damp weather, the water runs down the walls, and drops from the stone ceiling over the floors. These dungeons were never intended for any other purpose, than to punish the worst of convicts by a few days solitary imprisonment, and it is believed have never been used even for that purpose. Yet in these places have innocent men been languishing for three months, sixteen of them, four in a dungeon, and the other (Captain Ross) in a dungeon by himself. A few days since ten of them were removed to the cells in the second story, appropriated to criminals. These cells are larger than the dungeons but extremely cold and uncomfortable. So far have these unfortunate prisoners been “released” (as had been asserted in another American paper,) and no farther. Seven viz. Capt. Clements, Lieuts. Owen, Black, and Nickerson, and two seamen, it is understood, are still confined in two dungeons, and on some of the late cold nights several were past recovery, notwithstanding they had received a supply of warm clothing from some charitable individuals; and medical aid was necessarily called in to restore the perishing; and it is only by this charitable relief and the attention of the gaoler’s family, unwarranted by the orders of Government, that these poor prisoners are not dead! They must have perished, if left to the care of Government! Such is the situation of these prisoners, and this is the “retaliation” that is called “christian!”

That the threat of retaliation would have been carried into effect by the American government, it is scarcely possible to believe, since, exclusively of the blot such a proceeding must have imprinted on their character, the disproportion of prisoners was greatly in our favor, as well in regard to rank as numbers; but we had too much reason to apprehend, from the unqualified hatred manifested towards us by the populace in the States of Ohio and Kentucky, that the will of their rulers would have had little effect in restraining the ebullition of their rage, had the original sentence been carried into execution. Let it not be imagined that this idea arose simply from surmise, or had its being in the vague apprehension of men who, more immediately interested in the result, might be deemed ready to admit the agency of fancy in their impressions of impending evil. Several gentlemen, estimable for their rank and character in these States, warned us during their occasional visits of the fact, and with every opportunity of ascertaining the public feeling, communicated circumstances which left us no reason to infer that their fears for the result should be disregarded. Our sensations in consequence were not, it will be imagined, of the most pleasing or enviable description. The common gaol of the town had been fixed on for our abode, and

we were distributed into two small rooms in an upper story, communicating with each other, and containing each ten persons. During the day they were left open, but carefully locked and bolted at night, and sentinels were posted in the corridor into which they opened. The height was upwards of sixty feet from the ground; and through the strong bars with which the windows were furnished, we beheld others pacing to and fro, and exercising their vigilance so far as to direct their attention repeatedly to our rooms. Thus guarded, and unprovided with instruments of any description whatever, we had no hope of effecting an escape; while, to crown our misery, Fortune had thrown us into the hands of a gaoler of the most ruffianlike character. On one occasion, in consequence of some trifling misunderstanding with an interpreter who had been confined in the adjoining room—a man remarkable for the mildness and forbearance of his nature,—the wretch inflicted so severe a wound on his head with a ponderous key, as to cause the blood to gush forth with extreme violence. When visited by the officer of the guard, a complaint was preferred by the injured man; but the liberal republican, with true patriotic feeling, justified the act of his countryman, and concluded by threatening a repetition of the punishment.

We had now been some time in this disagreeable situation, when a project was formed which promised to throw a more favorable coloring over our destiny. The whole of the captive division, including the seamen, were confined in a fortified camp, erected for the purpose on the skirt of a wood adjoining one of the suburbs of the town, and were guarded by a considerable detachment of regular infantry. These noble fellows were no sooner apprised of the ignominious fate with which their officers were threatened, than with the generous devotedness characteristic of their respective professions, they deputed two serjeants who had been suffered to communicate with us on subjects relative to the cloathing of the men, to express their determination to effect our liberation, or perish in the attempt. Accordingly, the following plan was adopted, and fixed on for execution at a certain day. At midnight, the men were to rise and overpower the guard, and having secured them, and possessed themselves of their arms, to separate into three distinct parties. The first of these, headed by one of the deputies, were to advance on the prison, and having effected our liberation, to hasten to the boats on the river, which the second division were to have secured; while the third, patrolling the streets in silence, were to prevent the inhabitants from assembling and impeding the operations of the first. The plan, hastily adopted, from the circumstances in which we found ourselves placed, was at best a wild one, since, had it succeeded in all its primary stages, we must have been eventually destroyed in descending the narrow river of the Scioto, by the fire from the numerous riflemen the enemy would have collected, on the first intimation of our departure. We were then, however, sanguine of success, and none paused to consider the difficulties that awaited us after our liberation, in the heart of an enemy's country, where ammunition and provisions were alike beyond our reach. We spoke of our descent of the Mississippi from the Scioto, and the Ohio, and our final reception on board the English fleet we knew to be cruising off New Orleans, as a matter of course, and discussed our meditated movements with all the confidence of the soldier, but certainly with little of the prudence or foresight of the general. Such was the plan decided on for our escape; but, while awaiting the completion of the necessary preparations, a circumstance ludicrous in itself, yet alarming in our actual position, threatened to blight every hope by which we had lately been sustained. One morning about daybreak, the noise of workmen was distinctly heard beneath the windows of the room in which, covered with a solitary blanket, and huddled together without order or ceremony, we contrived to enjoy a few moments of repose. One of the party immediately jumped up, and running to the window, beheld a number of men engaged in the erection of a scaffold. The exclamation wrung from him by the sight, drew us all to the spot, and then, indeed, we might be said to have experienced the sensations of men who behold for the first time, and without a hope of reprieve, the gloomy

preparations for an ignominious end. The predominant sentiment with us was, however, less regret for the existence we considered ourselves about to forfeit, than rage at the idea of having surrendered ourselves prisoners of war to an enemy capable of violating every principle of justice, for the sake of shielding a few perjured and despicable criminals from the laws of their offended country. In this state of cruel suspense, we continued until nine o'clock, the hour at which the bolts of our prison were withdrawn for the day, when the explanation given by the gaoler dissipated our alarm. The scaffolding was erecting for the purpose of sinking a pump for the use of the prison; and the indistinct view we had obtained of the construction through our bars, had given rise to the error.

At length the much wished-for day fixed on for the execution of our enterprise arrived, and we arose, as we fully hoped, from our couch of misery, for the last time. To persons in our situation, it may easily be imagined, the hours appeared to move on leaden wings, yet we doubted not an instant of a favorable result. Fate had, however, ordained otherwise. At four in the afternoon, while yet partaking of our wretched meal, the trampling of horses' feet, and a confused sound of drums and voices, drew us suddenly to the window, and in a few minutes we beheld Governor Meigs literally armed to the teeth, a rifle on his shoulder, and accompanied by a numerous staff, riding up at full speed. We were for some time lost in astonishment and unable to account for this singular appearance; but a clue to the mystery was soon afforded by the entrance of an American officer, who, leaving his guard in the corridor, advanced into the outer room accompanied by a formidable cyclop, bearing certain insignia of his trade, with which we could very willingly have dispensed.

For the better insurance of success in our enterprise, it had been found necessary to admit two individuals in the town into our confidence—certain essential and preliminary arrangements remaining to be effected. These gentlemen were of the federal party, and entered into our views with a willingness which gave every fair promise of a favorable issue. We had been rather intimately known to them prior to our confinement, and with their sentiments, both political and private, we were well acquainted. The measures necessary to forward our undertaking were faithfully executed by them, and on the morning of the night which was to give us to liberty, as we fondly imagined, nothing of a preparatory nature remained to be done. Seized however by a sudden panic, and anticipating the consequences of a discovery of co-operation with the enemies of their country, they resolved to elude the danger they feared, by a voluntary and unreserved disclosure of our intentions to the Governor of the State, who resided in Chillicothe. This was accordingly done, and the active and precautionary measures consequent on this alarming intelligence, had given rise to the bustle and tumult which assailed our ears from without, and carried disappointment and despair to our hearts.

This latter information was conveyed to us by our new visitor, Lieutenant Harrison, of the 19th infantry (a gentleman whose name I feel peculiar pleasure in recording,) who now proceeded to communicate the disagreeable duty with which he was charged, and which the equipment of his forbidding attendant, armed with a hammer, anvil, and about twenty pairs of hand-cuffs, sufficiently explained. With a tearful eye and in a faltering tone, did this gentleman intreat us to lose sight of the man in the subordinate, and to believe how much it pained him to be the instrument selected for the purpose. Such an indignity, he said, he deplored being compelled to offer to British officers; but he trusted that with men to whom the rigor of military duty was familiar, the public act would be forgotten in the expression of private feeling. The delicacy of such conduct was felt by all, and we hastened to assure him of our grateful sentiments in return. He then desired the man to proceed to the execution of his office: and in less than an hour, the hands of the whole party, myself alone excepted, were fettered with irons, which the rough and malignant-looking son of Vulcan seemed to feel no little satisfaction in applying. On inquiry, I learned that I had been excepted at the express desire of Colonel Campbell, commanding the troops at Chillicothe, from whom the order had emanated. For this favor I felt that I was indebted to my kind friend Mr. Brush, but as I had little in-

clination to be exempted from a participation in the fate of my companions, I expressed myself to that effect to Lieutenant Harrison, requesting at the same that he would impart to the Commandant, who was the colonel of his own regiment, the utter disinclination I entertained to owe him any thing in the shape of obligation, while my brother officers were manacled as felons.

On the departure of the officers we had full leisure to reflect on the hopelessness of our situation, and we inveighed not a little against the defection of our American friends, though, in fact, our own folly alone was to be taxed in having made the subjects of a country so interested in our detention accessory to the design. These reflections, however, finally yielded to a feeling of mirth excited by the ludicrous appearance we exhibited, stalking about the room like spectres, and deprived of the usage of our arms; and we began to enjoy the panic partly visible to our eyes, and principally ascertained from our gaoler, from whose account it appeared large bodies of the inhabitants were already assembling to the sounds of the alarm drums and bugles. The guards and sentinels of our prison had been doubled at the first rumor, and the militia of the adjacent country were flocking in to strengthen the troops intrusted with the security of the men. It was not until a late hour in the night, that these warlike preparations appeared to be completed, the rolling of the drums frequently breaking on our ears, as we lay extended on our blankets, to which, after a close examination of our apartments by the gaoler, followed by an unusually careful application of bolts and keys, we had long since consigned our aching limbs.

In the state of utter helplessness to which my companions were reduced, we found the advantage of the exception made in my favor, since I was thus enabled to perform many little offices which the brutality and remissness of the gaoler left us no hope would be attended to by him. Three days had now elapsed since the visit of Lieutenant Harrison, when the situation of the sufferers had become irksome to a degree. Not once, during that period, had they been permitted to throw off their clothes, or perform their customary ablutions; and when they descended to the court, which was rarely and but for a few minutes, a sentinel followed with his bayonet extended, and within a foot of the prisoner. Their hands and wrists had also become extremely swollen by the compression of the irons, and the extremities of the fingers of several were discolored with the quantity of blood propelled to those parts. Under these circumstances, I wrote a polite note to Colonel Campbell, detailing the several inconveniences sustained by my brother officers, and requesting that he would cause the fetters to be removed under the inspection of an officer, and merely for the time requisite to clean their persons and change their linen. To this communication I received a negative reply, couched in the most positive and unfeeling terms. I immediately wrote a second, expressive of our united sentiments in respect to his conduct, which I had no doubt would have brought down the wrath of the generous commandant on my head; but no notice whatever was taken of the letter. Finding it vain to expect any relief from this quarter, we adopted an expedient which answered all the intention proposed. With the aid of an old knife, we contrived to divide the nails by which the irons were riveted around the wrists, and substitute others of lead, a small quantity of which article one of the midshipmen happened to have in his havresack. The relief afforded by the removal of the fetters, which was only effected by stealth, and at those moments when we considered ourselves free from interruption, was grateful to all, although the fingers were so cramped by the extended position in which they had been kept, as to render it difficult and painful to move them. The leaden pins had been blackened to imitate iron, and as the sleeves were carefully drawn over, the deception could only be discovered on a minute examination. Thus were the officers enabled not only to enjoy some little cessation from suffering, but to attend to the comfort and cleanliness of their persons, an advantage for which they certainly were not much indebted to the humanity of the public authorities of Chillicothe.

NEARLY ten days had succeeded to the detection of our plan of escape, when, one evening at a late hour, we received intimation to prepare for our removal to the penitentiary of Frankfort in Kentucky; and accordingly the next day, about two o'clock in the afternoon, we were conducted to the front of the prison, where a detachment of

regular infantry was drawn up with their ranks facing inwards, and at extended order. Between these ranks we were placed two abreast, and the detachment being ordered to face to the right and left, we moved on, thus escorted or rather enfiladed, from the gloomy walls of our prison. As if to humiliate us to the last degree, and add insult to misfortune, we were paraded through the principal streets of the town, though such a route was at once circuitous and unnecessary. The taunts and hisses of the populace who had assembled at an early hour to witness our departure, and were now with difficulty kept back by the guard, followed us throughout; but the clamorous ebullition of their hate gave us far less concern than the sombre countenances of the more respectable inhabitants, collected to view the passing scene. Those with whom we had lately associated, and who had exercised the courtesies of hospitality in our favor, now gazed upon us with various expression—some in a triumphant disdain originating in a false rumor, which had been industriously circulated of a design to fire the town—others with evident interest and concern, arising from a conviction of the injustice of such a charge. Friends and foes were, however, alike to us at that moment, and the proud indifference of our looks rested on all with the same cold expression; for we felt that the ignominious treatment to which we were then being subjected, reflected, not on us, who had attempted the fulfilment of a duty we owed both to our country and to ourselves, but on those who thus abused their power over us as defenceless captives. At length when it was presumed that the good inhabitants of Chillicothe had sated themselves with a view of the "incendiary English," we were conducted to a large boat on the river, already manned with soldiers, and awaiting our arrival.

It was with a feeling of real pleasure that we found Lieutenant Harrison to be the officer in command of the detachment to whose charge we were here given over; and as we took our places, the boat was pushed off from the shore, and quickly glided down the Scioto, amid the continued hootings of the rabble, collected at the point of embarkation on its banks. Impressed with various reflections arising from the preceding scene, few of the party were disposed for conversation, and an almost uninterrupted silence had prevailed some hours, when, towards the close of the day, the boat struck against a "sawyer," or trunk of a tree carried off from the land during the floods, and frequently stationary in the beds of rivers, from whence when acted on by the tide and current, it rises suddenly to the surface in a perpendicular direction, preserving a state of reaction, and threatening destruction even to the largest boats used in the navigation of the Ohio and Mississippi. The concussion we experienced gave rise to serious apprehensions for our safety; and in an instant the leaden pins of the handcuffs were removed, but yet with sufficient precaution to escape the attention of the guard. Lieutenant Harrison, however, caused the boat to be directed towards the shore, and having expressed his intention to pass the night in an old deserted building, which stood at the distance of some few hundred paces, we were accordingly disembarked. When arrived at the spot indicated for our temporary sojourn, the American officer, evidently impressed with a full sense of our recent danger, declared it to be his determination to remove the fetters from our hands, provided we would pledge our words to him, as British officers, that no attempt at escape should be made. This step, he observed, had not in any way the sanction of his superiors, but he was willing to take the responsibility upon himself, satisfied that our parole once engaged, no ultimate risk could be incurred. This circumstance, however grateful in fact, placed the manacled officers in a rather awkward dilemma, since it was evident that in removing the irons, which had been replaced the instant the danger was passed, the deception must be discovered. We had, however, formed too just an estimate of the character of Lieutenant Harrison to hesitate long in the avowal of a subterfuge to which we had been driven by suffering and necessity. Our promise was then given, and the whole party once more enjoyed the unrestrained use of their limbs. At an early hour on the following morning we again embarked, and a few hours brought us to the point of confluence with the majestic waters of the Ohio. The strong current of this expansive river carried us rapidly forward, and we soon found ourselves at Cincinnati, the capital of the State.

Here we were provided with other horses, but of the same miserable description: their backs cruelly galled by the ill-stuffed saddles, and their ribs almost protruding from beneath their hair-divested hides, the appearance of these unfortunate animals was pitiable in the extreme; and few of us, on leaving Fort Wayne, entertained the slightest doubt of their sinking successively beneath us, before our destination could be gained. The rain still continued to fall, and during the latter part of October and the commencement of November we never once beheld the sun. Many of the officers were without great coats, having been plundered of every thing, as well by the followers of the division as by the enemy themselves; and, although we each possessed a change of linen, during the whole journey we had no opportunity of having any thing washed, so that in a short time we were infested by vermin, which gave the finishing stroke to our calamities. Still we proceeded on our journey, and through a country of the same character with that we had previously traversed. On one occasion we found ourselves stopped by a stream of considerable depth, the bridge over which had been broken down by the torrent. No other alternative remained than to swim our horses across, or run the risk of their breaking their legs in the interstices of the bridge, which had partly sunk beneath the surface of the water. The former course was after due deliberation, adopted; and lots having been drawn, the first attempt devolved on Lieutenant Stokoe of the Royal Navy. Spurring his horse into the current, this officer with much difficulty reached the opposite bank; but, unable to effect a landing, was thrown from his seat in consequence of the violent struggles made by the animal, and, with one foot fastened in the stirrup, lay for some moments in imminent danger of perishing. At length, after much exertion, he succeeded in disengaging himself, when clambering up the steep, he soon drew his horse after him. This experiment being considered too dangerous for repetition, we decided on effecting our passage across the bridge; and owing to the caution we observed, no accident occurred to the horses—a circumstance peculiarly fortunate, since we could have found no means of supplying our loss. After several weeks of tedious travelling through this dreary region, some few traces of civilization and cultivation were perceptible, and we finally beheld the banks of the Scioto. On the opposite shore of this small river stands the town of Chillicothe; and after having for the last time committed our steeds and persons to the water, in default of a bridge, we found ourselves at the termination of our journey, overcome with lassitude, and in a state which might have caused us to pass for any thing rather than British officers. The party which had taken the route of Fort Meigs was already arrived, and with it the troops of the division.

At Chillicothe, I was singularly fortunate in meeting with a gentleman who exercised the rites of hospitality in my favor to the fullest extent. An apartment in his house was appropriated to my service, a cover daily laid at his table, and his horses declared at my command. In short, no individual in the character of a prisoner of war had ever less reason to inveigh against his destiny. This ray of sunshine was, however, of short duration. Soon after the arrival of the Sandusky party at Chillicothe, the officers captured at the Moravian village were, in consequence of an order from the American government, despatched to Frankfort, the capital of Kentucky—those of the naval service alone being suffered to remain, and, through the influence used by my kind host, my name was included in the list of the latter. At the moment when we began to reconcile ourselves to our situation, and to appreciate the attention paid us by the more respectable inhabitants, an order suddenly arrived for our close imprisonment. This unexpected measure owed its origin to the following circumstance. Among the prisoners taken at the affair in which the lamented General Brock lost his life, twenty-three men, recognized as deserters from the various regiments in Canada, had been sent to England, and subsequently tried and convicted. The execution of the sentence had, however, been deferred. The American government was no sooner apprised of their impending fate, than, acting on that system of naturalization which, in defiance of every principle of equity, would preclude the hitherto undisputed right of nations to punish their criminal subjects, they caused an equal number of Bri-

tish soldiers to be kept closely confined, to answer as hostages for the safety of the convicted deserters. This unjustifiable proceeding was followed by the seclusion of twenty-three commissioned, and an equal number of non-commissioned American officers, and retaliated by them in a similar manner; so that finally nearly all the officers of both parties were deprived of their liberty, and liable at any moment to answer with their lives for the apostacy of three and twenty individuals America should have blushed to claim as subjects of her republic.

With a view to the thorough comprehension of the subject by the reader, and to exhibit in its true light the extraordinary course pursued by the United States, it will be important here to annex, not only the remonstrance of the British Government, as conveyed through two distinct general orders issued by Sir George Prevost, under the direction of His Royal Highness the Prince Regent, but the particular instructions, for the close confinement of the officers of the Right Division in the Penitentiary of Frankfort, transmitted by the American Secretary of State to the Governor of Kentucky.

General Order.

Head Quarters Montreal, Oct. 27, 1813.

His Excellency the Governor General and Commander of the Forces, having transmitted to His Majesty's Government a letter from Major Gen. Dearborn, stating that the American Commissary of Prisoners in London had made it known to his Government, that twenty-three soldiers of the 1st, 6th and 13th Regiments of United States Infantry, made prisoners, had been sent to England and held in close confinement as British subjects, and that Major Gen. Dearborn had received instructions from his Government, to put into close confinement twenty-three British soldiers, to be kept as hostages for the safe keeping and restoration in exchange of the soldiers of the United States, who had been sent as above stated to England;—in obedience to which instructions, he had put twenty-three British soldiers into close confinement to be kept as hostages; and the persons referred to in Maj. Gen. Dearborn's letter being soldiers serving in the American army, taken prisoners at Queenstown, who had declared themselves to be British born subjects, and were held in custody in England there to undergo a legal trial.

His Excellency the Commander of the Forces has received the commands of His Royal Highness the Prince Regent, through the Right Honorable the Earl Bathurst, Secretary of State, to lose no time in communicating to Major Gen. Dearborn, that he has transmitted a copy of his letter, and that he is in consequence instructed, distinctly to state to Maj. Gen. Dearborn, that His Excellency has received the commands of His Royal Highness the Prince Regent, forthwith to put in close confinement, forty-six American officers and non-commissioned officers, to be held as hostages for the safe keeping of the twenty-three British soldiers stated to have been put in close confinement by order of the American Government.

And he is at the same time to apprise him that if any of the said British soldiers shall suffer death, by reason that the soldiers now under confinement in England have been found guilty, and that the known law, not only of Great Britain, but of every independent state under similar circumstances, has been in consequence executed, he has been instructed to select out of the American officers and non-commissioned officers put into confinement as many as double the number of British soldiers who shall have been so unwarrantably put to death, and cause such officers and non-commissioned officers to suffer death immediately.

And His Excellency is further instructed to notify to Major Gen. Dearborn that the commanders of His Majesty's armies, and fleets on the coast of America have received instructions to prosecute the war with unmitigated severity against all Cities, Towns, and Villages belonging to the United States, and against the inhabitants thereof, if after this communication shall have been duly made to Major Gen. Dearborn, and a reasonable time given for its being transmitted to the American Government, that Government shall unhappily not be deterred from putting to death any of the soldiers who now are, or who may hereafter be, kept as hostages for the purposes stated in the letter from Major Gen. Dearborn.

His Excellency the Commander of the Forces, in announcing to the Troops the commands of His Royal Highness, the Prince Regent, is confident that they will feel sensible, of the paternal solicitude which His Royal Highness has evinced for the protection of the person and honor of the British soldier, thus grossly outraged in contempt of justice, humanity, and the Law of Nations, in the persons of twenty-three soldiers placed in close confinement, as hostages for an equal number of traitors who had been guilty of the base and unnatural crime of raising their parricidal arms against that country which gave them birth, and who have been delivered over for legal trial to the just laws of their offended country.

The British soldier will feel this unprincipled outrage, added to the galling insults and cruel barbarities that are daily wantonly inflicted on many of his unfortunate comrades, who have fallen into the enemy's hands, as additional motives to excite his determined

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 ac-
tion 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 Cow-
n, or so much thereof as may be necessary, will be held liable for the Pay-
ment, 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 Brag 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 compi-
lation 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 can-
not 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 altogeth-
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.

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