

laid hold of his arm, and said he would be damned if he should return to the ship ; that he was in the Land of Liberty ; that he would do as he liked, and that I had no business with him. The prisoner was very abusive, the words I do not recollect.

*Q.* What answer did Lieut. Sinclair make to you the second time you applied to him ?

*A.* The same as before. I offered to point out the men if he would allow me to go into the rendezvous, but to which he returned no answer. I saw some of the deserters at the rendezvous : the prisoner was not among them.

*Q.* Was the prisoner abusive to you, personally, or was the abuse general ?

*A.* Chiefly personal.

*Q.* *By Prisoner.* Did you not send a gentleman to call me out of the house ?

*A.* Yes.

*Q.* Did I not come out at the same time and stand at Saunders's back, all the time you were talking to him ?

*A.* You came into the street about four minutes after Saunders.

The Evidence now commenced for the Prosecutor.

*Lieutenant Thomas Wren Carter, 1st, of the Halifax, sworn.*

*Q.* Relate what you know respecting the charges against the prisoner ?

*A.* On the 7th of March last, about six o'clock in the evening, being commanding officer, I sent the jolly boat, with Mr. Turner, midshipman, and five men, to weigh the kedg anchor, which had been laid out for swinging the ship. They were a long time there. I hailed them once, to know what they were about ; they answered, getting the tackle on board. A short time after, the quarter master, Douglas, told me he thought they were pulling away. Believing they were, I ordered a fire of musketry on them. That not having any effect, I directed some great guns to be pointed and fired ; one was, but the boat being nearly out of sight, owing to the dusk, and a tender belonging to the Bellona, immediately in her wake, I was obliged to desist firing, and saw no more of her. As soon as the firing ceased, a muster of the ship's company was made, when I found that the prisoner, with the other men named in the charge, had deserted. Two or three days after, the petty officer returned, and reported he had been run away with by the crew.