BILLY GREEN

AND

MORE BALDERDASH

Billy Green and More Balderdash

by

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Colwyn Beynon, as well as James Elliott, has now questioned the Billy Green story in a column called Dusty Corners in the *Hamilton Community News* (19th October 2011, 26th October 2011 and 7th December 2011). We eventually responded with a letter to the editor (22nd December 2011) published as follows:

> "James Elliott (*Hamilton Spectator* Dec. 12, 2009) writes that he doubts Billy Green played any part in the Battle of Stoney Creek. He says Van Wagner startled the community in June 1889, launching a campaign of "myth-building" 12 years after Billy's 1877 death.
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> This theory is promoted by Colwyn Beynon (Dusty Corners), coupled with the implication from Elliot's book that the story of Billy's ride to Burlington Heights was based on John Brady's.
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> Edward Brady, Billy's father-in-law, kept the local tavern and his daughter's 1874 obituary repeats her favourite story about American troops at the tavern.
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> Biggar, Elliott's preferred source, visited Green in 1873, no doubt hearing that her brother, militiaman Brady, rode to Burlington Heights (Billy's brother went, too). Talkative old Betsey Green: the unacknowledged source for Biggar, aged 20 in 1873, and later his *Spectator* colleague Kernighan, 20 in 1875.
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> Newspaper reports of the event when the startling fraud was supposedly launched tell a different story from Elliot's; Billy's story was told to a Stoney Creek doctor who died in 1859; in Elliott's book other men named William Green are confused with Billy. It seems there's a campaign to blacken the name of the magistrate, teacher, community leader Peter Van Wagner. Check it out at http://www.uelac.org/Book- Reviews/Billy-Green-And-Balderdash-The-Facts.php"

It is worthwhile to source the new material in this letter (which had a strict word limit of 200 at submission), because of the increased emphasis on Brady as the origin of Billy's ride. We did not realize that this would become such a hot topic and had not wished to add what seemed unnecessary detail to *Billy Green and Balderdash* by discussing it.

There is no published source for Brady's ride apart from Biggar's 1873 account which continues, in the same paragraph, with the description of the American troops raiding Brady's tavern. There can be little doubt that the young R. K. Kernighan, just beginning his career as a writer, apprenticing at the *Hamilton Spectator* in 1875,[1] would have reworked Biggar's earlier piece (perhaps after Biggar left the *Spectator* to go to South Africa).[2] Biggar's paragraph begins "It has been said..." and continues "One of the British dragoons who had been stationed a distance below the Creek as a look-out.... Another dragoon, John Brady...". Biggar, then, provided no source for this story which flows directly into "the Americans pranced up before Brady's tavern...".

We have two other sources for the Americans being at Brady's tavern. One is the undated account by Billy's grandson, in which the "hotel" owner is referred to as John Brady[3] although we know that

Edward Brady had the license in 1813[4] and that Edward received compensation for his expenses and losses incurred during 1813.[5]

The second source for the story of the depredations on the tavern is Elizabeth (Brady) Green's obituary:

"Last month Mrs. William Greene, died at her residence on the mountain, near Stoney Creek. The deceased was 75 years old, and lived with her father, Edward Brady, in the then hamlet near which the battle of Stoney Creek was fought. She was then quite a young girl, but remembered very distinctly till her dying days how the American cavalry and artillery came trooping up the narrow road in the afternoon of June 5th, how some of the hungry soldiers entered the house, frightening herself and the younger children into a corner of the little log cabin, and appropriating every loaf of their newly baked bread, how alarmed and panic struck the denizens of the place, when the invading force came upon them, and how terrible to them the night of the battle was. When the fight commenced she took shelter with the children behind the fire place, for the musket balls from the battle field came with incessant "spat, spat, spat," against the side of the house, often tearing through the clay plaster and lodging in the opposite wall. Her stories of the battle were indeed interesting, and she used to delight in repeating them in her old days.-*St. Cath. Journal*"[6]

Edward Brady[7] was the husband of Mary Brady[8] who is buried in the Stoney Creek cemetery beside her daughter, Elizabeth Galbraith Green. Elizabeth, a widow, married William Green, a widower, in November 1859. Elizabeth was enthusiastically loyal, on the evidence of the names given her sons - Brock and Wellington Galbraith.[9] She was 13 or 14 in 1813, one of 12 children,[10] the youngest born in 1812 and John was her oldest brother, around 21 in June 1813.

Was John a "British dragoon" as Biggar said? The only dragoons present at Stoney Creek were the Canadian First Troop, Niagara Light Dragoons under the command of W. H. Merritt. Merritt records[11] that he, his men and horses were so "knocked up" that they went straight on to Burlington Heights, so John is unlikely to have been posted as a sentry. Indeed he is not recorded as a Merritt's Company dragoon[12] but might have transferred to the dragoons from the 1st Lincoln Militia after the Battle of Stoney Creek.[13] A number of sources note that the Light Company 49th Regiment was posted as the rear guard near Stoney Creek (perhaps three miles east of the village)[14] and that these men fled when the American vanguard brought in reinforcements. That is an American report. The British report stated that the British "retired…, firing briskly…, and …made a determined stand … [near]… a sawmill where the road crossed…[a] creek".[15] Harvey reported that this stand, which was "driven in",[16] was undertaken only by the 49th.

The most likely scenario is that Brady was at his parent's tavern when he became aware that the British were retreating through Stoney Creek. He then took the path that he as a local youth knew well in order to reach the main upper trail leading to the British at Burlington Heights. John undertook his ride in the afternoon. Just as Freeman Green, whose company was not in service at that point, went to Burlington Heights, joining the 49th Regiment of Foot,[17] it is likely that John Brady, whose company had been sent home after the Battle of Fort George[18] ten days earlier, volunteered to ride with Merritt's company in the rear of the British advance. He would therefore have taken well-established trails to Burlington Heights, in order to have his horse available.

In summary, although Merritt's account implies that dragoons were not left as a rear guard and we do not know exactly when Brady transferred to the dragoons, there is no reason to doubt that Brady rode, just as Elizabeth (called "Betsey" in Van Wagner's diary) Green no doubt said he did. Probably as a militiaman, John Brady was in Stoney Creek and took the upper, safer, route to Burlington Heights that afternoon, although riding straight along King Street to the British encampment would have been much faster. He could have sped ahead of the British, who were streaming through Stoney Creek on their way to Davis's sawmill at Red Hill Creek.

While Beynon has published the statement that the ride was "carefully researched" by Biggar (7th December 2011) and Beynon in his column of 26th October 2011 implied that Kernighan had access to documented sources on the ride, we see clear evidence that the source was Billy's wife and that Biggar avoided acknowledging his source. Beynon also says that the truth of Brady's story was not "refuted" by Billy. Why would the taciturn Billy contradict his wife as she retold her favourite stories to Biggar that day in 1873? It is most likely that he could hardly get a word in edgeways since Biggar later said that Billy did not even tell him his own story. But as we have pointed out in *Billy Green and Balderdash*, Billy was reticent because he was troubled by his role in the battle and found it very difficult to tell the truth about it.

There is a further reason why Billy may not have been forthcoming, a reason beyond what he saw as an unwarranted killing at the start of the battle (although the order[19] had been to kill the sentries). In early November 1814 three of a group of four Native men were killed near Green land, and the survivor reported the attackers as a party of about ten. The situation was extremely fraught at this late stage in the war and there had already been the shooting of a Native man on a farm, the farmer himself being shot by a survivor. The problem was not only the American looting in June 1813. The British army at Burlington Heights, as well as 3,000 of its Native allies were by late 1814 more or less living off the land. It had been an unusually wet season: there was not enough food and local farmers were in despair over their loss of animals and goods of all kinds, foodstuffs, lumber and farm necessities. Claims made later by many of the farmers in the area support the contention that these depredations were not supportable. At some point during this crisis period, four warriors stole horses and a cart from Robert Biggar of Stoney Creek, leading to a fight in which Biggar came close to losing his life. Local residents would have been on the lookout for these four men.

After the murders, three Green brothers (not including Billy) were arrested. The night after the murders they had gone to the authorities at Burlington Heights and were sent, around 36 hours later, to the old York log gaol in Toronto where they remained without trial. The immediate one day enquiry, for which the Greens voluntarily returned at daybreak to Stoney Creek from Burlington Heights, was undertaken by Norton, clearly convinced of the guilt of a "Mr. Green". Yet the description of the wounds when the victims' bodies were found makes it very clear that a number of men carrying a variety of weapons had been involved. Augustus Jones, originally maintaining that the murders were committed by Americans, was asked to gather evidence. He found none, despite the offer of a substantial reward for information.[20] Jones implied that he was warned off by Stoney Creek residents and moved away from the area several years later.[21] After a year on remand, the three Greens were released, there presumably being insufficient evidence to try them.

Whether the result of mistaken identity, identification of the actual perpetrators of Biggar's brush with death, or desperation and revenge, the killings were horrific. Certainly there was no justice for the victims, but the Greens did not expect much justice, whatever the truth about their involvement. The Greens stated that Norton and Jones stood by and watched as Norton's warriors pillaged their property on the day of the enquiry and a claim for money, clothes and a wide variety of household items as well as food, weapons, wood, tools and animals, was verified by Stoney Creek residents. Norton's account admits, but minimizes, the terrorizing of the Greens by his men and implies that it happened before he arrived. But he was already in Stoney Creek. Some authors assume that Samuel Green was the ringleader of the attack, but when Samuel died in August 1866 Peter Van Wagner noted in his diary that Samuel "is entitled to be ranked among the few quiet, honest men this world produces at intervals of generations." There is no evidence that Billy was involved, but Billy came to be spoken of in local gossip as a killer of "papooses" according to Van Wagner's diary, despite the fact that he characterized Billy as gentle and kind, notwithstanding his taciturnity and eccentricities.[22] Billy had every reason to keep to himself.

We have found no further evidence of John Brady's service and do not as yet know where he eventually settled and is buried. War pension and militia land claims records are incomplete and Brady may have died before the gratuity awards were listed, unless his application was one of the many refused. Nevertheless, that Betsey Green told Biggar the story in 1873 appears well-founded. It is unfortunate that Biggar found it impossible to acknowledge an elderly woman as his source, but that does seem consistent with the quality of his youthful, somewhat cavalier writing.

Although Elliott and Beynon both maintain that Van Wagner was a corrupt character, we find no evidence of this in the diary he kept for over 50 years. He was a tireless school trustee, with a firm distrust of social pretensions, moderate and reasoned in politics, a dedicated farmer and local worthy, a man who cared deeply for his family and was barely consolable over family deaths. His obituary includes statements such as "… he manifested a deep interest in the educational, industrial, political and social life of the city" and "He was an acknowledged local historian, and frequently wrote for the Hamilton press under the nom de plume of Hans. For many years he kept a daily record of local events, and was frequently appealed to for local early history." It seems extraordinary to suggest that such a man in his semi-invalid old age would suddenly undertake a rewriting of history, fraudulently promoting Billy Green, using Brady's afternoon ride as his inspiration and fabricating documentation to support the story of Billy's night ride, complete with the remarkable set of circumstances surrounding that ride. We need to remember that those circumstances include the fact that someone gave the American password to the British, documented in an American source within a few days of the battle: "Some spy or deserter procured the countersign at our encampment...".[23]

For the passing of the countersign to the British officers to be fraudulently ascribed to Billy, Van Wagner would have had to start by acquiring an old Irish school book and arrange to have transcribed into it, in another hand, a narrative partly relating to Billy's interactions with his family members, using their pet names. It's noteworthy that Billy's account of the lead-up to the battle bears closest resemblance to that of Norton, a man who was actually near him at that moment and thus the most reliable source.[24] Van Wagner would have had to understand this. He would then need to provide the book to W.E. Corman, arranging for a listing of Corman birthdates (up to 1827 for

the last born of the children) in crude handwriting - that same hand also noting the inclusion of the diary (see Figure 1). The book would then have to be donated, by Corman, to the Hamilton Scientific Association[25] well before Van Wagner "startled" Stoney Creek with his revelation in 1889. This book was kept in the Hamilton Scientific Association collection, together with materials left at the Corman house by fleeing American troops, until 1938.[26] It is noteworthy that there may have been different transcriptions of the original Slater version. The transcription in the old geography book has quite clear writing and there is no doubt that the first sentry met by the British vanguard was "crouched against" a tree. Transcriptions of this same narrative from 1908 and December 1931 have the puzzling phrase "coming ahead against", while the grandson's later version, as seen by Burkholder, says that the sentry was "leaning against" the tree.[27] It appears that the word "crouching" was illegible in some versions. Are we to suppose that Van Wagner fabricated multiple versions, now lost? Multiple contradictory versions would provide a semblance of authenticity, but in that case why not ensure their survival?

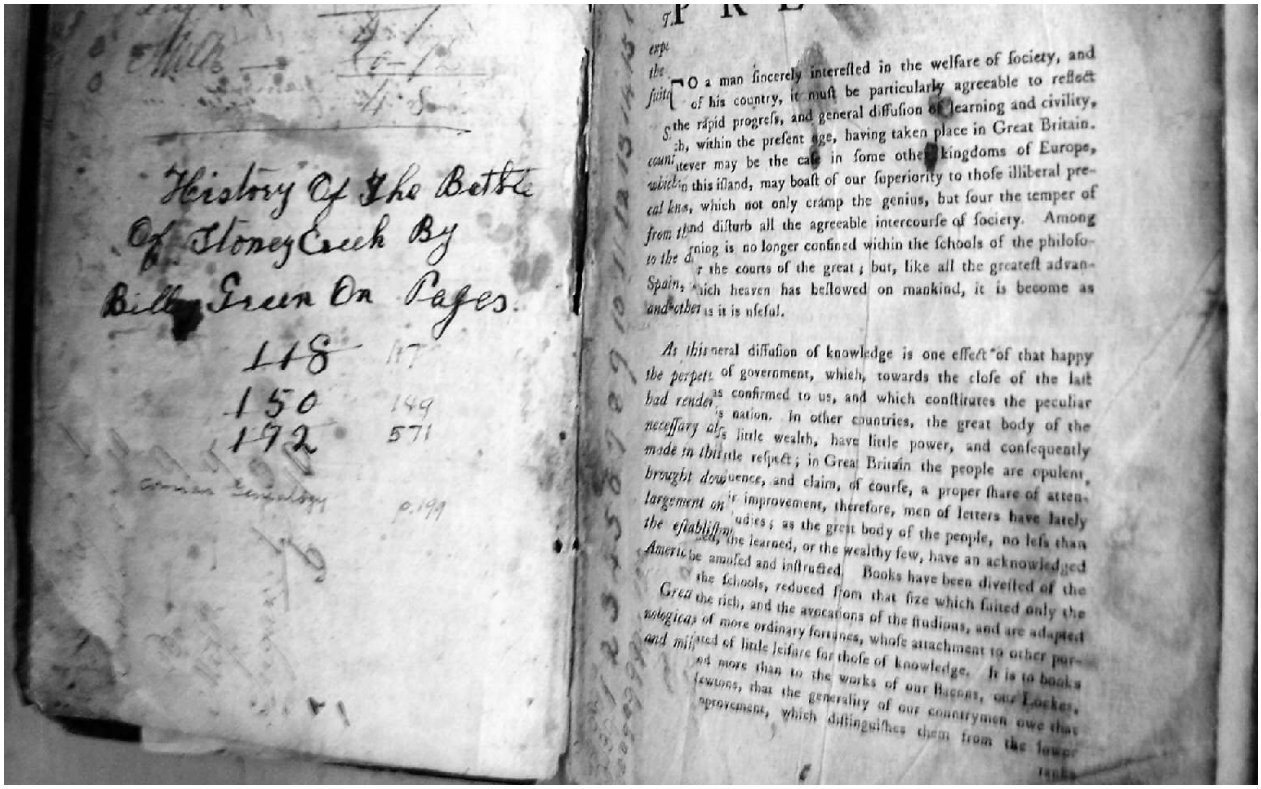

Figure 1. *From the 1794 Dublin geography text book containing the transcribed Slater diary which gives the earliest record of Billy Green's movements 5-6th June 1813. The spelling of the name "Stoney" rather than "Stony" may date this writing to after 1832.*

Did Van Wagner "create" Slater, the schoolmaster who wrote down Billy's memories on 5th June 1819? Slater was not fictitious. He was a man deeply interested in local stories. We know this on the basis of a verse written by Slater about Jane Riley, a girl who, thwarted in love, committed suicide at Albion Falls. This is recorded[28] by Tony Reek, based on information from someone who

had known and admired Slater. Tony Reek was the pseudonym of the novelist Kate Carr, a politician's wife and at one time a Stoney Creek resident.[29] Jane loved Joseph Brant Rousseau, youngest child of Jean Baptiste Rousseau, an important advisor on Iroquois affairs in the 1770s and subsequently a substantial Ancaster businessman.[30] Joseph's mother was Margaret Cline, saved as a child from Mohawk captivity by Joseph Brant. It was Margaret, reputedly a very disagreeable woman,[31] who forbade the marriage and Reek noted that Margaret was haunted to her death by Jane Riley. Margaret died in June 1823 only six months after Joseph married. This suggests that the occurrences around Jane Riley's death, known to us through Slater, took place only a few years after June 1819 when he wrote down the tale of Billy Green's role in the Battle of Stoney Creek.

Slater may have heard the story of Jane Riley any time from 1823 on. We could have dated his record of Billy's story if he had included a specific detail (surely one that would not have been missed if the record were fraudulent): the original manuscript would have been dated if there had been a mention of Gage's Lane. But, in fact, the lane is called simply "the lane". William Gage died in September 1820 and his property was inherited by Daniel Lewis, the husband of Elizabeth Gage. They had married in January 1814. Elizabeth died within 15 years but Daniel survived until February 1864. The house and land then passed to a Gage relative, John Williamson.[32] The property is shown as owned by "the estate of John Williamson" in the early 1870s.[33] If the Slater version of Billy's story, had used the term "Gage's Lane", it could be dated as fairly close to 1820. The later version written down by Billy's grandson, is likely to date from the 1860s at the latest, since the lane is referred to as "Lewis's Lane". The name of the lane once again changed slowly after 1864.

Big Creek became Red Hill Creek and while this did not create difficulties, a further name change did cause problems: "South Creek" in the original 1819 account mutated into a confusing mention of "the south side of the creek". The reference was to American sentries fleeing across South Creek where they no doubt got lost in the thickly wooded ravine. South Creek later became Davis Creek.

If the idea of fraudulence is to be maintained, the problems for later transcribers and variant versions, as well as the detail in the grandson's and Corman family versions, would all have had to be manufactured by Van Wagner. As pointed out in *Billy Green and Balderdash*, Van Wagner himself made a statement at variance with details in the grandson's version.

Examination of the wording in the original account provides further interesting details. Two elements are particularly noteworthy. Both the 1908 transcription and that in the *Hamilton Spectator* 26th December 1931 indicate that there was a misunderstanding of Billy's description of how he tied his horse up to a fence. In transcriptions of the grandson's version of the tale, Billy simply ties the horse to the fence. But in the original Slater diary, the wording used with regard to securing the horse is "to a fence around a stack bottom" which relates to the angled juncture point of a snake (or zigzag) split rail fence, probably to the stone underlying the angle. Both later transcriptions of this, 1908 and 1931, say "to the fence around a **stake** bottom". The expression "stack fence" was not used by later generations in Canada and was therefore not understood. A further interesting word used by Billy is "hustle"" with the very specific meaning in the *Oxford English Dictionary* for the fourth intransitive verb form: we define this as "to engage in hurried activity". The word is of East Frisian origin in this exact sense and Billy's grandmother's family came from the area of Holland in which the East Frisian language influence was strongest.

It is important to refer only to what could be called "near primary sources", documents or published transcriptions of the accounts of Billy's story – the original copy of Slater's diary and those from 1908 and 12th December 1931, the grandson's version from 12th March 1938 and 1952 and Isaac's story from 1916 – and to look for textual clues as to their dates. The only other published source that appears to use actual local information is that of J.H. Smith,[34] the County of Wentworth Inspector of Schools, with access to what seem to have been Stoney Creek school childrens' accounts of the local narrative. The tendency for published writers to recount the story in an inflated or inaccurate manner seems to start with Robinson (1912) though, as we have demonstrated, Biggar in 1873 was already embellishing local tales or accepting them uncritically. Robinson refers to Smith's account and he knew that Billy's grandson had written down the story, but unfortunately could not restrain himself from introducing imagined dramatic dialogue (in a vaguely Irish dialect), embroidering the story until it contained errors.[35]

A 1931 account[36] provides a fine example of how an error can creep into a narrative. The newspaper reporter here imagines Isaac Corman at Davis's tavern, and it is there that Billy meets him. Could Isaac have been kicking back having a relaxing drink? This seems to be how Robinson also later re-envisioned it.[37] Nothing could be further from Billy's own account of the meeting. Isaac was hurrying straight home pursued by American soldiers. He only met up with Billy because of a surreptitious "owl hoot" along the direct route between the American encampment on the beach and Corman's house to the east of Stoney Creek. Why would Isaac go to the west of Stoney Creek to Davis's tavern instead of east to his home? Why would he stop at the tavern? Why would Billy be looking for him there when his plan was to go straight from Corman's house to the American camp on the beach? The *Hamilton Spectator* 27th October 1931 was the first to publish this incorrect version, but what was its origin? It arose because Davis's corner was confused with Davis's tavern, confirming that Billy and Isaac Corman were known to have met at some location eventually associated with the Davis name just across a creek. This must have been known locally since Davis's corner is recorded in the typescript discussed in *Billy Green and Balderdash* (endnote 43): they "met at the corner which now is called Davis corner". Smith[38] had used the word "Davis's", meaning that the two met at what was known by the 1860s as "Davis's corner"[39] and the journalist's lack of local knowledge corrupted the account while also building on Robinson's 1912 dramatizing of the narrative.

While many aspects of Robinson's accounts strike us as extravagant nowadays, there is a possible clue to one truth in his version which has the solitary Billy climbing trees and convincingly imitating animal calls. Tony Reek, telling tales about Stoney Creek,[40] mentions a nameless prankster (the time period also suppressed) who scared people with wild animal cries from the branches of over-hanging trees along a road. This continued until an armed colonel came silently one night to investigate, causing the "wild animal" to climb down and flee on his two legs never to be heard from along that road again. Reek's mention of a "painter" identifies the animal as a panther (cougar). A wolverine can climb trees and this animal was also mentioned.

Two stories apparently relating to Davis Creek demonstrate how implausible elements can creep into later accounts, both examples from the 1890s. We suggest, on the basis of what must be a corrupted narrative in Nisbet (1895), that Harvey came along the Davis Creek ravine in the dusk of 5th June 1813 and overlooked the American encampment from the point above where the creek turns south.

The story in Nisbet is of a boy herding a flock of sheep through the ravine in the moonless dark, well after midnight, and directing the entire British army, horses and all, up the heavily treed Davis Creek ravine, 50 feet and more deep[41] - both implausible, especially since there were American sentries who had just fled in that direction. Furthermore, the boy (Peter Gage, William's son) would have had to herd his sheep across the road close to the American sentries near the church although he was meant to be securing his flock from the plundering Americans. The story must actually refer to the boy meeting Harvey near Davis Creek at dusk. Was Harvey accompanied by Fitzgibbon? Regarding the second example of implausible stories, extensive plundering by the American troops is attested to in compensation claims after the war,[42] making unlikely the tale of Fitzgibbon's going among the bivouacked Americans selling butter for a good price. The story comes from Fitzgibbon's granddaughter, Mary Agnes FitzGibbon (1851-1915), who communicated with Biggar and started her account of the battle[43] with a confusion between the afternoon and the night. She continues on to write that Fitzgibbon entered the American camp with his butter. Since the Americans had bivouacked by sunset and Harvey reconnoitred soon after, we find little merit in this 1894 suggestion, especially since neither Harvey nor Vincent mentioned Fitzgibbon in dispatches and Fitzgibbon himself did not allude to the episode. The claim to have observed the American encampment from close-up is more convincingly made by a local like Freeman Green who stated that he took information on the camp to the British. Freeman and his brother John had both fought at Queenston Heights (John was wounded) and would have had enough experience to describe the situation.

Further implausibility can be found in an earlier variation of the butter story (from 1864): "Harvey himself having borrowed the garb and waggon of a Quaker penetrated into the American lines, selling potatoes and 'taking notes'."[44] Here the author states that it is quite impossible that Harvey undertook such a risk, but that some local Quaker probably did (apparently not realizing that Stoney Creek was not in an area of Quaker settlement).

Implausibility of this sort must be constantly questioned. By contrast, Billy's story remained simple and consistent except, apparently, for a detail or two with regard to the actual battle of Stoney Creek. Elliott[45] has stated that two elements of Billy's account are implausible, firstly that Billy would be relied upon to act as a guide along the road to Stoney Creek and secondly that Harvey would have relied on Billy to kill a sentry. That Billy did actually kill a sentry was nothing that Harvey could have foreseen or controlled and Billy's unusual local knowledge made him an excellent local guide. If not Billy, some other local person would have been recruited as a guide because of the impenetrable darkness. In view of Billy's unique character and background, he was the ideal choice and we argue that his knowledge of the final placements of the American sentries made him particularly suitable. Elliott continues on to say that Billy's account of the battle is confused and at first sight, as stated in *Billy Green and Balderdash*, it does appear confused. In order to follow the logic of his narration, however, it has become clear that we need to examine what is obviously our earliest known transcription of the 1819 story, for there are key differences from later copies of both that and the grandson's version (see Appendix: *Billy's Story in a New Transcription*). In fact, the sequence of events outlined by Billy is remarkably coherent, given what must have been the untrained youth's befuddled state of exhaustion and excitement. Nevertheless, once it is realized that the various transcriptions have altered crucial details, the brief account accords with available documents (see Appendix: *Billy Green and the Battle*).

While Billy's own tale is simple, straightforward and credible, suggesting that Slater insisted that Billy recount only what he had personally experienced so that his narration was not encumbered by hearsay, further elaboration of Billy's story occurs in later accounts and writers could now question the story on the basis of errors that they and their predecessors had introduced, rather than on the primary sources. The inflated opinions of Fred William in the conservative *Mail and Empire* 6th June 1935 would certainly lead any reasonable person to ask "Isn't it a little over the top to say that Billy Green 'was God's instrument in saving Upper Canada'"? There were, after all, obvious heroes of the day, such as the men who saved what seemed a hopeless situation on the creek flats. Journalists' editors require enough pizzazz to hold a reader's interest, not dull checking and rechecking, questioning every detail and source. To provide some counterweight, we undertake a few checks and respond below to random quotes from Beynon's columns in the *Hamilton Community News* in 2011.

19th October: "Detailed research, and my ingrained knowledge of military tactics old and new, tell me that the Billy Green story of running across the Mohawk Trail on the Mountain to warn Vincent of the Yank camp is a popular myth, but I fear not true. Do you know how far he ran? Try it even in your car."

Response: Billy Green rode his brother's horse part of the way to Burlington Heights. There has never been a suggestion that he ran the whole way along the Mohawk Trail except in an article in the *Hamilton Spectator*, 15th July 1926. Billy had no need "to warn Vincent of the Yank camp". The Americans bivouacked in the late afternoon and the British officer Harvey reconnoitred their Stoney Creek encampment soon after sunset.[46]

19th October: "My old friend Mabel Burkholder of pioneer stock insisted to her dying day that the Green story was a myth. "He was a vagabond, up to no good," her granddad said. He would have passed the Burkholder farm at Sherman and Mohawk and the Terryberry Inn at West 5th St. There is no official military record of his run or a so-called corporal's sword given him by Vincent. Corporals didn't carry swords period."

Response: Beynon (*in litt.* to Douglas Green 3rd June, 2011) wrote regarding Mabel Burkholder as follows: "It was her grandfather that told her that Billy was a rascal, well known in the area, for his pranks. He had never heard of Billy leading the British to the Creek. He claimed that Billy would have passed the Burkholder farm on his way to the heights as the Mohawk Trail was the only passable route open. Nothing went unnoticed going east or west along the Mohawk unless he knew about it." We know from Van Wagner's diary that Billy was indeed a prankster and might well have got on the wrong side of some of the more straight laced of the local families. However, Mabel (1881-1973), daughter of Peter Burkholder (1829-1886)[47] and granddaughter of Peter Burkholder (1795-1867), can have heard nothing of the matter directly from that grandfather. Mabel's mother was Dinah Anne Street, daughter of George Street, both of eastern Ontario and unlikely to have had any knowledge of Stoney Creek history. Emerson Bristol cannot be the grandfather who failed to hear Billy pass by the Burkholder farm because he was born in the United States around 1813 and later lived in Ancaster, where he died in 1895. However, he could be Mabel's "step-grandfather", as the grandfather of her older step-siblings. A circuit rider with the Methodist Episcopal Church, after whom many local children were named, he may well have disapproved of the mischievous, unschooled Billy.[48] The Burkholders had converted to Episcopal Methodism and would have

listened to Emerson Bristol but to think that the octogenarian Bristol spent time talking to young Mabel about Billy Green is rather surprising: she mentions Bristol once in passing without any comment at all in her book[49] while writing of other preachers with interest or even enthusiasm. Mabel was, perhaps, not approved of by Emerson Bristol either since she wrote with delight about Halloween pranks that "were wilder than those indulged in by children today" with practical jokes she "would hesitate to mention" but clearly enjoyed and could not resist describing.[50]

In sum, any comments Mabel heard of as passed down from her Burkholder grandfather had to have originated in the 1850s or 1860s. Reliable evidence of Beynon's contention that Burkholder's grandfather "had never heard" of the story and yet denied its truth would serve as added proof that Billy's tale was current at that period, in the early to mid 1850s, when Billy had already spoken of it to Dr. Brown, or in the 1860s. As we have pointed out, Billy helped his schoolboy grandson, John W. Green, copy out, edit and add to his tale no later than the 1860s if we go by internal evidence in the text.

The assertion that Billy went past the Burkholder farm and would have been heard to pass by (running?) late at night is more surprising: the question may arise for Brady[51] but certainly not for Billy. Mabel Burkholder, herself, stated that Billy tied his horse up just past Albion Falls which she specified as being the "gully" mentioned in Billy's grandson's manuscript. Burkholder saw, transcribed and interpreted the story and said that she had "...often wondered what route Billy took..." suggesting that she had long heard of the tale.[52] She was willing to publish the statement that Billy did not ride past the Burkholder farm but cut away from the Mohawk trail down through the escarpment woods to the main road below.

Burkholder chose to circulate Billy's story, not only placing it in the Saturday *Hamilton Spectator* but reprinting it in her book *Out of the Storied Past* so that it would "appear in permanent form", as she states in her preface. As she launches into Billy's story, she describes it as a "famous exploit" and finishes by recounting the family tale of Billy trying to fly from a shed roof, praising him for his daring. We might, nowadays, say that Billy was an impulsive hyperactive boy, but Mabel did not feel it necessary to criticize him; indeed she later refers to him as "the boy hero of the night attack" in mentioning the Green family's friendship with Mrs. Simcoe.[53] In "Reminiscences of a Nonagenarian"[54] Burkholder told of visiting Mr. Glover who remembered Billy and told stories of his energy, physical strength and daring including again the attempt to fly, this time with the detail that Billy was experimenting with a pair of wings that he had made. Beynon (7th December 2011) describes Billy as "the illiterate farm boy that once tied a tablecloth around his shoulders and leaped off a shed roof thinking he could fly", a seemingly perverse interpretation of the experiment.

26th October: "[Billy] may have picked up his vaunted tunic and sword off the battlefield on the morning of the 6th of June."

Response: Billy's sword is of interest. If it were picked up from the battlefield it is unlikely to have come from the hand of a dead American since it was manufactured in Birmingham, England after 1802. We have only the blade, including the tang, but the blade seems identical to some earlier infantrymens' swords, slightly curved, with a single sharpened edge and a narrow fuller at the top of the blade.[55] It is a "hanger", usually meaning the relatively short sword of a private or NCO.

While infantrymen were no longer issued hangers in the latter part of the 18th century,[56] an exception was made for sergeants and for all men in the grenadier companies. The Grenadier Company of the 49th Regiment certainly participated in the Battle of Stoney Creek and its commanding officer, Lieutenant Colonel James Dennis, was slightly wounded.[57] A corporal in the Grenadier Company may well have been ordered to provide Billy with a sword.

7th December: "Dragoon John Brady was the real deal and through the prodding of the lecherous Peter Van Wagner, poor old Billy, now 81, had been duped. Van Wagner is the real villain here, not Billy Green. It remains to be seen whether or not Bill's company of the 5th Lincoln was even engaged that horrific night in the Creek. Again no record!"

Response: Why has Peter Van Wagner been characterized as a lecher? Beynon has not responded to our query on this matter. Can Van Wagner, the upstanding community leader, the long-serving magistrate chosen for his fine character, have begun to lust after young women just before Billy's death? It seems unlikely, given what we know of his weakening health and his devotion to his family. The local writer Tony Reek[58] praises his well-known family and his historical writing in glowing terms. As for the militia company which Billy later joined being engaged in the Battle of Stoney Creek – no, it was not, as we have shown in *Billy Green and Balderdash*.

Like *Billy Green and Balderdash*, *Billy Green and More Balderdash* tries to pin down the accusations of fraud made by Elliott and now Beynon against Peter Van Wagner. The constant shifting of focus and timing makes the attempt difficult. Did Van Wagner startle the citizens of Stoney Creek in June 1889 with a novel tale about the Battle of Stoney Creek (although the newspapers record nothing extraordinary, unless it was that Van Wagner's memories were in perfect accord with those of another local history enthusiast);[59] did Van Wagner somehow lead Billy Green astray just before his death in 1877; or "Did Billy or his grandson copy Biggar[']s [i.e., Brady's] story as their own"? Beynon, 7th December 2011, writes of the 1875 award ceremony, when Billy's presence at the Battle of Stoney Creek was rewarded after a government enquiry: "The game was up for Billy![60] It was all over the press going back to 1873 in the Spectator!" What is Beynon implying? The implication appears to be as follows: accustomed to hearing the heroic interpretation of Brady's ride placed upon it by his younger sister (perhaps at one time serving their favourite brew in the tavern),[61] the local inhabitants were nevertheless willing to entertain a new idea 60 years after the event. While witnessing Billy's public acknowledgment in 1875, their memory of young Biggar's 1873 newspaper article persuaded them that Brady's mid-afternoon ride to Burlington Heights was the reality behind local narratives of how, late that night, the American password reached the British and how, early the next morning in the moonless, cloudy and misty dark,[62] the American sentries were located, approached, surprised and killed.

However, the logic behind connecting the entire Billy Green-Isaac Corman nighttime story with John Brady's afternoon ride to Burlington Heights has yet to be clarified. What it all has to do with that upright citizen, Peter Van Wagner, an uncertain number of years after 1813 is even more puzzling.

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ENDNOTES

[1] Morgan 1898 pages 529-530. We calculated his age from his tombstone as born in 1855, rather than from this source which records his birth as 25th April 1857. We have been unable to find a Kernighan article in the second half of May or in June 1875 in the *Hamilton Spectator*. Beynon, 26th October 2011, has however outlined the story and continues "Where did I get the Dragoon Brady thing? Word for word from one of Canada's most highly respected writers of the day, Mr. R.K. Kernighan.....Although his record of the battle of Stony Creek was written in 1875, I'm sure this clever man explored every aspect of the "documented" history of the raid."

[2] Morgan 1898 page 82.

[3] The tavern is not mentioned in Billy's original account transcribed in *Journal and Transactions of the Wentworth Historical Society* Vol. 5, 1908 "An Old Diary" pages 31-33. It is referred to as a hotel in the later account which includes several details gleaned from local stories (a transcription of this is in Burkholder 1968 pages 57-60 but it was printed by the *Hamilton Spectator,* 12th March 1938, and reprinted 24th March 1973). Note that General Vincent mistakenly called Davis's tavern, Brady's tavern , Cruikshank c.1903 page 8.

[4] Cruikshank 1939.

[5] Stanley 1991 page 35.

[6] Ryerson *et al.* 1875 page 92.

[7] Died 22nd October 1853, buried near the home of his youngest son George, in Rockford United Cemetery, Townsend Township, Norfok County.

[8] Died 3rd October 1846. Her maiden name was Culp and her family's land was in Clinton Township, Lincoln County.

[9] 1851/1852 census of Canada. Elizabeth, already a widow, had married John Galbraith, a widower, in June 1838. Several years after Galbraith's death, she married Billy Green, himself widowed two years earlier.

[10] http://culp-genealogy.com/ accessed December 2011.

[11] Merritt 1863 page 29.

[12] Return of First Troop, Niagara Light Dragoons embodied during the late war with the United States of America, Major T.M. Merritt Commander, 1 May to 24 December 1813. *Canadian Genealogist* 7 (4) December 1985, pages 212-213.

[13] Gray 1995 records that militiaman John Brady transferred to the dragoons (page 132) and he is later listed as a private in the dragoons (page 182).

[14] *Journal and Transactions of the Wentworth Historical Society* Vol. 5, 1908 page 17; Cruikshank c. 1903 page 33 and 1917 page 9. See also Brown 1815 page 38. The American vanguard was quite large (Cruikshank c. 1903 page 23), yet needed reinforcement, so the British rear guard was obviously not small. Chandler (*op. cit.* page 26) said it

consisted of 100 men. FitzGibbon confirms that the Light Company, 49th, formed the rear guard (Cruikshank c. 1903 page 12) as does Harvey (*op. cit.* page 7).

[15] Cruikshank 1917 page 7. This location is most likely to have been Davis's sawmill below Albion Falls, especially because General Vincent specified that the Americans had passed "the swamp", meaning Stoney Creek, before his rear guard was "driven in": there was confusion about the names of the local creeks and taverns, especially by Vincent in his letter of 6th June (Cruikshank c. 1903 page 8), which led Elliott (2009 page 81) to identify the picket location as Brady's tavern and a first skirmish at the Wesleyan Methodist church and William Gage's fields. He states, on the basis of Biggar, that the first contact with the Americans was that of John Brady. In fact, an American account (Kearsley's in Fredricksen 2010 page 55) says that the Americans "came into warm contact with pickets of the enemy and kept up a running fire, with occasional severe fighting" and that this went on over a long distance. See also Cruikshank c. 1903 page 105, an American source written within weeks of the event, confirming "partial stands" until the British reached the sawmill. The Americans first encountered the rear guard at around 3:00 pm, *op. cit.* page 105, and chased them until sunset. Sunset was at 7:38 pm, see endnote 53 below for source. Since the episode lasted at least four hours, it obviously covered a great deal more ground than the two miles between the Stoney Creek crossing and the Red Hill Creek crossing. Kearsley tells us that the riflemen were "excessively fatigued from the severe duties and fighting during the day", so exhausted from the skirmishing that those who were placed on guard duty in the church fell into a deep sleep (Fredriksen 2010 page 55).

[16] That is, forced to retreat. Cruikshank c. 1903 page 7. The location is given as "at Davis's".

[17] Freeman's affadavit of service specifies that he volunteered to join the 49th and fought with them, after having provided information to the British, specifically about the American encampment RG1, L3, Vol. 212, G Bundle 20, Petition 14, Film reel C-2035. He lost his wife as a direct result of the battle and soon moved away with his children to begin a new life in Kent County where he was contracted by Colonel Talbot to build the Talbot Road.

[18] "all who desired were at liberty to return to their homes". Cruickshank 1917 page 3.

[19] Harvey stated that the sentries were to be bayonetted Cruikshank c. 1903 page 7.

[20] http://www.measuringworth.com/calculators/ppoweruk/ accessed January 2012. The value of the reward in terms of what the money could purchase in Britain today would be over £5,000 (retail price index).

[21] Sources for this episode include Norton 1970:367-369; Gouglas 2001:83-87; Taylor 2010:436; Sheppard 1994 devotes his Chapter 5 to the context and records Biggar's "affray" on page 121; Benn 1998:135 (he confuses two distant cousins named "Samuel Green" and has not read Norton's account carefully), and a letter (RG5, Series A-1, Vol. 23, Page 10086, Film reel C-4545) written by Samuel Green, 17th June 1815, on behalf of himself and his brothers Levi and John, which mentions the pillaging during Norton's one day enquiry and asks for "a speedy trial" or bail. Samuel notes that their families were experiencing difficulties and complains that they have one loaf of bread a day (perhaps each). In fact, conditions in the primitive, crowded jail would have been extremely bad. The atmosphere in the village must have been poisoned by this dreadful affair and perhaps contributed to Jones' removal from Stoney Creek within a few years, although it was probably based primarily on family matters: Jones had a Mohawk wife and also brought his two illegitimate Mississauga sons to Stoney Creek (*Dictionary of Canadian Biography* vol 7 1836-1850 written by Donald B. Smith). Norton was told that the murdered men were Delawares just arrived from Cataragaras to fight for the British, but at Stoney Creek they heard there was no more fighting. The story could be questioned. Had they just arrived, they would have been coming from an Iroquois settlement on the south shore of Lake Erie and crossing the Niagara River during the period when the Americans were withdrawing before destroying Fort Erie in the early morning of 5th November 1814.

[22] Robinson 1912 provides an inflated version of Billy and his story. Nevertheless, his insistence on Billy's eccentric character, as an "unsociable" boy (page 125), markedly different from other members of his family and comfortable only in the woods, is consistent with other information (e.g. Smith 1897).

[23] *Billy Green and Balderdash* endnote 39, Cruikshank c. 1903 page 46 published 8th June. Later attempts at explanation differed: *op. cit.* page 86, a sergeant deserted with the countersign; *op. cit.* page 37, a sentry gave the British the countersign; *op. cit.* page 38, the British pretended to give the countersign. Billy recorded that the officer who gave Corman the password was a major, but Isaac Corman's descendant said only that the officer came from Kentucky, without specifying the rank. There were officers from Kentucky in the Rifle Regiment, a captain and four 2nd lieutenants. None had an evident association with Harrison, and the riflemen were fully engaged with the British rearguard, chasing the British beyond Red Hill Creek (Fredriksen 2010 page 55) until they were recalled after sunset to bivouac on Gage's farm. It seems unlikely that one of these officers was on the beach just before sunset (see endnote 15). There was one other officer from Kentucky, not a major, in the regiments that were present at Stoney Creek on 5th June, 1813 (registers of US army officers compiled by William Henry Powell and Francis Bernard Heitman), but the evidence that he was in Upper Canada on that date is only circumstantial. He had several relationships with the Harrison family for which "second cousin" would be an appropriate general description. During March to May 1813 he had a long furlough, which he gained by appealing directly to General Harrison. During his furlough he wrote asking for an extension to his leave and also for a transfer, stressing his political influence. He said that he wanted to be transferred from his posting in Ohio because of disagreements among officers regarding W. H. Harrison. If he were in Canada on a brief reconnaissance regarding the transfer he had requested, he would have arrived at the end of his period of leave, perhaps crossing the Niagara River soon after the two companies of his regiment present at the Battle of Fort George. He was certainly in Ohio within days of the Battle of Beaver Dam and probably before that: his regiment had been withdrawn to Fort George. After the war he made charges against a senior officer which resulted in a hearing: the numerous charges were all quashed because of many convincing sworn affidavits confirming that the officer in question was unreliable. Full documentation was printed in 1815 by the exonerated senior officer. The officer from Kentucky died without descendants two decades later after a career which spanned being expelled from university for duelling and killing a man in a duel later in life.

[24] Norton, 1970 page 328, referring to the moment at which the fires of the encampment could first be seen (*cf.* endnote 62 in *Billy Green and Balderdash*). The fires were seen soon after a sentry fired upon hearing his picket mate groan when attacked. It was the sentry who fired who was killed by Billy. The sentry who groaned had been bayonetted. Van Wagner's detailed account of his schooldays in the school built at the far corner of the cemetery from the church includes the detail that the children ran around the oak under which the first sentry was killed (*The School Magazine* March 1880 pages 65-68). Fitzgibbon (Cruikshank c. 1903 page 13) was five companies to the rear and thus had no first hand knowledge about the interaction with the sentries.

[25] The Hamilton Scientific Association was the precursor to the Hamilton Association for the Advancement of Literature, Science and Art. It was established in 1857 and included an interest in the history of the area, a library and a museum. Although its membership fell in the 1870s, in April 1889 it still had a museum and library (Henley 1982). This museum retained American soldiers' artifacts from the Corman collection in the 1930s (*Hamilton Spectator* 27th October 1931).

[26] It was, however, published in the 1908 Wentworth Historical Society *Journal and Transactions* Vol. 5 pages 31-33, perhaps in association with the founding of the Stoney Creek branch of the WHS. The diary book was transferred to the Dundurn Museum in 1938. The later (grandson's) version of the story was not published until 12th March 1938 in the *Hamilton Spectator*.

[27] It is likely that the grandson saw a less legible copy of the 1819 version. He obviously copied out some version of the original but gave local features updated names, altered wording and grammar, changed some times (time was less precise in 1813-19) as well as adding detail from various other sources. Thompson 1952 reported that the grandson's version existed in the form of a typewritten copy, itself quite old.

[28]Anon 1897 page 134.

[29] Simon Fraser University site, accessed December 2011:
http://content.lib.sfu.ca/cdm4/item_viewer.php?CISOROOT=/ceww&CISOPTR=453&CISOBOX=1&REC=8

[30] *Dictionary of Canadian Biography* Vol 5 1801-1820 entry on Rousseaux (*sic*) written by Charles M. Johnson.

[31] Burkholder 1968 page 26.

[32] Van Wagner's diary for 15th May 1864 confirms that the property did not change hands until 1864.

[33] Wentworth County, *Illustrated historical atlas of the county of Wentworth, Ontario*. Page & Smith, Toronto 1875.

[34] Smith 1897 pages 115-118.

[35] Langsford Robinson was a romantic-minded young Hamilton resident who was present at many of the great Western Front battles of World War I, surviving, although wounded. http://library.mcmaster.ca/archives/findaids/fonds/r/robinsona.htm accessed January 2012.

[36] *Hamilton Spectator* 27th October 1931 page 127.

[37] in an undated typescript, post-1933 on internal evidence regarding highways, in the collection of David Clark.

[38] Smith 1897 page 116 Billy "was fortunate enough to meet his brother- in-law at Davis' on his way home." Billy in 1819 said only that he "got across the creek".

[39] Saltfleet Land records: sale by John Gage to Charlotte Davis 24th February 1855 of Lot 25 concession 2.

[40] Anon. 1897 page 140 Colonel William Gourlay died in 1867 and had lived in the area from 1836 ArchivesCanada.ca No RCIA 259744. Either Billy's pranks may have lasted well into adulthood or the soldier's name is wrong (note that Tony Reek's *nom de plume* is derived from Stoney Creek, and we would expect her to have heard local stories, but variant local accounts of the night of 5th- 6th June 1813 indicate accuracy, even plausibility, can be questioned).

[41] 1:25 000 sheet 30M/4f Surveys and Mapping Branch, Department of Energy, Mines and Resources, 1973.

[42] see e.g. Gouglas 2001 page 86.

[43] Fitzgibbon 1894 page ii and pages 68-69.

[44] Coffin 1864 page 141. A local account of the Harvey version is also extant, see the Snider typescript cited in *Billy Green and Balderdash* endnotes 34, 35. Material from a variety of sources is evident in this account. Snider (who died in 1873) knits together stray scraps of information and error. For example, his story incorporating "bayonets are trumps" is to be found summarized on page 200 of the *Canadian Literary Journal* for 1871 (a manuscript version was published in 1908 by Cruikshank). The story refers to an incident in December, 1813 and even includes a Colonel Murray confirming a password by threatening a sentry, which Snider attributes to Harvey. Elliott 2009 page 115 did not realize that Snider's account was a pastiche.

[45] *Op. cit.* page 210.

[46] Cruikshank c. 1903 page 7.

[47] Campbell and McMullen 1991 page 179 give her dates and the date of her father's death. Other sources give 1887.

[48] Billy was Anglican, but his wives and children were Wesleyan Methodists (based on 1851/52 census records). None of his children was given the "Emerson Bristol" forenames (*cf.* E.B. Biggar), common among Episcopalian Methodists. Obviously, the idea that Billy's story was fake was not handed on to E.B. Biggar or he would have mentioned such an interesting item in 1873. Since the early church building in Stoney Creek was Wesleyan Methodist and the village was strongly of that denomination, there is no reason for Bristol to have had much interest in the village.

[49] Burkholder 1968 page 168.

[50] *Op. cit.* page 106.

[51] Brady, riding to Burlington Heights, would have had to go at least as far as the established trail at John Street (Hamilton Cultural Heritage Resource Assessment Technical Report, Feb. 21, 2003, ASI/ UMCA/ Historica page 101).

[52] *Op. cit.* pages 57-61. The *Hamilton Spectator* 27th October 1931 had previously stated that Billy's horse was left just beyond Albion Falls.

[53] *Op. cit.* page 89.

[54] *Hamilton Spectator* in an "Out of the Storied Past" column published in 3rd March 1951.

[55] Withers and Capwell, 2010:411. American hangers were of a similar design, Neumann and Kravic 1990 page 52. We are grateful to Dr. Leigh Winsor for further discussion on swords.

[56] Usher, 2006 "sword". See *Billy and Balderdash* endnote 8 for the formal identification of Billy's sword. Beynon is further misinformed when he states that no corporal ever had a sword: the light dragoon troopers bringing up the rear at the battle would have had sabres.

[57] Cruikshank c. 1903 page 11.

[58] Anon. 1897 page 137.

[59] They disagreed only on the size of the loaves the American bakers left behind: Snider said they were six feet long.

[60] Ryerson *et al.* 1875 pages 172-3 lists men from Toronto receiving the award. A fact at variance with Beynon's statement that Billy's award citation proves that he did nothing in particular is that when men were present at a battle and were not wounded that is recorded with no further detail, just as for the ceremony Billy attended. This was the standard wording. Ryerson *et al.* 1875 page 171 give the wording of the questionnaire which when filled in for Billy leads to the statement that he was present at the Battle of Stoney Creek but not wounded. This claim would have been officially investigated and attested to.

[61] Elizabeth may well have worked in her parent's tavern, but the Galbraiths also owned a Stoney Creek inn. The *Gore Gazette* 8th March 1828 page 8 published an announcement of a meeting held in January 1828 at Mr. John Galbraith's Inn. See also *Galbraith Settlers before the 19th Century* assembled in 1978 by Edwin A. S. Galbraith http://www.archeion.ca/;search?query=Edwin+Galbraith+fonds accessed January 2012. We have yet to establish how long Galbraith owned the inn (the 1841 census for the township is missing).

[62] Cruikshank 1917 page 9. Fitzgibbon stated that "Numbers of officers and men were lost for a time in the woods, so difficult is it to navigate these forests." Cruikshank c. 1903 page 15. The weather was described by a Canadian *op. cit.* page 13. One American source says that it was not only cloudy and misty, but fog was rising from the low ground, *op. cit.* page 34.

Appendix: Billy's Story in a New Transcription.

Transcribed from S. D. Slater's Diary

June 5 [1819] Took walk up the mountain, met Billy Green. He told me his experience at the battle of Stony Creek.

"I was 16 or 17 years old then. We heard the Americans were camped down below the Forty, so my brother Levi, Sam Lee and me went down the top of the mountain about 6 o'clock in the morning. We got to the Forty and stayed out on the peak till noon. When the troops came marching up the road we stayed till all the enemy but a few were past. Then we yelled like Indians. I tell you them simples did run, then we ran along the mountain and took down to the road. Levi ran across a fellow with his boot off, putting a rag on his foot. The soldier grabbed for his gun, but Levi hit him with a stick. He yelled and some of the scouts fired. We made our way to the top of the mountain again. I whooped and Levi answered. Lee went home and the rest of us went to Levi's place on the side of the hill. When we heard them going through the Creek we all went out on the hill to see them. Some of them spied us and fired, one ball struck the bars where Teenie was sitting holding Hannah on her arm. We all went back in the mountain to one of Jim Stoney's trapping huts. Teenie went to the house, after a little while two officers came up and asked her if she had seen some Indians around there. She said there was around back on the mountain. They left and Teenie came out where we were hid and whistled. I answered. I told them I would go down to Isaac's. When I got down there I whistled, and out came Dezi. I asked where Isaac was and she said "They have taken him prisoner and taken the trail to the Beach". I wanted to know how she knew. She said Alph had followed them to the Swamp. "Where is Alph? "I am in the cellar with Becky and Dezi". I went down and he told me where to go. I started and ran, every now and then I would whistle until I got across the Creek when I heard Isaac hoot like an owl. I thought they had him there, but he was coming back. I was going to raise an Indian war whoop and scare them when I saw Isaac coming. I asked how he got away. He said their major and he got atalking and said he was a second cousin to Harrison. I said I was a first cousin. After talking a little longer a message came for him. He said I must go. You may go home "but I can't get through the lines". "I will give you the countersign", and he did. I got it and away I went. When I got up to the road I forgot it and didn't know what to do, so I pulled my coat over my head. I went up on the hill and got Levi's Tip and led him along the mountain till I could get to the top. Then I rode away round by the gully where I tied old Tip to a fence around a stack bottom. I made my way to the camp on the Heights when I got there they took me for a spy, and then I had to tell them all I knew before they would believe me. It was about twelve o'clock and they commenced to hustle. We got started about one o'clock, the officer asked me if I knew the way and I said, "Yes, every inch of it". He gave me a corporal's sword and told me to take the lead. Sometimes I would get away ahead and go back to hurry them up. I told them it would be morning before we got there. Someone said that would be soon enough to be killed. We got down on this side of the big creek when three sentries fired and ran over the South Creek. Then we came on more careful after that. I spied a fellow crouched against a tree. I told the man behind me to shoot but the officer said "No. Run him through". The next one was at the church he demanded a pass. I commenced to give him the countersign and walked up. I grabbed his gun and put my sword to him. The old gun had no load in it, he had shot the ramrod away, then

we could see the camp fires. We cut across and got in the lane when the order was given to fix flints - fire, and we fired the rounds and advanced about one hundred yards. Then we banged away again. There was a rush in the middle rank. Then south flank charged. Then came orders for our flank to charge. There's where we lost most of our men. We got bunched right down under them. The center flank captured their two guns. Then the general order was to charge, and we drove them back. We could hear them scampering. We were ordered to fire and we shot all our powder away. When it commenced to get light they were running in all directions. We lost about eighty killed and one hundred and fifty wounded. Their loss was two hundred killed and two hundred and forty wounded. The settlers helped to scare them by giving war whoops on the top of the hill.

Source:-
Hamilton Public Library
Guthrie, William
A New Geographical, Historical, and Commercial Grammar...The Thirteenth Edition, Corrected and Improved. Dublin: John Exshaw, 1794
928
[Enclosed note reads: A very old leather-covered Grammar published about 1794. Written on the backs of Maps in this book is a copy S.D. Slater's diary including the story told by Billy Green of his experience at the battle of Stony(Sic) Creek. Donated by W. E. Corman (came to us from the Hamilton Scientific Assoc. 1938]
-Diary is opposite pp. 117, 149, 571
Archives File Slater, S.D.

Appendix: Billy Green and the Battle.

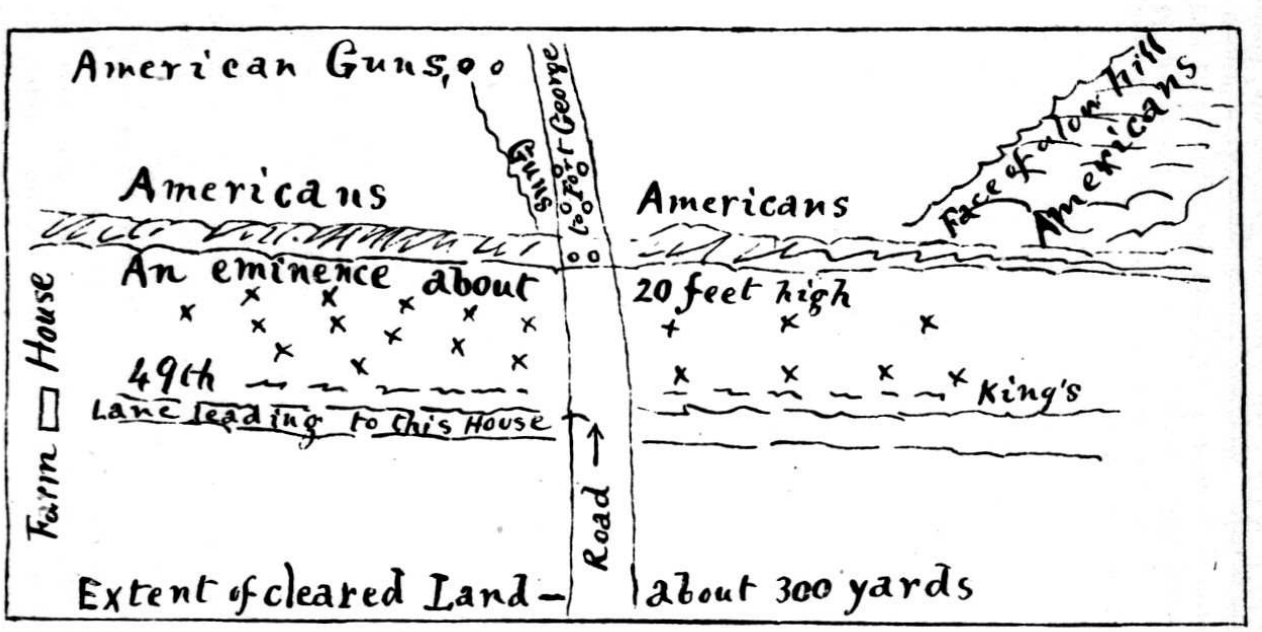
Our discussion of the Battle of Stoney Creek concentrates on Billy's story, demonstrating that it fits with the sources that are relevant to his locations. We need to take a close look at the battle as it occurred on the north side of the road, between the British 49th and the American 25th infantry regiments.

Billy was with the Light Company of the 49th Regiment of Foot under Major John Williams, and they cut across to Gage's lane (that is, towards the William Gage house). Other British accounts of the start of the battle will differ from Billy's because their authors were in different locations during the battle. Jarvis was with men who captured the sleeping guards in the church,[1] while Billy was with men who, having dealt with the sentries posted west of the church, advanced northeast. Fitzgibbon was five companies to the rear.[2] Merritt,[3] who was attached to General Vincent, said that Vincent ordered a light company charge to the left which "routed" the enemy advance. Then Merritt noticed the fires on the creek flats below[4] and pointed them out to Vincent and Harvey as those officers were trying to get the rest of the men in formation (nine other companies of the 49th plus five companies of the 8th (King's) Regiment of Foot) to march down the road towards the lane. It is clear that in contrast to the main body of the British, the men of the Light Company of the 49th immediately engaged American troops on the left.[5] The American Colonel Burn also wrote that the attack on the American position began on the American right (i.e., the British left).[6] The American troops who were camped in the direction of William Gage's house were artillerymen fighting as infantry[7] under the command of Hindman. Their position, identified as "L/T troops" on the American sketch map reproduced by Elliott[8] was well up along the lane. This was the area of the major concentration of fires first seen by Billy Green.

We will show that Billy was with the troops on the left flank of the 49th who had to engage the Americans commanded by Hindman before they could advance further. Billy stated that the order was given to fire and at the start of the battle the men with him fired rounds.[9] The original plan had been to bayonet the American advance, but this was wrecked when the staff officers with Vincent starting giving war whoops. We know that firing rather than bayonetting occurred because we have American accounts of this starting point in the battle.[10] Hindman heard the British yelling and he withdrew slightly, placing his men in position behind their fires. It was so dark that there was confusion as to whether the approaching troops were perhaps American, rather than British: "the light of the half extinguished, intervening fires, rendered the vision very indistinct", so Hindman himself advanced ten paces in order to identify the new arrivals. Immediately, before Hindman could backtrack, the British fired on him ("poured in a galling fire") and his men returned fire. Another slightly different version comes from Hindman's adjutant, Kearsley, who says that he was sent forward to ascertain the identity of the approaching troops, that he heard the British order to charge, and upon his return to report to Hindman, the American "command to fire"[11] was given. A further report comes from an unnamed advance troop officer: "....the enemy was not more than 15 yards from us....Notwithstanding our danger we gave them three or four rounds of musketry, which they warmly returned and obliged us to retire in great confusion.....".[12] Another American reported that the action of the British against Hindman was so effective that his troops could not put up a defence and dispersed.[13] They were also

the unfortunate recipients of friendly fire: Kearsley noted that General Winder ordered his artillery to fire upon a meadow where the American advance was engaged with British troops.[14] After Hindman's troops dispersed, the 49th Light Company could deploy onto the creek flats. At this point, Billy tells us, the men he was with advanced about 100 yards. They were now down on the creek flats where they were within about 100 yards of the American 25th Infantry, within range, and Billy stated that the men with him fired.

While the 49th Light Company was engaged with Hindman's troops, the rest of the 49th was moving into position: Merritt wrote that Hindman's men were "routed" before "the [main] body had time to come up."[15] Shaler of the American 25th Infantry[16] states that he was near the mouth of the lane and saw British troops coming down the road. He moved out of the way quickly and then the main body of the 49th "charged furiously through the lane, upsetting the cooking process and killing some cooks". The formation of the line after the charge through the lane was reported by Shaler, who also stated that the Americans fired on the British "before [General Vincent] had completed his line" along the lane. However, the British "lost no time in returning [fire]": "A heavy fire of musketry was opened from both sides". In fact, companies of the 49th must have moved to within range down on the flats where the fires of the 25th Infantry had been left burning. Fitzgibbon wrote "we had to form amongst them, the fires", which accords with the sketch map he drew[17] showing many scattered fires on the creek flats (Appendix Figure 1). Shaler noted the fires gave the advantage to the Americans.[18]



Appendix Figure 1. *Fitzgibbon's sketch map of the battlefield, showing Gage's Lane on the left, the scatter of campfires, particularly thick on the left where they had been purposely left burning to confuse the British. The high bank beyond the creek is clearly shown east of the fires which are marked by x. The farmhouse is that of William Gage. North is to the left.*

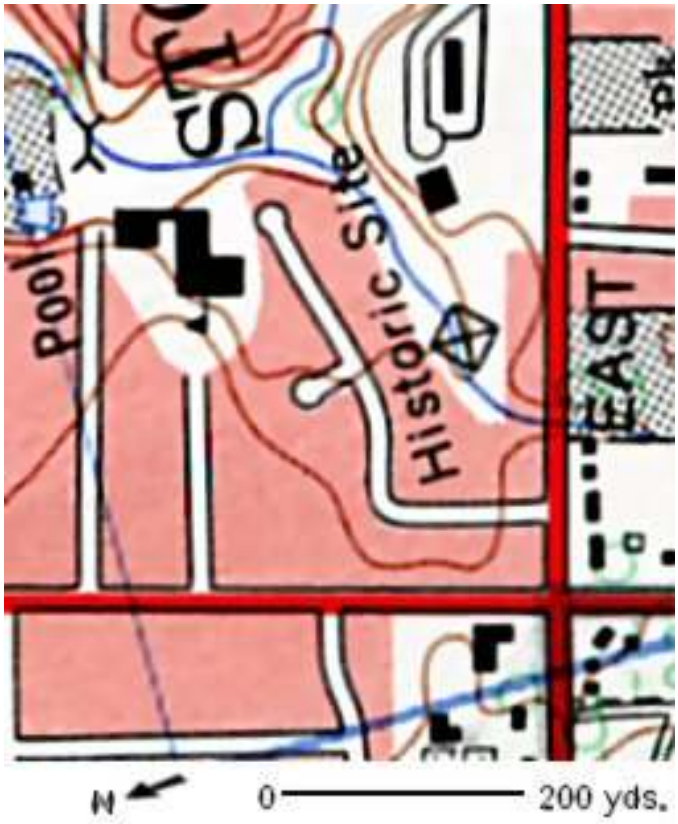
Jarvis, a cadet in the 49th,[19] stated that the 49th had "deployed into a line and halted in the midst of the camp fires". The men were not now near the 25th Infantry cooks' fires in the lane, they were surrounded by the multiple fires left behind by the American 25th Infantry when it took up a better position on top of the steep bank beyond the creek. Jarvis recounted that the men then stood among the campfires replacing their flints. Fitzgibbon complained of the shouting and firing, but maintained that he did not let his men fire even after they had formed a line.[20] Thus, it is possible that Fitzgibbon's men, at least, could have been putting flints into their muskets down on the creek flats surrounded by fires. Jarvis appears to say that the replacing, adjusting and fastening of flints went on while the Americans were able to fire two volleys, but finally fire was returned. It is a mistake to interpret Fitzgibbon's and Jarvis's accounts as proving that there were no flints placed by any of the British troops until after the 49th had advanced, following the formation of the line. Jarvis's story of the battle cannot be used to prove that Billy's version is wrong with regard to the replacing of flints.[21]

Shaler continues with his account and makes the clear statement that the British, subsequent to the attack on the advance light troops, charged three times, each time having to fall back towards the lane. British practice might involve a whole line charging, but there would also be sequential charges, as appropriate, by different parts of the line, left, right and centre.[22] Like Shaler, Billy says that there were three initial charges ordered. An American ensign wrote that the British attack was "made in detachments" confirming the impression of a number of charges by individual flanks.[23] First, Billy says, there was an attack from some section of the centre.[24] Then those to the south went forward. Here confusion occurs in transcribed versions[25] with "**their** south flank charged", instead of our earliest 1819 version "then south flank charged". This must be the south flank of the 49th, since Shaler means three charges on the 25th alone.[26] "Then came orders for our flank to charge." This confirms that Billy was with the 49th Light Company, as he had been earlier on the march from Burlington Heights. We can suggest that during the battle he was serving as a guide across the field towards Hindman's troops up Gage's lane, and subsequently ensuring that men did not get mired in the swamp to their left[27] as they moved across the creek flats.

Billy is very specific with regard to this charge by "our flank". "There's where we lost most of our men", in that third charge, the charge by the 49th left flank. And it can only be true that the majority of their casualties resulted from the attempt to rush the Americans, while being raked by firing from the top of the bank high above them. Billy points out that the men he was with were "bunched up" below the American line, as indeed they must have been. It was at this point that the left flank was most vulnerable because they were in the area where the creek was close underneath the steepest part of the bank (Appendix Figure 2). Shaler believed that it was the fact that the 25th had loaded their muskets with cartridges containing 12 buckshot that led to their "maintaining [their] ... position and repelling every last charge made by the enemy".[28] Multiple shot loading will slow velocity and limit effective range to well below 100 yards, so the 49th was only at severe risk when they undertook the various charges. As Shaler noted, it was "at close quarters" that the musketry of the 25th was effective against the British.[29]

The only British plan was a frontal attack on the Americans in their strong position on the high bank. On the flats at least some of the men were surrounded by the fires left by the 25th Infantry, and their

charges were met with heavy firing from the Americans who were partly protected by split rail fences on the brow of the bank. The British began to panic and flee. The situation for the 49th was not good. Fortunately, a turning point came rapidly.



Appendix Figure 2. *Shows the area in which the 49th was engaged. The location of the church was beyond the far lower right of the image. The lane is partly and very roughly marked by the first part of Faircourt Drive, curving off King Street East. The William Gage house would have been on the highest area at the end of the road (Phyllori Court) that leads to Green Acres School (the large building marked by a pendant). The lowest area (below 300 feet above sea level) would have been below the school, where a small tributary joins Battlefield Creek. The 25th Infantry was in position along the high contour line running above Battlefield Creek diagonally just right of the centre of the image. The lowest contour - marking the swamp area - is 300 ft. above sea level. The highest contour - the top of the bank - is 320 ft. asl. Detail from 1:25 000 sheet 30M/4f Surveys and Mapping Branch, Department of Energy, Mines and Resources, 1973.*

After the three charges, from the centre, the right and the left, Billy next records that the centre captured two American guns on the road. He would have heard details of this heroic escapade from his brother Freeman, who was present when this group from the centre of the British line captured the American generals as well as the guns. However, Billy kept his account simple. Slater no doubt insisted that he recount only what he knew from personal experience. But Billy's version is accurate

in that elements of the centre were certainly involved in that charge.

While multiple British attempts to charge are mentioned in American accounts,[30] Fitzgibbon's company seems to have stayed immobile. Fitzgibbon maintained that he had kept his company under control and his men had not fired. Neither he nor Jarvis record charges.[31] This indicates that the entire centre did not initially charge, just as Billy's account suggests. Fitzgibbon now stated that he left his own men, putting one of his three sergeants in charge because he wished to rally men in the company to the left of his, men who were threatening to retreat because "the officers could no longer control their men and they soon began to fall back". After Fitzgibbon left his own company, Plenderleath, the officer in direct command of the 49th, arrived from the road[32] to rally Fitzgibbon's men to attack the American artillery.[33] Plenderleath rushed forward with an uncertain number of men[34] apparently mostly from Fitzgibbon's company. Billy notes that, as a consequence of the successful rush on the American guns, the "general" order to charge came, all flanks to advance together. The Americans were driven back and could be heard fleeing. This is the point at which Jarvis states that the British advance "in a body" and the American troops "retire".[35]

Billy records that there is again the order to fire. He says "we shot all our powder away" which seems a fair statement for a small force with scarce resources, firing after a retreating enemy. Now, as Billy notes, it is beginning to get light and the Americans can be seen dispersing.[36] Clearly Billy is not one of those who fled in panic from the battlefield. He must have been with men who could now see the Americans[37] and thus had gained the top of the bank, in accord with the statement of an officer of the 25th "a very few in scattered parties passed the flanks of the Regt. at a distance".[38] Sunrise that day was at 4:22 am but first light began soon after 3:00 am.[39] Since the battle began around 2:20 am and lasted not much more than three quarters of an hour, Billy's account of the timing is accurate.

Billy's version fits perfectly with other accounts once it is understood that he was with the 49th left flank. The one new element is in Billy's final sentence which asserts that the settlers helped scare the fleeing Americans on their way with "war whoops". In other words, the battle was watched from above by local inhabitants on the escarpment, paying close attention to the course of the battle, since their future welfare might well depend on its outcome.

ENDNOTES

[1] Jarvis's account of the battle can be found in Auchinleck 1852 in a footnote on pages 178-179.

[2] Cruikshank c. 1903 page 13.

[3] Merritt 1863 page 30.

[4] *Ibid*. The British did not initially know that the 25th Infantry had been moved up onto the high bank beyond the creek because camp fires for hundreds of men had been left burning below in order to confuse the British, though apparently some fires were ordered extinguished (Cruikshank c. 1903 page 42). The British would have been expecting to find men on the flats, since all information related to the situation earlier that night.

[5] Fitzgibbon's account in Cruickshank c. 1903 page 13. He states that "our Lt. company" immediately bayonetted Americans, but the American information on musketry fire contradicts this. The "our" in the quote indicates the 49th Light Company, which had led the advance and attacked the American advance. The King's Light Company had been directly behind the 49th Light Company in the van of the march on Stoney Creek according to Harvey (*op. cit.* page 7). Whether it accompanied the 49th Light Company in the attack on the American advanced troop is questionable: that however appears in undated notes written by Merritt (*op. cit.* page 46) and in his published version (Merritt 1863 page 30).

[6] Cruikshank c. 1903 page 24.

[7] *Op. cit.* page 75.

[8] Elliott 2009 page 125.

[9] Billy's earliest 1819 version says "the rounds" but later transcriptions have "three rounds" (including those from 1908 and 12th December 1931).

[10] Anon. 1817 pages 43-44.

[11] Fredriksen 2010 page 57.

[12] Cruikshank c. 1903 page 48.

[13] *Op. cit*. page 166.

[14] Kearsley in Fredriksen 2010 page 56. Kearsley stresses that the engagement with the American advance was "severely contested".

[15] Merritt 1863 page 30.

[16] Fredriksen and Shaler 1984 page 418. Shaler's memoirs were first published in 1844. He described the cooks' fires in the lane, an ox being butchered, the British troops yelling at the start of the battle.

[17] Cruikshank c. 1903 following page 14. Elliott 2009 page 259 estimates the 25th Infantry strength at 650 men, so they would indeed have taken up a large part of the creek flats. According to American sources these fires would have been burning without being replenished with wood for at least one hour (Cruikshank c. 1903 page 42) or two hours (*op. cit.* page 34) and so would have been burning low in comparison with the cooks' fires.

[18] As did other American reports (Cruikshank c.1903 page 35), although Chandler said that "only a small part of the enemy" could be seen in the fire light by the 25th (an account written as a POW at Montreal, *op. cit*. page 26).

[19] In Auchinleck, 1852 page 179, footnote.

[20] He acted as a company commander at Stoney Creek, see the *Dictionary of Canadian Biography* volume 9 entry by Ruth McKenzie.

[21] Elliott 2009 page 126-7 suggests that the British were never ordered to fix their flints or to fire. This is no more than a supposition and we have shown that it could not apply to the 49th Light Company.

[22] Malcomson 2003 page 100.

[23] Fredriksen 2010 page 106. Dwight, with the 13th Infantry, was on the beach. He is writing a diary and candidly recording what he had seen or been told.

[24] The words used in this instance is “middle rank” which would imply that the 49th had been deployed in a three rank order, that is, three lines of men, and there is no evidence for this. That not all of the 49th centre flank had charged will be suggested below, so Billy may mean a part of the centre.

[25] including those from 1908 and 12th December 1931.

[26] Shaler makes it quite clear that he is referring to the 25th, Fredriksen and Shaler 1984 page 419. See also Cruikshank c. 1903 page 166.

[27] This swamp protected the American right flank in the opinion of the Americans *op. cit*. page 33.

[28] Fredriksen and Shaler 1984 page 417.

[29] See *Billy Green and Balderdash* endnote 58 which references Biggar’s basic error with regard to the battle.

[30] *Op. cit.* page 24, *op. cit*. page 166. Elliott 2009 page 144 quotes the statement by a man he identifies as the officer in command of the 25th that the British "attempted by a heavy fire and successive charges" to breach the line of the 25th. Merritt (1863 page 31), on the other hand, considered that the men were never formed and simply ran away under the American fire. Some lost stragglers from the 49th were, indeed, picked up the next day as POWs (40, Elliott 2009 148; the muster rolls also record 40 men as missing in action 6th June). Based on the spread of 35 non-wounded POWs across all but the Grenadier Company (Elliott 2009 pages 260-1) accusations that the 49th was not completely steady under fire (Fitzgibbon, Cruikshank c. 1903 page 14) seem realistic. If Fitzgerald is a misprint for Fitzgibbon in Elliott’s list, even his company was not immune, nor was Williams’ Light Company.

[31] Jarvis says only, very vaguely, "some changes of position" Auchinleck, 1852 page 179, footnote.

[32] Cruikshank c. 1903 page 16.

[33] *Op. cit*. page 14.

[34] Elliott 2009 page 283 endnote 28:5. Vincent says the 49th alone participated in this (Cruikshank c. 1903 page 9) and Plenderleath himself states that something like 20 men rushed forward (*op. cit* page 23). Chandler wrote that the 49th charged with bayonets (*op. cit* page 44).

[35] In Auchinleck, 1852 page 179, footnote.

[36] A candid account by an American ensign confirms that the 25th fled, Fredriksen 2010 page 106.

[37] The 25th were “out of view” of the British, Cruikshank c. 1903 page 16.

[38] Quoted by Elliott 2009 page 144. The quotation is followed by another claiming that the 25th did indeed retreat, by which action the men “disgraced themselves”.

[39] http://www.timeanddate.com/worldclock/astronomy.html?month=6&year=1813&obj=sun&afl=-13&day=1&n=1181 Cruikshank c. 1903 page 49 has 2:20 am; *op. cit.* page 50, 2:30. The musket fired by the sentry who was killed by Billy was heard by the Americans about one hour before daylight, *op. cit*. page 34. Harvey himself said that the battle lasted “less than three quarters of an hour” *op. cit*. page 7.