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Q. Did you observe the prisoner assist in rowing the boat, after it was taken from you ?

A. Yes I did, four men were rowing, Saunders and myself were sitting in the stern sheets.

Q. By Prisoner. Did Saunders go out of the stern sheets to look for kedje buoy ?

A. He was out of the stern sheets but I am not certain if he had hold of the hawser or not.

The prisoner having no further questions to ask, the evidence withdrew.

Thomas Douglas, quarter master of the Halifax, called in and sworn.

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

A. I had the watch on deck, I think about half past five o'clock on the evening of the 7th of March. I was standing on the starboard gangway, when the men slipped the kedje hawser, and got their oars out. I went immediately to the gun room and reported to Lieutenant Carter that the boat was rowing off from the ship. He came up immediately. I having gone before and got the key of the arm-chest out of the binnacle drawer, and took out the muskets, with a cartouch box, (the sentry's musket not going off,) Lieutenant Carter, Mr. Smith, and myself, fired as long as we could keep sight of the boat.

Q. Do you know that the prisoner was one of the men in the boat ?

A. I do.

The prisoner having no questions to ask, the evidence withdrew.

Lieutenant James Masters of the Halifax, called in and sworn.

Q. Relate to the Court what you know, respecting the charges against the prisoner ?

A. On the 7th of March, about six in the evening, the prisoner, and four other men, were sent to weigh the kedje anchor. Soon after it was reported they had deserted. I went on deck and observed them pulling from the ship. They were fired at several times, but to no effect. I was sent up to Norfolk the next morning, with a letter on service ; I saw two of the deserters, but did not speak to them, one of them with the American flag, and the other coming out of a public house ; the prisoner was not one of them. I know the prisoner deserted on the 7th of March from the ship.

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