

Another necessary Observation seems to be, That the Resolution of the Council of War of the 25th was not, That it was impracticable to land, but that *such an Attempt*, that is, an Attempt to land in order to *attack Rochefort* according to the second Instruction, was neither advisable nor practicable.

I have heard, that several Persons have mentioned Escalades succeeding during a Siege, but I am sure this Court will remember, that, in all such Instances, Surprise has been essential to the Success.

Capt. *Cleveland's* Letter shews, that the *French* expected a Visit upon their Coast. Indeed at *Rochelle* they seemed to have had no Fears about it; they made no new Preparations upon that Account; they are known to have been sufficiently secure without them.

I think I scarce need remind the Court, that, as it was not the Intention at home, that *Rochefort* should be attacked any other Way than by Surprise or Escalade, so the Artillery, &c. were not designed for, or adapted to a regular Attack. The Horses did not, in Fact, exceed forty.

This Court will please to remember, that the 26th, 27th, 28th, and Part of the 29th, were employed in the Demolition of the Works of Fort *Aix*, according to the Instructions, to demolish all the Works we should make ourselves Masters of.

This Province was assigned to Admiral *Knowles*. How the Generals were employed, Major-General *Cornwallis* has just given an Account.

I have now finished the Evidence I proposed to lay before the Court. I hope I have answered every Part of the Charge made against me. It is a very heavy Charge—A criminal Disobedience of his Majesty's Orders.

It does not lie upon me to impeach the Propriety of the Equipment: It might be proper to be made, though it could not be successful.