

THE KINGSTON CHRONICLE.

VOL. I.] FRIDAY, (AFTERNOON) JANUARY 15, 1819. [No. 3.

Bellville, 26th December, 1818.

BY Public Notice, a meeting this day was held at the House of Mr. Russell Leavens, of the town of Bellville, by a number of the respectable inhabitants of the said town and its vicinity, for the purpose of devising ways and means to erect a commodious Episcopalian Church in the said town—wherein JAMES McNABB, Esq. M. P. for Hastings and the township of Ameliasburgh, was unanimously called to the Chair. The following Resolutions were passed.

1st. That it is the opinion of this meeting, that it is highly expedient a Memorial be immediately drawn up and forwarded to York, in order to be laid before his Excellency the Lieutenant Governor, in Council, praying for the authority and patronage of that Honorable Executive body, to erect a commodious building for an English Episcopalian Church upon the ground reserved by the Executive Government of this Province for such purpose, between Church and Rear Streets, in the town of Bellville.

2d. That Capt. John W. Meyers, Allan Taylor, Esq. Capt. Thomas Coleman, Mr. Russell Leavens and Mr. Andrew Mayne, be the Trustees to carry into full effect the Resolutions herein contained; and also that Mr. Thomas Parker, of this town, Merchant be Treasurer, to receive and account for as the said Trustees, or three of them, shall think proper to direct, all subscription monies and donations by him collected and hereafter to be applied, for the express purpose of building the said Episcopalian Church.

3d. That it is the opinion of this meeting, that the aforesaid Lots reserved for a Church & Burying Ground in Bellville, be prayed for in the aforesaid Memorial, to be granted in full to the said Trustees herein mentioned, and to their successors in order to be chosen by a majority of the aforesaid Trustees, in all cases of vacancies in such Lots, and for the express purpose aforesaid.

4th. That it is the opinion of this meeting, that the Chairman be authorized to draft and forward the aforesaid Memorial to His Excellency the Lieutenant Governor in Council, in the name and on the behalf of the said Trustees, in order to forward the intention of this meeting, in so serious and desirable an undertaking, without unnecessary delay.

5th. That should it please his Excellency the Lieutenant Governor in Council, favorably to answer the aforesaid Memorial, that a Subscription Paper be immediately opened at York, Kingston and Bellville, for the purpose of raising a fund to enable the aforesaid Trustees to commence, carry on and fully complete, in a perfect manner, the building of a Church, wherein the Divine Service, according to the rules and regulation of the Church of England, may be performed, as soon as it is possible to attain this desirable object.

6th. That a copy of these Resolutions be immediately transmitted to the Editors of the Kingston Chronicle and to the Editor of the Upper Canada Gazette, requesting the insertion thereof in their respective papers for the space of six weeks successively, after the receipt of the same.

7th. That the unanimous thanks of this meeting be presented to the Chairman, for his attendance, and the encouragement he manifested to promote such a laudable intention of the said inhabitants of Bellville and its vicinity.

2w6

Lost,

BETWEEN the Village of Ernest Town and Stephen Fairfield's Inn, a Pocket Book, containing some valuable papers, which can be of no use to any one but to the owner. Whoever may chance to find the same, and will return it to the subscriber, together with its contents, at Ernest Town, or to the Printing Office at Kingston, shall be handsomely rewarded.

JOHN CLARK.
Ernest Town, 6th Jan. 1819. 2w3

TO LET,

AND immediate possession given, a Dwelling House convenient for two families, inquire of Mr. JOHN BAYNE, at SAMUEL MERRILL'S, Kingston, 7th Dec. 1818. 28.

FOREIGN NEWS.

TRIAL OF Arbuthnot and Ambrister.

[CONTINUED.]

G.
From A. Arbuthnot to Mr. Hambly, full of reproaches.—He says "Mr. Hambly may feel his services to America, but no man can expatriate himself from that allegiance due to his native country; and a government may call on a friendly nation to give up a subject that has seriously wronged her."

H.

From A. Arbuthnot, on behalf of the Indian chiefs, to the governor of Louisiana, complaining among other things, that "Mr. Doyle and Mr. Hambly, the two persons left in the nation to carry on Mr. Forbes' business, have for more than two years been endeavouring to influence us to join the Americans, and finding that fair means would not secure us from our attachment to our ancient friends the English, they have recently had recourse to threat of bringing the Americans down upon us; and, that people only wants a pretext to attack us, which the said Doyle and Hambly attempt to give them by spreading false reports of our murdering the Americans, leading their cattle, and preparing for war against them, in fact, it is the Americans who murder our red brethren and steal our cattle by hundreds at a time, and are daily encroaching on our lands, and maintaining the letters in their ill-gotten possessions, by armed force."

- (No. 1) Is a power of attorney from the chief of the Creek nation, to A. Arbuthnot, dated 17th June, 1817.
- (No. 2) A letter from Bowlegs to the governor of St. Augustine, complaining of the Americans.
- (No. 3) A letter to general Mitchell, U. S. agent, written at the request of King Hatchy, complaining of American encroachments, and attributing them to two persons who are now prisoners among the Indians.
- (No. 4) From the chiefs to gov. Cameron, complaining of the Americans, and of Hambly as a traitor to the British government, and demanding of his excellency troops and ammunition to enable them to repel the attacks of the Americans.

[The foregoing documents No. 1, 2, 3, and 4, were proved to be the handwriting of Arbuthnot.]

(The following endorsed on the foregoing.)

Charles Cameron, Esq. governor, commander in chief, &c. &c.

I beg leave to represent to your excellency the necessity of my again returning to the Indian nation, with the reports from the chiefs, and as my trouble and expenses can only be defrayed by permission to take goods to the use of myself and family, I pray your excellency will be pleased to grant me such a letter or licence, as will prevent me from being captured in case of meeting any Spanish cruiser on the coast of Florida.

The court adjourned, to meet to-morrow morning at 7 o'clock.

Fort St. Marks, 28th April, 1818.

The court convened pursuant to adjournment.

Present, Major General E. P. Gaines, President,

Members.

Col. King Col. Dyer
Col. Williams Lieut. Col. Lindfay
Lt. Col. Gibson Lieut. Col. Elliot
Maj. Muhlenberg Major Fanning
Maj. Montgomery Major Minton
Captain Vashon Captain Crittenden
Lieut. J. M. Glassell, Recorder.

When the further examination of the witness, Peter B. Cook, took place, viz.

Question by the prisoner. How long have you been acquainted with the settlements on the Savannah?

Ans. Between six and seven months.

Question by the P. For what term of years did you engage to live with the prisoner?

Ans. For no stated period—I was taken by the year.

Question by the P. Were you not discharged by the prisoner from his employ?

Ans. He told me he had no further use for me after I had written the letters to Providence.

Question by the P. Where did you stay after you were discharged?

Ans. I staid in a small house belonging to a boy called St. John, under the protection of Nero.

Question by the P. What was the subject matter of the letters you wrote to Providence?

Ans. After being refused by the prisoner a small venture to Providence, I wrote my friends for the means to trade by myself.

Question by the P. Do you believe the prisoner had knowledge of the ventures being on board the schooner?

Ans. I don't believe he did. It was small, and in my trunk.

Question by the P. Do you know that Ambrister was the agent of the prisoner?

Ans. I do not.

Question by the P. Do you think that the powder and lead shipped would more than supply the Indian and negro hunters?

Ans. I did not see the powder and lead myself, but was told by Bowlegs that he had a great quantity he had there keeping to fight with.

Question by the P. Did the Indians reside on the east side of the river?

Ans. They did.

Question by the P. You were asked if the negroes and Indians, when the letter marked A was communicated, they did not take up arms: had they received information of the defeat of the Indians at Mickafuky prior to that time?

Ans. It was afterwards, I believe, they received the information.

Question by the P. Did not Bowlegs keep other powder than that got from the prisoner?

Ans. He had some he got from the Bluff which was nearly done; he said his hunters were always bothering him about powder.

Question by the P. Did you state that at the time Ambrister ascended the river there was no other vessel at the mouth of the river?

Ans. There was none other there; there was one had failed.

Question by the P. There is a letter A spoken of; how do you know that the son of the prisoner had the letter in his possession?

Ans. I saw him with it, which he dropped, and a boy called John, picked up and gave me.

Question by the P. You stated that the Indians and negroes doubted the fidelity of the prisoner in sending letters to the Prince Regent—do you think the prisoner would have been punished by them had he not complied with their wishes?

Ans. I do not know.

Question by the P. Do you believe the prisoner was compelled to write the Indian communications?

Ans. He was not compelled.

William Hambly, a witness on the part of the prosecution, being duly sworn, and commencing a statement of what he heard the chiefs say, and the prisoner objecting to hear any evidence of that kind—the court was cleared in order to take the question; when they decided that the prisoner's objection was not valid. The witness was therefore recalled, and stated, that sixteen or twenty days after the prisoner arrived at Ocklocknee, the Seminole Indians began to steal horses from the United States settlements, and committed murders on the Satilla river, which he was informed by them, was at the instigation of the prisoner.

The chiefs of the little villages in witness's neighborhood then desired him to write a few lines to the prisoner, stating those reports, and that he did not know that those Indians he was exciting had long been outlawed, and cautioned him against such proceedings, or he might be involved in their ruin. This the witness did; when the prisoner wrote him a long and insulting letter, which was lost, upbraiding the witness for calling those Indians outlaws, and accusing him of exciting the Indians to a cruel war. The witness was told by chiefs and Indians who had seen the prisoner, that he advised them to go to war with the United States, if they did not surrender them the lands which had been taken from them, and that the British government would support them in it.

The Indians that took the witness and a certain Mr. Doyle prisoners, which happened on the 13th December last, told them that it was by the prisoner's order; and on their arrival at Mickafuky, (as prisoners) king Hijah and all his chiefs told them it was by the prisoner's order they were taken and robbed—on their arrival at Suwaney they were told by the Indians and negro chiefs who sat

in council over them, that the prisoner had advised that he should be given up to five or six Choctaw Indians who were saved from the negro fort, who would revenge themselves for the lots of their friends at that place. On their return from Suwaney, the chief king Hijah told them that he had got the prisoner to write several letters for him, one to the governor of Providence, one to the British minister at Washington, one to the secretary of state in London, and one to the American agent for Indian affairs, protesting against the proceedings of the commanding officer at fort Scott. While the witness was at Suwaney, the Indian chiefs told him, that the prisoner had arrived at that place with ten kegs of powder on board his vessel; and whilst at fort St. Marks, some time in March, Hillisaja or Francis, brought an order from the prisoner to the commandant for two kegs powder, with other articles which were in his possession.

Ques. by the court. Were any murders or depredations committed on the white settlements by the Indians previous to the prisoner's arrival at Ocklocknee?

Ans. None, except one murder at fort Gains, which was before or about the time of the prisoner's arrival.

Ques. How long have you resided among the Indians; state to the court whether you are acquainted with the Indian language, and how long since you learned it?

Ans. I have resided among them fourteen years, and have understood their language twelve years.

Ques. Do you believe the Seminoles would have commenced the business of murder and depredations on the white settlements had it not been at the instigation of the prisoner and a promise on his part of British protection?

Ans. I do not believe they would without they had been assured of British protection?

Ques. What was the light in which the prisoner was received by the hostile Seminoles: was it that of an authorized agent of the British government?

Ans. The different chiefs always represented him to me as such.

The witness recognized the letter marked G, and signed A. Arbuthnot as being a copy of the one alluded to in his testimony as lost.

Ques. by the prisoner. Are you acquainted with the prisoner's hand writing?

Ans. I have seen it, but cannot say I am acquainted with it.

Ques. Is that which you have just seen and say is the copy of this one you lost, the prisoner's hand writing?

Ans. It looks to be his hand writing, but I cannot say positively.

Ques. Was the prisoner considered as the agent of the Seminoles at the time those murders were committed?

Ans. I had not seen the prisoner at that time, the Indian chiefs told me that the prisoner had reported himself to them as an English agent.

Ques. Where did you understand the prisoner to be when you were taken prisoner?

Ans. The Indians told us that he had gone over to Providence, but was expected back by the time we should arrive at Suwaney.

Ques. Did you not request king Hijah to prevail upon the prisoner to give you a passage in his sch. to Providence?

Ans. Yes, but was told that the prisoner refused it, stating that, if we were forced upon him, he would blind us and make us walk overboard.

Ques. What were the reasons given by king Hijah for the prisoner's not granting your request?

Ans. King Hijah stated that the prisoner was fearful of meeting with an American vessel, where we should be taken out, and he thereby lose his schooner.

Edmund Doyle, a witness on the part of the prosecution, being duly sworn, was questioned as follows:

Ques. by the judge advocate. Do you know any thing that would lead to substantiate the charges against the prisoner now before you?

Ans. I know nothing but from common report.

known by the prisoner, to be the same in substance as one written by himself at that time—an extract from the letter was then read.

No. 6.
Extract from a letter written by A. Arbuthnot to general Mitchell, American agent for the Creek nation of Indians, dated Savannah, 19th January, 1818.

In taking this liberty of addressing you, sir, in behalf of the unfortunate Indians, believe me, I have no wish, but to see an end put to a war which, if persisted in, I foresee must eventually be their ruin, and, as they were not the aggressors, if in the height of their rage they committed any excesses, that you will overlook them as the just retributions of an indignant spirit against an invading foe.

I have the honor, &c.
A. ARBUTHNOT.

By order of king Hijah and Bowlegs, acting for themselves and the other chiefs.

Question by the P. Where did the prisoner acknowledge the letter just read, to be a copy of the one written by himself?

Ans. In the encampment before this place, about the 7th instant.

Question by the P. Was not the acknowledgment when he was a prisoner?

Ans. It was.

Question by the P. Did you hear a gentleman say to the prisoner, whilst in custody, that those who recommended the scalping knife and tomahawk should feel their keenest edge?

Ans. I did hear a gentleman say, that those who excited the Indians to the murder of the unoffending, should feel the keenest edge of the scalping knife; but, as well as I recollect, that the observation was not made until after the repeated acknowledgments of the prisoner of having written the letter.

Question by the court. Was not the confession of the prisoner to this letter made voluntarily, and without any constraint whatever?

Ans. I conceive it was.

The evidence on the part of the prosecution being closed, the prisoner requested as a witness, Robert C. Ambrister, against whom criminal charges had been filed, and who was in custody on account thereof, to which the judge advocate objecting, the court was cleared to take its sense; when it was decided that Robert C. Ambrister, now in custody for similar offences with the prisoner, cannot be examined as evidence before this court.

John Lewis Phenix, previous witness, now on the part of the prisoner, being again sworn, was questioned as follows, viz:

Question by the P. Was there any other vessel at the mouth of the Savannah river when Ambrister seized your schooner?

Ans. Yes.

Ques. What vessel was it? Was it not the vessel which Ambrister came in?

Ans. It was a sloop, and I understood Ambrister came in her.

Ques. Did Ambrister ever mention to you who recommended him to seize the prisoner's schooner, or who assisted him in stimulating the negroes to do so?

Ans. No I understood he came on board of his own accord.

Question by the Court. Have you, since you commanded the prisoner's vessel, ever brought any arms to that part of the country?

Ans. No. I brought a quantity of lead and ten kegs of powder in the last trip.

John Winslett, a former witness on the part of the prosecution, being recalled, on behalf of the prisoner, was questioned as follows, viz:

Question by the P. Are you of opinion, that the letter which you say was written by the prisoner to the Little Prince, is now in the possession of the Little Prince?

Ans. After reading it, I returned it to him, and believe it is still in his possession, as Indians seldom destroy papers of that kind.

The prisoner requesting some time to make up his defence, he was given until to-morrow evening at four o'clock.

Fort St. Marks, 28th April, 4 o'clock, P. M.

The recorder having read over the proceedings of the court with closed doors, the prisoner was recalled into court, and made the defence marked K.