

be simultaneous. The schooners were obliged to beat up to their position, which they did in a very handsome order, under a very heavy fire from the enemy's batteries, and took a position within about 600 yards of their principal fort, and opened a heavy cannonade upon the enemy, which did great execution, and very much contributed to their final destruction. The troops, as soon as landed, were formed under the immediate orders of Brigadier-General Pike, who led in a most gallant manner the attack upon the forts, and after having carried two redoubts, in their approach to the principal work—the enemy (having previously laid a train) blew up his magazine, which in its effects upon our troops was dreadful, having killed and wounded a great many, and amongst the former, the ever-to-be-lamented Brigadier-General Pike, who fell at the head of his column, by a contusion received by a heavy stone from the magazine.—His death at this time is much to be regretted, as he had the perfect confidence of the Major-General; and his known activity, zeal and experience, make his loss a national one.

In consequence of the fall of Gen. Pike, the command of the troops devolved for a time upon Col. Pierce, who soon after took possession of the town. At about 2 P. M. the American flag was substituted for the British, and at about 4 our troops were in quiet possession of the town. As soon as General Dearborn learnt the situation of General Pike he landed and assumed the command. I have the honor of inclosing a copy of the capitulation which was entered into, and approved by Gen. Dearborn and myself.

The enemy set fire to some of his principal stores, containing large quantities of naval and military stores, as well as a large ship on the stocks, nearly finished—the only vessel found here, is the Duke of Gloucester, undergoing repairs; the Prince Regent left here on the 24th for Kingston. We have not yet had a return made of the naval and military stores, consequently can form no correct idea of the quantity, but have made arrangements to have all taken on board that we can receive, the rest will be destroyed.

I have to regret the death of midshipmen Thompson and Hatfield, and several seamen killed; the exact number I did not know, as the returns from the different vessels have not yet been received.

From the judicious arrangements made by Gen. Dearborn, I presume that the public stores will be disposed of so that the troops will be ready to re-embark to-morrow and proceed to execute other objects of the expedition the first wind.

I cannot speak in too much praise of the cool intrepidity of the officers and men generally, under my command, and I feel myself particularly indebted to the officers commanding vessels, for their zeal in seconding all my views. I have the honor to be, very respectfully, sir, your most obedient servant,

ISAAC CHAUNCEY.

Hon. William Jones, Secretary of the Navy, Washington.

—0—
Terms of Capitulation entered into on the 27th April, one thousand eight hundred and thirteen, for the surrender of the town of York, in Upper Canada, to the army and navy of the United States, under the command of Major-Gen. Dearborn and Commodore Chauncey

That the troops, regular and militia, at

this post, and the naval officers and seamen, shall be surrendered prisoners of war. The troops, regular and militia, to ground their arms immediately, on parade, and the naval officers and seamen be immediately surrendered.

That all public stores, naval and military, shall be immediately given up to the commanding officers of the army and navy of the United States; that all private property shall be guaranteed to the citizens of the town of York.

That all papers belonging to the civil officers shall be retained by them; that such surgeons as may be procured to attend the wounded of the British regulars and Canadian militia shall not be considered prisoners of war.

That one Lieutenant-Colonel, one Major, thirteen Captains, nine Lieutenants, eleven Ensigns, one Quarter-Master, one Deputy Adjutant-General of the militia, namely:

Lieutenant-Col. Chewitt; Major Allen; Captains John Wilson, John Button, Peter Robinson, Reuben Richardson, John Arnold, James Fenwick, James Mustard, Duncan Cameron, David Thompson, John Robinson, Samuel Ridout, Thomas Hamilton, John Burn, William Jarvie;

Quarter-Master, Charles Baynes;

Lieuts. John H. Shultz, George Mustard, Barnet Vanderburch, Robert Stanton, George Rulout, William Jarvis, Edward M'Mahon, John Wilson, Ely Playser;

Ensigns Andrew Thompson, Alfred Sennally, Donald M'Arthur, William Smith, Andrew Mercer, James Chewitt, George Kiuk, Edward Thompson, Charles Denison, Darcey Boulton;

Nineteen serjeants, four corporals, and two hundred and four rank and file.

Of the field Train Department, William Dunbar;

Of the Provincial Navy, Capt. Francis Govereax;

Midshipman J. Ridout and Louis Baupre;

Lieutenant Green, clerk James Langdon; 1 boatswain; fifteen naval artificers;

Of his Majesty's regular troops, Lieut. De Kouven;

One Serjeant Major;

And of the Royal Artillery, one bombardier and three gunners, shall be surrendered as prisoners of war and accounted for in the exchange of prisoners between the United States and Great-Britain.

(Signed) G. S. MITCHELL,

Lieutenant-Colonel 3d Army U.S. SAMUELS CONNER, Major and Aide-Camp to Major-Gen. Dearborn. WILLIAM KING, Major 15th United States Infantry.

JESSE D. ELLIOT, Lieut. U. S. Navy. W. CHEWITT, Lieutenant-Col. commanding 3d regiment York Militia.

W. ALLAN, Major the 3d regt. York Militia.

F. GAUREAU, Lieut. Military Dept.

ADMIRALTY-OFFICE.

LONDON, APRIL 20.

Letters of which the following are copies and Extracts, have been transmitted to this Office by Rear-Admiral Dixon, addressed to John Wilson Croker, Esq, by Lieut. Chads, late First Lieutenant of his Majesty's Ship Java,

United States' Frigate Constitution, off St. Salvador, Dec. 31, 1812.

SIR—It is with deep regret that I write you, for the information of the Lords Commissioners of the Admiralty, that his Ma-

esty's ship Java is no more, after sustaining an action on the 29th inst. for several hours, with the American frigate Constitution, which resulted in the capture and ultimate destruction of His Majesty's ship. Captain Lambert being dangerously wounded in the height of the action, the melancholy task of writing the details devolves on me.

On the morning of the 29th instant, at eight, A. M. off St. Salvador (coast of Brazil,) the wind at N. E. we perceived a strange sail; made all sail in chase, and soon made her out to be a large frigate; at noon prepared for action, the chase not answering our private signals, and tacking towards us under easy sail; when about four miles distant she made a signal, and immediately tacked and made all sail away upon the wind. We soon found we had the advantage of her in sailing, and came up with her fast, when she hoisted American colors; she then bore about three points on our lee bow. At fifty minutes past one P. M. the enemy shortened sail, upon which we bore down upon her; at ten minutes past two, when about half a mile distant, she opened her fire, giving us her larboard broadside, which was not returned till we were close on her weather bow. Both ships now manœuvred to obtain advantageous positions, our opponent evidently avoiding close action, and firing high to disable or masts, in which he succeeded too well, having shot away the head of our bowsprit with the jib boom, and our running rigging so much cut as to prevent our preserving the weather gage.

At five minutes past three, finding the enemy's raking fire extremely heavy, Capt. Lambert ordered the ship to be laid on board, in which we should have succeeded, had not our fore mast been shot away at this moment, the remains of our bowsprit passing over his taffrail; shortly after this the maintop mast went, leaving the ship totally unmanageable, with most of our starboard guns rendered useless from the wreck lying over them.

At half past three our gallant Captain received a dangerous wound in the breast and was carried below; from this time we could not fire more than two or three guns until a quarter past four, when our mizen mast was shot away; the ship then fell off a little, and brought many of our starboard guns to bear: the enemy's rigging was so much cut that he could not avoid shooting a-head, which brought us fairly broadside and broadside. Our main yard now went in the slings, both ships continued engaged in this manner till thirty-fives past four, we frequently on fire in consequence of the wreck lying on the side engaged. Our opponent now made sail a-head out of gunshot, where he remained an hour repairing his damages, leaving us an unmanageable wreck, with only the main-mast left, and that tottering. Every exertion was made by us during this interval to place the ship in a state to renew the action. We succeeded in clearing the wreck of our masts from our guns, a sail was set on the stumps of the fore-mast and bowsprit, the weather half of the main yard remaining aloft, the main tack was got forward in the hope of getting the ship before the wind, our helm being still perfect; the effort unfortunately proved ineffectual, from the main-mast falling over the side, from the heavy rolling of the ship, which nearly covered the whole of our starboard guns. We still waited the attack of the enemy, he now