

which, after returning to the deck, was covered with cat-tails and made him resemble an owl. Obviously, Captain Perry's meaning was that he did not leave the deck permanently, although repeatedly wounded. Can a more contemptible quibble be conceived of than Cooper has here resorted to for the purpose of invalidating testimony given under oath? Was it incumbent on Captain Perry in order to satisfy Mr. Cooper's taste, to specify that Yarnell was absent a few moments, two or three times from the deck for surgical aid during a bloody action which lasted nearly three hours? Was Dr. Parsons bound to omit the anecdote, merely to please Mr. Cooper, because Captain Perry had thus expressed in general terms the heroic conduct of Yarnell, whom he left upon deck in command of his tattered ship when he boarded the Niagara?

Cooper ranges the witnesses of the Lawrence and Niagara in two columns, and exultingly calls the attention of the reader to the greater length of the latter list, although he knew, and must have felt when he wrote it, that this difference in the length of the two columns was owing to the fact that many officers of the Lawrence were killed, and none in the Niagara; that Elliot obtained their certificates immediately whilst under his command and influence, and that Perry's officers were never applied to for years after, when some were dead and others scattered, and none of them under his command. Was it honorable and ingenuous in Cooper to wink out of sight these palpable reasons for the different length of the two columns of officers, and exult over the Niagara's list as decisive of the controversy in Elliot's favor, when the disparity in numbers of survivors resulted from Elliot's failing to bear his part in the action?

But granting for the sake of the argument, that the officers of the Lawrence were partisan witnesses;—that her doctor went on board the Niagara and put leading questions to the wounded, for the purpose of disparaging Captain Elliot;—that he was a native of Rhode-Island, and accompanied Perry to the lakes;—that he made out a false return of the wounded,—all which is untrue,—but granting it, and that he is unworthy of belief, and that the other officers of the Lawrence are equally so, and admitting on the other hand that the testimony of the