

stinacy, in getting such a partial list adopted, for this reason they refused to appear on the Parade, in the month of May last, with no other intention than to resent the injuries they had received through him; it is surely impossible that men of reason, or reflection can suppose the defendants did it from a principle of disloyalty, disaffection or disrespect to the Government, or Governor; no one action of their lives can justify such a suspicion; the whole tenor of their conduct proves the contrary.

Unhappily well behaved citizens, have not always justice done them; and the defendants cannot forbear complaining in this Court (as they have already done in the most respectful terms to the Governor) that they have been ill treated by Mr. Caldwell.

The consequence of their refusal to appear on the Parade was, that Henry Caldwell, in quality of Colonel, issued a Military order, (conceived in indecent terms, highly provoking and injurious,) for the assembling of a board of Officers, which condemned them in a fine of ten shillings, with the expences of levying; which fine was levied upon their goods and chattels, in a manner the * most degrading.

Thus you see Gentlemen, that an offence is supposed to be committed; (and for the present it may be allowed to be committed merely for the sake of the argument;) and you see clearly that punishment was inflicted, and satisfaction given to the law—Mr. Caldwell, if he only wanted satisfaction to the law, gained his point, and ought to have desisted. But it would appear he had other designs; and that he meant a great deal more; he either meant a personal injury to the defendants, or he did not; if he did intend a personal wrong, it must be acknowledged that he is highly culpable; if he disclaims any personalty, and that he did it for the sake of obedience, order, and discipline, he is still more so,

Whether the defendants refusing to appear on the first parade in May, was, or was not a right, or reasonable action is the question of the present day; it was done in re-

* See appendix

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sentment