

'The prisoner having no questions to ask, this evidence withdrew.

Mr. Robert Turner, midshipman, of the Halifax, called in and sworn.

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

A. On the evening of the 7th March I was desired by the first Lieutenant to go in the jolly-boat, and weigh kedge anchor ; the prisoner was one in the boat, with Hill, North, Hubert, and Henry Saunders ; after we had shoved off from the ship and got hold of the kedge hawser, and the anchor up to the bows, it came on to rain very hard, and the weather being thick, the men took the boat from me ; when I hailed the ship repeatedly, until silenced by Hill, who threatened if I hailed the ship any more he would knock my brains out, and heave me overboard. Hill said if it had been Mr. M'Gory in the boat, instead of me, he would have tanned his hide, and thrown him overboard. The instant the boat landed at Sewel's Point they all jumped out and left me in her. Saunders I think would have returned, if he had not have been threatened to have his brains knocked out : I do not know if by the prisoner in particular ; it was amongst them. After landing I saw nothing of the men until Monday, two days after, when I saw the prisoner at Norfolk, with a number of men who had entered into the American service. On Tuesday I met Lord Townshend and informed him of the circumstances : shortly after saw the prisoner and Saunders, Lord Townshend speaking to them, and telling them, that if they would return to the ship he would forgive them. Saunders was in the act of going down to the British Consul's with me ; the prisoner said if he attempted to return to the ship, if he was not able himself, he would get more hands to assist in cutting his bloody guts out.

Q. By *Prosecutor*. Did it not appear to you that the whole time I was in conversation with Saunders, and the prisoner, that the latter was very abusive ?

A. He was.

Q. Did the deserters cut the boat adrift, and shove her from the shore, making you jump out up to your middle in water ?

A. After landing, I was left in the boat, the painter was cut, the boat floated off, and I jumped into the water, and waded ashore.