

BRITISH STEAMBOAT SIR ROBERT PEEL AND AMERICAN
STEAMBOAT TELEGRAPH.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

UPON

The subject of Outrages committed upon the British steamboat Sir Robert Peel, and the American steamboat Telegraph, on the waters of the Northern frontier of the United States.

JUNE 20, 1838.

Referred to the Committee on Military Affairs.

To the House of Representatives of the United States:

I transmit, in compliance with a resolution of the House of Representatives of the 11th instant, reports from the Secretaries of State, Treasury, and War, with the documents referred to by them respectively. It will be seen that the outrages committed on the steamboat Sir Robert Peel, under the British flag, within the waters of the United States, and on the steamboat Telegraph, under the American flag, at Brockville, in Upper Canada, have not been followed by any demand, by either Government on the other, for redress. These acts have been, so far, treated on each side as criminal offences committed within the jurisdiction of tribunals competent to inquire into the facts, and to punish the persons concerned in them. Investigations have been made, some of the individuals inculpated have been arrested, and prosecutions are in progress, the result of which cannot be doubted.

The excited state of public feeling on the borders of Canada, on both sides of the line, has occasioned the most painful anxiety to this Government. Every effort has been and will be made to prevent the success of the design apparently formed, and in the course of execution, by Canadians who have found a refuge within our territory, aided by a few reckless persons of our own country, to involve the nation in a war with a neighboring and friendly Power. Such design cannot succeed while the two Governments appreciate and confidently rely upon the good faith of each other in the performance of their respective duties. With a fixed determination to use all the means in my power to put a speedy and satisfactory termination to these border troubles, I have the most confident

Thomas Allen, print.

assurances of the cordial co-operation of the British authorities, at home and in the North American possessions, in the accomplishment of a purpose so sincerely and earnestly desired by the Governments and people both of the United States and Great Britain.

M. VAN BUREN.

WASHINGTON, *June 20, 1838.*

DEPARTMENT OF STATE,

Washington, June 18, 1838.

The Secretary of State, to whom has been referred the resolution of the House of Representatives of the 11th instant, requesting the President to communicate to the House "such information as he may possess relating to the alleged attack on the American steamboat Telegraph, in the British waters, and to the alleged destruction of the British steamboat Sir Robert Peel, in the American waters; what measures, if any, have been adopted in consequence thereof; and, if not incompatible with the public interest, such correspondence, if any, as may have occurred between the Government and the British minister or Canadian authorities in relation thereto; and any information possessed by him concerning the concentration and movements of foreign troops on the Northern or Northeastern frontier of the United States;" has the honor to report to the President the accompanying copies of papers, comprising all the information on the files of this Department in relation to the subject of the resolution.

Respectfully submitted.

JOHN FORSYTH.

To the PRESIDENT of the United States.

WATERTOWN, JEFFERSON CO., N. Y.,

May 30, 1838.

DEAR SIR: I have just received from the deputy collector at French Creek, in the district of Cape Vincent, in Jefferson county, State of New York, an account of a piratical force having assembled seven miles below that place, on the river St. Lawrence, and having captured the British steamboat "Sir Robert Peel," and, having driven the crew and passengers ashore, burnt the boat. Rumor says that eight other different steamboats were to be attacked and burnt at different places at the same time. I have sent an express to Governor Marcy and the district attorney. I shall repair forthwith to the spot where the boat was destroyed, and arrest the offenders if possible.

Yours, in haste,

JASON FAIRBANKS,

Deputy Marshal Northern Dist. State N. Y.

To the honorable the SECRETARY OF STATE.

U. S. DISTRICT ATTORNEY'S OFFICE,

Little Falls, May 31, 1838.

SIR: I hand you copies of letters this day received by me from G. C. Sherman, Esq., Jere. Canner, United States collector, and J. Fairbanks, United States deputy marshal, with the contents of which you will have been informed before this will reach you; and while I know the sentiments of my Government, and feel that the character and dignity of the republic will not be put in jeopardy for any lack of energetic action on the part of the Executive to discountenance and punish, if the laws will permit, such gross outrages, I inform you that our whole lake frontier is filled with people who have left the neighboring Canadian provinces, and who appear to be ready at a moment's warning for any movement upon or acts of violence towards those provinces, and who appear to be determined to carry on a war from our territory against the adjacent British colonies. Past experience has fully demonstrated that the civil arm of the Government is not adequate to prevent these outrages from our territory upon the persons and property of a neutral nation. I am taking and shall pursue every measure in my power to have the offenders brought to punishment, if the act of burning the British steamboat Sir Robert Peel within the territory and jurisdiction of this State be cognizable in the United States courts, of which I now entertain strong doubts. This opinion, however, may not be correct; and, if so, it is because I have not a full and accurate statement of all the facts attending the forcible taking and destruction of the boat.

I have the honor to be, very respectfully, your obedient servant,

N. S. BENTON,

United States Attorney.

To His Excellency M. VAN BUREN,
President of the United States.

WATERTOWN, *May 30, 1838.*

DEAR SIR: I have this moment received, by a special messenger sent to me by express by H. Davis, Esq., custom-house officer at French Creek, a letter, of which the following is a copy; and the information therein contained may be relied upon as correct:

CLAYTON, *May 30, 1838.*

SIR: Last night the British steamer Sir Robert Peel was boarded by about fifty armed men in disguise, the persons on board driven on shore, and the boat set on fire and wholly consumed near this place, (French Creek.) You are requested to aid the proper authorities in this affair, or to advise the proper course to be taken.

Respectfully, yours,

H. DAVIS.

G. C. SHERMAN, Esq.

In addition to the above, the messenger informs me that although no lives are known to be lost, yet that the mate of the boat was badly burnt.

Our steamer Oneida, on her trip to Ogdensburg this morning, took up the crew, and at their request volunteered to take them to Kingston. The community are in perfect consternation, and fears are awakened that our whole frontier will, by this unwarrantable act, be thrown into a scene of war arising out of a retaliating spirit.

It is said that the Robert Peel was taking in wood at the narrows, seven miles below French Creek.

I deemed it due to you to be immediately informed of this matter, and have sent a copy of the letter to the Governor and one to Washington.

No person is yet known who was engaged in this affair, though it is said persons resident at French Creek have been absent for two or three days. There were many refugees or patriots here a few days since, and they are all about now. We want aid to ferret out this matter, and think you had better come out immediately if you can, and advise what to do.

I have advised General Corse to call out two companies of dragoons, and to scour the woods.

Yours, &c.,

G. C. SHERMAN.

N. S. BENTON, Esq.

WATERTOWN, *May 30, 1838.*

DEAR SIR: I have just read a letter from Mr. Davis, at French Creek, directed to G. C. Sherman, Esq., of this village, saying that last evening a party of armed men, about fifty in number, attacked and drove ashore the passengers and crew on board the steamboat Sir Robert Peel, while taking in wood from one of the islands in the narrows of the river St. Lawrence, between French Creek and Alexander bay, and burnt the same. I am also informed the passengers took passage in the steamboat Oneida, which came up this morning, and landed them at Kingston. You will please advise me of the proper course to pursue in this matter, until you shall be able to visit this place in person, or adopt a system of measures calculated to ensure peace on our frontier.

Since my arrival at this place, I am told by several gentlemen that many of the Canadian refugees, who have been hired here and in the vicinity, have suddenly left the place with the purpose, they believe, of concentrating at some point where they can, without immediate molestation from the authorities, commit depredations on the property of Canadian citizens. I shall advise with General Corse on the subject of this outrage, to secure the co-operation of the military in repressing further hostilities.

I shall go to French Creek this afternoon to make further inquiries on the subject, and will inform you more particularly of the transaction above referred to from that place.

I am, very respectfully, your obedient servant,

JERE. CANNER.

N. S. BENTON, Esq.

WATERTOWN, *May 30, 1838, (½ past 3 P. M.)*

DEAR SIR: Having just received intelligence of the piratical expedition fitted out at French Creek, and that they had attacked and captured

the British steamer Sir Robert Peel, commanded by Captain Armstrong, and drove the men ashore and *burnt* her, I deem the information of such importance as to send an express in advance of the mail, and for that purpose have taken Mr. Sherman's letter from the post office, and send it by express. I intend to repair immediately to French Creek with an officer authorized to call out the militia. A letter has just been received from the Creek, calling for a force to protect the inhabitants of that place from being burnt.

It is also rumored that the pirates had an arrangement to make a similar attack upon eight different steamers, at different places, at the same time.

Yours, in haste,

JASON FAIRBANKS,
Deputy Marshal.

N. S. BENTON, Esq.

OGDENSBURG, *Sunday, June 3, 1838.*

DEAR SIR: I send you the enclosed, which I have received to-day from Major Young.

Yours, truly,

JOHN FINE.

Hon. S. WRIGHT.

PRESCOTT, *June 3, 1838.*

MY DEAR SIR: Under the impression that you may wish to see a proclamation issued by Sir George Arthur, in reference to the destruction of the Sir Robert Peel, I beg to enclose you a copy. I returned last evening only from the neighborhood of Kingston.

I am, my dear sir, your very obedient,

PLOMER YOUNG.

PROCLAMATION.—UPPER CANADA.

By his excellency Sir GEORGE ARTHUR, Knight, Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the province of Upper Canada, Major General commanding Her Majesty's forces therein, &c. &c. &c.

Whereas information has this day been received that, on the thirtieth day of May instant, the British steamboat Sir Robert Peel, while lying peaceably at an American island, was treacherously attacked by a body of armed ruffians from the American shore, set fire to, and burnt; the passengers, amongst whom were defenceless females, wantonly and brutally insulted; and a large amount of money and other property on board the said boat was either plundered or destroyed: and whereas the said robbery and outrage cannot fail to excite feelings of the utmost indignation in the minds of her Majesty's subjects, who may be induced thereby to resort to acts of retaliation for the redress of injury, without properly considering that it belongs to the Government of her Majesty to claim

that redress, and to the Government of the United States to see that it be promptly rendered.

The steamboat *Sir Robert Peel*, with the persons and property on board, lay at a wharf on the shore of a friendly Power, in the confidence of that security which every civilized nation extends over the subjects and property of foreigners, within its territory, in times of peace and free commercial intercourse.

The Government of the United States, it may be confidently expected, will vindicate the national honor, and feel deeply the insult which this act of savage and cowardly violence, committed in the dead of night, has inflicted upon their nation. They will not and cannot, with any regard to national character, delay to bring the criminals to punishment, or to render to the injured subjects of her Majesty redress, though it be too late, in this instance, to offer them protection.

The demeanor and conduct of the population of this province has been that of a people resting securely upon the sanctity of law, and the regular exercise of the power of the great empire of which they form a part; and, accordingly, even during rebellion and foreign invasion, this country has not been disgraced by any scenes of individual violence or revenge on the part of its loyal inhabitants. The character which has thus been gained to this province has commanded the admiration of the British people; demonstrated the proud superiority of British institutions; and is too valuable to be sacrificed in its smallest part for the sudden gratification of indignant feelings, however justly they may have been aroused.

I, therefore, express to her Majesty's faithful and loyal subjects my entire confidence in their dignified forbearance, and that the British flag, which has been so nobly defended by them, will not now be stained by having outrage or insult offered to the persons or property of foreigners within its territory and under its protection.

It need not be said to men who understand the character and institutions of England, that injury offered to one British subject is felt by all; and that the mutual ties of duty and affection which bind a free and loyal people and their sovereign together, give the strength of the whole empire to an injured individual. This consideration is all that is necessary to restrain a loyal community within becoming bounds, and to ensure their leaving to their Government that claim for redress which this unprovoked outrage imperatively demands.

Until the American Government shall have taken such measures as will ensure the lives and property of British subjects within the territory of the United States from spoliation and violence, the utmost guard and caution is required, on the part of masters of steamboats and other vessels, in entering American harbors, as it is but too plain that at present the subjects of her Majesty may be sometimes placed in the power of a lawless banditti when they imagine themselves within the protection and authority of a friendly Government.

Given under my hand and seal of arms, at Toronto, this thirty-first day of May, in the year of our Lord one thousand eight hundred and thirty-eight, and of her Majesty's reign the first.

G. ARTHUR.

By command of His Excellency :

C. A. HAGERMAN,
Attorney General.

D. CAMERON, *Secretary.*

JEFFERSON COUNTY, SS.

Niel McDermot, being duly sworn, says: That he was a wheel-man on board the Sir Robert Peel on the night of the 29th of May, 1838; that about two o'clock of the night of the same day the said steamboat was lying at a wharf on Wells's island, in the river St. Lawrence, and at that hour a band of men (the number this deponent cannot actually state, but he should estimate them at from forty to fifty) boarded the boat. The persons who boarded said boat were all or nearly all of them armed with guns and fixed bayonets. The band of men who boarded said boat immediately proceeded to threaten the officers, hands, and passengers on said boat, and to push some of them with bayonets, and to throw them off the boat; and by violence and threats they in a short time cleared the boat of its officers, hands, and passengers. That after the said band of armed men got possession of the boat, he saw them break open the office of the boat. And this deponent says, that shortly after the office was broken open, the said steamboat was set fire to at both ends of the boat, and was burnt to the water's edge. And this deponent further saith, that there were about seventy passengers on board the boat, about eight or ten of whom were females; and they were driven on shore in their night-clothes, and most of them barefoot. And this deponent further saith, that he saw and personally knew William Johnston, who appeared as a leader and commander of the said armed band of men who boarded the said boat; that he knows the said William Johnston, and is perfectly certain he was one of the principal leaders of the band. And this deponent further says, that he has before seen Samuel C. Frey, and he believes he saw him acting with the said armed band; but this deponent cannot be entirely certain as to the identity of said Frey, as his acquaintance with him is small, having seen him but once before. That the persons who composed said armed band were painted—some of them black, and some with red stripes across their faces.

NIEL McDERMOT.

Subscribed and sworn, May 30, 1838, before me,

JOHN M. FULLER, *J. P.*

JEFFERSON COUNTY, SS.

William T. Johnson, being duly sworn, says: He was purser of the steamboat Sir Robert Peel; that the said boat was a British boat; and on the night of the 29th of May, 1838, was on her passage from Prescott to Kingston, in Upper Canada, and that on her passage she stopped at a wharf on Wells's island, in the county of Jefferson, for the purpose of taking in wood; that while lying at the wharf, the said boat was forcibly boarded by a band of men armed with muskets and fixed bayonets; that the men composing the said armed band were painted; that when the said armed band boarded the boat, they made hideous yells, and placed their bayonets at the breasts of the officers, hands, and many of the passengers, and they were pushed and driven on shore. There were seven or eight ladies in the cabin, who were driven on shore in their night-clothes, and most of them barefoot. That there was no house, but a

small log shanty, within one or two miles of the place, when the said armed band took possession of the boat; that immediately after the said band of armed men got possession of the boat, this deponent saw and heard them breaking the doors and windows of the office; that there was a package of money in the office, sent by Mr. Wenham, the agent at Brockville of the Bank of Upper Canada, to the said Bank of Upper Canada at Toronto, which package contained, as this deponent is informed and believes, twelve thousand dollars. And this deponent further says, that there were several other packages of money and many letters in the office; and from the best estimate this deponent can now make, there was about a thousand dollars besides the money sent by Mr. Wenham. And this deponent further says, he has been informed by several of the passengers that they had large sums of money in their trunks and baggage, but the particulars this deponent cannot state, except that he was informed by one of the passengers that he had fifteen hundred pounds sterling in specie taken with his trunk. And this deponent further says, that shortly after the boat was cleared of its officers, hands, and passengers, this deponent found a skiff on the island, and with two hands went to the Canada shore for relief, and to give information of the piracy, and did not see the steamboat on fire, but is informed she is burnt and sunk. And this deponent further says he knows Samuel C. Frey, and said Frey was one of the armed band who took possession of the boat. The said Frey put a bayonet to the breast of this deponent, and this deponent said, What is the matter? or, What do you want? Frey replied, "I will damned soon let you know." This deponent is positive it was the said Samuel C. Frey who thus placed the bayonet to this deponent's breast, and addressed him. And this deponent further says, that he has seen William Johnston, of the town of Clayton, in the county of Jefferson, and he believes, but cannot be positive, that he saw the said Johnston among the band; and if he is not mistaken as to the identity, the said Johnston acted as the captain, or leader, of the said armed band. The persons composing the band were most or all of them painted.

W. T. JOHNSON.

Subscribed and sworn, May 30, 1838, before me,

JOHN M. FULLER, *J. P.*

JEFFERSON COUNTY, ss.

Azariah Walton, being duly sworn, says: Samuel C. Frey was at Alexander bay between 9 and 10 o'clock on the night of the 29th of May instant, and left Alexander, deponent is informed, in a boat, and rowed away in the direction of Wells's island. And this deponent further says, that said Frey told him that Canadian refugees were forming secret societies like the Orangemen. Deponent asked Frey to go to the tavern; Frey said, "No, I have traps to set."

AZARIAH WALTON.

Sworn and subscribed, this 30th May, 1838, before me,

G. CASWILL, *Justice.*

JEFFERSON COUNTY, ss.

Joseph Gellins, being duly sworn, says: He was a deck hand on board the steamboat Sir Robert Peel on the night of the 29th instant, and at about two o'clock at night was on a wharf at Wells's island, and a band of about thirty armed men suddenly rushed on the wharf, boarded the boat, and violently drove the officers, hands, and passengers from the boat, and some time after set fire to the boat and burnt her. This deponent knows William Johnston, of Clayton: he was the leader of the armed band; and this deponent heard some of the persons of the armed band call him Johnston.

JOSEPH GELLINS, his + mark.

Sworn and subscribed, this 30th May, 1838, before me,

JOHN M. FULLER, J. P.

STATE OF NEW YORK, *Jefferson county*, ss.

James McDaniel, being duly sworn, says: He is aged 46, and resides on Wells's island, at the wharf where the steamer Robert Peel stopped on the night of Tuesday, May 29, 1838. That soon after midnight, and about fifteen minutes before, he saw a long boat, filled with men, running near the island. That this deponent, as was his custom, made a light on the wharf when he saw the steamboat, and then heard a voice, She is coming. The steamer fastened to the wharf, and he informed the captain what he had done. The boat had taken in eight cords of wood, and had been at the wharf about an hour, when a body of men came from the direction of the house, and from behind the wood; they were armed with muskets and bayonets, and were thirty or forty in number. They cried, Surrender, you are our prisoners. They came on board the steamer, and ordered the people to leave the boat, or they would run them through. The passengers left in confusion, and this deponent went back then to his house near the wharf. That about 10 or 13 females were at his house; that he returned and went with the captain to a house about half a mile down. That in about an hour after the attack he saw the boat on fire; she had drifted down; he heard the cry, Lord help me! repeated many times, and also *praying*. This deponent supposed it was some one on board, and prevented from escaping by the fire.

JAMES McDANIEL.

Sworn, May 31, 1838, before me,

GORDON CASWILL, *Justice*.

STATE of NEW YORK, *Jefferson county*, ss:

John Ripley, aged 22 years, residence on Wells's island, being duly sworn, says: That he was on the wharf, on the night of Tuesday, May 29, at which the steamer Robert Peel stopped; that he saw a long-boat with many men in it, running up and down along the shore of the island, before the steamer came to the wharf: as the steamer came near, he heard

a voice from the long-boat saying, She is coming ; then the steamer came to the wharf, and had taken in several cords of wood, and had remained at the wharf an hour ; this deponent was standing near, heard feet, and several men armed came from the back of the wood-pile, and along the shore of the island. The front man he believes was Robert Smith, who has kept a tavern on Abel's island ; he had a musket with a fixed bayonet. They said, You are all our prisoners—*revenge for the Caroline*. This deponent immediately fled into his skiff, and went about half a mile below, and then crossed to the main shore and gave the alarm ; that while in the skiff he heard the cry, Go ashore or we will blow your brains out ; and he saw one man thrown overboard ; that the noise continued about an hour, and about two or half past two in the morning of Wednesday he saw the boat on fire. He saw the wreck on Wednesday ; she is burnt to the water's edge, and sunk, and lies about sixty rods below the wharf. That when the steamer first came to the wharf, (Tuesday night,) he informed the captain of the long-boat filled with men, and feared danger. The captain replied, if there were not more than 100 or 150 men, he was ready for them, and laughed ; and afterwards said it was probably men fishing.

JOHN RIPLEY.

Sworn, May 30, before

GORDON CASWILL, *Justice*.

THE PEOPLE, { *Before Pelon Norton, Justice of the Peace at Clay-*
 vs. { *ton, Jefferson county, May 31, 1838.*
 HUGH SCANLAN, }

Brought before him on a charge of arson of the steamboat Sir Robert Peel, Thomas H. Scott, and sworn, says he was on board the Robert Peel on the night of the 29th instant, at the wharf at Wells's island ; the boat was boarded by a band of armed men ; was awake in the cabin ; heard a rush and outcry on deck, and immediately went on deck and to the dock ; he was told by one Robinson to come aboard and get his baggage ; most if not all the band were armed with muskets and fixed bayonets, and painted and dressed Indian fashion. When he came on board from the wharf, he was taken to the ladies' cabin, and requested to dress a man's arm which was said to have been injured by a stick of wood ; witness is a surgeon ; dressed the wound, and, while dressing it, the boat was cut loose from the wharf and floated out into the river, so that he could not get ashore. When the pirates left the boat it was on fire, and he jumped into the boats with the armed band ; they took him to their camp on another island ; he remained with the armed band until sunrise the next morning ; saw them all distinctly after they were washed and in their common dresses ; there were twenty-two, in all, of the band ; he believes if he saw he could identify every one of them ; identifies the prisoner ; he is the man whose arm he dressed. Witness hired a farmer to bring him on shore ; Samuel C. Frey came on shore with him, but returned with the boat. Before witness left the camp he pledged himself to make no disclosures. Five other of the pirates were arrested and identified by Scott.

B. P.

OGDENSBURG, June 3, 1838.

DEAR SIR: We enclose to you copies of evidence, &c., relative to an outrage committed on the steamboat Telegraph, (a United States boat,) in the port of Brockville, on the evening of the 1st of June instant, with an abstract statement of the facts as we believe them to be. We enclose the statement and evidence, and wish you to hand them to the proper officers of our Government. A similar statement we shall send to Governor Marcy. We promptly furnish the statement, that the Government may not be misled by false or exaggerated reports. This communication is addressed to you, because, through you, the Government may know what reliance is to be placed in our statement.

We have the honor to be your obedient servants and friends,
BISHOP PERKINS,
SMITH STILWELL.

To the Hon. SILAS WRIGHT, JR.

STATEMENT OF FACTS.

On the morning of the 2d of June instant, we were informed that the steamboat Telegraph (a United States boat) had been fired upon in the port at Brockville, Upper Canada. The undersigned immediately went to Brockville. When we arrived there we found that two men, one named Angus McLallen, and the other Michael Ryan, two privates in 1st Frontenac, a British volunteer militia regiment, were under arrest and in course of examination for having fired into said boat. We were invited to take seats with the magistrates, and assist in the examination, and full permission given us to call and examine witnesses. The prisoners were themselves first examined; and they stated that they had been stationed as sentinels at a wharf called Morris's wharf, at the upper part of the town of Brockville; that they heard two guns fired, which they supposed came from Maynard's wharf, and left their stations and came to Maynard's wharf to see what the firing meant; that as they came to that wharf the steamboat Telegraph was passing, and they hailed her to come to; that they were answered from the boat, "Go to hell," and they then commenced firing alarm-guns, and fired two guns apiece; that they did not fire into the boat, but into the air, pointing their guns so high that they could do no injury; that they supposed they were obeying orders—having orders, if they saw any thing calculated to excite alarm, to fire alarm-guns. The boat passed on, and did not stop after they fired. The prisoners said the guard was relieved once in two hours, and said they left no one on Morris's wharf.

Angus Cameron sworn. Is a captain, and produces his orders, (a copy is annexed.) Witness came to Brockville on the 30th of May last, and, on the evenings of the 30th and 31st of May last, he stationed the sentinels himself, and personally gave them their orders. Two sentinels were stationed at Morris's wharf, and relieved once in two hours, and orders *given to watch for any appearance of armed men, and other causes of alarm; and if any thing happened to excite alarm, to acquaint the sergeant of the guard, and the sergeant the witness; but not to fire*

even an alarm gun, unless they were placed in such circumstances that they could not otherwise give the alarm ; and they were strictly forbidden to fire at, or so as to injure any person or thing under any circumstances. They were provided with cartridges, but directed not to load, except in case of alarm. On the night of the 1st instant he gave the same orders to the sergeant of the guards, but did not himself place the guards on the wharf. He believes the sentinels were placed between 9 and 10 o'clock, P. M. They were ordered in no event to leave their posts, except one of them, to communicate with the sergeant of the guard. The prisoners were the first stationed for the night at Morris's wharf, and they were found on Maynard's wharf, about forty rods distant from their station. Immediately after the firing the prisoners were arrested. Upon their arrest they admitted that they had left their stations at Morris's wharf and gone to Maynard's wharf, and there fired two rounds each. There were two rounds from two persons fired from Morris's wharf, but witness has not yet been able to discover who fired them. The soldiers were forbid to leave camp after sentinels were posted, except to answer the calls of nature.

S. Armstrong sworn. Is a lieutenant and commandant of the company of 1st Frontenac volunteers at Brockville ; was on the wharf of S. and H. Jones when the Telegraph came up to that wharf, near 10 o'clock on the evening of the 1st instant. The steamboat was at the wharf about ten minutes. Witness remained on the wharf until the steamboat left. She started out from the wharf, steering up stream, and towards the centre of the river. She passed Maynard's wharf about a hundred and fifty feet from it. As the boat was turning out and passing Maynard's wharf, he heard six guns fired from Maynard's wharf. The firing was at intervals, by two guns at a time, and witness supposed the firing from two persons, and that they fired two rounds. Witness went immediately to Maynard's wharf, and there found the prisoners, and found them loading for the fourth round. The men said they left their posts to hail the boat. The witness heard four shots from the direction of Morris's wharf, about the time of the last firing from Maynard's wharf. Prisoners said they had hailed the boat, and received an abusive answer, and fired alarm guns. Witness inquired what right they had to fire ; they said they were instructed by their officers to do so. Witness replied it is impossible, and immediately arrested them. Witness went to Morris's wharf, and found two other volunteers there, but they denied having fired, and were not arrested. Witness asked them how they came; they replied, "to relieve guard."

David L. McQueen sworn. Says that near 10 o'clock last night witness went to the wharf of H. and S. Jones. The steamboat Telegraph had just left the wharf. Several shots were fired from Maynard's wharf ; Maynard's wharf is about 240 feet from the wharf of H. and S. Jones ; Morris's wharf is 600 or 700 feet above Maynard's wharf, and extends out in the river further than any other wharf. It was a clear night, and some moon. As the steamboat was passing Maynard's wharf, he heard firing from that wharf ; he heard the sentinels hail the boat from Maynard's wharf, saying "halt." The steamboat stopped its wheels, and the captain or mate of the boat said, "if you wish to come on board, you can come in a boat." The sentinels then said, "come to : " he heard no answer to that, but they then started her wheels, and the sentinels then immediately

fired; he heard nothing from the boat after the firing; she kept on her course and went up the river. The boat was about 200 feet from the sentinels when they first fired upon her, and farther off when the second and third rounds were fired. There were about four guns fired from Morris's wharf, but the first guns were fired from Maynard's wharf. Lieutenant Armstrong was on H. and S. Jones's wharf at the firing, and we both went immediately to Maynard's wharf, and there found the prisoners. The boat was 500 or 600 feet from Morris's wharf when he heard the firing from that wharf. When witness and Lieutenant Armstrong came to the prisoners, Armstrong asked if it was they who had fired; they said "yes." Armstrong said, How dared you fire? They replied that they were instructed to do so by their officers. Armstrong replied it was impossible; what officers? The sentinels were pressed for an answer to what officers, and gave no answer. The sentinels acted as if they knew they had done wrong.

Herman Richardson sworn. Says he was on board the schooner Cleaveland, an American boat, lying at Maynard's wharf, on the evening of the 1st instant; that he is a citizen of the United States, and was removing from the county of St. Lawrence to Illinois; that he was standing on the deck of the Cleaveland when the steamboat Telegraph left H. and S. Jones's wharf; that, just as the steamboat was passing Maynard's wharf, the two prisoners came running on to the wharf and jumped on to the schooner and hailed the boat, saying "halt." The boat stopped its wheels, and some one on the steamboat said, "take a boat and come aboard if you wish." Prisoners replied "come to." The boat then started her wheels; prisoners cocked their guns; witness said, don't fire from the schooner. The prisoners then stepped off the schooner on to the wharf, and one of them said, "it is the States, we will give her a *ball* any way;" and, as soon as they had stepped on to the wharf, they fired at the boat, and they fired three rounds each. The guns, when fired, were pointed at the boat; and he is satisfied he heard three of the balls strike the boat, and three strike the water between the wharf and the boat. There were four guns fired from the Morris wharf, and two from somewhere up town. There were no other men but these on the Maynard wharf, and the witness had heard no guns fired before the prisoners fired.

This is the substance of the testimony taken. As we started to leave Brockville, the steamboat Kingston came into the port at Brockville, and reported they had spoken the Telegraph, and that three balls had been fired into the Telegraph—one through the ladies' cabin; one into the engineer's room, and the other into the cook's room; but no person was wounded.

BISHOP PERKINS,
SMITH STILWELL.

Private militia orders for Captain Cameron, 3d Frontenac.

KINGSTON, U. C., May 30, 1838.

Captain CAMERON: You will proceed with a detachment of ten dragoons, and station them by twos, at intervals, from this place to Brockville.

You will proceed to Gananoqua and see that Lieutenant Mowart's

company of the 1st Frontenac is well accommodated with quarters there; and give such advice to the magistrates and officer commanding the company as may appear proper.

You will proceed also to Brockville, and take the same course there, in reference to the magistrates and Captain Macfarlane's company of the 1st Frontenac.

You will correspond with me constantly, for the information of Colonel Dundas; and in all your advice and proceedings, take especial care not to compromise the relations of amity and peace existing between Great Britain and the United States; but, at the same time, act with energy and decision, when called upon for the defence of the British frontier.

R. H. BONNYCASTLE,

Lieut. Col. commanding militia, Kingston.

Approved, and report to Major Young also.

H. DUNDAS,

Lieut. Col. 83d regiment, and Col. Commandant.

OGDENSBURG, May 30, 1838.

SIR: An extraordinary act of aggression and destruction of property has just occurred on the St. Lawrence, at the landing-place at "Wells's island," about seven miles below the village of French Creek, in Jefferson county, N. Y., where the steamboats stop for wood. The British steamer "Sir Robert Peel," on her way from Prescott to Kingston, with about twenty passengers, stopped there for that purpose, about 2 o'clock this morning, where she was soon after *attacked, taken, and burnt*, by thirty or forty men painted and disguised, armed with pikes, muskets, &c., *said* to be a detachment of a larger party who came from the adjacent territory of the United States in about five boats. After taking possession of the boat, they drove the passengers and crew on shore, and did not allow them to return for their baggage, a small part of which only was taken by the passengers during their precipitate retreat. After retaining possession from thirty to sixty minutes, the boat was fired and burnt to the water-line. She was commanded by Captain Armstrong, built at Brockville, U. C., in 1837, mainly owned by Messrs. Jones, D. B. O. Ford, and Harvey, of that place, and Wm. Bacon, of Ogdensburg, N. Y. I understand that Mr. Bacon owned one-fourth part of the boat. Mr. Roderick McSwain, of Prescott, U. C., the mate, and pilot, who was asleep on board (having been up the fore-part of the night) when the boat was fired and cut loose from the wharf, was badly but not dangerously burnt, and was the only person wounded. He was not aroused until the flames reached him, when he jumped overboard and swam ashore. It is said that the *assailants* told the people on board the boat "that they need not be alarmed, and that they would not be hurt if they would go on shore peaceably." It is only about thirty rods from the main American shore to the place where the boat was burnt. The captain and purser of the Sir Robert Peel proceeded early from Wells's island to Gananoque, in Upper Canada, from whence the captain went express to Brockville and the purser to Kingston. The news created much feeling and excitement at that place, where there is a strong fortress and garrison of regular troops. I

was there when the news arrived. The British steamboats that were about leaving port, and several schooners, were stopped by the Government "till further orders," on the supposition that they might be wanted to send troops down the river to Wells's island, &c. About an hour after the first news reached Kingston, the American steamer Oneida, Captain Abner Smith, arrived there *from* Wells's island, with nearly all the passengers and a part of the crew of the Sir Robert Peel; and soon after again proceeded down the river on her passage to Ogdensburg, passing the remains of the burnt boat. I went in her. At French Creek we found the magistrates and people in motion, for the purpose of arresting the aggressors. We were informed that they had taken *four*, obtained strong proof against one, and had fair prospects of arresting several others.

I enclose a copy of an address from the passengers of the Sir Robert Peel to Captain Smith, of the steamer Oneida. On arriving here about 5 o'clock this afternoon, I found that the steamer Oswego had just left this place for French Creek, with several magistrates and citizens, to aid in arresting the aggressors.

For some knowledge of myself, permit me to refer to Asbury Dickens, Esq., Secretary of the Senate.

I have the honor to be, very respectfully, your obedient servant,
CHRISTOPHER RIPLEY.

HON. JOHN FORSYTH,
Secretary of State, Washington.

TO CAPTAIN SMITH: We, the undersigned, cabin passengers on board the Sir Robert Peel steamer, which was destroyed this morning by a band of pirates (calling themselves patriots) at Wells's island, within seven miles of French Creek, avail ourselves of the earliest opportunity of thus testifying to you the deep obligation we owe you for the very kind and handsome manner in which you so promptly assisted in releasing us from a situation at once trying and unpleasant, occasioned by the unfortunate occurrence just alluded to, by receiving and carrying us on board the Oneida steamer (then on her way to Ogdensburg) to Kingston, the nearest British port.

Such disinterested conduct on your part cannot fail to secure to you, not only our lasting gratitude, but also the approving acknowledgments of a well-disposed community.

We also beg hereby to tender our thanks to the passengers then on board of your boat, who, doubtless at some inconvenience to themselves, simultaneously assured us that no objection existed on their part to your returning with the Oneida to Kingston.

Eliza Sampson, *Kingston*.
Madeline Sampson, *Kingston*.
Janet Fisher, *Kingston*.
Theresa Robinson, *Montreal*.
Harriet Fraser, *Brockville*.
Colonel R. D. Fraser, *Brockville*.
Aaron Choate, *Hamilton*.
George Auldjo, *Montreal*.
John Richardson Auldjo, *Montreal*.
J. Sanford McDonell, *Toronto*.

James Holditch, *Port Robinson, U. C.*
 D. McIntosh, *Prescott, U. C.*
 William Cossart, *Island of Madeira.*
 Charles B. Knapp, *Byrtown, U. C.*
 Colin Robertson, jr. *Montreal.*
 A. Macdowell, *Montreal.*
 G. Holas, *Montreal.*
 R. K. Bullock, *Captain Steamer Neptune.*
 Freras Togir, *Switzerland.*

KINGSTON, May 30, 1838.

The Secretary of State to the British Minister.

DEPARTMENT OF STATE,

Washington, June 12, 1838.

SIR: I have the honor to enclose, for such use as you shall deem it expedient to make of the information it contains, the copy of a letter just received at this Department from the Secretary of War, showing what measures are now in progress, under the President's directions, to maintain the peace of the frontier.

I have the honor to be, with high consideration, your obedient servant,
 JOHN FORSYTH.

HENRY S. FOX, Esq. &c.

DEPARTMENT OF WAR, *June 11, 1838.*

SIR: It appears important that the authorities of her Majesty's dominions in Canada should be informed of the measures now in progress, under the directions of the President, to maintain the peace of the frontier.

Unarmed steamers are to be employed on lake Erie and lake Ontario, for public purposes, to be commanded by officers of the army or navy of the United States, and to carry about fifty soldiers each.

A force has been ordered to Sackett's Harbor, in order to scour that portion of the Thousand islands which lies within the limits of the United States, for the purpose of executing the laws of the United States.

General Macomb, commander-in-chief of the American army, is to proceed forthwith to the Northern frontier to conduct operations there.

Very respectfully, your most obedient servant,

J. R. POINSETT.

HON. JOHN FORSYTH,
Secretary of State.

REPORT OF THE SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT, *June 16, 1838.*

SIR: I have the honor, herewith, to submit a report to the President on one of the subjects of the resolution of the House of Representatives of the 11th instant, calling for information "relating to the alleged attack on the American steamboat Telegraph in the British waters, and to the alleged destruction of the British steamboat Sir Robert Peel in the American waters; and what measures, if any, have been adopted in consequence thereof." Certain representations having been made to this Department on the subjects referred to in said resolution, the steps thereupon taken have been to issue a circular addressed to all the collectors on the Northern frontier, of which the paper marked A is a copy; and to enjoin particularly upon the collector of Oswego, by letters in reply to his communications, the exercise of the utmost vigilance, with the view to preserve order and enforce the laws.

All which is respectfully submitted.

LEVI WOODBURY,
Secretary of the Treasury.

To the PRESIDENT.

A.

Circular to collectors on the Northern frontier.

TREASURY DEPARTMENT, *June 11, 1838.*

In consequence of recent difficulties on the Northern frontier, I deem it my duty to call your attention to the prompt and rigid enforcement of the former circulars from this Department, issued on the 19th of December, 10th of March, and 6th of April last, with a view to preserve peace and suppress violations of the laws on that frontier.

In addition to the instructions therein given, you will be careful to make a communication directly to the district attorney, as well as this Department, when any event happens, or is likely to happen, requiring his interference; or when any evidence or information comes to your knowledge which may be useful to him in the prosecution of offences.

You will re-examine the provisions of the act of Congress approved the 10th March, 1838, which has been already forwarded to you, and exert the utmost diligence to enforce them.

LEVI WOODBURY,
Secretary of the Treasury.

Circular to collectors of the customs of the United States, in the districts bordering on the Canadian frontiers.

TREASURY DEPARTMENT, *December 19, 1837.*

SIR: In consequence of the disturbed condition of affairs at present existing in the British provinces of Upper and Lower Canada, and with the view of ensuring due compliance with the acts of Congress and the treaty stipulations in force between Great Britain and the United States, and thereby preserving a strict neutrality on the part of the Government and the people of this country, orders, by direction of the President, have already been given to the respective district attorneys, to have all citizens or other inhabitants of the United States prosecuted, who may be concerned, in any manner, in violating those laws or treaties.

By a similar direction, you and your officers are required to co-operate with the district attorneys, and other United States officers, in all legal modes to assist them in the accomplishment of the objects before stated.

I am, respectfully, your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

To ———, *Collector of* ———.

Circular instructions to officers of the customs of certain collection districts.

TREASURY DEPARTMENT, *March 10, 1838.*

SIR: Enclosed is a copy of an act of Congress, approved this day, to amend an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved the 20th of April, 1818.

As the provisions of the law, now sent, are clear and explicit in reference to the duties enjoined upon the officers of the customs, and others therein mentioned, as well as in relation to the description of the offences coming within its prohibitions, it is not deemed necessary by the Department, at this time, to do more than to call your particular attention to the law, and to request that proper vigilance may be exercised on the part of yourself and subordinate officers, to exact due compliance with its requisitions.

Should you require information, in any case, as to the proper mode of proceeding, you will consult with the United States district attorney, and be governed by his advice.

LEVI WOODBURY,
Secretary of the Treasury.

To ———.

AN ACT supplementary to an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved twentieth of April, eighteen hundred and eighteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several collectors, naval officers, surveyors, inspectors of customs, the marshals, and deputy marshals of the United States, and every other officer who may be specially empowered for the purpose by the President of the United States, shall be, and they are hereby, respectively authorized and required to seize and detain any vessel or any arms or munitions of war which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign prince or state, or of any colony, district, or people conterminous with the United States, and with whom they are at peace, contrary to the sixth section of the act passed on the twentieth of April, eighteen hundred and eighteen, entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," and retain possession of the same until the decision of the President be had thereon, or until the same shall be released, as hereinafter directed.

Sec. 2. *And be it further enacted,* That the several officers mentioned in the foregoing section shall be, and they are hereby, respectively authorized and required to seize any vessel or vehicle, and all arms or munitions of war, about to pass the frontier of the United States for any place within any foreign state or colony conterminous with the United States, where the character of the vessel or vehicle, and the quantity of arms and munitions, or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms, or munitions of war, are intended to be employed by the owner or owners thereof, or any other person or persons, with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or state, or any colony, district, or people conterminous with the United States, and with whom the United States are at peace, and detain the same until the decision of the President be had for the restoration of the same, or until such property shall be discharged by the judgment of a court of competent jurisdiction: *Provided,* That nothing in this act contained be so construed as to extend to, or interfere with, any trade in arms or munitions of war, conducted in vessels by sea with any port or place whatsoever, or with any other trade which might have been lawfully carried on before the passage of this act, under the law of nations and the provisions of the act hereby amended.

Sec. 3. *And be it further enacted,* That it shall be the duty of the officer making any seizure under this act, to make application, with due diligence, to the district judge of the district court of the United States within which such seizure may be made, for a warrant to justify the detention of the property so seized; which warrant shall be granted only on oath or affirmation, showing that there is probable cause to believe that the property so seized is intended to be used in a manner contrary to the provisions of this act; and if said judge shall refuse to issue such warrant, or application therefor shall not be made by the officer making such seizure within a reasonable time, not exceeding ten days thereafter, the said property shall forthwith be restored to the owner. But if the said judge shall be satisfied that the seizure was justified under the provisions

of this act, and issue his warrant accordingly, then the same shall be detained by the officer so seizing said property, until the President shall order it to be restored to the owner or claimant, or until it shall be discharged in due course of law, on the petition of the claimant, as herein-after provided.

Sec. 4. *And be it further enacted*, That the owner or claimant of any property seized under this act, may file his petition in the circuit or district court of the United States in the district where such seizure was made, setting forth the facts in the case; and thereupon such court shall proceed, with all convenient despatch, after causing due notice to be given to the district attorney and officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this act: and the circuit and district courts shall have jurisdiction, and are hereby vested with full power and authority, to try and determine all cases which may arise under this act; and all issues in fact arising under it, shall be decided by a jury in the manner now provided by law.

Sec. 5. *And be it further enacted*, That whenever the officer making any seizure under this act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration, and failed to obtain it, and the property so seized shall have been in the custody of the officer for the term of three calendar months from the date of such seizure, it shall and may be lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained, with at least two sureties, to be approved by the judge of the circuit or district court, with a condition that the property, when restored, shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or state, or any colony, district, or people conterminous with the United States, with whom the United States are at peace; and thereupon the said officer shall restore such property to the owner or claimant thus giving bond: *Provided*, That such restoration shall not prevent seizure from being again made, in case there may exist fresh cause to apprehend a new violation of any of the provisions of this act.

Sec. 6. *And be it further enacted*, That every person apprehended and committed for trial, for any offence against the act hereby amended, shall, when admitted to bail for his appearance, give such additional security as the judge admitting him to bail may require, not to violate, nor to aid in violating, any of the provisions of the act hereby amended.

Sec. 7. *And be it further enacted*, That whenever the President of the United States shall have reason to believe that the provisions of this act have been, or are likely to be violated, that offences have been, or are likely to be, committed against the provisions of the act hereby amended, within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney of such district, to attend at such place within the district, and for such time, as he may designate, for the purpose of the more speedy and convenient arrest and examination of persons charged with the violation of the act hereby amended; and it shall be the duty of every such judge, or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

Sec. 8. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation, and to enforce the due execution, of this act and the act hereby amended.

Sec. 9. *And be it further enacted*, That this act shall continue in force for the period of two years, and no longer.

JAMES K. POLK,
Speaker of the House of Representatives.
RD. M. JOHNSON,
Vice President of the United States and
President of the Senate.

Approved March 10th, 1838.

A true copy from the roll in this office.

M. VAN BUREN.

A. O. DAYTON,
Chief Clerk.

DEPARTMENT OF STATE, *March 10, 1838.*

Circular instructions to collectors of districts bordering on the frontiers of Canada.

TREASURY DEPARTMENT, *April 6, 1838.*

It has been represented to this Department that the United States district attorneys apprehend that, in prosecuting individuals for violations of the laws of the 20th of April, 1818, and 10th ultimo, for the due preservation of our neutral obligations, that the necessary testimony cannot be procured in such cases, without the active co-operation on the part of the collectors and their subordinate officers with the other officers of the United States.

I have, therefore, to inform you that it is the wish and direction both of the President and this Department that yourself and officers will use proper vigilance and exertion to procure witnesses whose evidence would be most important and material, and advise the United States district attorney or marshal of any information which may be obtained upon the subject; and also render any aid in your power to the officers mentioned, to enable them to discharge the duties imposed upon them by law.

LEVI WOODBURY,
Secretary of the Treasury.

To the Collector of ———.

REPORT OF THE SECRETARY OF WAR.

DEPARTMENT OF WAR, *June 19, 1838.*

SIR: In relation to so much of the resolution of the House of Representatives of the 11th instant as has, by your direction, been referred to this Department, I have the honor to state, that on the receipt of intelligence of the destruction of the British steamer *Sir Robert Peel*, orders were immediately issued to the commanding officer at fort Niagara to detach a portion of his force to Sackett's Harbor; and shortly after, the disposable recruits at New York and fort Monroe were ordered, part to strengthen that post, part to Plattsburg, and part to Swanton, on the Vermont frontier; at the same time that measures were taken to employ a steamer, to be manned with a competent military force, for police purposes, on each of the lakes Erie and Ontario.

The Department having subsequently received information, communicated by the Governor of the State of New York, that the disturbers of public order had taken refuge on a portion of the Thousand islands, situated within the jurisdiction of the United States, where they were collecting arms and munitions of war, and engaged in fitting out hostile expeditions against Canada, Major General Macomb was despatched to Sackett's Harbor to take the command of the forces on the Northern frontier, with instructions to take prompt and vigorous measures to maintain our treaty stipulations and to execute the laws of the United States, and especially to lose no time in directing operations against the lawless men who, for the avowed purpose of committing depredations upon the territory of a friendly Power, have stationed themselves on the islands in the river St. Lawrence. The general has been since advised to station a guard of regulars at each of the ferries on the river, and at each port of entry on the lakes, in order to protect the persons and property of the subjects of her Britannic Majesty from any further outrage; and there is reason to believe, from the character and well-earned reputation of that officer, that he will carry these instructions into effect, to the extent the limited force under his command will permit, with promptness and energy.

With regard to "the concentration and movements of foreign troops on the Northern and Northeastern frontiers of the United States," the Department is not informed that the regular troops of her Britannic Majesty have, as yet, been stationed along the frontier, as is believed to be the intention; that service appearing still to be performed by the volunteers and militia of Upper and Lower Canada—a force estimated by competent judges at about twenty-five thousand men. The regulars now in the Canadas are, ten regiments of the line of six hundred and fifty men each, to be carried up to fifteen regiments; two battalions of guards, eight hundred and fifty men each; two regiments of cavalry, each of three hundred men. In New Brunswick and Nova Scotia, the regular force consists of five regiments of the line, of six hundred and fifty men each. It is presumed that the usual proportion of artillery will be attached to the regular forces in these colonies and in the Canadas, making an aggregate regular force of between fifteen and sixteen thousand men.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To the PRESIDENT of the *United States*.

P. S. The accompanying extracts of letters received from his excellency the Governor of New York, contain such information as has been received by this Department on the subject of the recent disturbances on the Northern frontier.

Extract from a letter of his Excellency William L. Marcy to the Secretary of War, dated

WATERTOWN, June 3, 1838.

"I received, on Thursday evening, the 1st instant, by an express, communications from Jason Fairbanks, Esq., a deputy marshal of the United States, and from George C. Sherman, Esq., the district attorney of Jefferson county, apprizing me that the British steamboat 'Sir Robert Peel,' while on her way from Prescott to the head of lake Ontario, was seized and burnt on the morning of the 30th of May, at Wells's island, in the river St. Lawrence, about 30 miles below Kingston, Upper Canada. The boat had stopped at a landing-place on that island for the purpose of taking in a supply of wood; and while there, about 21 or 22 persons, armed and disguised, rushed on board, took possession of her, turned the crew and passengers ashore, and then plundered and burnt her. There is much diversity of opinion as to the extent of property obtained by the depredators, particularly as to the amount of money. Six thousand dollars have been recovered; but I believe a still larger sum yet remains with the plunderers. Twelve persons, who were undoubtedly engaged in the robbery and arson, have been seized by the civil authorities of this State, and committed to the jail of the county of Jefferson. An equal number, if not a larger one, of their associates, who actually took a part in the transaction, are yet at large. Some of them are known, but have eluded the efforts which have been hitherto made to take them. The place of this outrage is at one of what are called 'The Thousand Islands.' This cluster of islands are in number from thirteen to fourteen hundred, and afford a retreat for these offenders, from which it is very difficult to dislodge them without the employment of a force of a description different from any that can be collected here at this time. Many of these islands are very difficult of approach; have high rocky shores; and a few of them are accessible only at one or two points. It will appear by the papers herewith sent, that two or three encampments have been already discovered; and I am informed by persons who have examined them, that they are places of great natural strength. To examine these islands, and clear them from the gang of desperate men who are concealed among them, and have selected them as the place of their rendezvous, will require, it is said, a force of five hundred men, well armed, and accommodated with boats adapted to the object to be accomplished. A part of these islands are within the limits of Upper Canada; but the greater number belong to the territory of the United States. They lie closely contiguous to each other, and are separated by narrow and crooked channels. The lawless band who have selected them for their retreat are supplied with boats, and are enabled by that means to pass from one to the other with facility, and almost without being perceived. They have, as I am informed, established depots of arms and ammunition on some of these islands. To dislodge

them effectually will require, I apprehend, the co-operation of the Governments of both Canada and the United States. Without this co-operation they would elude the efforts of our Government, by passing temporarily on to the islands appertaining to Canada. I have gone into this detail with a view of putting you in possession of the difficulties that will attend the operations against them, and of enabling you to judge of the kind of force which is required to ensure success to the attempt. Of the persons already arrested, only one of them is an American citizen. The others were formerly residents of Canada, and subjects of the British Government. They were driven from that country by the late disturbances therein; and since that time have been along on the frontiers, secretly preparing their means of annoyance.

“In consequence of the peculiar state of things here, Major General Corse, the limits of whose command extend along the exposed line of the frontier, deemed it his duty to call out a great part of the militia of his division. I send you a copy of the order issued by him for that purpose.

“I arrived here, from Albany, in about twenty-six hours after I received intelligence of the outrage committed on the “Sir Robert Peel,” and have made every effort to inform myself of the situation of affairs on the frontier in this vicinity. It has not been considered prudent to discharge the militia called out by General Corse. He has been requested to keep in service (as you will perceive, by an order which I have given him) two companies, until the views of the General Government shall be made known. The inhabitants are very anxious to have, if possible, some regular troops stationed in this neighborhood. They would have more reliance on that description of force to defend them, than on a detachment of militia residing along the lines. Many entertain an opinion that there yet remains much sympathy among a portion of our people for the persons engaged in creating and keeping up the disturbances in the neighboring province. I have not been here long enough to express any opinion of the extent of this sympathy. Some irritating circumstances are constantly occurring to keep alive the excitement, and to make a military force necessary to inspire a proper sense of security among the inhabitants on the lines. An occurrence of this character is detailed in the affidavits of Mr. Child and others, which I herewith transmit to you. The British officer at Brockville, immediately after the firing on the Telegraph occurred, went up to Kingston, and explained the transaction. His explanation, as reported to me, is, that a guard was stationed on a wharf at Brockville, with directions to hail and stop any suspicious boats that should be seen hovering about; and, under a misapprehension of these orders, and the object of them, fired into the Telegraph. I am satisfied that nothing wrong was intended by the British authorities, and probably not by the guard that fired, but that the attack on the boat was the result of a misapprehension of duty on their part. I send herewith other papers besides those above alluded to, which have some relation to the condition of things here. I have also written a letter to Colonel Cummings of the United States army, who I understand is at Plattsburg, and has command of the Northern frontier, calling his attention to this section of it, and expressing a wish that he would come here without delay. I have also written to Colonel Benton, United States district attorney for the northern district of New York, suggesting that the fitting out of the expedition to attack the ‘Sir Robert Peel’ was a violation of the laws

of the United States, and inviting his attention to the subject. The remarks of a newspaper, printed at Kingston, on the outrage committed on the 'Sir Robert Peel,' are also herewith transmitted."

To his Excellency WILLIAM L. MARCY,
Governor of the State of New York :

We, the undersigned, citizens of French Creek, do accredit Joseph Webb Moses Merrick, and Hiram Davis, Esqrs., as a committee to represent the necessity of immediate arrangements being made to meet the exigencies of the case, that a sufficient military force and munitions be placed here for the protection of this frontier ; also a steamer and small boats be employed in pursuing and capturing the pirates who were engaged in boarding, plundering, and burning the steamer Sir Robert Peel, while lying peaceably in American waters, many of whom, it is understood, are still imbodied among the islands below this place, with the intention, no doubt, of committing further depredations.

D. D. Calvin	Lynels Gunnell
John N. Fowler	Asa E. Perter
Thomas M. Reade	D. B. Blair
J. D. Patten	Benj. Angel
R. G. Angle	Thomas Benjamin
Gurdon Caswell	Luke E. France
Chauncey Pierce	L. S. Rixford
T. S. Angle	Robert Hagunin.
Amos Ellis	

Extract of a letter from D. C. Rouse to Major General Corse, dated

FRENCH CREEK, June 2, 1838.

I went to Abel island and made thorough search for pirates and stolen goods, and found various articles of clothing, and a set of silver spoons, and three or four bayonets and one boarding-pike, and also discovered on said island one more camp, making in all three camps on the island. To-day it is stated, and confidently believed, that they have retreated back on to Wells's island. The people on the island have, as they say, every reason to believe that they are now on there, and are fortifying in some place with a small brass piece which it is believed they have in possession.

Extract from a letter of Gov. Marcy to the Secretary of War, dated

WATERTOWN, June 5, 1838.

The apprehensions of disturbances on the frontier are beginning to subside. The military force ordered out will be this day at the place of rendezvous. I hope some officer of the General Government will soon be here to take command or to determine the question as to retaining them in service. It is a busy season of the year, and those who have been called

out will soon be impatient to return to their homes. They have, I am informed, yielded cheerfully to the demand that has been made on them.

Enclosed I send you a copy of Governor Arthur's proclamation issued on the occasion of the destruction of the "Sir Robert Peel." I also send you one issued by myself, offering rewards for the apprehension of the offenders who have not been arrested.

I am, with great respect, your obedient servant,

W. L. MARCY.

The honorable J. R. POINSETT.

*Extract from a letter of Governor Marcy to the Secretary of War,
dated*

OSWEGO, June 10, 1838.

I have been about ten days on this frontier, a part of the time at French Creek, in the vicinity of the place where the Sir Robert Peel was destroyed. I have endeavored to ascertain the character and further designs of those who were engaged in that affair. There are, along the borders of this State contiguous to the Canadas, a very considerable number of persons, former residents in those provinces, who were engaged in raising the disturbances in them, and in consequence of the failure of their designs have taken refuge within this State. There are also many of their associates, or well-wishers, still remaining in the Canadas, who are encouraging those now within this State with hopes of aid in their incursions into the British provinces. Soon after the spring opened, a party of these refugees made a lodgment on "The Thousand islands," in the St. Lawrence. The leader of this gang is a man by the name of William Johnston. He has resided for many years in Canada and in this State, acted as a spy in the last war with Great Britain, and in the course of it performed many bold and hazardous exploits. Some account of his achievements will probably be found on file in the War Department. He is every way fitted for the enterprises he is now engaged in. He says that he has about one hundred and fifty men under his immediate command. I am, however, inclined to believe that this is an exaggerated statement of his strength; but he has, undoubtedly, more than those who were with him in his attack upon the Sir Robert Peel; and if occasion should require, could easily command the services of the number he mentions. Their situation on the islands is not accurately known; it cannot be ascertained without a thorough examination of the entire group of islands on both sides of the line. It is very difficult to make this examination; and I doubt whether it can effectually be done without a military and a naval force. These islands occupy more than twenty-five miles in extent in the river, which, in some places, is more than ten miles wide. It is scarcely possible to conceive of a place better formed by nature to afford a safe retreat for freebooters than this cluster of islands. I stated, in a former letter, that their number was between thirteen and fourteen hundred: I am now informed that it is about seventeen hundred. The passages between them are narrow, winding, and in some places rocky. Their sides are in many parts perpendicular rocks, more than twenty feet in height; they are generally covered with a dense forest, or very thick

brush, and cannot be thoroughly searched without a large number of persons co-operating together, and the use of several row-boats.

I believe, and hope shortly to be furnished with satisfactory evidence to prove, that the main fastness of these marauders is on one of the Canada islands. The fastness is called Fort Wallace.

PROCLAMATION BY WILLIAM L. MARCY,

Governor of the State of New York.

Whereas *William Johnston*, late of French Creek, in the county of Jefferson, *Daniel McLeod*, a refugee from the Province of Upper Canada, *Samuel C. Frey* and *Robert Smith*, also refugees from the said Province, have been duly charged on oath with having been engaged, with others, in seizing, plundering, and burning the steamboat "*Sir Robert Peel*," at Wells's island, in the river St. Lawrence, and have hitherto eluded the civil officers in their attempts to arrest them, I do hereby offer the following reward for the arrest of each one of them, and for his delivery to the custody of the sheriff of the county of Jefferson, viz :

For William Johnston,	-	-	-	-	\$500
For Daniel McLeod,	-	-	-	-	250
For Samuel C. Frey,	-	-	-	-	250
For Robert Smith,	-	-	-	-	250

Besides the persons already arrested, and those above named, there are good reasons for believing that several others were associated with them in committing the crimes above mentioned. I do further offer a reward of one hundred dollars for the detection and delivery, as aforesaid, of each one of the offenders who are not named above or have not been already arrested. And I do hereby order and command all civil and ministerial officers of this State to be vigilant and active in their exertions to cause the said offenders to be brought to justice.

Previous to committing the offences above specified, the depredators had their encampment upon the "Thousand islands," in the St. Lawrence, which are situated partly in the Province of Upper Canada and partly within the limits of this State, and it is believed the places of their refuge at this time are among these islands.

[L. s.] Given under my hand and the privy seal of the State, this 4th day of June, 1838.

W. L. MARCY.