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COURT OF INQUIRY.

(Continued from our last.)

TUESDAY, December 13.

The Board of Inquiry resumed its deliberations this morning soon after ten o'clock, and the Public were admitted in the usual way. Sir Hew Dalrymple, Sir Arthur Wellesley, and Sir Harry Burrard, attended with their respective Aides-de-Camp. The Court was much more crowded than on any of the preceding days.

The proceedings commenced by the reading of a letter from Sir Hew Dalrymple to Sir C. Cotton, in which the operations of the British army during the battle of Vimiera were described, together with the subsequent Armistice and Convention.

Sir Arthur Wellesley then came forward and read a paper, in which he stated, that having been out of town, he had only the night before received the Order of the Board, to deliver a narrative of the various communications which he had with Sir H. Burrard, from the time when that Officer took the command till the arrival of Sir H. Dalrymple. But even if the time had been longer he would have requested some delay. Sir H. Burrard was his Commanding Officer, and he was the proper person to give a narrative of the proceedings of the army, while under his command. That narrative, he had no doubt, would be correct. He was ready in the mean time, however, to answer any questions that might be put to him either verbally or in writing, and he trusted that the Court would indulge him in making such observations, on the statement of Sir Harry Burrard as he might judge proper, and in calling evidence if necessary. This paper was delivered to the President.

Sir Harry Burrard then read a narrative of his proceedings, from the time of his appointment to the command of the army, till he gave it up to Sir Hew Dalrymple. The following is the substance of that document:

"Mr. President, and my Lords and Gentlemen, in obedience to your commands I attend the Board of Inquiry this day, and I have now the honor of submitting to your consideration a narrative of my proceedings and conduct, with respect to his Majesty's arms in Portugal. On the 19th of July, I received a notification from Lieutenant-Colonel Gordon that I was to be employed as second in command in an expedition determined on by his Majesty's Government, and begged I would immediately wait on Lord Callereagh. I waited on his Lordship accordingly, and understood the expedition was destined, to act in Spain or Portugal, as circumstances should render necessary. On the 20th, I received a notification from the Commander in Chief, that his Majesty had been graciously pleased to appoint me second in command under Sir Hew Dalrymple, and with that notification, I received a copy of my instructions, and a list of the staff, and the amount of the army to be employed. On the 23d, I received my final orders from Lord Callereagh; on the 27th, I embarked at Portsmouth; and on the 31st, sailed from that port, it having previously been stated to me by the Under Secretary of State, that Government were extremely impatient for my sailing. The letter of the Under Secretary of State also informed me, that the Cavalry were that day embarking in the River, and advised me, if the artillery was not embarked at the period of receiving the letter, to sail without it. I also received a letter, previous to my leaving Portsmouth, from Lord Callereagh, intimating a wish, before I proceeded to the South of Portugal, that I should touch at Oporto, or send some confidential agent there to collect what information I could upon the matters connected with the service. In consequence of the unfavourable state of the weather, the Audacious, in which I sailed, was kept beating about in the Channel; but on the 16th of August, we arrived off Cape Finisterre, when I shifted my staff from the Audacious to the Brazen floop of war. On the following day I arrived at Oporto, where I learnt that Sir Arthur Wellesley, after having been reinforced by General Spencer's division, had landed at Mondego-Bay. I proceeded immediately on my voyage, and arrived at Mondego-Bay on the 18th. It was my intention to have disembarked at that place, and to have sent Sir John Moore to the Tagus with his division, with a view to take the enemy in the rear, but I found a variety of obstacles in the way. In the first place, Sir Arthur Wellesley had swept the country of every species of conveyance, and though the people were disposed to assist the British arms, they had not the ability. Carriages we could find none, the streams were all dry, and with respect to provisions, we should have been in a very precarious state. I made all possible enquiries after the 150 mules, promised by the Bishop of Oporto, but none had arrived, nor could any account of them be gained. It was equally imprudent at that time to have landed part of the reinforcements, for had Sir John Moore's brigade been disembarked, it would have taken time to equip that brigade, with a view of marching into the interior, and would besides have placed the columns at such a distance, that a want of co-operation must necessarily have been felt. I therefore resolved on proceeding to some other point of destina-

tion. On the 19th, at night, we spoke a dispatch boat, which informed us that Sir Arthur Wellesley had had a smart action with the enemy, on the 17th, and had sustained some loss, but not adequate to that of the enemy. Having no cause to doubt the truth of this information, I directed Sir J. Moore to return and land at Mondego-Bay, in order that he might be enabled to support Sir Arthur Wellesley, should he be obliged to fall back; or to assist him to prosecute further advantages. By the same boat, I gained information that Peniche was in the hands of the enemy, and that it would be impracticable to land with safety south of that fort. [Sir Harry then described the order in which he purposed landing his troops.] On the 20th ult. when I was to disembark, Sir Arthur Wellesley came off from the shore; and when on board, in presence of Brigadier-General Clinton, and others of the Staff, told me of the action of the 17th, and said it was his intention to advance the next morning. I was of opinion that it was not expedient to adopt that intention, especially as he had communicated to me the difficulties the army laboured under, from the want of cavalry and artillery horses, and the impracticability of moving the army to any considerable distance from the victualling ships. The decision I came to, namely, that the army should halt, was a serious one, but in my mind amply justified by the considerations opposed to its advance. The enemy greatly outnumbered the British in cavalry, and the nearer they approached the defences surrounding Lisbon, the nearer were they to their resources. In such a state of things, had the British army received a check, the disasters might have been incalculable. I therefore thought it most proper to desist from an advance till a junction was formed with the remaining part of the British army. [Here Sir Harry entered into a description of the relative strength of the several forts in the Tagus, and inferred, that while the British army were engaged in reducing these forts, the enemy might have fought them under great advantage; and further, had Sir Charles Cotton been compelled to put to sea with his fleet, the impression upon the forts could have been very trifling, as the army had no heavy artillery or battering ammunition. The surf too might have cut off the provisions.] Under all these circumstances, as I have before stated, I thought it prudent that the army should halt, and I felt great satisfaction that my brother officers, whose talents and experience were unquestionable, concurred with me in the propriety of that opinion. On the morning of the 21st I landed, and presently heard a firing towards Vimiera. I was convinced the enemy had forestalled the necessity of the British army's advancing, by commencing an attack themselves, I understood Sir Arthur Wellesley was on the left of the army, and I shortly after joined him on the heights. I had a few words of explanation with him, and I had such reason to be satisfied with the disposition he had made, that I directed him to go on, and complete the business he had so successfully and so happily begun. By thus directing him to proceed, I imagined I was exercising one of the functions of a Commander in Chief, and I held myself responsible for the issue. Soon after, the French gave way, and, in less than two hours, they were every where repulsed. At this moment I was informed that no advantage could be expected from the Portuguese cavalry; and on Sir Arthur's suggesting the propriety of the troops advancing, I answered, that I saw no reason for changing my first opinion, and that it was better the army should wait the arrival of reinforcements before they advanced. During the engagement, I had observed the inability of the artillery horses, and a want of celerity in their movements. I also observed large bodies of the enemy's cavalry moving in different directions, and a body of infantry to the left, which had not been engaged. These and other circumstances formed my determination, and Generals Murray and Clinton said I had well determined. It also appeared to me that the enemy's plan of attack was ill advised and ill supported. Had we been more advanced, we should have been more exposed. I therefore thought it better to halt and refresh the men, and to get the wounded on board the ships. General Ackland's brigade had been up all night, and the rest of the army was under arms before day-light. Of these disadvantages the enemy might have profited had we advanced, as they knew the country, and were in possession of its resources; but the principal reasons were what he had only stated, and the necessity of getting the wounded off the field of battle. On the 22d, Sir Arthur Wellesley came to me from Peniche, and informed me that Sir Hew Dalrymple had arrived. I went to the out-ports, and found the French General Kellerman was advancing with a flag of truce; and of the transactions subsequent upon that, the Board, he presumed, were already in possession."

The narrative was laid before the Board in the same manner as those of the other Generals.

Several questions were put by the Court in writing, to Sir Harry Burrard, on the subject of his narrative, to which he read the answers from a paper in his hand. Sir Arthur Wellesley, he said, had informed him that the army was in good condition, except as to cavalry, artillery, &c. He had no message from Sir Arthur during the night of the 20th of

August. Sir Arthur, on the 21st, proposed to him to advance, and he had answered as before. The French had, no doubt, as many of their troops in the battle as were disposable. It was difficult to ascertain their exact number, but he supposed there might be from 16 to 17,000 strong, including cavalry. Before the arrival of Sir Hew Dalrymple, he knew the state of the army only generally. But he understood that there was a deficiency of ammunition, of cavalry, and of artillery, and of horses for the Commissariat. As to the quantity or quality of provisions, he was not distinctly informed. The enemy, he understood, were in force at Torres Vedras, and from Torres Vedras to Mafra there was the strongest pass he had ever seen. When Sir Hew Dalrymple arrived, he stated to him his reasons for not advancing.

* Lord Moira. Q. You have stated, that one of your reasons for not advancing was, that the British troops had been long under arms, and were greatly fatigued. Is it not to be understood that the French troops had been an equal time under arms, and as fatigued with the action? A. I thought the troops required refreshment. The French troops, I should suppose, must have been under arms much earlier than the English, as they marched to the attack.

Sir Arthur Wellesley's statement and Sir H. Burrard's narrative were read a second time *pro forma*.

Sir Hew Dalrymple declined putting any question to Sir Harry Burrard.

Questions by Sir A. Wellesley to Sir H. Burrard:—Q. I wish to know whether Sir Harry Burrard ever heard that it was a standing order in the army while under my command, that the troops when ordered to march should cook a days provision? A. I did hear of it.

Q. The troops then being ordered to march on the 21st, would they not have in their haversacks, during the action of the 21st, the provisions for that day? A. Certainly if they received orders to march.

Q. On the evening of the 20th, did I not inform Sir Harry Burrard, that I had ordered the army to march on the following morning? A. Sir Arthur Wellesley stated that he intended to march on the following morning, and probably that he had ordered the army to advance.

Q. Sir H. Burrard has stated to the Court that I proposed to him on the field of battle to pursue the enemy. Does he recollect my having proposed it to him a second time, in consequence of a message which I received from Gen. Ferguson?—A. I do remember that Sir Arthur said something to me on the subject; but if I recollect, it was to pursue on the left where the ground was open, and the enemy would have had a great advantage from their superiority in point of cavalry. General Ferguson's brigade was then much advanced.

Q. Does Sir H. Burrard recollect that the ground in front of the position of Generals Fane and Anstruther's brigades was bounded by a hill covered with pine trees, to which the right flank of those brigades would have been exposed if they had pursued that part of the enemy's army which had been engaged by them and defeated by them? A. There was a hill covered with pines in front.

Q. Does Sir H. Burrard recollect, that in describing to him the disposition which I had made of the army, and the orders I had given to the different corps, I informed him that I had ordered Generals Fane and Anstruther not to be induced to quit their position on any account without orders from me.—A. I was informed that they were not to follow the enemy, and that the order had been given them before they were engaged. Whether Sir Arthur or somebody else told me I do not know.

Q. Does he recollect that the plan, according to which I proposed to him to pursue the enemy and follow up our advantages, was to move the brigades on the right, namely, those of Generals Hill, Fane, and Anstruther, upon Torres Vedras, by the high road, and to follow the beaten enemy with the other five brigades, and the Portuguese troop?—A. I understood it was intended to march the brigades on the right upon Torres Vedras. I do not recollect the rest as part of the plan mentioned to me.

Q. Whether Sir H. Burrard recollects that the first time I spoke to him about pursuing the enemy, I mentioned the plan of marching to Torres Vedras; and the second time, the pursuit of the enemy with the left?—A. I did not consider them as one and the same plan. I saw a corps of General Ferguson's brigade too far advanced and in a run, and I ordered it to halt.

Lord Moira. Q. Did you consider 1300 cavalry, the number at which the enemy's cavalry was eliminated, as formidable to that corps?—A. General Ferguson was so far advanced that the corps was in danger of being exposed to the enemy's cavalry before other troops came up to his assistance.

Q. By Sir Arthur. Was the period at which Sir H. Burrard states that he saw one of the corps in advance, and in a run, as he says, before he had decided that the enemy should not be pursued, and before or after the last attack made by a corps of French infantry on the 7th and 8th? A. I think the attack on these two corps was the last of