The Project Gutenberg eBook of Battle of Fort George: A paper read on March 14th, 1896, by E. A. Cruikshank

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or reuse it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: Battle of Fort George: A paper read on March 14th, 1896

Author: E. A. Cruikshank

Release Date: September 3, 2010 [EBook #33621]

Language: English

Credits: Produced by Barbara Kosker and the Online Distributed Proofreading Team at

http://www.pgdp.net

*** START OF THE PROJECT GUTENBERG EBOOK BATTLE OF FORT GEORGE: A PAPER READ ON MARCH 14TH, 1896 ***

"Ducit Amor Patriae"

TRANSACTION NO. 1

Niagara Historical Society.

BATTLE OF FORT GEORGE

A PAPER READ ON MARCH 14TH, 1896, BY

ERNEST CRUIKSHANK

CAPT. 44TH BATTALION.

NIAGARA:
PICKWELL BROS., BOOK AND JOB PRINTERS.
1896

PREFACE.

The reproach has frequently been cast upon us that Canada has no history; it might be said of us with far more justice that we do not know our own history. The various historical societies are, by their efforts, trying to wipe away this reproach, and we feel proud of following in the wake of the Lundy's Lane Historical Society in publishing a paper written by Capt. Cruikshank, who has well earned the title of the historian of the Niagara peninsula.

Of the towns of Ontario not one we are sure possesses a history so eventful, so ancient, so interesting as Niagara, having been at different times a legislative, an educational, a military and a commercial centre, at one time occupied by the enemy and again a heap of smoking ruins, now a quiet summer resort with many points of historical interest, with wide streets shaded by old elms and having unrivalled lake and river scenery. The members of the youngest of these Historical Societies feel that they may congratulate themselves on being able to place in the hands of the public the story which so far has not yet been told of the Taking of Fort George, told too in a style so clear, so dispassionate, and shewing such deep research, a story of troublesome times, which so told can not but be helpful to old and young of every nationality.

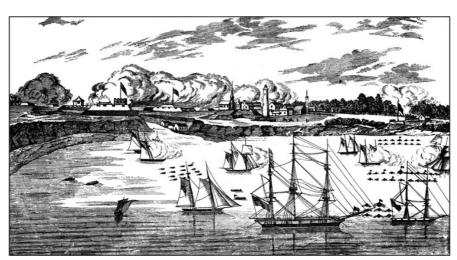
Asking for our first venture a kind reception we send it out to the public, hoping that it may do its part in proving that we have a not ignoble history which should inspire us to yet nobler deeds.

BATTLE OF FORT GEORGE.

27TH MAY, 1813.

For about a quarter of a century Niagara was the principal town and commercial capital of Western Canada, and for a brief period was actually the seat of government for the Upper Province. The removal of the provincial officers to York in 1796 struck the first blow at its supremacy, but its material prosperity continued until the beginning of the war with the United States when its exposed situation subjected it to a series of calamities which culminated in its total destruction on the 10th of December, 1813.

During that time many travellers of more or less note visited the place at short intervals on their way to or from the Falls, and a considerable number of them have recorded their observations. Patrick Campbell in 1791, D'Arcy Bolton in 1794, the Duke de Rochefoucauld Liancourt in 1795, Isaac Weld and J. C. Ogden in 1796, John Maude in 1800, George Heriot in 1806, Christian Schultz in 1807, John Melish in 1810 and Michael Smith in 1812 have described the town and adjacent country at considerable length from various points of view. Other accounts are to be found in the *National Intelligencer* newspaper published at Washington, D. C., in 1812, and in Smith's Gazetteer of Upper Canada for 1813. From these numerous sources it would seem an easy task to form a fairly correct estimate of the appearance of the town, its commercial importance and the character of the inhabitants.



THE TAKING OF FORT GEORGE.

[Pg 2]

[Pg 3] [Pg 4]

It is described as being nearly a mile square, sparsely built, with many pasture fields, gardens, orchards and open spaces interspersed among the houses. Smith, an American resident of the province now was expelled in 1812 for having declined to take oath of allegiance, states that there were "several squares of ground in the village adorned with almost every kind of precious fruit." According to the same authority it contained two churches—one of them built of stone, a court house and jail, an Indian council house, an academy in which Latin and Greek were taught by the Rev. John Burns a Presbyterian minister, a printing house, six taverns, twenty stores and about a hundred dwelling houses, many of them described as "handsome buildings of brick or stone, the rest being of wood, neatly painted." From the lake the town is said to have made an "imposing appearance" as most of the buildings fronted the water. Smith concludes his account with the remark that it was "a beautiful and prospective place, inhabited by civil and industrious people." Dr. John Mann, a surgeon in the United States army who accompanied the invading forces and afterwards wrote the "Medical History of the War," styles it "a delightful village." The population was probably underestimated at five hundred exclusive of the regular garrison of Fort George, usually numbering about two hundred men. The names of John Symington, Andrew Heron, Joseph Edwards, John Grier, John Baldwin and James Muirhead have been recorded as some of the principal merchants.

An open plain or common of nearly a mile in width separated the town from Fort George. This post was described by the Governor General in the early summer of 1812, in official report on the defences of Upper Canada as an irregular fieldwork consisting of six small bastions faced with framed timber and plank, connected by a line of palisades twelve feet high, and surrounded by a shallow dry ditch. Its situation and construction were alike condemned as extremely defective. Although it partially commanded Fort Niagara it was in turn overlooked and commanded by the high ground on the opposite side of the river near Youngstown. The troops were lodged in blockhouses inside affording quarters for 220 men, besides which there was a spacious building for the officers. The magazine was built of stone with an arched roof but was not considered bombproof. All the works were very much out of repair and reported as scarcely capable of the least defence.

On the margin of the river immediately in front of the fort stood a large log building known as Navy Hall, which had been constructed during the American Revolution, to serve as winter-quarters for the officers and seamen of the Provincial vessels on Lake Ontario. Near this was a spacious wharf with good-sized store houses, both public and private. The Ranger's Barracks, also built of logs and an Indian Council House were situated on the further edge of the common, just south of the town. A small stone light house had been built upon Mississauga Point, in 1805-

The road leading along the river to Queenston, was thickly studded with farm buildings, and the latter village is said to have contained nearly a hundred houses, many of them being large and well built structures of stone or brick, with a population estimated at 300. Vessels of fifty tons and upwards, loaded with goods for the upper country, sailed up the river to this place, where they discharged their cargoes, and took in furs and grain in return. Ever since its establishment, the "Carrying Place" on the Canadian side of the river, had furnished much profitable employment to the neighboring farmers, who were paid at the rate of twenty pence, New York currency, a hundred weight for hauling goods between Queenston and Chippawa; Maude relates that during his visit in 1800, he passed many carts and wagons on this road, taking up boxes and bales of merchandise, or bringing down furs, each drawn by two horses or two yoke of oxen. Three schooners were then moored at the wharf at Queenston, and fourteen teams stood waiting to be loaded. Others had noticed as many as fifty or sixty teams passing each other in a day. At this time the old portage on the American bank was entirely dis-used, but in 1806 the exclusive rights to the carrying place on that side were granted to Porter, Barton & Co., and much of the traffic was consequently diverted.

Christian Schultz, tells us that in 1807, the Canadian side of the river was "one settled street, from Lake Ontario to Lake Erie," while the other was still almost wholly "waste and uninhabited," which he attributes chiefly to the fact, that the land on the American bank was entirely held by speculators. The villages of Chippawa and Fort Erie contained about twenty houses each. For upwards of twenty miles back, he states that the country was pretty well settled from lake to lake. A stage coach made three round trips weekly between Niagara and Fort Erie. A considerable sum from the Provincial Treasury was annually spent in opening and improving roads. Frenchman's, Miller's and Black creeks were bridged only on the river road, but there was a bridge across Lyon's creek, at Cook's Mills, and the Chippawa was bridged at its mouth, and at Brown's sixteen miles higher up. From the Portage Road near the Falls, a continuation of Lundy's Lane led westerly through the Beechwoods and Beaver Dam settlements, crossed the Twelve Mile creek at DeCew's, and following the crest of the mountain to the Twenty, ascended that stream as far as a small hamlet, known as "Asswago" and finally united with the main road from Niagara to York near Stoney Creek. Another well travelled road from Queenston passed through St. Davids, and joined the Lake Road from Niagara at Shipman's tavern, where they crossed the Twelve Mile Creek on the present site of the city of St. Catharines. A third leading from Niagara through the dreaded "Black Swamp," of which all trace has long since disappeared, united with the road from St. Davids before crossing the Four Mile creek. Still another beginning near the mouth of the Two Mile creek, ran nearly parallel with the river, till it intersected Lundy's Lane. Besides these there were the main travelled roads along the river from Queenston to Niagara, and along the lake from Niagara to Burlington.

In 1794, Lieutenant Governor Simcoe styled the Niagara settlement, "the bulwark of Upper

[Pg 5]

[D∝ 6]

Canada," and affirmed that the militia were loyal to a man, and "very well calculated for offensive warfare." Since then the character and feelings of the population had been essentially altered. Many of the first settlers had died or removed with their families to other parts of the Province, and their places had been taken by later immigrants from the United States. The twenty townships extending from Ancaster to Wainfleet, which then composed the County of Lincoln, were supposed to contain 12,000 inhabitants in the spring of 1812. In the entire province of Upper Canada, one-sixth of the population were believed to be natives of the British Isles and their children; the original loyalist settlers and their descendants were estimated to number as many more, while the remainder, or about two-thirds of the whole, were recent arrivals from the United States, chiefly attracted by the fertility of the soil and freedom from taxation. Michael Smith states (1813), that within twelve years, the population "had increased beyond conjecture, as the terms of obtaining land have been extremely easy." The proportion of loyalists in the County of Lincoln was perhaps greater than elsewhere, but it is probably a safe estimate to say that one-third of the inhabitants were recent settlers from the United States, who had removed to escape taxation or avoid militia service. John Maude met several families in 1800 on their way to Canada from those counties in Pennsylvania, where the 'Whiskey Insurrection' had just been suppressed who informed him that "they had fought seven years against taxation, and were then being taxed more than ever. Hundreds of them" he remarked "have removed, are removing, and will remove into Upper Canada, where they will form a nest of vipers in the bosom that fosters

In 1811, the Governor General estimated the number of militiamen in Upper Canada fit for service at 11,000, of whom he significantly stated that it would probably not be prudent to arm more than 4000. This was virtually an admission, that more than half the population were suspected of disaffection. The Lincoln Militia were organized in five regiments, numbering about 1,500 men, of whom perhaps two-thirds were determined loyalists.

In many quarters before the war, the disaffection of the people was open and undisguised, Schultz states that while at Presqu'ile, on Lake Ontario, in 1807, he strolled along the main road, and found six or seven farmers assembled in a country tavern, who had just heard of the Chesapeake affair. "They seemed disappointed," he observed "that I did not think it would lead to war, when they expected to become part of the United States." He also relates that he was subsequently in a public house in Niagara, where eight or ten persons were gathered about a billiard table. The attack upon the Chesapeake again became the topic of conversation, and one man said, "If Congress will only send us a flag and a proclamation declaring that whoever is found in arms against the United States, shall forfeit his lands, we will fight ourselves free without any expense to them."

John Melish declared his conviction from enquiries made during his visit in 1810, "that if 5000 men were sent into Upper Canada with a proclamation of independence, the great mass of the people would join the American Government." Barnabas Bidwell, formerly Attorney General of Massachusetts, who had become a defaulter and fled to the Newcastle District, near the Bay of Quinte, where he was engaged in teaching a private school, wrote secretly to his political friends in a similar strain.

These statements were eagerly quoted, and no doubt believed by the leaders of the war party in Congress. Henry Clay assured the people that "the conquest of Canada is in your power. I trust I shall not be deemed presumptuous when I state that I verily believe that the Militia of Kentucky are alone competent to place Montreal and Upper Canada at your feet."

On the 6th of March, 1812, Calhoun expressed equal confidence. "So far from being unprepared, Sir," he exclaimed. "I believe that four weeks from the time the declaration of war is heard on our frontier, the whole of Upper Canada and a part of Lower Canada will be in our possession."

Jefferson wrote about the same time that "The acquisition of Canada this year as far as the neighborhood of Quebec, would be a mere matter of marching, and would give us experience for the attack of Halifax, the next and the final expulsion of England from the American continent."

Mr. Eustis, the Secretary of War, was if possible, still more optimistic, "We can take Canada without soldiers," he declared, "we have only to send officers into the Province and the people disaffected to their own Government will rally round our standard." Gen. Widgery, a representative in Congress, gained momentary notoriety by his statement. "I will engage to take Canada by contract. I will raise a company and take it in six weeks." Another speaker declared that "Niagara Falls could be resisted with as much success as the American people when roused into action" After the declaration of war had been promulgated, Clay, the speaker of the House of Representatives, and the real leader of the war party solemnly declared that he would never consent to any treaty of peace which did not provide for the cession of Canada.

The correspondence of General Brock with the Governor General, shows that in many respects these expectations were well founded, and that he was far from being hopeful of offering a successful defence without strong reinforcements.

"The late increase of ammunition and every species of stores," he wrote on the 2nd December, 1811, "the substitution of a strong regiment and the appointment of a military person to the government, have tended to infuse other sentiments among the most reflecting part of the community, and during my visit to Niagara last week I received most satisfactory professions of a determination on the part of the principal inhabitants to exert every means in their power for the defence of their property and to support the government. They look with confidence to you for aid. Although perfectly aware of the number of improper characters who have obtained

[Pr. 7]

Pg 81

possessions and whose principles diffuse a spirit of insubordination very adverse to all military institutions, I believe the majority will prove faithful. It is best to act with the utmost liberality and as if no mistrust existed. Unless the inhabitants give a faithful aid it will be utterly impossible to preserve the province, with the limited number of military."

On the 24th of February, 1812, a proclamation was published announcing that divers persons had recently come into the province with a seditious intent and to endeavor to alienate the minds of His Majesty's subjects, and directing the officers appointed to enforce the act lately passed by the Legislature for the better security of the province against all seditious attempts to be vigilant in the discharge of their duties. Joseph Edwards of Niagara, Samuel Street of Willoughby, Thomas Dickson of Queenston, William Crooks of Grimsby and Samuel Hutt of Ancaster were among the persons commissioned to execute this law.

On the 17th of April, a boy at Queenston fired a shot across the river which happily did no injury. He was promptly arrested and committed for trial, and two resident magistrates, James Kirby and Robert Grant, tendered an apology to the inhabitants of Lewiston for his offence. Five days later General Brock reported that a body of three hundred men in plain clothes had been seen patrolling the American side of the river. On the 25th, it was announced that 170 citizens of Buffalo, had volunteered for military service. A proclamation by President Madison calling out one hundred thousand was published about the same time, and the Governor of New York was required to send 500 men to the Niagara which he hastened to do, being a warm advocate of the war.

Meanwhile the flank companies of militia regiments of the counties of Lincoln, Norfolk and York were embodied by General Brock, and drilled six times a month. They numbered about 700 young men belonging to "the best class of settlers." By the recent Militia Act, they were required to arm and clothe themselves, and as many of them had far to travel, Brock begged that they should at least receive an allowance for rations.

The Governor General suggested that the Government of the United States entertained hopes that something might happen to provoke a quarrel between its soldiers and the British troops on that frontier, and desired him to take every precaution to prevent any such pretext for hostilities.

Early in May, Brock made a rapid tour of inspection along the Niagara, thence to the Mohawk village on the Grand river, returning to York by way of Ancaster. He reported that the people generally seemed well disposed and that the flank companies had mustered in full strength.

By the 17th of June six hundred American militia were stationed along the river, and a complaint was made by three reputable inhabitants of Fort Erie that their sentries were in the habit of wantonly firing across the stream. On the 25th of the same month this period of suspense was terminated by the arrival of a special messenger employed by Mr. Astor and other American citizens interested in the Northwest fur trade, to convey the earliest possible information of war to Colonel Thomas Clark, of Queenston, who immediately reported his intelligence to the commandant of Fort Erie. The messenger, one Vosburg, of Albany, had travelled with relays of horses at such speed that he outrode the official courier bearing despatches to Fort Niagara by fully twenty-four hours. On his return he was arrested at Canandaigua, and held to bail together with some of his employers, but it does not appear that they were ever brought to trial.

Lieut. Gansevoort and a sergeant in the United States Artillery, who happened to be on the Canadian side were made prisoners, and the ferry boats plying across the river at Queenston and Fort Erie, were seized by the British troops at those places. The people of Buffalo received their first intimation of the declaration of war by witnessing the capture of a merchant schooner off the harbor by boats from Fort Erie.

The flank companies of militia marched immediately to the frontier, and were distributed along the river in taverns and farm houses. On the second day, General Brock arrived from York, with the intention of making an attack on Fort Niagara. He had then at his disposal, 400 of the 41st Regiment, and nearly 800 militia. Success was all but certain, as the garrison was weak and inefficient. His instructions however, were to act strictly on the defensive, and he abandoned this project in the conviction that the garrison might be driven out at any time by a vigorous cannonade. Rumors of his design seem to have reached General P. B. Porter, who commanded the militia force on the other side, and he made an urgent demand for reinforcements.

"The British on the opposite side are making the most active preparations for defence," Benjamin Barton wrote from Lewiston on the 24th of June, "New troops are arriving from the Lower Province constantly, and the quantity of military stores etc. that have arrived within these few weeks is astonishing. Vast quantities of arms and ammunition are passing up the country, no doubt to arm the Indians around the Upper Lakes, (for they have not white men enough to make use of such quantities as are passing). One-third of the militia of the Upper Province are formed into companies called flankers, and are well armed and equipped out of the King's stores, and are regularly trained one day in a week by an officer of the standing troops. A volunteer troop of horse has lately been raised and have drawn their sabres and pistols. A company of militia artillery has been raised this spring, and exercise two or three days in the week on the plains near Fort George, and practice firing and have become very expert. The noted Isaac Sweazy, has within a few days received a captain's commission for the flying artillery, of which they have a number of pieces. We were yesterday informed by a respectable gentleman from that side of the river, that he was actually purchasing horses for the purpose of exercising his men. They are repairing Fort George, and building a new fort at York. A number of boats are daily employed, manned by their soldiers, plying between Fort George and Queenston, carrying stores, lime and pickets, for necessary repairs, and to cap the whole, they are making and using every argument

Pa 91

[Pg 10]

and persuasion to induce the Indians to join them, and we are informed the Mohawks have volunteered their service. In fact, nothing appears to be left undone by their people that is necessary for their defence."

However, the Governor General seized the first opportunity of again advising his enterprising lieutenant to refrain from any offensive movements. "In the present state of politics in the United States" he said, "I consider it prudent to avoid any means which can have the least tendency to unite their people. While dissension prevails among them, their attempts on the Province will be feeble. It is therefore my wish to avoid committing any act which may even from a strained construction tend to unite the Eastern and Southern States, unless from its perpetration, we are to derive an immediate, considerable and important advantage."

Brock felt so confident at that moment of his ability to maintain his ground on the Niagara, that he actually stripped Fort George of its heaviest guns for the defence of Amherstburg, which he anticipated would be the first point of attack. But the militia who had turned out so cheerfully on the first alarm, after the lapse of a couple of uneventful weeks, became impatient to return to their homes and families. They had been employed as much as possible in the construction of batteries at the most exposed points, and as they were without tents, blankets, hammocks, kettles, or camp equipage of any kind, they had suffered serious discomfort even at that season of the year. As their prolonged absence from their homes, in some cases threatened the total destruction of their crops, many were allowed to return on the 12th of July, and it was feared that the remainder would disband in defiance of the law which only imposed a fine of £20 for desertion. Nearly all of them were wretchedly clothed, and a considerable number were without shoes, which could not be obtained in the Province at any price. Many of the inhabitants Brock indignantly declared, were "indifferent or American in feeling."

However, the month of July passed away without developing any symptom of an offensive movement on this frontier. On the 22nd, the session of the Legislature began at York, with the knowledge that General Hull had invaded the Province at Sandwich with a strong force, and in hourly expectation of tidings that the garrison of Amherstburg had surrendered to superior numbers. Yet amid these depressing circumstances, Brock concluded his "speech from the throne" with these hopeful and inspiring words. "We are engaged in an awful and eventful contest. By unanimity and despatch in our councils, and by vigor in our operations, we may teach the enemy this lesson, that a country defended by freemen who are enthusiastically devoted to their King and Constitution can never be conquered."

During the following week the most discouraging reports from Amherstburg continued to arrive almost daily. It seemed as if the invading army would be able to over run the whole of the Western District, with scarcely a show of resistance on the part of the inhabitants. A majority of the members of the Legislature were apathetic or despondent. They passed a new militia act, and an act to provide for the defence of the Province, but amended both in a highly unsatisfactory manner, after which the House was hastily prorogued by the General who was eager to proceed to the seat of war.

"The House of Assembly," he wrote on the 4th of August, "have refused to do anything they are required. Everybody considers the fate of the country as settled, and is afraid to appear in the least conspicuous in the promotion of measures to retard it. I have this instant been informed that a motion was made in the House and only lost by two votes, that the militia should be at liberty to return home, if they did not receive their pay on a fixed day every month."

On the succeeding day he began his march to the relief of Amherstburg. Most of the regulars and some of the militia which had been hitherto stationed along the Niagara, preceded or accompanied him on this expedition, which they were fortunately enabled to do by the inactivity of the enemy on the opposite bank, who actually do not seem to have become aware of their absence until they had returned victorious. Lieut. Col. Myers, the Assistant Quartermaster General, was left in command. The men belonging to the flank companies who had been allowed to return to their homes to assist in the harvest were summoned to rejoin, and 500 more held in readiness to support them.

On the 20th of August, the inhabitants were thrown into a frenzy of delight by the almost incredible intelligence that Detroit had been taken with the entire American army. A few hours later, General Van Rensselaer who was still in ignorance of this event, signed an armistice which put an end to any further apprehension of an attack for several weeks.

The Americans did not remain idle during the interval. A body of five or six thousand men was assembled and five detached batteries were completed on the bank of the river, between Fort Niagara and Youngstown, two of which were armed with very heavy guns, and two with mortars.

Upon the termination of the armistice, the militia generally returned to their posts with alacrity, accompanied by a number of old loyalists unfit for service in the field, but capable of performing garrison duty.

The Garrison Order-book of Fort George still exists to bear witness to the ceaseless vigilance with which the movements of the enemy were watched. On the 2nd of October an order was issued directing one-third of the troopers to "sleep in their clothes, fully accounted and ready to turn out at a moment's notice." This was followed on the 6th by another, requiring the whole of the regular troops and militia to be under arms by the first break of day, and not to be dismissed until full daylight, and on the 12th all communication with the enemy by flag of truce was forbidden, unless expressly authorized by the commanding general.

On the morning of the 13th of October, as soon as General Brock was convinced that the

[Pg 12]

Americans were actually crossing the river at Queenston, he directed Brigade Major Evans who remained in command at Fort George, to open fire with every available gun upon Fort Niagara and the adjacent batteries, and continue it until they were absolutely silenced. This attack was forestalled by the enemy, who, as soon as they perceived the columns of troops marching out on the road to Queenston, turned the whole of their artillery upon Fort George and the neighboring village, with such a disastrous effect, that in a few minutes the Jail and Court House and fifteen or sixteen other buildings were set in a blaze by their red hot shot. Major Evans had at his command not more than twenty regular soldiers who composed the main guard for the day. The whole of the small detachment of Royal Artillery usually stationed in the Fort, had accompanied the field guns to repel the attack upon Queenston. Colonel Claus, with a few men of the 1st Lincoln Regiment, and Capt. Powell and Cameron with a small detachment of militia artillery, alone remained to man the guns of the fort and batteries. The gravity of the situation was greatly increased by the fact, that upwards of three hundred prisoners were confined in the jail and guardhouse which was now menaced with destruction. However, while the guards and the greater part of the militia were vigorously engaged in fighting the flames, amid an incessant cannonade, under the personal direction of Major Evans and Captain Vigoreux of the Royal Engineers, the batteries were served by the militia artillery men, assisted by two noncommissioned officers of the 41st Regiment, with such energy and success that in the course of an hour the American guns were totally silenced. By that time the Court House and some other buildings had been totally consumed, and the disheartening news arrived that Gen. Brock and Colonel McDonell had been killed, and their men repulsed by the enemy who were landing in great force at Queenston, and had obtained possession of the heights. Evans rode off at once to send forward every man that could be spared from the stations along the river. He had just marched off a small party from Young's battery, when the American batteries resumed firing, and obliged him to return at full speed to his post. As he reached the main gate at Fort George, he encountered a party of panic-stricken soldiers flying from the place, who informed him that the roof of the magazine which was known to contain eight hundred barrels of powder was on fire. Captain Vigoreux climbed upon the burning building without an instant's hesitation, and his gallant example being quickly followed by several others, the metal covering was soon torn away and the flames extinguished in the wood beneath. The storehouses at Navy Hall were, however, next set in a blaze which could not be overcome owing to their exposed situation, and they were totally destroyed. The artillery combat was resumed, and continued till not only Fort Niagara, but all the other batteries on that side of the river were absolutely silenced and deserted. One of the largest guns in that fort had burst, completely wrecking the platform, disabling several men and dismaying the remainder to such an extent that they deserted the place in a body, and could not be induced to return until the firing had ceased. For several hours the works were entirely abandoned, and could have been taken without the least resistance, had Evans been able to spare men for the purpose.

[Pg 14]

On the next day, a cessation of hostilities was again agreed upon which continued until the evening of the 20th of November. During this interval the six battalion companies of the First Lincoln Regiment were consolidated into three, under the command of Captains John Jones, Martin McClellan, and George Ball, each containing about eighty rank and file.

At six o'clock on the morning of the 21st November, the guns of Fort George and five detached batteries began a second bombardment of the American works chiefly with the object of diverting the attention of the enemy to that part of the line, as general Smyth who had succeeded Van Rensselaer was massing his troops in the vicinity of Buffalo, with the apparent intention of forcing the passage of the river between Fort Erie and Chippawa. The fire from the American batteries, which appear to have been weakly manned, was ill-directed and occasionally ceased altogether for long intervals, while flames could be seen rising from their works, apparently caused by the explosion of shells. One of these missiles fell within the north blockhouse in Fort Niagara, and dismounted the only gun there. Another shot from a twenty-four pounder on the right of Fort George dismounted a heavy gun near Youngstown, while a third silenced the piece on the roof of the messhouse at Fort Niagara for nearly an hour. One of the guns in that place also burst with disastrous results, killing two men and disabling others. A large building under the walls which covered the landing of troops was entirely destroyed. By five o'clock in the afternoon Fort Niagara was absolutely silenced, and only the Youngstown "Salt" Battery continued to fire an occasional gun. At dark the British guns ceased firing. But a single private of the 49th Regiment, and a gallant old half-pay officer, Capt. Barent Frey, late of Butler's Rangers, had been killed on the Canadian side of the river during the cannonade. The latter had voluntarily occupied himself in gathering the enemy's shot as they fell, for the purpose as he declared of having them sent back to them as soon as possible. He is said to have been killed by the wind of a cannon ball as it ricocheted along the ground. The messhouse at Navy Hall was destroyed, and seventeen buildings in the town itself were set on fire by heated shot, besides many others considerably damaged by the cannonade. A small merchant schooner lying at the wharf was

The American commandant at Fort Niagara, Colonel McFeely of the United States' Artillery, admitted the loss of only eleven men killed and wounded, though he estimated that not less than 2000 round shot and 180 shells had been discharged against his works from the British batteries. He reported an instance of remarkable courage displayed by a woman. Among the prisoners taken at Queenston on the 13th October, was a private in the United States Artillery, named Andrew Doyle, who was recognised as a British subject, born in the village of St. Davids. He was accordingly included among those who were sent to England to be brought to trial for treason. His wife remained in Fort Niagara throughout the bombardment, and actually took part in

[Pg 15]

working one of the guns. "During the most tremendous cannonading I have ever seen" said Colonel McFeely in his official letter, "she attended the six-pounder on the old messhouse with the red hot shot and showed fortitude equal to the Maid of Orleans."

Cannon balls were much too scarce and valuable to be wasted, and Col. Myers took pains to state in his report that the number of round shot picked up on the field exceeded the number fired from his guns on this occasion.

This artillery duel put an end to actual hostilities in the vicinity of Niagara for the remainder of the year. But the privations and sufferings of the militia were not yet terminated. They were retained in service until the middle of December, when winter set in with unusual severity, and all danger of an invasion seemed at an end.

As early as the middle of November, Sir Roger Sheaffe had reported that many of them were "in a very destitute state with respect to clothing, and all that regards bedding and barrack comforts in general, these wants cause discontent and desertion, but the conduct of a great majority is highly honorable to them, and I have not failed to encourage it by noticing it in public orders." In the order to which reference is made he had said; "Major General Sheaffe has witnessed with the highest satisfaction, the manly and cheerful spirit with which the militia on this frontier have borne the privations which peculiar circumstances have imposed upon them. He cannot but feel that their conduct entitles them to every attention he can bestow upon them. It has furnished examples of those best characteristics of a soldier, manly constancy under fatigue and privation and determined bravery in the face of the enemy."

On the 23rd of the same month he observed that the number of the militia in service had constantly increased since the termination of the armistice and that they seemed very alert and well disposed. Their duty during the next three weeks was of the most wearisome and harassing kind as none of them were permitted to take off their clothes by night, and in the day they were kept fully accoutred with arms in their hands. Strong patrols constantly moved along the river, keeping up the communication between the posts, and owing to the smallness of the force assembled to watch such an extensive line, the same men were frequently placed on guard for several nights in succession. Their clothing was insufficient to protect them from the cold, and numbers were actually confined to barracks from want of shoes. Disease carried off Lieut. Col. Butler, Captain John Lottridge, Lieut. John May, Sergeant Jacob Balmer, and twenty privates of the Lincoln Regiments during the month of December, and there was much sickness among those who survived. Many, distressed beyond all endurance by the miserable condition of their families in their absence, returned home without leave.

Late in November the Governor General issued a proclamation directing all citizens of the United States residing in Upper Canada who still declined to take an oath of allegiance, to leave the Province before the first day of January, 1813. Among those who were banished at this time, was Michael Smith, already mentioned, who published a few months later a small volume, entitled "A Geographical view of the Province of Upper Canada." This book met with such a favorable reception that five other editions appeared at short intervals during the next three years, several of them being materially revised and enlarged. His description of the wretched state of this part of the Province was the result of personal observation, and is certainly not overdrawn.

"In the course of the summer on the line between Fort George and Fort Erie, there was not more than 1000 Indians in arms at any one time. These Indians went to and fro as they pleased to their country and back, and were very troublesome to the women when their husbands were gone, as they plundered and took what they pleased, and often beat them to force them to give them whiskey, even when they were not in possession of any, and when they saw any man that had not gone to the lines, they called him a Yankee, and threatened to kill him for not going to fight, and indeed in some instances these threats have been put into execution. They acted with great authority and rage when they had stained their hands with human blood.

"The inhabitants at large would have been extremely glad to have got out of their miserable situation at almost any rate, but they dared not venture a rebellion without being sure of protection.

"From the commencement of the war there had been no collection of debts by law in the upper part of the Province and towards the fall in no part, nor would anyone pay another. No person could get credit from anyone to the amount of one dollar, nor could anyone sell any of their property for any price except provisions or clothing, for those who had money were determined to keep it for the last resort. No business was carried on by any person except what was necessary for the times.

"In the upper part of the Province all the schools were broken up and no preaching was heard in all the land. All was gloom, war and misery.

"Upon the declaration of war the Governor laid an embargo on all the flour destined for market, which was at a time when very little had left the Province. The next harvest was truly bountiful as also the crops of corn, buckwheat, and peas, the most of which were gathered except the buckwheat which was on the ground when all the people were called away after the battle of Queenston. Being detained on duty in the fall not one half of the farmers sowed any winter grain."

All supplies from Montreal were cut off by the American fleet being in possession of Lake Ontario from the 8th November until the close of navigation. Flour and salt were scarcely to be purchased at any price and the condition of many families soon became almost too wretched to

[Pa 16]

[Pg 17]

be endured. It is not surprising then that numbers of those who had no very strong ties to retain them, seized the first opportunity of escape.

Lake Erie was frozen over as early as the 12th of January. A few days later two deserters and three civilians made their way from Point Abino to Buffalo upon the ice. They stated that the British forces were greatly reduced by sickness and desertion and that they did not believe there were more than thirty regulars stationed along the river between Fort Erie and Niagara. In fact several companies of the 41st had been recently despatched to strengthen the garrison of Amherstburg which was again threatened with an attack, and a show of force was kept up by ostentatiously sending out parties along the river in sleighs by day and bringing them back to quarters after dark.

Stimulated by the information derived from these men the commandant at Buffalo projected the surprise of Fort Erie by crossing on the ice, but the desertion of a non-commissioned officer, Sergeant Major Macfarlane, disconcerted his plans.

Late in March the arrival of three families of refugees at Buffalo by the same route is recorded. They confirmed former accounts of want and distress and the weakness of the British garrisons on the Niagara. The American officers were enabled, by information obtained from these and other sources, to estimate with precision the actual force which might be assembled to resist an invasion. But as they failed to make their attacks simultaneously it happened in several instances that they encountered the same troops successively at different places many miles apart. Soldiers of the 41st, who had been present with Brock at the taking of Detroit fought at Queenston on the 13th of October and returned in time to share in the victory at the River Raisin on the 22nd January, 1813. Two companies of the 8th that took part in the assault upon Ogdensburg on the 22nd February, faced the invaders at York on the 27th April and again at Fort George a month later. Finding themselves repeatedly confronted with considerably larger forces than they had been led to expect, the American generals soon ceased to put much confidence in the reports of their spies.

The cabinet had at first designated Kingston, York, and Fort George points of attack in the order named. The attempt upon Kingston was quickly abandoned owing to a false report that the garrison had been largely increased and it was determined to limit the operations of the "Army of the Centre" in the first instance to the reduction of the two latter places.

On the 17th of March, Major General Morgan Lewis, who had been appointed to the command of the division on the Niagara, arrived at Buffalo attended by a numerous staff. At noon of the same day, the batteries at Black Rock began firing across the river and continued the cannonade with little intermission until the evening of the 18th. A few houses were destroyed and seven soldiers killed or wounded near Fort Erie. Three of the American guns were dismounted by the British batteries. A week later the bombardment was resumed with even less result.

York was taken without much difficulty on the 27th April, but it cost the assailants their most promising general and between three and four hundred of their best troops. They ascertained on that occasion that they still had many warm sympathizers in that part of the Province. A letter from an officer who accompanied this expedition, published in the Baltimore Whig at the time, states that "our adherents and friends in Upper Canada suffer greatly in apprehension or active misery. Eighteen or twenty of them who refused to take the oath of allegiance lived last winter in a cave or subterraneous hut near Lake Simcoe. Twenty-five Indians and whites were sent to take them but they killed eighteen of the party and enjoyed their liberty until lately when being worn out with cold and fatigue, they were taken and put in York jail whence we liberated them." Michael Smith corroborates this account in some respects. He relates that twelve days after the battle of Queenston Colonel Graham, on Yonge Street, ordered his battalion to assemble that a number might be drafted to go to Fort George. Forty of them did not come but went out to Whitchurch township which was nearly a wilderness and joined thirty more fugitives that were already there. Some men who were home for a few days from Fort George offered to go and bring them in but as they were not permitted to take arms they failed and the number of fugitives increased by the first of December to 300. When on my way to Kingston to obtain a passport, I saw about fifty of these people near Smith's Creek in the Newcastle District on the main road with fife and drum beating for recruits and huzzaing for Madison. Some of them remained in the woods all winter, but the Indians went out in the spring of 1813 and drove them into their caves where they were taken.

So pronounced was the disaffection among the inhabitants in the vicinity of York, that Chief Justice Powell warned the Governor General that "in the event of any serious disaster to His Majesty's arms little reliance is to be had on the power of the well disposed to depress and keep down the turbulence of the disaffected who are very numerous."

On the 29th of April, the capture of York became known at Fort George and the boats and stores deposited at Burlington were removed to a place of safety. On the 8th of May the American fleet came over to Fort Niagara and landed the brigade of troops that had been employed in reduction of York. Although victorious they were described by General Dearborn as being sickly and low spirited. Next day some of these troops were sent in two schooners to Burlington Beach where they destroyed the King's Head tavern, built by Lieut.-Governor Simcoe, which had served as quarters for soldiers on their march to and from Niagara. These vessels continued to cruise about the head of the lake, while the remainder of their fleet sailed away, as it proved to bring forward another division of troops.

Brigadier General John Vincent, had lately assumed command of the British forces on the line of the Niagara, consisting of the 49th Regiment, five companies of the 8th, three of the Glengarry

[Pa 18]

[Pg 19]

Light Infantry, two of the Royal Newfoundland Regiment, and a captain's command of Royal Artillery with five held guns, numbering in all 1925 officers and men, of whom 1841 were effectiver. Besides these, Merritt's troops of Provincial cavalry, Runchey's company of negroes, a company of militia artillery and an uncertain and fluctuating number of militiamen belonging to the five Lincoln Regiments were in service.

By a general order in March, about 1700 militia had been summoned to the protection of the frontier, but when the alarm had subsided, most of them had been allowed to return to their homes as it was felt that they would be more usefully employed in cultivating their farms than in idly waiting for an attack which the enemy appeared to be in no hurry to make.

The regular troops were in high spirits and confident of victory, but the militia appeared gloomy and depressed. Vincent complained ruefully, "it is with regret that I can neither report favorably of their numbers nor of their willing co-operation. Every exertion has been used and every expedient resorted to, to bring them forward and unite their efforts to those of His Majesty's troops with but little effect, and desertion beyond all conception continues to mark their indifference to the important cause in which we are now engaged. In considering it my duty to offer a fresh exposition of my sentiments to Your Excellency respecting the militia of this Province, I must at the same time express a belief that when the reinforcements reach this frontier, many of the inhabitants who have been for some time wavering and appalled by the specious show of the enemy's resources will instantly rally round the standard of their King and country."

Lieut.-Colonel John Harvey, a very able and enterprising young officer, who had lately joined General Vincent's division as Deputy Adjutant General, earnestly advised that accurate information of the enemy's numbers and designs should be secured at any cost, and then "by a series of both active and offensive movements, they should be thrown on the defensive no matter how superior their numbers might be." Had the whole of the 8th Regiment arrived in time this might have been accomplished, but two of its companies had been nearly annihilated at York, and the march of the remainder very much delayed by the attack on that place.

As late however, as the 20th of May, we find Colonel Myers writing to the Adjutant General in these terms. "It is not wise to hold an enemy too cheap, but I cannot divest myself of the idea that the foe opposite is despicable and that it would be no hard task to dislodge him from the entire of his lines on the Niagara River. With some subordinate attacks upon his flanks, I am of opinion that it would be an enterprise of little hazard for us to get an establishment on the heights above Lewiston, opposite Queenston. This once affected, I cannot but feel the strongest confidence that we would in a short time effect the object so much to be desired. It would be giving such a turn to the war that I conceive it would strike terror to the enemy, which would produce the happiest effects."

The return of the American fleet with a numerous body of regular troops on board put an end to these rather fantastic schemes of conquest. At daybreak on the 21st, no less than seventeen armed vessels, and upwards of one hundred Durham boats and batteaux were seen assembled near the mouth of the Four Mile Creek in rear of Fort Niagara, from which several thousand men were speedily disembarked.

For several days these troops paraded ostentatiously in plain view probably in the hope of overawing their opponents by the display of numbers. Many workmen were seen at the same time busily occupied in constructing new batteries along the river and building boats. Reinforcements continued to arrive daily until it was supposed that about 7000 soldiers were encamped between Lewiston and Fort Niagara. This force was composed almost wholly of regular troops that had been in service for some time and included nine of the best regiments of infantry in the United States army. They were accompanied by a strong regiment of heavy artillery, a well appointed field-train and a battalion of dragoons.

Major-General Henry Dearborn who was in command had distinguished himself in the Revolutionary war during which he had commanded a regiment in Arnold's expedition against Quebec and in Sullivan's campaign against the Six Nations. But he was now past sixty years of age and in ill health.

The Secretary of War had warned him to be careful to employ a sufficient force to ensure success. Seven thousand men was the number deemed requisite. "If the first step in the campaign fails," he wrote plaintively, "our disgrace will be complete. The public will lose confidence in us. The party who first opens a campaign has many advantages over his antagonist, all of which, however, are the results of his being able to carry his whole force against part of the enemy's. We are now in that state of prostration Washington was in after he crossed the Delaware, but like him we may soon get on our legs if we are able to give some hard blows at the opening of the campaign. In this we cannot fail provided the force we employ against his western posts be sufficiently heavy. They must stand or fall by their own strength. They are perfectly isolated, send, then, a force that shall overwhelm them. When the fleet and army are gone we have nothing at Sackett's Harbor to guard. How would it read if we had another brigade at Sackett's Harbor when we failed at Niagara?"

The undisturbed control of Lake Ontario by his fleet gave the American general a still greater advantage than his numerical superiority. It was understood that the British squadron would not be able to leave Kingston for at least a week, but two small vessels were detached to watch that port while the remainder assembled at Niagara to cover the landing.

Vincent was accordingly thrown entirely upon the defensive. Had he only had Dearborn's army

[Pg 20]

[Pg 21]

to contend with, superior as it was, he might have entertained a reasonable hope of being able to maintain his position but the presence of the fleet would enable his antagonist to select the point of attack at will and even to land a force in his rear.

Nor were the fortifications along the river in a satisfactory state. The chief engineer had examined them during the winter and reported that Fort George was still in a "ruinous and unfinished condition," although the parapet facing the river had been somewhat strengthened. He had recommended that it should be completed as a field work and that a splinter-proof barracks capable of sheltering 400 men should be built within, and the upper story of the blockhouses taken down to place them on a level with the terre pleine. But these suggested improvements could not be carried out for lack of materials and workmen. At this time the fort mounted five guns; one twelve, two twenty four pounders, and two mortars. On the left fronting Fort Niagara were no less than five detached batteries armed with eleven guns, five of which were mortars. All of these works were open in the rear, and could be enfiladed and some of them taken in reverse by an enemy approaching on the lake. Six other batteries had been constructed along the river between Fort George and Queenston, two at Chippawa and three opposite Black Rock about two miles below Fort Erie. All of these posts required men to occupy them and there were besides thirty odd miles of frontier to be constantly patrolled and guarded. About one-third of his regular troops and two-thirds of the militia were unavoidably stationed along the upper part of this line extending from Queenston to Point Abino, under the command of Lieut.-Colonel Cecil Bishop. Vincent retained for the defence of the eleven miles of front between Queenston and the mouth of the Four Mile Creek, thirty gunners of the Royal Artillery with five field pieces, under Major Holcroft, 1050 regular infantry, 350 militia, and about fifty Indians. This force was subdivided into three diminutive brigades of nearly equal numbers, the right under Lieut.-Colonel Harvey being detailed to guard the river, and the left under Lieut.-Colonel Myers, the lake front of this position, while the third under his own command remained in readiness to support either of these when attacked. Fort George was garrisoned by Ormond's company of the 49th, and a detachment of militia artillery amounting in the whole to about 130 men. The gunners serving with the field artillery being not more than half the usual complement, additional men were attached from the infantry. The batteries were entirely manned by volunteers from the regulars and militia. The whole force was turned out every morning at two o'clock, and remained under arms until daylight. The staff officers set a conspicuous example of activity and watchfulness. Colonels Harvey and Myers, accompanied by their aides patrolled the lines the whole night through and slept only by day. As the enemy continued their preparations for nearly a week after the return of their fleet, the effects of the prolonged strain soon became apparent in the exhausted condition of both the officers and men. At first, General Dearborn's movements seemed to indicate that an attack would be made by crossing the river above Fort George, and on the 24th of May the whole of the British troops were kept under arms all night. About three o'clock in the morning the enemy was distinctly heard launching boats at the Five Mile meadows nearly opposite a station occupied by Lieut. (afterwards Major General) R. S. Armstrong, R. A., who by command of the vigilant Harvey, immediately began to fire in that direction with a six pounder field gun and the nine-pounder mounted in a battery at Brown's Point. The Americans replied briskly with two six-pounders and continued their efforts until they had put ten boats in the river. But if they had intended to cross at this place, they soon abandoned the attempt, and when day dawned all of these boats were seen on their way down the river with a few men in each. As they came within range the guns of Fort George began firing, which instantly drew upon that work the fire of no less than sixteen heavy guns and mortars mounted in Fort Niagara and the adjacent batteries. The twelve pounder in Fort George was soon dismounted by a shot which shattered its carriage, and every building inside was set on fire by the shower of shells and redhot shot which rained upon it. The gunners were driven by the flames from the twenty-four pounder beside the flagstaff, but the unequal contest was still gallantly maintained by a similar gun in the cavalier and a smaller piece in the north-western bastion until Major Holcroft perceiving that the barracks were totally consumed and shells bursting in every corner of the place sent orders to this handful of undaunted men to cease firing and retire under cover. The gun at Mississauga Point remained silent by order of Colonel Myers who hoped by this means to deprive the enemy of any excuse for turning their artillery upon the village, and the other detached batteries seem to have taken little part in the contest. Having destroyed all the buildings in Fort George and effectually silenced its fire, the Americans discontinued the bombardment about two o'clock in the afternoon.

[Pg 23]

The lake front of the British position was then closely reconnoitred by boats from the fleet, sounding the shore in every direction and occasionally venturing within musket shot of some of the batteries which remained silent, partly from scarcity of ammunition and partly through fear of provoking a renewal of the cannonade. Buoys were placed to mark the stations the ships were to occupy next day when they engaged the batteries on the left of Fort George and covered the landing.

On the part of the British some ineffectual efforts were made to repair the damages of the morning. The tackle and carriage of the gun at the flagstaff in Fort George had been totally destroyed by the flames, and could not be replaced, while the ring-bolts of another gun at the light house had been drawn by the recoil, and little service could be expected from it. Only a small picquet was stationed in the fort during the night, and the remainder of the garrison lay upon their arms on the common about half a mile in the rear in hourly expectation of an alarm, with the other brigades on either flank.

Shortly after reveille had sounded next morning, a rocket was seen to rise into the air from Fort Niagara and a single gun was fired at Fort George. This was the signal for all the American

batteries to begin a cannonade which was not returned and ceased at the end of half an hour. Long after the sun had risen a dense fog hung over the river and lake, effectually concealing all objects on the opposite side except the dim outline of Fort Niagara. Nothing could be seen of their troops, most of whom had been embarked soon after midnight, at the mouth of the Four Mile Creek. At daybreak Generals Dearborn and Lewis went on board Commodore Chauncey's flagship which immediately got under way, followed by the remainder of the fleet and the immense flotilla of batteaux and other boats filled with soldiers. Hours passed away and the entire armada remained almost motionless waiting for the rising of the fog. Finally when the fog banks rolled away 16 vessels of different sizes were descried standing across the mouth of the river at a distance of about two miles from land, followed by no less than 134 boats and scows, each containing from thirty to fifty men, formed in three compact divisions one behind the other. At a signal from the flagship the entire fleet tacked and stood towards the Canadian shore, the small boats wheeling by brigades and carefully preserving their alignment. Their approach was gradual and deliberate, being favored by a gentle breeze, which, however, scarcely raised a ripple on the glassy surface of the lake. The schooners Julia and Growler each armed with a long 32-pounder and a long 12-pounder mounted on pivots, by making use of their sweeps entered the mouth of the river and opened fire on the crippled battery near the lighthouse while the schooner Ontario of similar force took up a position near the shore to the northward so as to enfilade the same work and cross the fire of the two first-named vessels. Two guns and a mortar in Fort Niagara also concentrated their fire upon this battery, which was occupied by a few men of the Lincoln artillery under Capt. John Powell. Only a single shot was fired from the gun mounted there when it again became unmanageable and the gunners were soon afterwards driven out by the incessant fire directed against them from different quarters. At the same time the Governor Tompkins of six guns engaged the one-gun battery near the mouth of Two Mile Creek in flank while Conquest of three guns anchored in such a position as to fire directly into it from the rear, which was entirely open and unprotected. Resistance in this case was obviously out of the question and it was immediately abandoned. The Hamilton, Scourge and Asp anchored within short musket shot of the shore, a few hundred yards further west, nearly opposite a group of farm houses called Crookston, which was the place selected for landing the troops. The three largest vessels, the Madison, Oneida and Lady of the Lake drew more water and were in consequence obliged to remain at a greater distance, though still well within effective range of every part of the level plain beyond the landing place. The united broadside of the fleet amounted to fifty-one guns, many of them being heavy long-range pieces mounted upon pivots which could fire in any direction, and the weather was so calm that they were afterwards able to increase the number by shifting guns from the other side. The whole of the artillery in Fort Niagara and the batteries on that bank of the river had also opened fire. Two sides of the British position were thus simultaneously assailed by the fire of more than seventy guns and mortars which swept the roads and fields in every direction with scarcely a shot in reply. A picquet of the Glengarry Light Infantry which had been stationed with about 50 Indians of the Six Nations under Captain John Norton among the thickets near the mouth of the Two Mile Creek hastily retired to avoid utter destruction by the storm of missiles hurled against their covert. Two Indians were killed and several wounded before they could escape.

A heavy column of troops was then discovered marching from the American camp in rear of Fort Niagara near Youngstown. This consisted principally of dismounted dragoons and heavy artillery commanded by Colonel Burn who had been instructed to cross the river there and intercept the retreat of the British garrison towards Queenston. Their appearance had the effect of detaining a large part of Harvey's brigade on that flank to watch their movements.

It was about nine o'clock when the landing began at Crookston in the following order. The advanced guard in twenty boats was composed of four hundred picked light infantry selected from several regiments, Forsyth's battalion of riflemen, and the flank companies of the 15th United States Infantry, amounting in the whole to about 800 rank and file, with a detachment of artillery in charge of a three-pounder field piece, under the command of Lieut.-Colonel Winfield Scott, an able and energetic young officer who had been taken prisoner at Queenston the year before, and was destined to be the future conqueror of Mexico. This force was strictly enjoined not to advance more than three hundred paces from the water's edge before it was supported by General Boyd's brigade of infantry, with Eustis's battalion of artillery and McClure's rifle volunteers on its flanks. This was succeeded by Winder's brigade with Towson's artillery, and Chandler's brigade with Macomb's artillery, which were instructed to form upon Boyd's right and left respectively. Each of these brigades must certainly have numbered not less than 1500 officers and men. The reserve was composed of the marines of the fleet and a picked body of 400 seamen which were landed but not brought into action.

The entire fleet continued to fire over the heads of the men in the boats and effectually screened their advance until they reached the shore and formed on the beach under shelter of the steep clay bank. Captain Hindman of the United States Artillery, a very gallant young officer who was in command of the detachment with the gun attached to the advance guard, is mentioned as the first man to reach the shore. So far they had not met with the slightest opposition, but when they began to ascend the bank, the artillery fire from the ships slackened and they were briskly attacked by three companies of the Glengarry Light Infantry, two companies of Lincoln militia, and the Grenadiers of the Royal Newfoundland Regiment who had been partially sheltered during the cannonade in a ravine two or three hundred yards distant. The effect of their musketry was sufficient to cause the American advance guard to retire under cover of the bank once more and the fleet recommenced its fire. Lieut.-Colonel Myers then succeeded in bringing forward the remainder of his brigade, increasing the force assembled in

[Pg 24]

Prr 251

the ravine to forty men of the Newfoundland Regiment, ninety of the Glengarry Light Infantry, twenty-seven of Captain Runchey's negro company, one hundred Lincoln militia and 310 of the 8th or King's regiment. Several American authorities agree in the statement that they twice attempted to ascend the bank and were twice driven back by this determined handful of men. After they had succeeded in forming upon the plain, General Boyd declared that for "fifteen minutes the two lines exchanged a rapid and destructive fire, at a distance of only six or ten yards." The official returns of casualties establish the fact the whole of his brigade consisting of the 6th, 15th and 16th United States Infantry was brought forward to the support of Colonel Scott's advance-guard, making a force of about 2,300 men opposed to 567. Whenever practicable the ships continued to fire with destructive effect on the attenuated British line. Colonel Myers fell desperately wounded in three plans when leading the first charge. Every field officer and most of the company of officers were soon killed or disabled, and at the end of twenty minutes close fighting the survivors gave way, leaving nearly three hundred dead and wounded on the field. They were rallied at a second ravine some distance in the rear by Lieut.-Colonel Harvey, who brought up with him several companies of the 49th, and a six-pounder field gun under Lieut. Charlton, which had been stationed near Fort George.

Lieut. Armstrong with two other guns, had also been directed to proceed to the support of Lieut.-Colonel Myers, but upon advancing along the road parallel with the lake near Secord's house, he was suddenly assailed from both flanks by a body of riflemen, whose fire wounded his horse and one of his men, and a belt of thick woods prevented him from joining the remnant of that brigade, which was then in full retreat. While engaged in examining the road in front, Armstrong came unexpectedly upon one of the enemy's riflemen whom he made prisoner, and discovering that he was in danger of being surrounded, retired hurriedly to the Presbyterian church where the remainder of the field guns had been posted. From this position they covered the retirement of Lieut.-Colonel Harvey's force, which took place about ten o'clock. By that time the Americans had succeeded in landing the greater part of their field artillery, and began to advance slowly in three dense columns, Scott's light troops skirting the woods on the right, with the 6th, 15th and 16th United States Infantry and four guns in the centre and the 18th United States Infantry and four guns moving along the margin of the lake. As they had brought no horses, they were obliged to drag their guns by hand, and their advance was necessarily very slow. While observing their movements, Colonel Harvey was almost cut off by a party of riflemen who had stealthily made their way through the woods with that object. He galloped off unhurt amid a shower of bullets, and formed his brigade in a fresh position behind a third ravine. Major Holcroft opened fire from a six-pounder and a howitzer, but on perceiving the advance of the enemy's light troops on the right, he placed these guns in charge of Lieut. Armstrong, and moved in that direction with the two other pieces. For nearly half an hour the artillery kept up a brisk fire and succeeded in checking the enemy's infantry. Harvey then noticed that their riflemen were again stealing forward through the woods, with the intention of turning his left flank, and ordered a general retreat to the Common beyond the Council House. During the cannonade Holcroft had lost but one gunner wounded and a single horse killed but the limber of his largest gun, a twelve-pounder, was so badly damaged that it went to pieces on the road.

An hour later when the Americans emerged from the village, an eighteen pounder, in the battery next to Fort George was traversed, and fired upon them until they made a vigorous charge and captured it with several of the men engaged in working it.

Vincent joined Harvey with the reserve, and the whole force remained in position on the Common for nearly half an hour. Commodore Chauncey's flagship entered the river and anchored abreast of Fort George. The troops at Youngstown began to enter their boats while the enemy in front were steadily prolonging their lines to the right with the evident purpose of occupying the only possible avenue of retreat, and surrounding the British forces.

At noon, General Vincent despatched an order to Lieut.-Colonel Claus, to evacuate Fort George and join him upon the Queenston road. He immediately began his retreat upon St. Davids, the infantry retiring through the woods, and the artillery and baggage by the road. This movement was so quietly accomplished that it seems to have almost escaped the attention of the enemy who were busily engaged in reforming their line.

General Dearborn had become so much enfeebled by his exertions, and the effects of his previous illness, that he had to be lifted from his horse and supported to a boat which conveyed him on board the flagship, from which he viewed the landing of his troops, although unable to keep his feet for more than a few minutes at a time. The command accordingly devolved upon Major General Morgan Lewis, an officer of little experience and less military knowledge, but an active and influential politician, who had been in turn Chief Justice and Governor of the State of New York and was a brother-in-law of the Secretary of War. He was absurdly fond of military pomp, parade and display, and his opponents delighted to ridicule a speech he had made to the militia when Governor in which he had remarked that "the drum was all important in the day of battle." Having the fate of Van Rensselaer and Winchester fresh in his memory, his movements were cautious to the verge of timidity. An hour and a half elapsed after Harvey retreated before he ventured to advance beyond the village. He had then not less than 4,000 men in order of battle besides the reserve of marines and seamen. His line extended without a break from the lighthouse on Mississauga Point to the river above Fort George. That work was approached with excessive caution as the sound of repeated explosions within, caused them to dread a recurrence of their disastrous experience at York, and even the lighthouse was avoided lest it should be hurled in fragments on their heads. Colonel Scott was in fact unhorsed by a large splinter which broke his collar bone, but there were no other casualties. When the fort was entered, it was

[Pg 26]

Ρα 271

[Pg 28]

found that the garrison had disappeared with the exception of a few soldiers of the 49th Regiment, who were still engaged in dismantling the works. Some of the men were surprised in the act of cutting down the flagstaff to obtain the garrison flag from which the halliards had been shot away, and others were taken prisoners as they attempted to escape through the main gate. More than a hundred sick and wounded were found in the hospital. The village of Niagara was entirely deserted, and many of the houses had been much damaged by cannon shot.

During the afternoon the Second Regiment of United States Dragoons was brought over from Youngstown, but scarcely any pursuit was attempted as the American army was described as much exhausted from being under arms for eleven hours. No one seemed to know positively which way the British had retreated. Colonel Scott with some of the riflemen seems to have advanced a few miles along the Queenston road, but was peremptorily recalled by General Lewis who feared an ambush. Meanwhile Vincent's column had retired in almost perfect order, leaving scarcely a straggler behind and marched with such speed that the rear guard arrived that night at DeCew's house, where a small magazine of provisions had been formed a few days before in anticipation of a reverse.

About four o'clock in the afternoon a dragoon reached Fort Erie with information of the loss of Fort George, and Lieut.-Colonel Bishop immediately began his retreat with the regular troops and field guns stationed there, leaving Major John Warren with a few men of the Third Lincoln Regiment of militia to occupy the works and engage the attention of the enemy on the opposite bank. Soon after his departure, Warren opened fire on Black Rock from all the batteries, and continued the cannonade all night. At daybreak the destruction of the stores and fortifications began. The barracks and public buildings were burnt, the magazines blown up, the guns burst or otherwise rendered unserviceable along the whole line from Point Abino to Chippawa. When this had been thoroughly accomplished, Warren disbanded his men, and an American force crossed from Black Rock and took possession of the dismantled works. A quantity of stores which had been abandoned at Queenston, was destroyed on the same day, by Lieut.-Colonel Thomas Clark, at the head of a small party of the Third Lincoln Regiment, who had returned from Beaver Dams for the purpose.

Scarcely had this been done, when a strong brigade of American troops advanced from Fort George and occupied that village.

During these operations General Vincent had lost the whole of his garrison ordnance and a considerable quantity of spare arms and military stores. His regular force had been diminished by 350 officers and men, nearly all of whom were killed or wounded, but he was joined during the night of the 27th by two strong companies of the 8th Regiment which had advanced that day as far as the mouth of the Twelve Mile Creek on their way to Fort George. The loss of the regulars in the battle was officially stated at fifty-two killed, forty-four wounded, and 262 missing, nearly all of those reported missing being either killed or left wounded on the field. The small detachment of Lincoln militia engaged is stated to have lost five officers and eighty men, killed or wounded, but no official return seems to have been preserved. The names only of Captain Martin McClellan and Privates Charles Wright and William Cameron, who were killed, have been recorded. Two Mohawk Indians, Joseph Claus and Tsigotea, were also among the slain. General Boyd stated that his men found 107 dead and 175 wounded of the British troops upon the field. The losses of some of the detachments actually engaged were truly appalling. The five companies of the 8th Regiment lost, Lieut. Drummie killed, Major Cotton, Lieuts. Nicholson, McMahon, and Lloyd, and Ensign Nicholson wounded, and 196 non-commissioned officers and privates killed, wounded, or missing out of 310 of all ranks who went into action. The Glengarry Light Infantry lost Captain Liddle and Ensign McLean killed, Captain Roxborough and Lieut. Kerr wounded, and 73 noncommissioned officers and men out of an aggregate of 108. The grenadier company of the Royal Newfoundland Regiment lost Capt. Winter, Lieut. Stewart, and fourteen others out of forty.

The total loss of the American army was officially stated at 150, of whom thirty-nine were killed. The only officer killed was Lieut. Henry Hobart, a grandson of General Dearborn. Covered as their landing was by the fire of so many cannon, it is, perhaps, remarkable that their loss was so great. As a proof, however, of the severity of the short struggle on the plain. Dr. Mann, the American army surgeon, who was present, remarked that he found 27 dead and 87 severely wounded on the field when he landed and that nearly 400 of both armies lay stretched on a plot of ground not more than 200 yards in length and fifteen in breadth.

On the 28th, the whole of the militia except Merritt's troop of Provincial Cavalry, Runchey's company of negroes, and about sixty picked men of other corps who were determined to follow the fortunes of the army, were disbanded, and Vincent continued his retreat to Grimsby and finally to Burlington Heights where he arrived on the 2nd June with eleven field guns and 1800 seasoned soldiers, who, in spite of their recent reverse were in high spirits and eager to meet the enemy again on more equal terms. The brilliant result of the action at Stoney Creek three days later amply atoned for a defeat by which they had lost no credit.

The Americans were justly disappointed by the incompleteness of their success. For nearly two days they appear to have absolutely lost all track of their enemy. "When we marched for Queenston on the 28th," wrote an officer in the United States army whose letter was published at the time in the *Baltimore Whig*, "we found the British far advanced on their retreat by the back road toward the lower part of the Province. They collected their force very actively. Our friends hereabouts are greatly relieved by our visit. They had been terribly persecuted by the Scotch myrmidons of England. Their present joy is equal to their past misery. This is a charming country but its uncertain destiny together with the vexations the farmers endured by being dragged out in the militia left the fields in a great degree uncultivated. The British Indians are not of much

[Pg 30]

use to them. They run as soon as the battle grows hot. I saw but one Indian and one Negro with the Glengarry uniform on, dead on the field. Their Eighth fought very resolutely and suffered severely."

Many American historians have condemned General Dearborn for not having accomplished more with the means at his disposal but they have made little or no allowance for the physical weakness which actually rendered him unfit to command at all. General Armstrong, who, as Secretary of War, was eager to justify his own conduct, declared that "if instead of concentrating his whole force, naval and military, on the water side of the enemy's defences he had divided the attack and crossed the Niagara below Lewiston and advanced on Fort George by the Queenston road, the investment of that place would have been complete and a retreat of the garrison rendered impracticable." This, however, was actually the movement which Dearborn had planned but failed to execute in time. Ingersol, a member of Congress and a leader of the war party, bitterly observed that "the British General effected his retreat (probably without Dearborn knowing it for he stayed on shipboard) to the mountain passes where he employed his troops in attacking, defeating, and capturing ours during all the rest of that year of discomfitures."

THE END.

N. B.—For the engraving, "The Taking of Fort George," we are indebted to the kindness and courtesy of the Hon. P. A. Porter, Niagara Falls. It is from the portfolio published in Philadelphia, 1817, and is particularly interesting to us as giving the appearance of the churches St. Mark's and St. Andrew's before the town was burnt down, as also the Lighthouse situated nearly where the Queen's Royal Hotel stands now.

Transcriber's Note

Some inconsistent hyphenation and spelling in the original document has been preserved.

Typographical errors corrected in the text:

Page 5 huudred changed to hundred

Page 6 uninhabitated changed to uninhabited

Page 7 Presqu'le changed to Presqu'ile

Page 9 patroling changed to patrolling

Page 12 armisfice changed to armistice

Page 14 Rensslaer changed to Rensselaer

Page 15 permited changed to permitted

Page 19 resourses changed to resources

Page 21 Deleware changed to Delaware

Page 21 patroled changed to patrolled

Page 21 parroled changed to parroll

Page 21 Bisshop changed to Bishop

Page 22 detatchment changed to detachment

Page 24 missles changed to missiles

*** END OF THE PROJECT GUTENBERG EBOOK BATTLE OF FORT GEORGE: A PAPER READ ON MARCH 14TH, 1896 ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically

ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE

THE FULL PROJECT GUTENBERG LICENSE

PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project GutenbergTM mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project GutenbergTM License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

- 1.A. By reading or using any part of this Project Gutenberg^{$^{\text{TM}}$} electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg^{$^{\text{TM}}$} electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg^{$^{\text{TM}}$} electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.
- 1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project GutenbergTM electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project GutenbergTM electronic works if you follow the terms of this agreement and help preserve free future access to Project GutenbergTM electronic works. See paragraph 1.E below.
- 1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project GutenbergTM electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project GutenbergTM mission of promoting free access to electronic works by freely sharing Project GutenbergTM works in compliance with the terms of this agreement for keeping the Project GutenbergTM name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project GutenbergTM License when you share it without charge with others.
- 1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg $^{\text{m}}$ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.
- 1.E. Unless you have removed all references to Project Gutenberg:
- 1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg $^{\text{\tiny TM}}$ License must appear prominently whenever any copy of a Project Gutenberg $^{\text{\tiny TM}}$ work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

- 1.E.2. If an individual Project GutenbergTM electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project GutenbergTM trademark as set forth in paragraphs 1.E.8 or 1.E.9.
- 1.E.3. If an individual Project Gutenberg $^{\text{TM}}$ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through

- 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg $^{\text{m}}$ License for all works posted with the permission of the copyright holder found at the beginning of this work.
- 1.E.4. Do not unlink or detach or remove the full Project GutenbergTM License terms from this work, or any files containing a part of this work or any other work associated with Project GutenbergTM.
- 1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg^{TM} License.
- 1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project GutenbergTM work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project GutenbergTM website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project GutenbergTM License as specified in paragraph 1.E.1.
- 1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project GutenbergTM works unless you comply with paragraph 1.E.8 or 1.E.9.
- 1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg^m electronic works provided that:
- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg[™] works.
- 1.E.9. If you wish to charge a fee or distribute a Project Gutenberg[™] electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg[™] trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

- 1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg^{TM} collection. Despite these efforts, Project Gutenberg^{TM} electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.
- 1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.
- 1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you

received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

- 1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.
- 1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.
- 1.F.6. INDEMNITY You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg[™] electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg[™] electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg[™] work, (b) alteration, modification, or additions or deletions to any Project Gutenberg[™] work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg $^{\text{TM}}$ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg $^{\text{\tiny TM}}$'s goals and ensuring that the Project Gutenberg $^{\text{\tiny TM}}$ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg $^{\text{\tiny TM}}$ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg[™] depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg^m concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg^m eBooks with only a loose network of volunteer support.

Project GutenbergTM eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg $^{\text{\tiny IM}}$, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.