

prisoner on board his Majesty's ship *Bellona*, I have to request you will be pleased to direct a Court Martial may be assembled for the purpose of trying the said Jenkin Ratford, for the within mentioned charges of *Mutiny, Desertion, and Contempt*.

I have the honour to remain,
Sir,
Your most obedient humble servant,
J. TOWNSHEND.

*To the Hon. G. C. Berkeley, Vice Admiral
of the White, and Commander in Chief,
&c. &c. &c. Halifax, N. S.*

The Evidence were then withdrawn.

The Right Honourable Lord James Townshend, sworn.

Q. Relate to the Court what comes within your knowledge of the charges against the prisoner?

A. At the time of the prisoners deserting, I was on board the *Mermaid*; on hearing a firing of musketry kept up from the ship, about six o'clock in the evening, on the 7th of March, I immediately returned on board, when Lieutenant Carter informed me, that five men had rose on Mr. Turner, midshipman, and deserted with the jolly boat. The next morning, I sent Lieutenant Marsters to Norfolk, to acquaint Captain Hollis and the British Consul of the desertion of the men; on his return, he reported to me that he had seen some of them, one in particular, Richard Hubert, parading the streets, with the American flag, then recruiting for the Chesapeake. I then went up myself to Norfolk, and told the British Consul; and finding that the men had entered for the Chesapeake, I applied to Lieutenant Sinclair, who was entering men for her, and received for answer, that there were no men entered for them by the names I gave; but if any deserters had entered, I must apply to the magistrates; which I did, through the Consul, who, I believe, applied to the Mayor and Civil Power. I also applied to Capt. Decatur, who referred me to Lieut. Sinclair: but I met with no success in recovering the men. I met the prisoner, with Saunders, the Boatswain's mate, after my application, and asked them the reason they did not return to the ship. Saunders said he would; and immediately went with me about twenty yards, when the prisoner