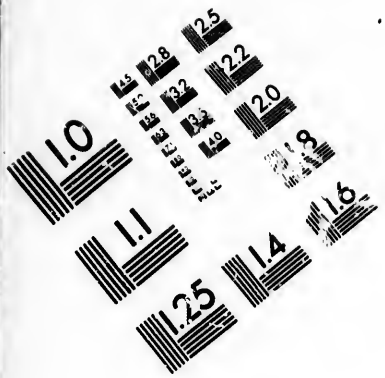

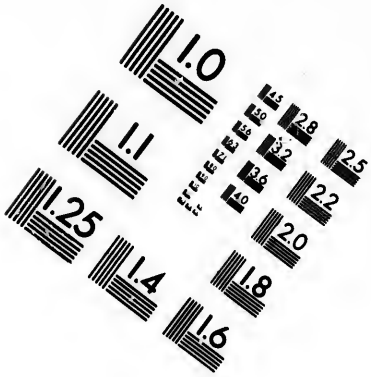

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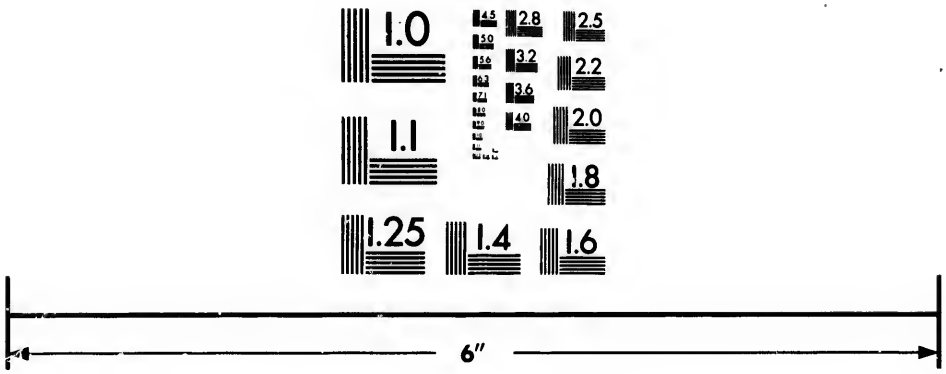

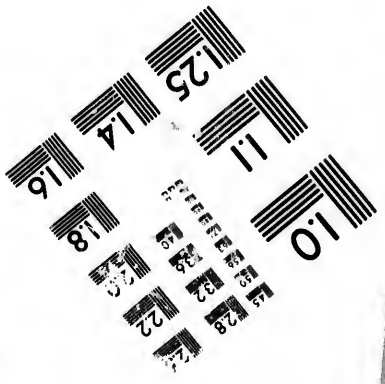

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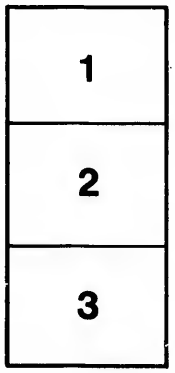

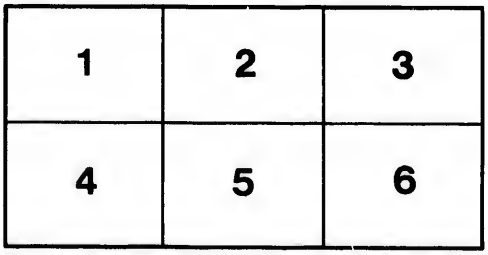

THE PROCEEDINGS OF A General Court-Martial

HELD IN THE

Council-Chamber at Whitehall, on Wednesday the 14th, and continued by several Adjournments to Tuesday the 20th of December 1757, upon the Trial of Lieutenant-General Sir JOHN MORDAUNT, by Virtue of his MAJESTY's Warrant, bearing Date the 3d Day of the same Month.

Published by Authority.

LONDON:

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MDCCLVIII.

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ADVERTISEMENT.

19th of Jan. 1758.

A MAP of the BASQUE ROAD and the adjacent Coast, agreeable to the Draught produced at the Tryal by Lieutenant Colonel *Murray*, as taken upon the Spot by a Gentleman on the Expedition, and which Lieutenant Colonel *Murray* from his own Observations thinks to be just, was intended to have been annexed; but, that being found impracticable, without retarding the Publication of the Tryal, the said Map will be delivered on Tuesday next, Price 3d.

GEORGE R.

WHEREAS Lieutenant General Sir *John Mordaunt* was appointed by us Commander in Chief of our Forces ſent on an Expedition to the Coaſt of *France*, and received Orders and Inſtructions relative thereto from us, under our Royal Sign Manual, and alſo by one of our principal Secretaries of State: And whereas the ſaid Lieutenant General is now in Arreſt by our Command, for diſobeying our ſaid Orders and Inſtructions, which Charge we have thought fit ſhould be inquired into by a General Court Martial: Our Will and Pleaſure is, that a General Court Martial be forthwith held upon this Occaſion, which is to conſiſt of our right Truſty and well beloved *James* Lord *Tyrawly*, Lieutenant General of our Forces, whom we do appoint to be Preſident thereof, and of our right Truſty and well beloved *Charles* Lord *Cadogan*, our truſty and well beloved *John Guiſe*, *Richard Onſlow*, *Henry Pulteney*, Sir *Charles Howard*, Knight of the Bath, *John Huske*, our right truſty and well beloved Counſellor *John* Lord *De Lawarr*, our

truſty and well beloved *James Cholmondeley*, Lieutenant Generals; our truſty and well beloved *Maurice Bocland*, our right truſty and well beloved Couſin *William* Earl of *Panmure*, our truſty and well beloved *Kerr*, commonly called Earl of *Ancram*, our right truſty and well beloved Couſins *William* Earl of *Harrington*, and *George* Earl of *Albermarle*, our truſty and well beloved *Henry Holmes*, *Alexander Dury*, *John Moſlyn*, *Edward Carr*, Major Generals of our Forces; our truſty and well beloved Colonels *William Kingſley*, *Alexander Duroure*, and *Bennet Noel*; all of whom, or the ſaid Preſident together with any Twelve, or more, of the ſaid other Officers, may conſtitute the ſaid General Court Martial: And you are to order the Provoſt Martial General, or his Deputy, to give Notice to the ſaid Preſident and Officers, and all others whom it may concern, when and where the ſaid Court Martial is to be held, and to ſummon ſuch Witneſſes, as ſhall be able to give Teſtimony in this Matter; the ſaid Provoſt Martial General and his Deputy being hereby directed to obey your Orders, and give Attendance, where it ſhall be requiſite: And we do further authorize and empower the ſaid Court Martial to hear and examine all ſuch Matters and Informations as ſhall be brought before them, touching the Charge aforeſaid, and proceed in the Tryal of the ſaid Lieutenant General

Sir

Sir *John Mordaunt*, and in giving of Sentence according to the Rules of Military Discipline; which ſaid Sentence you are to return to our Secretary at War, to be laid before us for our Conſideration. And, for ſo doing, this ſhall be, as well to you, as to the ſaid Court Martial, and all others concerned, a ſufficient Warrant. Given at our Court at St. *James's* this Third Day of *December* 1757, in the Thirty Firſt Year of our Reign.

By his MAJESTY'S Command,

HOLDERNESSE.

To our Truſty and well beloved *Thomas Morgan*, Eſq; Judge Advocate General of our Forces, or his Deputy.

At a GENERAL COURT MARTIAL, held in the Council Chamber at *Whitehall* on *Wednesday* the 14th, and continued by several Adjournments to *Tuesday* the 20th *December* 1757, by virtue of his Majesty's special Warrant, bearing Date the 3d Day of the same Month.

LIEUT. GEN. JAMES LORD TYRAWLY, President.

LIEU. GENERAL
- CHARLES LORD CADOGAN,
- JOHN GUISE,
- RICHARD ONSLOW,
- HENRY PULTENEY,
- Sir CHARLES HOWARD,
- JOHN HUSKE,
- JOHN LORD DELAWARR,
- JAMES CHOLMONDELEY.

MAJOR GENERAL
- MAURICE BOCLAND,
- WILLIAM EARL OF PANMURE,
- WILLIAM EARL OF ANCRAM,
- WILLIAM EARL OF HARRINGTON,
- GEORGE EARL OF ALBEMARLE,
- HENRY HOLMES,
- ALEXANDER DURY,
- JOHN MOSTYN,
- EDWARD CARR.

COLONEL WILLIAM KINGSLEY,
COLONEL ALEXANDER DUROURE,
COLONEL BENNET NOEL.

CHA. GOULD DEPUTY JUDGE ADVOCATE GENERAL.

THE Members being met, and duly sworn, (the Judge Advocate being also sworn, and prosecuting in his Majesty's Name,)

LIEUTENANT GENERAL SIR JOHN MORDAUNT came Prisoner before the Court, and the following Charge was exhibited against him, *viz.* " That he " being appointed by the King Commander in Chief " of his Majesty's Forces, sent on an Expedition to " the Coast of *France*, and having received Orders " and Instructions relative thereto from his Majesty, " under his Royal Sign Manual, and also by one of " his principal Secretaries of State, hath disobeyed " his Majesty's said Orders and Instructions."——

AN ENTRY in a Book of Mr. *Secretary Pitt*'s Office being proved upon Oath by *Robert Wood*, Esq; appointing the said Lieutenant General Sir *John Mordaunt* General and Commander in Chief of all and singular his Majesty's Troops and Land Forces appointed or to be appointed for a secret Expedition for his Majesty's Service, bearing Date the 3d of *August*, 1757, was read.

The RIGHT HONOURABLE WILLIAM PITT, Esq; one of his Majesty's Principal Secretaries of State being sworn, and questioned touching his Majesty's Instructions to Lieutenant General Sir *John Mordaunt* relative to the said Expedition, said, That he had the Honour of receiving such Instructions from his Majesty under his Royal Sign Manual, which he gave to Mr. *Wood* his under Secretary, in order to his delivering them to Sir *John Mordaunt*.

A PAPER, purporting to be a Letter, dated *London*, *July* the 15th 1757, from Captain (now Lieutenant Colonel) *Clerk*, was shewn to Mr. Secretary *Pitt*, and he being desired to inform the Court, whether he knew the said Letter to have been at any Time communicated to Sir *John Mordaunt*, answered, That the same is the original Letter, which was delivered to him by Sir *John* (now Lord) *Ligonier*, and produced by him before the Lords of the Cabinet, and that the Matter of this Letter afterwards made the Subject of two Night's Conversation; Sir *John Mordaunt* and Major General *Conway* examining, and almost cross examining Mr. *Clerk* concerning every

Matter

Matter contained therein, and a great deal more, that the Letter led to.

ANOTHER PAPER, purporting to be a Minute, taken in *Arlington-ſtreet* in *Auguſt* 1757, containing an Examination of *Joſeph Thierry*, a *French* Pilot, was ſhewn to Mr. Secretary *Pitt*, who was deſired to inform the Court, whether he remembers ſuch Examination, and whether the ſeveral Perſons were preſent, who appear upon the Face of the ſaid Minute to have been at that Meeting; to which he anſwered, That the Meeting being at Lord *Holderneſſe*'s Houſe, his Lordſhip held the Pen, and not he; that the Paper now ſhewn him is an exact Tranſcript of what was reduced into writing, as the Subſtance of the Examination of the Pilot, but is by no Means the whole of it; as he underwent a very long and cloſe Croſs Examination for two Hours together, throughout which he eſtabliſhed the Facts with a Readineſs and Preſence of Mind, that few Men in higher Life are equal to.

A PAPER entitled *Memoire ſur la Force actuelle de la France, & les Services, aux quels Elle eſt employée dans l'Année* 1757,— and docketted, as received *July* 28th 1757, and communicated, at a Meeting at Lord *Holderneſſe*'s Houſe, to the Generals appointed for an Expedition to the Coaſt of *France*, being alſo ſhewn to Mr. Secretary *Pitt*, he was deſired to ſpeak to the Authenticity of that Paper, and as to its having been communicated to Sir *John Mordaunt*: — He thereupon informed the Court, that the Paper came through Lord *Holderneſſe*'s Department, and was introduced by his Lordſhip at a Meeting, where Sir *John Mordaunt* and Major General *Conway* were preſent. It was a Paper, on which much Reliance was had by the King's Servants, as coming from one of their moſt confidential Correſpondents, and was then produced as a Piece of Intelligence, to which they gave much Credit; and a ſubſequent Proof of its Authenticity is, that Advice has ſince been received of the Court of *France* having been

been obliged, upon the Alarm being taken, to march her Horſe and Foot Guards from *Paris*. He added, that he remembers one, or both of thoſe Gentlemen, (*viz.* Sir *John Mordaunt* and Major General *Conway*) roſe up, and looked at the Paper more than once, and with Pen and Ink noted down ſeveral Facts from it, and a good deal of Time was engaged in Diſcourſe upon the Subject.

Mr. Secretary *Pitt* being aſked, whether Copies of either of the three laſt mentioned Papers were delivered to Sir *John Mordaunt*?

Anſwered, he cannot recollect, whether Copies of them were put into his Hands; from his Memory, he rather thinks not.

Two other Papers, the one purporting to be "Minutes of a Council of War held on Board the "*Neptune* the 25th of *September* 1757," and the other, "Minutes of a Council of War held on "Board the *Rantilies* 28th *September* 1757," were ſhewn to Mr *Pitt*, who informed the Court, that theſe two Papers were delivered to him by Sir *John Mordaunt* in the firſt Viſit, as he thinks, after his Return; being to the ſame Effect, as thoſe before tranſmitted to him by Sir *Edward Hawke*.

Mr. Secretary *Pitt* being aſked, by Sir *John Mordaunt*'s Deſire, whether he, Sir *John Mordaunt*, did croſs examine either Lieutenant Colonel *Clerk*, or the Pilot?

Anſwered, At this Diſtance of Time, and, as he then had no Thoughts of being examined on this diſagreeable Occaſion, he cannot take upon himſelf poſitively to ſay, by whom in particular the Queſtions were aſked; but he knows a thorough Croſs Examination was made by ſome Military Gentlemen,—— he cannot ſay poſitively by Sir *John*, — in order to get at the Certainty, particularly as to the State of *Rochefort*.

Being aſked alſo, Whether the Pilot mentioned at the Council, that the taking of Fort *Fouras* by a Ship was practicable?

Anſwered,

Answered to this Effect, — That he remembers the taking of Fort *Fouras* by Sea was mentioned; but that he went away from the Meeting with this Impression, that nothing was clear about the taking of any Place by Sea, but *l'Isle d'Aix*; he found no Answer that led him to believe, that a Ship could lye up near enough to *Fouras* to batter the Fort; he wished, he had.

A Copy of Instructions was then read, being first proved on Oath by *Robert Wood*, Esq; to be a true Copy of the Instructions, which he received from Mr. Secretary *Pitt*, under the Sign Manual; and which he afterwards delivered to Sir *John Mordaunt*, who read them in his Presence, *viz.*

'*GEORGE R.*

'Secret Instructions for our trusty and well-
'beloved Sir *John Mordaunt*, Knight of the
'Bath, Lieutenant General of our Forces, whom
'we have appointed General and Commander
'in Chief of all and singular our Troops and
'Land Forces appointed or to be appointed for
'a secret Expedition for our Service, or for
'such other Officer, on whom the Command
'in chief of our said Troops and Land Forces
'may devolve. Given at our Court at *Ken-*
'*sington* the 5th Day of *August*, 1757, in the
'Thirty-first Year of Our Reign.

'Having by Our Commission, bearing Date the
'third Day of this Instant appointed You to be Ge-
'neral and Commander in Chief of all and singu-
'gular Our Forces appointed or to be appointed
'for a secret Expedition: For your better Discharge
'of the great and important Trust thereby reposed
'in you, We have judged it proper to give you the
'following Instructions.

'I. You shall immediately, upon the Receipt of
'these Our Instructions, repair to the Isle of *Wight*,
'where We have appointed Ships to convey You
'and the Forces under your Command to the Coasts
'of

'of *France*; and so soon as the said Forces shall be 'embarked, You shall accordingly proceed without 'Loss of Time, under Convoy of a Squadron of 'our Ships of War, commanded by our trusty and 'well beloved Sir *Edward Hawke*, Knight of the 'Bath, Admiral of the Blue Squadron of our Fleet, 'whom we have appointed Commander in Chief of 'Our Ships to be employed in this Expedition; the 'said Admiral, or the Commander in Chief of Our 'said Ships for the Time being, being instructed to 'co-operate with you, and to be aiding and assisting 'in all such Enterprizes, as by these Our Instructions 'you shall be directed to undertake for our Ser-'vice.

'II. Whereas We have determined, with the 'Blessing of God, to prosecute the just War in which 'we are engaged against the *French* King with the 'utmost Vigour; and it being highly expedient and 'of urgent Necessity to make some Expedition, that 'may cause a Diversion, and engage the Enemy to 'employ in their own defence, a considerable Part 'of their Forces, destined to invade and oppress 'the Liberties of the Empire, and to subvert the In-'dependency of *Europe*: And, if possible, to make 'some effectual Impression on the Enemy, which by 'disturbing and shaking the Credit of their publick 'Loans, impairing the Strength and Resources of 'their Navy, as well as disconcerting, and in part 'frustrating their dangerous and extensive Operations 'of War, may reflect Lustre on our Arms, and add 'Life and Strength to the common Cause: And 'whereas we are persuaded, that nothing, in the 'present Situation of Affairs, can so speedily and 'essentially annoy and distress *France*, as a success-'ful Enterprize against *Rochefort*: Our Will and 'Pleasure is, That you do attempt, as far as shall 'be found practicable, a Descent, with the Forces 'under your Command, on the *French* Coast, at or 'near *Rochefort*, in order to attack, if practicable, 'and, by a vigorous Impression, force that Place;

'and

'and to burn and destroy, to the utmost of your Power, 'all Docks, Magazines, Arsenals, and Shipping, 'that shall be found there, and exert such other Ef- 'forts, as you shall judge most proper for annoying 'the Enemy.

III. 'After the Attempt on *Rochefort* shall either 'have succeeded, or failed; and in Case the Circum- 'stances of our Forces and Fleet shall, with Prospect 'of Success, still admit of further Operations; you 'are next to consider Port *l'Orient* and *Bourdeaux*, 'as the most important Objects of Our Arms, on 'the Coast of *France*: And Our Will and Pleasure 'accordingly is, That you do proceed, successively, 'to an Attempt on both, or either of those Places, 'as shall be judged practicable; or on any other 'Place, that shall be thought most adviseable, from '*Bourdeaux* homewards to *Havre*, in order to carry 'and spread with as much Rapidity, as may be, a 'warm Alarm along the Maritime Provinces of '*France*.

IV. 'In Case, by the Blessing of God upon Our 'Arms, you should make yourself Master of any 'Place on the Coast of *France*; Our Will and Plea- 'sure is, That you do not keep Possession thereof; 'but that after demolishing and destroying, as far as 'may be, all Works, Defences, Magazines, Arse- 'nals, Shipping, and Naval Stores, you do proceed, 'successively, on the ulterior Operations of this Ex- 'pedition, according as any of them shall be judged 'adviseable, and may be performed within such Time, 'as shall be consistent with your Return with the 'Troops under your Command, so as to be in *Eng-* '*land* at, or about, as near as may be, the End 'of *September*, unless the Circumstances of Our 'Forces and Fleet shall necessarily require their Re- 'turn sooner: And you are to land the Troops at '*Portsmouth*, or such other of Our Ports, as the Exi- 'gency of the Case may suggest.

V. 'Whereas it is necessary, that upon certain Oc- 'casions you should have the Assistance of a Coun-

'cil

'cil of War; We have thought fit to appoint such 'a Council, which shall consist of four of Our Principal Land Officers, and of an equal Number of 'Our principal Sea Commanders, including the Commanders in Chief of Our Land and Sea Forces (except in Cases happening at Land, relating to the 'carrying on any Military Operations, to be performed by Our Land Forces only, in which Cases 'you may call a Council of War, consisting of such 'Officers of Our Land Forces as you shall think 'proper:) And all such Land and Sea Officers, in 'the several Cases before-mentioned, are hereby respectively directed, from Time to Time, to be aiding and assisting with their Advice, so often as they 'shall be called together by you, or by the Commander in Chief of our Squadron for that Purpose: 'And in all such Councils of War, when assembled, 'the Majority of Voices shall determine the Resolutions thereof; and in Case the Voices shall happen to be equal, the President shall have the casting Vote.

VI. 'And whereas the Success of this Expedition 'will very much depend upon an entire good Understanding between Our Land and Sea Officers; 'We do hereby strictly enjoin and require you, on 'your Part, to maintain and cultivate such good Understanding and Agreement, and to order, that the 'Soldiers under your Command, should man the 'Ships where there shall be Occasion for them, and 'when they can be spared from the Land Service; 'as the Commander in Chief of our Squadron is 'instructed, on his Part, to entertain and cultivate 'the same good Understanding and Agreement, and 'to order the Sailors and Marines, and also the 'Soldiers serving as Part of the Complements of Our 'Ships, to assist Our Land Forces, if judged expedient, by taking Post on Shore; manning Batteries; covering the Boats; securing the safe reimbarkation of the Troops; and such other Services 'at Land, as may be consistent with the Safety of

'Our

'Our Fleet. And in order to eſtabliſh the ſtricteſt 'Union, that may be, between you and the Com- 'mander in Chief of our Ships, you are hereby re- 'quired to communicate theſe Inſtructions to him, 'and he will be directed to communicate thoſe, he 'ſhall receive, to you.

'VII. You ſhall, from Time to Time, and as you 'ſhall have Opportunity, ſend conſtant Accounts of 'your Proceedings, in the Execution of theſe Our 'Inſtructions, to one of Our principal Secretaries of 'State; from whom you will receive ſuch farther 'Orders and Directions, as We may think proper to 'give you.

G. R.'

THE JUDGE ADVOCATE then informed the Court, that he is not inſtructed to give up any Point, wherein Lieutenant General Sir *John Mordaunt* ſhould appear to them, from the Evidence, to have diſobeyed his Majeſty's Orders and Inſtructions; but the Matter which he thinks it is his Duty chiefly to inſiſt upon, as being the principal Object of the Expedition, is a Diſobedience of the ſecond Article of the Inſtructions juſt now read—relative to the "attempting, as far "as ſhould be found practicable, a Deſcent, with "the Forces under his Command, on the *French* "Coaſt, at, or near, *Rochefort*, in order to attack, "if practicable, and, by a vigorous Impreſſion, force "that Place, and to burn and deſtroy, to the ut- "moſt of his Power, all Docks, Magazines, Ar- "ſenals, and Shipping, that ſhould be found there, "and exert ſuch other Efforts, as he ſhould judge "moſt proper for annoying the Enemy;"—and that the Evidence intended to be laid before them was principally applicable to that Point.

The following Papers were then laid before the Court by the Judge Advocate, and read;—ſome of them as referring to the above Inſtructions, and being in the Nature of ſubſequent Orders confirming, ſtrongly enforcing, and in part explaining the ſaid

 In-

Instructions, and the others, either as introductory to the former, or as acknowledging the Receipt of them; *viz.*

A Letter from Sir *John Mordaunt* to Mr. Secretary *Pitt*, dated *Isle of Wight*, 11th *August* 1757, ten at Night (proved upon Oath to have been received by Mr. *Wood*, and docketted by Mr. *Rivers*, and) admitted by Sir *John Mordaunt*, *viz.*

'SIR,

'Being honoured with his Majesty's Command to 'correspond with you, I think it my Duty to ac- 'quaint you, that on my Arrival here on *Monday* 'last, I was disappointed in finding none of the Trans- 'ports were come round, and more so in that I have 'not yet been able to hear any positive Account of 'them: I have however employed this Interval in 'giving such Orders, as I thought necessary to have 'the Troops here in Readiness for their Embarkation 'at a Moment's Warning.

'Having, on the Perusal of my Commission, some 'Doubt, how far I am impowered to carry the Sen- 'tences of Courts Martial in Capital Cases into Exe- 'cution, during my abode within his Majesty's Do- 'minions, I should be glad, as soon as may be, to 'know what is his Majesty's Intention on that Head, 'as there are now many Deserters with us ordered 'for immediate Trial.

'I must also beg Leave to trouble you further, 'on a Matter which occurs to me relative to the Ser- 'vice I am going upon; which is, that having 'since my Arrival here conversed with Sir *Edward* '*Hawke* and Vice Admiral *Knowles*, who both 'seem of Opinion, that it is possible, from the 'Nature of the Navigation to *Rochefort*, the Fleet 'may be detained even in Sight of the Coast of '*France* for a Week or ten Days, without be- 'ing able to get into the Road, or off the Isle '*D'Aix*, during which Time an Alarm will ne- 'cessarily

'cessarily be given in those Parts; this Conjuncture and Situation, if it should happen, appears to me so very delicate, and equally to the other General Officers on the Expedition, who may, by Accident to the first in Command, come to be under the same Difficulty (the Success of our Undertaking depending, as I apprehend, on the Suddenness of its Execution) that I should be glad, if it is thought proper, to have a Direction, how I am to act in that Case.

'I send this by an Officer, who will take Care to deliver it safely. I am, *&c.* *J. Mordaunt.*

Right Hon. *William Pitt*,
Secretary of State.

A true Copy of a Letter from Mr. Secretary *Pitt* to Sir *John Mordaunt*, dated *Whitehall*, 13th *August*, 1757 (proved by Mr. *Wood*) *viz.*

"SIR,

'I immediately laid your Letter of the 11th Inst. at Night before the King; and am commanded by his Majesty to let you know, that his Royal Intentions are, that you should, by Virtue of your Commission, carry the Sentences of Courts Martial in capital Cases into Execution, during your Abode within his Majesty's Dominions, so long as the Troops under your Command shall continue under their present Destination, according to the King's Orders and Instructions.

'With regard to the supposed Case, as stated in your Letter, and arising from Conversation had with Sir *Edward Hawke* and Vice-Admiral *Knowles*, namely, that it is possible the Fleet may be detained in Sight of the Coast of *France* for a Week or ten Days, without being able to get into the Road of *Rochefort*, or off the Isle of *Aix*, during which Time an Alarm will necessarily be given in those Parts; in which Case you express a Desire, if thought proper, to have a particular Direction, how to act: I am commanded thereupon by the

'King, to signify to you his Majesty's Pleasure, that 'you, or such other Officer, on whom the Command 'may devolve, do, in conformity to the Latitude 'given by his Majesty's Instructions, judge of the 'Practicability of the Service, on the Spot, according 'as contingent Events, and particular Circumstances 'may require: The King judging it highly prejudi-'cial to the Good of his Service to give particular 'Orders and Directions with Regard to possible con-'tingent Cases, that may arise.

I am, *&c.*

Sir *John Mordaunt.* *W. Pitt.*'

A Letter from Sir *John Mordaunt* to Mr. Secretary *Pitt*, dated Head-Quarters, *Newport*, 20th *August* 1757 (the Receipt thereof being proved by Mr. *Wood*, and admitted by Sir *John Mordaunt*) *viz.*

'SIR,

'I have the Honour of your Commands, dated 'August 13th, and you may depend upon it, that his 'Majesty's Orders shall be most punctually observed.

'Mr. *Thames*, who has long been, and now is, 'Agent for the Transports, came here the 17th from '*Portsmouth*; he said, he came over on Purpose from 'thinking it his Duty to inform me, the Transports 'were not sufficient for the Number of Troops; 'I own his Conversation much puzzled me, as I 'knew our Expedition should meet with no Delay on 'one Hand, and that the Preservation of the Soldiers 'Healths ought, on the other, to be thought on. At 'length I recollected two of the Commissioners of the 'Admiralty were at *Portsmouth*, to whom I sent a 'Letter, a Copy of which I now inclose to you: 'Though I have since heard nothing from the Com-'missioners, or Mr. *Thames*, I thought it my Duty to 'mention this Circumstance to you, being informed 'last Night, by a Letter from Sir *Edward Hawke*, 'that

'that an Expreſs is ſent to the Navy Board upon this
'Occaſion.

'The Troops are in great Spirits, and wait impa-
'tiently for the Tranſports.

'I am, *&c.*

'Right Hon. *Wm. Pitt*, his *J. Mordaunt.*'
'Majeſty's principal Se-
'cretary of State.'

Copy of a Letter from Sir *John Mordaunt* to *Thomas Orby Hunter* and *Gilbert Eliott*, Eſqrs. Lords Commiſſioners of the Admiralty, at *Portſmouth*, dated Head-Quarters, *Newport* 17th *Auguſt*, 1757, *Wedneſday* Night (being incloſed in the laſt mentioned Letter to Mr. *Pitt*, and as ſuch deſired to be read by Sir *John Mordaunt*, though not inſiſted upon as material to the preſent Queſtion) *viz.*

'GENTLEMEN,

'Mr. *Thames*, Agent for the Tranſports, has juſt
'been with us, and ſays, he thinks it his Duty to
'mention, that the Tranſports are not ſufficient to
'carry the Number of Troops.

'We ſend him with this Letter, that he may ex-
'plain his Reaſons for the Opinion he gives, and,
'if you find them ſatisfactory, we flatter ourſelves
'ſome Method may be found, without occaſioning De-
'lay, to redreſs the Grievance.

'I am, Gentlemen, *&c.*

(Signed) *J. Mordaunt.*'

'To *Thomas Orby Hunter* and
'*Gilbert Eliott*, Eſqrs. Lords
'Commiſſioners of the Ad-
'miralty, at *Portſmouth.*'

A Letter from Mr. Secretary *Pitt* to Sir *John Mordaunt*, dated *Whitehall*, 5th *Sept.* 1757, Four o'Clock in the Afternoon (the like being at the ſame Time wrote to Sir *Edward Hawke*, *mutatis mutandis*, proved by Mr. *Wood*) *viz.*

'SIR,

'The Wind having been fair for the Transports 'going to *Spithead*, ever since *Friday* Morning, I am 'to acquaint you, that his Majesty expects, with Im-'patience, to hear, that the Troops are embarked; 'but, if by any Delay the Embarkation should not 'be compleated, when this Letter reaches you, I am 'to signify to you the King's Pleasure, that the most 'particular Diligence be employed in getting the 'Troops on Board, and proceeding, without the 'Loss of a Moment, to the Execution of your Or-'ders and Instructions with regard to the Expedi-'tion under your Care.

'His Majesty being informed, that ten Battalions 'under the Orders of Sir *John Ligonier*, were all 'compleatly embarked at *Williamstadt* within the 'Course of the twenty four Hours, in which they 'arrived at that Place, the King expects to hear, by 'the Return of this Messenger, that the Fleet with 'the Troops under your Command on board have 'proceeded to Sea, in case the Wind permits, agree-'able to your Orders and Instructions.

'I am, *&c.*

W. Pitt.

'*P. S.* The Messenger that carries this has my Or-'ders to stay to bring an Account of the Fleet's sailing.'

A Letter from Sir *John Mordaunt* to Mr. Secretary *Pitt*, dated *Portsmouth*, 6th *September*, nine at Night (the Receipt being proved by Mr. *Wood*, and admitted by Sir *John Mordaunt*) *viz.*

'SIR,

'I had this Morning the Honour of yours of the '5th Instant, and can assure you, that not a Minute's 'Time has been lost in embarking the Troops.

'Though the first of the Transports did not ar-'rive at *Cowes*, till *Sunday* Evening, we began the 'Embarkation at Day-break the next Morning, and 'continued putting the Troops on board, till after it

'was

'was dark. We have followed the ſame Method to 'day, and by that Means I have now the Pleaſure to 'acquaint you, that I finiſhed the Embarkation of 'the laſt Regiment at about ſix this Evening.

'I beg you will do me the Favour to mention to 'his Majeſty, that we were obliged to march the 'Troops and Baggage five Miles to the Place of 'Embarkation, and that we were then forced to put 'the Men in ſmall Boats, in which they were rowed 'above a Mile, before they could embark in the 'Tranſports: Whereas at *Williamſtadt* the Troops 'marched directly from the Quay into the Tranſ-'ſports without the leaſt Poſſibility of a Delay.

'It is both my Duty, and the Pride of my Heart, 'to execute with the utmoſt Diſpatch and Diligence 'the Orders his Majeſty has honoured me with, and 'I flatter myſelf a very ſhort Time will now ſhew it.

'I am, *&c.* *J. Mordaunt.*'

'The Right Hon. *Wm. Pitt.*'

A true Copy of a Letter from Mr. Secretary *Pitt* to Sir *John Mordaunt*, dated *Whitehall*, 15th *September* 1757 (the like being at the ſame Time wrote to Sir *Edward Hawke*, *mutatis mutandis*, being proved by Mr. *Rivers*, and admitted by Sir *John Mordaunt.*)

'SIR,

'His Majeſty, by his ſecret Inſtructions, dated 'the 5th Day of *Auguſt* laſt, having directed the 'Return of the Troops under your Command, to-'gether with the Fleet "ſo as to be in *England* at, "or about, as near as may be, the End of *Septem-*"*ber*, unleſs the Circumſtances of the Forces and "Ships ſhall neceſſarily require their Return ſooner," 'I am now to ſignify to you the King's Pleaſure, that 'you do not conſider the above-mentioned Time, 'limited for your Return, as intended, in any Man-'ner, to affect or interfere with the full Execution of 'the firſt and principal Object of the Expedition, 'namely, "attempting, as far as ſhall be found "practicable, a Deſcent on the *French* Coaſt at or

" near *Rochefort*, in order to attack, if practicable, " and, by a vigorous Impreſſion, force that Place, " and to burn and deſtroy, to the utmoſt of your " Power, all Shipping, Docks, Magazines, and Ar- " ſenals, that ſhall be found there, and exert ſuch " other Efforts, as ſhall be judged moſt proper for " annoying the Enemy." And with regard to any ' other particular Attempt, which, agreeably to your ' Orders, you ſhall have commenced, and in the ' Execution whereof you ſhall be actually engaged, ' it is alſo his Majeſty's Pleaſure, that you do not ' deſiſt from, or break up the ſame, merely and ' ſolely on Account of the Time limited for your ' Return by the Inſtructions above-mentioned;—but ' that, notwithſtanding the ſame, you do continue with ' the Troops during ſuch a farther Number of Days, ' as may afford a competent Time for the Completion ' of any Operation under the above Circumſtances; ' after which you are to take Care to return with the ' Forces under your Command, and the Fleet, in the ' Manner directed by your former Inſtructions.

A Paragraph of a Letter from Sir *John Mordaunt* to Mr. Secretary *Pitt*, dated *Ramilies*, *Rade de Baſque*, 30th *September* 1757, acknowledging the Receipt of the laſt mentioned Letter (the Receipt being proved by Mr. *Wood*, and admitted by Sir *John Mordaunt*) *viz.*

' SIR,

' Laſt *Thurſday* I had the Honour of yours of the ' 15th Inſtant, and am pleaſed with thinking, that ' before the Receipt of it we had judged right in ' reſolving to attack *L'Iſle D'Aix*, tho' it could not ' poſſibly be done, without breaking in ſome Mea- ' ſure into his Majeſty's Orders in regard to the ' Time of our returning to *England*.'

THREE of the Papers above-mentioned (as containing Intelligence proved by Mr. Secretary *Pitt* to have been communicated to Sir *John Mordaunt* at ſeveral Meet-

Meetings, before he went upon the Expedition) were then read, *viz.*

I. A *Letter* from Captain, now Lieutenant-Colonel, *Clerk* to Sir *John Ligonier*, dated, *London*, *July* 15th 1757.

'SIR,

'You have desired me to put down in writing, what 'I mentioned to your Excellency in regard of *Rochefort*.

'In returning from *Gibraltar* in 1754, I went along 'Part of the western Coast of *France* to see the Con- 'ditions of some of their Fortifications of their Pla- 'ces of Importance, on purpose to judge, if an 'Attempt could be made with a Probability of Suc- 'cess, in case of a Rupture, and of the *French* 'drawing away their Troops to *Flanders*, *Italy*, and '*Germany*, in the same Manner as they did in the 'last War. I had heard that *Rochefort*, tho' a Place 'of the utmost Importance, had been very much 'neglected. I went there, and waited upon the Go- 'vernor in my Regimentals, told him, that I was 'upon my Way to *England* from *Gibraltar*, and that 'I came on purpose to see the Place, the Dock, and 'the Men of War. He was very polite; I was 'shewed every Thing, went on board ten Ships of 'the Line new built, and an Engineer attended me 'in going round the Place.

'I was surprised to find, that tho' there was a 'good Rampart with a Revetement, the greatest Part 'of it was not flank'd but with Redans; that there 'were no Out-Works, no Covert-Way, and in ma- 'ny Places no Ditch, so that the Bottom of the 'Wall was seen at a Distance; that in other Places, 'where the Earth had been taken out to form the 'Rampart, there was left about them a good Height 'of Ground, which was a Disadvantage to the Place; 'that for above the Length of a Front there was no 'Rampart, or even Intrenchment, but as the Ground 'was low and marshy at that Place, being next the 'River, there were some small Ditches, which were

' dry however at low Water, yet the Bottom remain-
' ed muddy and ſlimy.

' Towards the River, there was no Rampart, no
' Parapet, no Batteries on either Side. Towards the
' Land-ſide, there was ſome high Ground very nigh
' the Place, perhaps at the Diſtance of about 150 or
' 200 Yards.

' The Engineer told me, that the Place had re-
' mained in that Condition for above 70 or 80 Years.

' I got no Plan of the Place, and put nothing
' down in writing, for I found that the whole Town
' had been talking of me, and thought it very extra-
' ordinary, that I ſhould be allowed to go about and
' ſee every Thing.

' I burnt even ſome Sketches and Remarks I had by
' me upon other Places, that they might have no
' Hold of me, in caſe they ſearched my Baggage;
' and therefore could only expoſe themſelves, as I
' had done nothing, but what was open, above board,
' and with Permiſſion.

' However, as to Utility, I was as much ſatisfied,
' as if I had got a Plan. In regard of the Profil in-
' deed, I have thought ſince, that it would not have
' been amiſs, if I had known for certain the exact
' Height of the Rampart: I think that it could not
' well exceed 25 Feet. In *Martiniere*'s *Geographical*
' *Dictionary* it is called only 20 Feet high. Perhaps
' the Parapet is not included.

' I told your Excellency, that I had never ſeen
' any Plan of the Place; but as there had been no
' Alteration in the Works for ſo many Years, I made
' no Queſtion, but that ſome old Plan of it might
' be found, which would correſpond exactly with
' what I ſaid. In the *Forces de L'Europe*, which I
' have, there is no Plan of *Rochefort*, but I found
' one in the Duke of *Argyle*'s Edition, which I bor-
' rowed and ſhewed to your Excellency. It agrees
' exactly with what I ſaid, and with the Sketch I
' drew of it before you from my Memory, except

' that

'that a regular Ditch is represented every where, 'which is not the Case.

'The River may be about 130 Yards broad. The 'Entrance is defended by two or three small Re-'doubts, which I did not see, nor could I venture 'even to go down, and examine the Coast.

'What I mentioned to your Excellency of the 'Method of insulting the Place, considering it upon 'the Footing of an immediate Assault, I have not 'put down; for tho' it may be reasoned upon in a 'general View, yet many Things can only be fixed 'and determined immediately upon the Spot. I was 'told, that there are never any Troops at *Rochefort*, 'but the Marines. There might be about 1000 at 'that Time.

'By the Expedition to Port *L'Orient* in 1746, it 'appeared to me, that the Country People in Arms 'are very little better than our own, and that an 'Officer, who possesses himself, might march safely 'from one End of a Province to another with only 'five Companies of Grenadiers, where there are no 'regular Troops. They imagine at first they can fight, 'and their Intentions are good, till it comes to the 'Point, when every Body gives Way, almost before 'the firing of a Platoon.

'In writing this I have obeyed with Pleasure, as I 'have always done, your Excellency's Commands.

'I am, *&c.* *Robert Clerk.*'

To Sir *John Ligonier.*

II.

II. A TRANSLATION of the Paper, intituled " Memoire " sur la Force actuelle " de la *France*, et les " Services, auxquels " Elle est employée " dans L'Anné 1757," (the same being proved by Mr. *Wood* to be a faithful Translation, and the Original being at the same Time laid before the Court for their Satisfaction.) *viz.*

MEMORIAL

' Of the actual Force of ' *France* by Land, and ' the Services on which ' it is employed in the ' Year 1757.

' THE *French* Army, ' at the Beginning ' of the present Troubles, ' consisted only of 157,347 ' Men, not including the ' Militia and the Invalids. ' It was composed in the ' following Manner,

French

MEMOIRE

Sur la Force actuelle de la France *par Terre, et les Services auxquels elle est employée dans l' année* 1757.

L'*Armeé* Françoise, *au Commencement des Troubles presentes, ne consistoit qu'en* 157,347 *Hommes, non comprise la Milice et les Invalides. Elle etoit composée de la Maniere suivante*;

In-

French Foot	98,330
Artillery	4,100
Foreign Foot	25,589
King's Housd. Horse	3,210
French Horse	14,520
Foreign Horse	960
Dragoons	7,680
Hussars	800
Light Troops	2,158
	157,347

'In the Month of *August* 1755, an Augmentation was made of four Companies of 45 Men each, in every Battalion of the King's Regiment, and of four Companies of 40 Men each, in every common Battalion of *French* Foot, which made in all 29,620 Men.

'About the same Time an Augmentation was made in the Dragoons, which made up every Regiment four Squadrons of 640 Men, making in all 2560 Men.

'In the Month of *December*, of the same Year 1755, an Augmentation was also made in the Horse of 10 Men a Company, in all 5560 Men.

'The Royal Volunteers and *Fischer*'s Corps were also augmented; we do not know exactly to what Number; but, according

Infanterie Francoise	98,330
Artillerie -	4,100
Infanterie Etrangere	25,589
Maison du Roy, Caval.	3,210
Cavalerie Francoise	14,520
Cavalerie Etrangere	960
Dragons -	7,680
Hussars - -	800
Troupes Legeres,	2,158
	157,347

Au Mois d'Août 1755 *on fit une Augmentation de* 4 *Compagnies de* 45 *Hommes chacune dans chaque Bataillon du Regiment du Roy, et de* 4 *Compagnies de* 40 *Hommes chacune, dans chaque Bataillon ordinaire de l'Infanterie* Françoise: *ce qui faisoit en tout* 29,620 *Hommes.*

Environ le meme Tems, une Augmentation se fit dans les Dragons, qui porta chaque Regiment à 4 *Escadrons de* 640 *Hommes montant en tout a* 2,560 *Hommes.*

Au Mois de Decembre *de la même Année* 1755, *une Augmentation se fit pareillement dans la Cavalerie, de* 10 *Hommes par Compagnie, en tout* 5,560 *Hommes.*

Les Volontaires Royaux, eo les corps de Fischer, *furent aussi augmentés; nous ne savons pas au juste de combien, mais, selon nos Avis,*

cording to our Advices, this Augmentation came to 680 Men, or thereabouts. These several Augmentations amount to 38,420 Men; and consequently, the *French* Army (without reckoning the Militia and the Invalids, which I put at above 67,000) is composed of 196,000 Men. They have, it is true, raised two new Regiments in the Country of *Liege*; but notwithstanding that, their regular Troops are under 200,000 Men.

The Islands of *Minorca* and *Corsica*, with the Colonies in *America*, take up 25,000 Men at least; they embarked in the Spring, 3, or 4000 Men for different Services in the two *Indies*; Marshal *d' Etrée*'s Army, if the Regiments were compleat, would amount to 92,000 Men; Marshal *Richelieu*'s is 32,665; a Body of 6 or 7,000 Men must also be reckoned, which they are obliged to keep in Garrison at *Toulon*, *Marseilles*, *Cette*, *Antibes*, &c. at Hand for that Part of the Coast.

Ac-

Avis, cette Augmentation alloit a 680 *Hommes, ou environ.*

Toutes ces differentes Augmentations montent à 38,420 *Hommes; et par consequent l'Armée* Françoise (*sans compter la Milice et les Invalides, que je mets au delà de* 67,000) *est composée de* 196,000 *Hommes. Ils ont, a la verité, levé deux Nouveaux Regiments dans le Païs de* Liege; *mais malgrè tout cela, leurs Troupes reglées sont au dessous de deux Cent Mille Hommes.*

Les Isles de Minorque *et de* Corse *avec les Colonies en* Amerique, *occupent au Moins* 25,000 *Hommes; Ils ont fait embarquer, au Printems,* 3 *à* 4000 *Hommes pour differens Services aux deux* Indes; *l'Armée de Monsieur le Maréchal* d'Estrées, *si les Regimens etoient complets, iroit à* 92,000 *Hommes; celle du Maréchal de* Richelieu *est de* 32,665. *Il faut aussi compter une Corps de* 6 *ou* 7000 *Hommes, qu'ils sont obligés de tenir en Garnison à* Toulon, Marseilles, Cette, Antibes, *&c. à portée de cette Partie de leur Côte.*

Selon

'According to this Calculation then, there are 160,000 regular Troops employed; there will remain about 40,000 Men for all the Garrisons from *Sedan* to the Frontiers of *Swisserland*; as also for those of *Roussillon* and *Guienne*, without speaking of *Flanders* and the *Coast*.

'We reckon about 20,000 Men placed from St. *Valery* to *Bergue*; so that we have all the Reason to believe that there cannot be 10,000 Men more from St. *Valery* to *Bourdeaux*.'

Selon ce Calcul, donc voilà 160,000 *Hommes de Troupes reglées employées; Il restera environ* 40,000 *Hommes pour tous les Garnisons depuis* Sedan *jusqu'aux Frontiers de* la Suisse, *de meme que pour celles du* Roussillon *et de la* Guienne, *sans parler de la* Flandres *et de la* Cote.

Nous comptons environ 20,000 *Hommes placés depuis* St. Valery *jusqu' à Bergue, de façon que nous avons tout lieu de croire, qu'il ne peut pas y avoir* 10,000 *Hommes de plus, depuis* St. Valery *jusqu' a* Bourdeaux.

III. THE MINUTE taken in *Arlington-street, August* 1757, containing the Examination of *Joseph Tierry*, a *French* Pilot, (a Translation being at the same Time laid before the Court, but not offered to them as authentick) *viz.*

'*Arlington-street, August* 1757.

'Present,

'Lord Anson,
'Sir Ed. Hawke,
'Lt. Gen. Sir J. Mordaunt,
'Major Gen. Conway,
'Lord Holdernesse.'

Mr. Secretary Pitt,
Gen. Ligonier,
Adm. Knowles,
Capt. Clarke.

'LE nommé *Joseph Tierry* Pilote *François*, 'Nacif de Protestant de Religion, aiant été examiné, dit—Qu'il a exercé le metier de Pilote 'sur

TRANSLATION.

JOseph Tierry *a* French *Pilot, born of the Protestant Religion, having been examined, saith,*—— *That he has been for above* 20 *Years in the Employment*

‘ ſur les Cotes de *France*
‘ au de la de vingt ans,
‘ qu'il a ſervi comme pre-
‘ mier Pilote a bord de di-
‘ vers vaiſſeaux du Roi de
‘ *France*, & nommément
‘ du Magnanime, ſur le
‘ quel il a ſervi pendant
‘ l' eſpece de vingt et deux
‘ Mois; qu'il a conduit
‘ le dit vaiſſeaux le Mag-
‘ nanime pluſieurs Fois a
‘ Rade de *l'Iſle de Aix*,
‘ et qu'il connoit bien l'en-
‘ trée & la ſortie de la dite
‘ Rade; que le chennel
‘ entre les *Iſles D' Oleron*,
‘ & de *Rhé* a trois lieues
‘ de large; qu'il y a lou-
‘ voié ſur le Magnanime;
‘ que les *Bancs* qu'il faut
‘ eviter ſont prés de la ter-
‘ re; qu'on en peut diſ-
‘ tinguer les *Briſans* a une
‘ diſtance conſiderable;
‘ qu'il y a une *Banc* nom-
‘ meé le *Boiard*, dont on
‘ me courre pas grand
‘ riſque, moiennant les
‘ *Briſans*, qui annoncent ſa
‘ ſituation; Que pour en-
‘ trer a la Rade *d'Aix*, il
‘ n' y a pas de telles diffi-
‘ cultes, qu'il ſoit neceſ-
‘ ſaire d'avoir un Pilote
‘ pour y conduire des
‘ grands vaiſſeaux; qu'il y
‘ a bon moulliage tant en
‘ dedans la Rade qu'en de-

ment of a Pilot, on the Coaſts of France, *and has ſerved as firſt Pilot on Board ſeveral of the* French *King's Ships, having been for twenty-two Months on Board the* Magnanime, *which ſaid Ship he has ſeveral Times brought into the Road of the* Iſle d'Aix, *and knows very well how to go in and out of the ſaid Road; that the Channel between the Iſlands of* Rhé *and* Oleron *is 3 Leagues broad, and that he has* turned it in and out *in the* Magnanime. *That the Shoals, which are to be avoided are near the Land, and the Breakers are to diſtinguiſhed at a conſiderable Diſtance; that there is a Shoal called the* Boiard, *which is not very dangerous, as the Breakers ſhew its Situation; that the Entrance into the Road of* Aix, *is not ſo difficult as to require a Pilot to bring in great Ships; that there is good Anchorage both within the Road, and out at Sea, in* 12 *and* 14 *Fathom Water, quite to* Bayonne.

That

‘ dehors en Mer a 12 &
‘ 14 Braſſes d'eau juſqu'a
‘ *Bayonne*.

‘ Que *l'Iſle de Aix* a en-
‘ viron ſept Miles *d'An-*
‘ *gleterre* de circuit, &
‘ une quarantaine de Ca-
‘ banes, ou Maiſons, raſ-
‘ ſemblés dans une eſpece
‘ de village; qu'il y a une
‘ Batterie de vingt quatre
‘ a vingt ſix canons de 24
‘ lb. de Bale, mais qu'il
‘ n'y a point de Fortifica-
‘ tion; que les plus gros
‘ vaiſſeaux peuvent en ap-
‘ procher de bien prés, &
‘ que le vaiſſeau le Mag-
‘ nanime *ſeul* pourroit en
‘ peu de temps deſtruire
‘ la dite Batterie.

‘ Que le plus gros vaiſ-
‘ eaux peuvent monter juſ-
‘ qu'a *Vergerot*, a deux
‘ miles *Angloiſes* de l'em-
‘ bouchure de la Riviere
‘ avec leurs Canons, & E-
‘ quipage; que la Riviere
‘ eſt fort etroite.

‘ Que l'on peut mettre
‘ du Monde a terre au nord
‘ d'une Batterie nommée *de*
‘ *Fourras* ſans etre vu du
‘ Fort, dans une praierie,
‘ ou le terrain eſt ferme et
‘ uni, a la grande Portée
‘ des Canons des Vaiſſeaux.

‘ Que de l'endroit, ou
‘ l'on met pied a terre, juſ-
‘ qu'a *Rochefort* il y a cinq
‘ miles *Angloiſes*, le Che-
‘ min

That the Iſle d'Aix *is about ſeven* Engliſh *Miles in Circumference; there are about* 40 *Huts or Houſes together in a kind of Village; that there is a Battery of* 24, *or* 26 *Guns*, 24 *Pounders, but that there is no Fortification; that the largeſt Ships may come very near it, and that the Magnanime*, alone, *might deſtroy the ſaid Battery in a very ſhort Time.*

That the largeſt Ships can go up as far as Vergerot, *two* Engliſh *Miles from the Mouth of the River, with their Guns and Men, that the River is very narrow.*

That Men may be landed to the North of a Battery called de Fourras, *out of Sight of the Fort, on a Meadow where the Ground is firm and level, and within* Random-Shot *of the Ships Guns.*

That from the Landing-Place to Rochefort, *is five* Engliſh *Miles, the Road dry, and not interſected either*

'min sec, & n'est point 'coupé par des fosses, ny 'des marais.

'Que la ville est presque 'entourrée par un ram-'part, mais que l'endroit, 'qui aboutit a la Riviere 'des deux cotés, il n'y a 'point de mur l'espace de 'soixante pas, qui n'est fer-'mé simplement que par 'une Barriere ou Palisade, 'et que le terrain pour 'aborder les dites Pali-'sades n'est coupé d' au-'cun Fossé.'

ther by Ditches, or Mordss.

That the City is almost surrounded with a Rampart, but that on both Sides, in that Place which ends at the River there is no Wall for the Length of sixty Paces, the Inclosure being only a Bar or Palisade, and the Ground to come up to the Palisade is not intersected by any Fossé.

LIEUTENANT COLONEL ROBERT CLERK, who was employed as principal Engineer on the Expedition, being sworn and questioned, Whether he was at any Time at *Rochefort?*

Answered, Yes, in the Year 1754.

Q. Whether he at any Time wrote a Letter to Sir *John Ligonier* touching the State or Strength of *Rochefort?*

A. He did in the Month of *July* last.

The Letter before read, which bears date the 15th of *July* 1757, being shewn to him, he said, that the same is of his Writing, and is the Letter he now refers to; the Contents of which he remembers perfectly.

Being desired to disclose to the Court any Matter, other than contained in the said Letter, which he judges material for the Information of the Court, as tending to shew the Practicability or Impracticability of an Attack upon *Rochefort*, so far as the same was communicated to Sir *John Mordaunt*;

He deposed, that on the 26th of *September* last he went to the Isle of *Aix* to examine some of the principal Officers of the Fort, to see if he could procure from them any Information in Regard to

Rochefort. He examined two or three at firſt, but found they would give him no diſtinct Anſwer, on which he reſolved to dine with them, and paſs the Day.—After Dinner, he told them, that he had ſpoke to two or three of the Company in Regard to the Strength of *Rochefort* and other Places on the Coaſt, but that they ſeemed very much afraid of giving him the ſmalleſt Degree of Information, but that their Caution was needleſs, as he knew the State of thoſe Places as well as any of them: On which he took out his Pencil, and drew a ſlight Sketch firſt of *Rochelle*, deſcribing its weak Parts, and then began and deſcribed in the ſame Manner the Town of *Rochefort*. He did not immediately aſk their Opinions to confirm what he had ſaid, but took the Engineer with him, who was one of the Company, and walked round the Fort; and in the Way told him, that there had been a Diſpute between him and one of his Acquaintance, who knew nothing of the Place, but by Hearſay, whether Water could be thrown round the Town of *Rochefort*, and the Ditch filled: The Engineer anſwered, it was impoſſible, upon Account of the Heighth of ſome Parts of the Ground: The Engineer added, that he had often been at *Rochefort*, but that he could not give ſo particular an Account of it, as he had done; for he had not examined it with the greateſt Attention, having always conſidered it, as an open Place.—This Circumſtance, he (Lieut. Col. *Clerk*) communicated to Sir *John Mordaunt* the next Day (being the 27th) at 9 o'Clock in the Morning, and likewiſe to Major General *Conway*, as they were walking together on the Top of the Donjeon over the Gateway of the Fort at the Iſle of *Aix*. The Anſwer Sir *John Mordaunt* gave him at the Time was, that he was of Opinion, no Credit could be given to what a *French* Engineer ſaid on ſuch a Subject, and aſked the Deponent, if he was in the *French* Engineer's Situation, whether he would have given any Information of that kind: He

 replied,

replied, " Different Men have different Characters; " for my Part I believe him."

Being aſked, Whether he was ſent by Sir *John Mordaunt* to the Iſle of *Aix* at this Time to get Information?

Anſwered, No; not at this Time.

Aſked, Whether he had any Recommendation to the Governor of *Rochefort*, which procured him the Civility he met with in being permitted to view every Thing?

Anſwered, No; that he appeared in his Regimentals openly; that he has travelled a great deal in *France*, and always in his Regimentals, and never was refuſed ſeeing any Place, but once at *Cette*, and that by a very particular Man, who refuſed the Ladies Permiſſion to walk in the Gardens.

Being queſtioned (at the Deſire of Sir *John Mordaunt*) What is meant by the Expreſſion of " a Front" uſed in his Letter?

Anſwered, He reckons it at a common Medium; thinks 320 or 300 Yards.

Q. If an able *French* Engineer had as many Workmen as he wanted at *Rochefort*, how long it would take to throw up ſuch an Entrenchment, as would make it equally ſecure, againſt a *Coup de Main*, with the reſt of the Works?

A. Every Body knows the Difficulty of anſwering a Queſtion of this Kind, as it depends much on the Nature of the Ground; likewiſe, what may be the Opinion of a very able Engineer, much ſuperior to what he pretends to be, might not entirely agree with his Sentiments; for his Part, he reckons, that Rampart was conſtructed in ſo abſurd a Manner, and the Circumſtance of the Ditch ſuch, that he imagines it not impoſſible, that ſuch an Entrenchment might be thrown up, ſo as to put it on a Footing with the reſt of the Place in a few Days Time; he cannot anſwer the Queſtion with more Preciſion.

It being Three o'Clock, *Adjourned* till Tomorrow Morning 10 o'Clock.

Thurſday,

THURSDAY, DECEMBER 15, 1757.

THE COURT being met purſuant to Adjournment,

Lieutenant Colonel *Clerk* was again called in, and queſtioned, as mention is made in his Evidence of the Heighth of ſome Part of the Ground,—Whether the Inequality of the Ground at *Rochefort* is ſuch, that any part of the Ditch muſt be *conſiderably* above High Water Mark?

Anſwered, He conceives, the upper Part is conſiderably higher, than the High-Water Mark; though it is very difficult to judge of the Level of Ground with the Eye.

Q. Whether he made any Enquiry into the State of *Rochefort*, after their Arrival in the *Baſque* Road, before the 25th of *September?*

A. On the 24th, he was ſent by Sir *John Mordaunt* from the *Ramilies*, which was lying in the Road of *Baſque*, to the Iſle of *Aix*, to examine what Priſoners he could find, who had been at *Rochefort*; and, at the ſame Time to reconnoitre the Point, which runs out from *Fouras:* He went to the Iſland, where he found Captain *Hamilton*, Aid de Camp to Major General *Conway*; who told him, that Major General *Conway* had taken ſuch Priſoners, as he found capable of giving any ſatisfactory Account, on Board Ship with him; upon which, after ſpeaking to ſome of the Priſoners, and not receiving any Satisfaction, and giving himſelf the leſs Trouble, as Major General *Conway* had done that Part already, he went on Board a Ship; and, after Dinner, aſked Captain *How* to go along with him to reconnoitre the Point of *Fouras*; and propoſed to him to go on Shore, which was agreed to: They went accordingly, as did alſo Mr. *Boyd* and Mr. *Williams*; and after walking a Couple of Miles over a ſpongy Neck of Land, which is overflowed at High-Water, they came upon the ſolid Continent, when he thought it not proper to proceed any farther; leſt, if they ventured beyond the

Neck of Land, they might be ſurrounded, or cut off. They ſaw *Fouras* diſtinctly, that is to ſay, the Walls; they could not ſee the Fortifications, as they viewed it by Moon-light, and believes, upwards of an *Engliſh* Mile diſtant; they alſo ſaw a Fire, like the Flaſh of a Pan, about a Mile off, which made him propoſe to return on Board Ship: Mr. *Boyd* ſaid, he heard a Fuzee go off; but the Deponent cannot ſay, he did:——They heard afterwards, from a Battery or Redoubt, (which is called Fort *d'Aiguille*) a Beating to Arms; they heard it very diſtinctly; but he cannot ſay at what Diſtance.

Q. If he can recollect, how the Wind was at that Time?

A. It was perfectly calm.

Q. Did he make any Obſervations in that Walk?

A. He don't remember any thing of Conſequence; he reported it next Morning to Sir *John Mordaunt*.

Q. Whereabouts he went on Shore?

A. At the Point of Land called Iſle *Denis*; it runs out from Fort *Fouras*.

Q. Did he land immediately on the Shore?

A. They landed on a Rock, between which Rock and the ſolid Continent is the ſpongy Ground he has ſpoken of.

Q. When did he leave *Gibraltar?*

A. In *September* 1753.

Q. As he mentions in his Letter having been at *Rochefort* in the Year 1754; Whether he has at any Time in the Interval of three Years, between that and 1757, mentioned the Obſervations he made there?

A. He has ſpoke of them to one or two People, who, he believes, may have mentioned them; and indeed, he ſpoke of them with an Intention they ſhould be mentioned. The Letter to Sir *John Ligonier* was wrote by Sir *John*'s Order, and aroſe from ſome Converſation, which had before paſſed on the Subject, Sir *John* deſiring him to put his Obſervations in Writing.

Q. Whe-

Q. Whether he had any Discourse with Sir *John Ligonier*, in relation to *Rochefort*, before *July* 1757, being the Month, in which his Letter is dated?

A. He does not know, that he mentioned any Thing of *Rochefort* to Sir *John Ligonier* in particular, before *July* 1757.

Q. (By Desire of Sir *John Mordaunt*) Could he observe any Bank or Dyke at *Rochefort*, which separated the dry Fossé from the wet one?

A. He remembers none; he is absolutely clear in his Opinion, it was impossible to let the Water in all round.

Q. (by the Court.) Whether if he had been in *Rochefort*, and the Defence of the Place had been left to him, as an Engineer, and he had had ten Days Notice of a Force marching up, he could have put it in a sufficient Posture of Defence against a *Coup de Main?*

A. No; but that depends greatly upon the Number of the Garrison. He explained, that, what he understands by a *Coup de Main* is taking a Place in one, two, three, or four Days Time, without a regular Attack.

Q. Could it have been attacked without opening Trenches?

A. Yes.

Q. Had they scaling Ladders with them?

A. They had scaling Ladders 30 Feet high; and the Ramparts at *Rochefort* were but 25 Feet at the highest, taking in the Parapet; for in his Letter to Sir *John Ligonier* he put down every thing at the highest.

Q. If *Rochefort* could not have been taken under three or four Days, whether Artillery would not have been necessary to facilitate the taking of the Place?

A. Undoubtedly, Artillery would have been proper; but perhaps not absolutely necessary.

Q. Had they such Artillery?

A. They had Artillery for that Purpose; and as much, as he judged proper, *viz.* Six 24 Pounders,

and four 12 Pounders, together with ſpare Carriages.

Q. Does he think the Artillery could have been landed with tolerable Eaſe?

A. He thinks, very eaſily, at *Chatelaillon* Bay.

Q. Whether that is on the *Rochefort* Side of the *Charente?*

A. Yes.

Q. How near could the Tranſports come, in order to land the Troops?

A. The Report of the Rear-Admiral and Captains of Men of War anſwers that Queſtion.

Q. (At Sir *John Mordaunt*'s Deſire) What Day he made himſelf Maſter of the Nature of the Coaſt?

A. The firſt he heard of the Report of the Rear-Admiral and Captains was from Captain *Buckle* on the 25th; and he was afterwards more fully informed on the 28th, and in the Way home.

Q. Does what he ſays, in regard to landing the Artillery, ariſe from an Opinion he formed upon the Spot, or what he has heard ſince?

A. He formed that Opinion on the Spot; on any ſandy Beach, he imagines, wherever Troops can land, Artillery can be landed.

Q. Was he ever preſent and aſſiſting at the Attack of any Place?

A. He was at the Siege of *Bergen-op-zoom*, a Volunteer, and taken Priſoner the Day of the Aſſault; he was alſo at *Port l'Orient*, Engineer in Ordinary, which now gives the Rank of Captain; and went a Volunteer with Sir *John Mordaunt* to *Oſtend*, but they did not arrive, till after the Siege; he ſaw the Attack, and was afterwards in the Trenches.

COLONEL *JAMES WOLFE*, (employed as Quarter-Maſter-General on the Expedition) being ſworn, and deſired to declare whatever he knows material for the Information of the Court, tending to ſhew the Practicability, or Impracticability, of a Deſcent on the *French* Coaſt, in Order to an Attack upon *Rochefort* at any Time while the Expedition was on Foot,—Depoſed, That Sir *John Mordaunt* ſent

Colonel

Colonel *Howard*, Lieutenant-Colonel *Murray*, and himself, on the 29th of *September*, to view the Bay of *Chatelaillon*. They went first on board the *Viper* Sloop, which anchored nearest to the Land, and had but a very imperfect View of the Land from thence; Colonel *Howard* in particular had a good deal of Conversation with the Captain of the Sloop, with regard to the Observations he had made. Not thinking they saw any thing distinctly enough from thence to make a Report upon, they went in a Boat, and rowed within the great Bay of *Chatelaillon*, within a Mile and a half of the Coast, being as near as they could venture with Safety; and the Report they made to Sir *John Mordaunt*, when they returned was, that they had not seen any Entrenchments, Redoubts, Batteries, or Troops, to prevent their landing in the great Bay of *Chatelaillon*: That they had seen six Pieces of Artillery upon the Point of *Chatelaillon*, and that the Sand Hills on the Shore were high enough to conceal the Motions of any Troops behind them (even Horse he believes) from Boats rowing to the Shore. They further reported, what Information they had received from the Captain of the *Viper*, namely, That some Days before that, he had seen a Number of Men on the Coast with Colours (but the Captain could not ascertain the Number) marching from the Side of *Rochelle* to the great Bay of *Chatelaillon*, down to the left of the Point. and that those Men had been working in the Sand Hills three or four Days, he is not sure which, and had changed the Form of them.—He added, that before they went out of the *Viper*, they saw some Guards, or Posts, upon the Shore of the lesser Bay, just upon the Edge of the Coast.

Being asked, Whether their Report was made previous, or subsequent, to the Resolution taken of returning to *England*?

Answered, It was made about Five o'Clock in the Evening of the 29th; he cannot say, whether before or after that Resolution, as he does not know at what Time of the Day that Resolution was taken.

Being aſked, Whether ever he was ſent out to reconnoitre before the 29th?

Anſwered, That he was not ſent out to reconnoitre before; but went out by Sir *John Mordaunt*'s Leave, rather than being ſent, about one o'Clock of the 23d, during the Attack of the Iſle of *Aix*, and came to the Fort a little while after it ſurrendered. He landed, and got upon the Ramparts, and from thence viewed *Fouras* and the Land about it; he ſtayed as little while as he could, and then returned immediately to the *Ramilies*, which was anchored at a conſiderable Diſtance from the Iſle of *Aix*, and made a Sort of a Report, of what he had obſerved, to Sir *Edward Hawke* and Sir *John Mordaunt*. He mentioned the Situation of *Fouras*, as it appeared to him, and took Notice of what he thought to be the Strength of it, to the Admiral and the General, which he was induced to do, as nobody elſe within his Knowledge had done it, and took the Liberty of ſaying to Sir *Edward Hawke*, that he believed, if the Depth of Water would allow of coming near enough, a Ship would batter it down very eaſily, or at leaſt would ſo far take the Fire of the Fort upon the Ship, that the Troops might very ſafely land round about it;—what he ſpoke of the Land on the other Side of the Fort was from Conjecture only. Sir *Edward Hawke* at that Time ſeemed to embrace the Propoſal with a great deal of Warmth, and Sir *John Mordaunt* ſo far approved of it, that he has been told, that Sir *John* and the other Generals the next Day made the Propoſal in a more formal Manner to the Flag-Officers.—The Deponent believes, he ſaid to Sir *Edward Hawke*, that, as he ſuppoſed, the Pilot of the *Magnanime* could very well inform him of the Depth of Water; and as the Admirals and Generals did not appear to diſapprove of his ſpeaking upon that Point, he juſt hinted to Sir *Edward Hawke*, that it might not be amiſs to cauſe ſome Diverſion on the Side of *Rochelle*, to divide the Enemy's Attention, which he apprehended might be done by means of the Bomb-ketches; he mentions

this

this particularly, as Sir *Edward* had ſo far agreed to it, that he ſent both for the Pilot and the Bomb-ketches up from the Iſle of *Aix* that Night, as he believes, the Deponent having ſuggeſted to him his Opinion, that there was not a Moment's Time to be loſt.—The next Morning the Deponent, not having been able himſelf to ſee the Ground on the other Side *Fouras*, ſpoke to the Pilot, and aſked him ſome Queſtions concerning that Ground, particularly, whether a Body of Men, being conveyed in Boats or Cutters, could be landed during the ſuppoſed Attack by Sea, between *Fouras* and Fort *la Pointe*, ſo as to cut off the Communication from *Rochefort*. The Pilot ſeemed clearly to underſtand his Notion of the Attack, and of landing at the ſame Time on both Sides the Fort, and told the Deponent he could, or believed he could, (he cannot ſay poſitively which) take the *Magnanime* up to batter the Fort; as alſo, that the landing between *Fouras* and *la Pointe* was very practicable, ſuppoſing the Fort to be attacked, as propoſed, at the ſame Time.

Being aſked, at the Deſire of Sir *John Mordaunt*, whether, on the Evening of the 23d, Sir *Edward Hawke* did not tell him, that he intended the next Morning to ſend up a Ship to batter *Fouras*?

Anſwered, He underſtood Sir *Edward Hawke*'s Intentions to be ſuch.

Aſked, (by the Court) What Number of Men he apprehends could have been landed in the Boats?

Anſwered, In all the Boats of the Fleet he conceives 22 or 23 Hundred Men; he means, Infantry.

Aſked, (by Deſire of Sir *John Mordaunt*) What Number of Troops, under a good Officer, might have been ſufficient to prevent their Landing in *Chatelaillon* Bay out of Boats?

Anſwered, This is only Matter of Opinion, and depends intirely on the Goodneſs of the Officer; but according to his Notions, he ſhould imagine a thouſand regular good Foot, and two or three hundred

Horſe,

Horſe, excluſive of Artillery, would make it very difficult for 22 or 23 Hundred Men to land there.

Aſked, (by the Court) when the Men were in the Boats, how far had they to row to Land?

Anſwered, The Tranſports were anchored at different Diſtances; they were, one with another, about four or five Miles from the Shore.

Aſked, In what Boats the Men were intended to be landed?

Anſwered, In the Long boats of the Men of War and Tranſports, which muſt have been towed by the Row-boats and Pinnaces, as the Wind was off Shore, *on the* 28*th*. When the Wind was fair, he believes it might be poſſible to ſet S[illegible] the Purpoſe of landing.—The Tranſports had ea[illegible] f them a Long-boat, and moſt of them two or three rowing Boats.

Aſked, How near he was at any Time to Fort *Fouras?*

Anſwered, The neareſt Diſtance he ever was to Fort *Fouras* was on the *Donjeon* at the Iſle of *Aix*, which is about five Miles from the Fort, as he judges.

Aſked, How near the Sand Hills were to the Water?

Anſwered, They ſeemed to be pretty near at High Water; they are, as they ſay, about Fifty Yards from High-Water Mark.

Aſked, At what Diſtance the landing could be made from the Six Pieces of Artillery mentioned in his Evidence?

Anſwered, That it depends on the navigating of the Boats; but he conceives it poſſible to land intirely out of the Reach of that Artillery.

Aſked, How does he compute the 22 or 23 hundred Men, which he ſuppoſes could have been landed at once?

Anſwered, Sir *John Mordaunt*, by his Orders on the 28th, had provided, that the Boats ſhould not be too much crowded; and the Deponent took ſome Pains to enquire, how many Men had been embarked,

ed, and how many were intended to be embarked; and from thence he made this Calculation, but cannot pretend to be exact.

REAR-ADMIRAL *THOMAS BRODRICK* being sworn, was asked, What Day the Fleet, sent out upon the Expedition, arrived off the Coast of *France?*

Answered, Thinks, the 20th.

Q. What Day they got within the *Basque* Road?

A. The 22d or 23d; thinks the 23d; the Attack of the Isle of *Aix* was made the same Day.

Q. Whether he was at any Time sent out to reconnoitre, and make Soundings?

A. He was sent out the 23d in the Afternoon by Sir *Edward Hawke*, and was upon that Service all Night, and continued upon it, he thinks, till 3 or 4 o'Clock the Afternoon following, when he returned, and immediately made his Report to Sir *Edward Hawke*.

A PAPER, purporting to be a Copy of the said Report, being produced and shewn to Rear-Admiral *Brodrick*, he perused and considered the same, and informed the Court, that he believes it to be an exact Copy of the Report made by him to Sir *Edward Hawke*, jointly with the three Captains sent with him upon that Service, which was then read in Words following:

'In Pursuance of an Order from Sir *Edward Hawke*, 'Knight of the Bath, Admiral of the blue Squa-'dron of his Majesty's Fleet, &c. Dated the 23d 'of *September*, 1757;

'WE the under written went and sounded the 'French Shore from *Rochelle* to Fort *Fouras*, 'and find as follows.

'From the south Point of the Entrance of *Rochelle*, '(on which Point there are 27 Guns mounted on Bar-'bet) to the Point of the *Angolin*, we find it a rocky 'Shore, and steep Clifts, with Shoals near two Miles 'off; from *Angolin* to *Chatelaillon*, we find a fair, hard, sandy,

' ſandy Beach, with a Flat lying off near two Miles, ' having but three Fathom at High Water at that ' Diſtance, but clear Ground, along which Beach ' are Sand Hills about Fifty Yards from the Top of ' High Water. On the Point of *Chatelaillon* are two ' Guns on Barbet, which can no Ways annoy the ' landing of the Troops in the Bays of either Side of ' it; and off which Point runs a Riff of Rocks Weſt ' two Miles, which are dry at low Water; and ' round the ſaid Point, about half a Mile to the ' Eaſtward, there is a ſmall ſandy Bay near half a ' Mile long, and the Land over the ſaid Bay riſes ' with an eaſy Aſcent about a Quarter of a Mile to a ' Church or Convent, with a few Houſes near it; ' from the ſandy Bay, along to a ſquare Fort on the ' ſouth Part of the Bay, lies a long flat Mud, which ' is dry near two Miles at low Water.

' It is our general Opinion, the Tranſports cannot ' come nearer to either of the foreſaid Bays (in order ' to land Troops) than a Mile and an half, as we ' found three Fathoms only at that Diſtance at High ' Water.

' The ſquare Fort on the ſouth Side of the Bay we ' could only ſee two Sides of; the Face to the North-' Weſt had nine Embrazures, and that to the North-' Eaſt only two.

' Given under our Hands, on board his Majeſ-' ty's Ship *Ramilies* in *Baſque* Road, this 24th ' of *September*, 1757.

' THOMAS BRODRICK.
' JAMES DOUGLAS.
' PET. DENNIS.
' MATT. BUCKLE."

Rear-Admiral *Brodrick* being aſked, as the Report only mentions Tranſports, how near the Men of War could come to the Shore?

Anſwered, In his Opinion, not nearer than Two Miles.

Q. What

Q. What Sort of landing there was for Boats, in the great Bay of *Chatelaillon?*

A. It was a fair ſandy Bay, hard Ground, and a landing might have been made with Eaſe, in his Opinion.

Q. Whether he ſaw any Troops to obſtruct the landing, had it been attempted ſoon after his Return from the Soundings?

A. When he was ſounding, he did obſerve Troops to the Northward of the Bay of *Chatelaillon*, to the beſt of his Judgment, about four or five hundred Foot drawn up on a Hill, and in the Bottom, to the Northward of the Hill, were about one hundred and fifty Horſe, as near as he could judge.

Q. How far, according to the beſt Information he received, is the great Bay of *Chatelaillon* from *Rochefort?*

A. It is about 9 Miles, as he was told, from *Rochefort*, and 9 Miles from *Rochelle*; but cannot take upon himſelf to ſay, it is ſo.

Q. (By Deſire of Sir *John Mordaunt*) Could the Men of War have covered the Landing and the Retreat?

A. He don't think they could do either the one, or the other.

Q. Does he think, ſeparated as the Fleet then was, conſidering the Wind and Tide, (of which Circumſtances he is the moſt proper Judge) that all the neceſſary Preparations could have been made, ſo as to have effected the landing that Night?

A. He does not think, they could.

Q. (By the Court) Could he, by the help of a Glaſs, obſerve how the Troops were cloath'd, whether in Regimentals, or otherwiſe?

A. They were at too great a Diſtance to diſcover that.

Q. What Number of Men, in his Opinion, not crowding the Boats, could have been landed together?

A. It

A. It was generally thought, in all the Boats, they could have landed from fifteen to eighteen hundred Men; they put but very [illegible] in the Boats, that were to tow the Long-boats; [illegible] is only Matter of Opinion; he cannot possibly ascertain the direct Number.

Q. In case 1800 Men were put on board the Boats; whether he does not imagine there would be a considerable Distance of Time between the disembarking the first Men, and the last of the same Embarkation?

A. He should have thought it his Duty to have contrived so, as that all the Boats should have landed together.

Q. Supposing it moderate Weather, (upon the 25th of *September* for Instance, if that was such Weather) what would have been the Distance of Time between the first and second Disembarkation?

A. He cannot pretend to say; he never considered it in moderate Weather; and as to the 25th of *September*, he cannot particularly recollect, how the Weather was that Day.—On the Night of the 28th, in which Preparation was made for landing, it would have taken at least six Hours; but not near so much in good Weather.

THE EVIDENCE in Support of the Charge being rested here, Sir *JOHN MORDAUNT* was told it was now Time to make his Defence; who informed the Court, that he had caused some Thoughts to be put in Writing, which, as he had an Hesitation in his Voice, he prayed the Court would permit to be read; and the same were read accordingly, as follows, *viz.*

" My Lord,

" His Majesty was pleased to confer upon me the " Command of the Land-Forces appointed to co- " operate with a Squadron of Ships of War, com- " manded by Sir *Edward Hawke*, to be employed " upon the late Expedition: The Enterprize proved " ineffectual. Soon after my Return I was sum-

" moned

" moned to appear before a Board of General Of-
" ficers, whom his Majesty had appointed to enquire
" into the Causes of the Failure of the Expedition.

" I appeared upon the Enquiry, and was con-
" sidered as a Person accused, and from whom a De-
" fence was expected.

" The Enquiry had all the Appearance of a Pub-
" lick Trial, except in two Circumstances,—The
" Witnesses were not examined upon Oath, and I,
" who stood accused, was examined; which Exami-
" nation might, in its Tendency, produce, if the
" Case would bear it, a Charge against myself.

" I am now called upon in a Court-Martial to an-
" swer to a general Charge of Disobedience of his
" Majesty's Orders. No Intimation was given me,
" to what particular Instances of Disobedience it
" would be applied.

" I do not complain of these Proceedings; my
" own Conduct gives me nothing to apprehend; and
" his Majesty's Government is incapable of Oppres-
" sion.

" I am not sensible, that any Error, I am sure, no
" Act of Disobedience will be found in my Share of
" the Transaction.

" I am now accused of Disobedience of the secret
" Instructions. It is a criminal Disobedience that is
" imputed to me, and a criminal Disobedience im-
" plies a positive Direction.

" It is upon this Ground, that the Prosecutor has
" proceeded; and in order to make out the Charge,
" there have been produced certain Papers and Wit-
" nesses, which ought to be considered in two Lights.
" —1st. Some relating to a Transaction previous to
" the Expedition, as Colonel *Clerk*'s Letter, the
" Pilot's Examination, the Paper relating to the
" *French* Forces, and the Evidence of Mr. Secretary
" *Pitt*.

" These are only introductory, and the Ground of
" the Equipment, and prior to the Instructions; and
" therefore although they are sufficient to shew the
" Reasons

" Reasons, why the Administration sent out the Fleet
" and Forces, yet such Evidence can never be ap-
" plied to prove a subsequent Disobedience to poste-
" rior Orders; and that this Reasoning is just, ap-
" pears from the very Article on which the Charge
" is founded.

" For notwithstanding the Ministers were possessed
" of all this Evidence, and acted upon it, yet my
" Instructions were not positive; but the Operations
" were expressly left to what should be discovered of
" the Practicability of the Attempt.

" The second Sort of Evidence was by some Wit-
" nesses to prove, That in Fact there was sufficient
" Ground newly discovered, after the Fleet got into
" the *Rade de Basques*, to shew that the Attempt
" upon *Rochefort*, mentioned in the Instructions, was
" practicable.

" This Sort of Evidence has been carried down to
" the Morning of the 29th of *September*, and no
" later.

" The Evidence under this second Head is the
" only Evidence, that can legally and justly be ap-
" plied to prove the Charge against me.

" That Evidence consists of Colonel *Clerk*'s Ac-
" count of a Conversation with a *French* Engineer
" upon the 26th of *September* in the Afternoon.

" Whether the Evidence of this single *French* En-
" gineer deserved the Weight, which the Prosecutor
" seems to lay on it, will appear very clearly when
" I have opened my Defence, and the Court is fully
" possessed of all the Facts relative to this Subject.

" In the mean Time this may be observed, That
" Colonel *Clerk*, the Chief Engineer in the Expe-
" dition, produced no new Intelligence 'till the 27th,
" altho' he arrived on the 23d, was examined at the
" Council of War on the 25th, procured this Ac-
" count on the 26th, and did not communicate it
" till the 27th.

" Colonel *Wolf*'s Evidence is confined altogether
" to the Observations he made upon the 29th in

" Con-

" Consequence of the Orders I had given him to
" examine the Coast; and what was done upon the
" 29th will appear to the Court, and be accounted
" for hereafter.

" Thus much may be here observed, That we had
" unanimously determined upon the 28th to attempt
" a Descent in the Bay of *Chatelaillon.* The At-
" tempt was disappointed, and not renewed for the
" Reasons that will be mentioned, when I come to
" that Part of my Defence.

" A Memorandum has been delivered in by the
" Secretary of State, shewing the Number of the
" Land-Forces in *France* in 1757. By that it ap-
" pears, (allowing the Account to be just) that
" 40,000 Regular Troops remain at Home for the
" Defence of their Country, which are supposed to
" be distributed in such a Manner, that only 10,000
" are left to guard the whole Coast from *St. Valeri*
" to *Bayonne.* 'Tis evident from reading the Pa-
" per itself, that the Distribution of the Regular
" Troops is Matter of Guess and Computation, not
" of Intelligence. Besides the Regular Troops, it
" is allowed that there are 67,000 Militia, Invalids,
" *&c.* which are not accounted for.

" A few Reflections will suffice to shew the Weak-
" ness of this Reasoning. In the first Place, Why
" should the Court of *France* place 30,000 Regular
" Troops in Garrisons, where they have nothing
" to fear? For Instance, on the Frontiers next the
" Dominions of the Empress, who is entirely at
" their Mercy; or on the Coast of the *Mediterranean,*
" where they have no Descent to fear from a Fleet
" that has no Land-Forces on board; or on the Bor-
" ders of *Spain,* with whom they are at Peace, and
" but too well allied, only to leave her Coast in the
" Channel exposed to our Fleets, who are professed-
" ly watching for an Opportunity of insulting them.
" Why might not the 67,000 Militia, who appear
" to have nothing else to do, be employed in guard-
" ing the Coast? And we must take care not to

 " form

" form a Notion of their Militia from our own. " Many Regiments of them have seen Service in the " Field; most of them have been in Garrison. Two " Regiments of the Militia were employed in the " Siege of *Ostend*. Now why might not 30,000 of " them be placed in the Frontier Garrisons, where " no Enemy was apprehended, and an equal Num- " ber of Regulars be drawn down to the Coasts? " These along with the rest would form a Body of " 40,000 regular Troops, and 37,000 Militia to " guard the Coast against our Ten Battalions. This " Measure, which we suppose them to have taken, " was prudent, obvious, and practicable. The Pre- " parations we were making in *England*, pointed out " to them the Expediency of it, and the Delays that " attended our Preparations allowed them Time to " execute it.

" Here the Prosecutor has thought fit to rest his " whole Charge and close his Accusation.

" And in order to shew the Weakness of it, the " Court will consider the Instructions, under which " I took the Command, and the Circumstances un- " der which I was obliged to form my Judgment.

" The Instructions have been read, and it is the " second Article alone, by which the Charge against " me is to be supported. But besides this Article, " the fifth Article of the Instructions is equally ma- " terial, and deserving the Attention of the Court.

" The Words of the second Article are exceed- " ingly plain, and shew, that I did not set out un- " der peremptory, positive Orders, but that every " Attempt was left contingent to be determined ac- " cording to the Practicability to be judged of upon " the Spot. I say, to be judged of upon the Spot, " because it is very material to remark, That it " was not judged of, or determined upon here at " Home.

" The Court will also observe, who was the Per- " son to judge; certainly the Commander in Chief. " But as in a Case of so much Importance, his Ma-

" jesty

" jesty thought it proper to assist that Commander
" with a Council to be composed, as in the fifth Ar-
" ticle, I may confidently assert, that the Judge-
" Advocate will not contend, that I could disobey
" his Majesty's Instructions by taking the Assistance
" of a Council so appointed.

" It could not be Disobedience to doubt.

" It could not be Disobedience to desire Assistance
" to clear up that Doubt.

" If it was possible for the Court to hesitate upon
" the proper Sense of these Instructions, Mr. Se-
" cretary *Pitt*'s Letter of the 13th of *August* makes
" it clear to a Demonstration; in which he says,
' He is commanded to signify his Majesty's Pleasure,
' That you should, in Conformity to the Latitude
' given by his Majesty's Instructions, judge of the
' Practicability of the Service upon the Spot, ac-
' cording as the contingent Events and particular
' Circumstances may require.'

" If this could require further Explanation, what
" arises upon t' third Article of Instructions re-
" lative to *Port* . *Orient* would establish it.

" The Direction to attack *Port l'Orient* is expressed
" in the same Manner as the second Article, with
" regard to *Rochefort*, that is," ' If it should be
' judged practicable.'

" Yet it will appear, that one of the Generals men-
" tioning the State of *Port l'Orient* to Mr. *Pitt*, Mr.
" *Pitt* said, That though *Port l'Orient* was named
" amongst other Places to be attacked, the Instruc-
" tions were not meant to confine me, but that I was
" left to my Discretion to attempt it, or not, as I
" thought proper.

" Under these Instructions, and with this Latitude,
" I took the Command of the Land-Forces, and be-
" fore I produce to the Court that Judgment, which
" was formed upon the Practicability upon the Spot,
" I must desire your Attention, whilst I state the Cir-
" cumstances under which it was necessary for me to
" determine.

" The only Place for landing the Forces, which " had ever been mentioned, or come under Con- " ſideration in *England*, was a Spot near Fort *Fouras*; " that was the Place mentioned by the *French* Pilot. " His was the only Information of any Place to land " at, at all: With the View of landing there, we ſet " out; but when we came there, we found a Fort " erected upon the very Spot, of which he appeared " to have no Knowledge.

" Upon the 23d the Iſle of *Aix* was taken, and " that ſame Evening Sir *Edward Hawke* declared his " Intentions to bombard *Rochelle*, and lay up a Ship " to batter the Fort of *Fouras*, and he ſent for the " Pilot of the *Magnanime* to inform himſelf con- " cerning the beſt Manner of doing it; and the Con- " verſation of this Evening was upon taking the Fort, " and upon the Method of landing the Troops.

" Early in the Morning of the 24th the Pilot of " the *Magnanime* came on board the *Ramilies*, and " was examined in the Preſence of Sir *Edward Hawke* " and Admiral *Knowles*; he then ſaid, He would " undertake to bring up the *Barfleur*, or the *Magna-* " *nime*, within a Quarter of a Mile of Fort *Fouras*, " Sir *Edward Hawke* approved of the Propoſal, and " ſaid, 'That will do.'

" The ſame Morning Major General *Conway* came " on board the *Ramilies*, when we conſidered of a " Plan he had concerted for the landing of the " Troops near *Fouras*, whilſt the Ships were em- " ployed to ſilence the Cannon of the Fort, and " Feints were to be made in another Part to amuſe " the Enemy.

" Major General *Conway* wrote the Particulars of " the Plan, and gave it to Sir *Edward Hawke*, who " did not approve of it. The Reaſons he gave for not " attempting to attack *Fouras* by Sea were peculiar " to his own Profeſſion, and I am no Judge of them. " This I know, that had the Fort been attacked by " Ships, I ſhould certainly have attempted to have " landed the Troops near that Fort.

" The

" The ſame Day about three or four o'Clock in
" the Afternoon Admiral *Brodrick*, with three Cap-
" tains of the Navy, who were ſent out to ſound
" the Shore from *Rochelle* to Fort *Fouras*, came on
" board the *Ramilies*, and made their Report; the
" Subſtance of which was, That there were only
" two landing Places, one on each Side of *Chate-*
" *laillon*; that there was a hard ſandy Beach, and
" that behind the Beach there were Sand-Hills about
" fifty Yards from the Top of high Water; that
" the Tranſports could not come nearer to either of
" the aforeſaid Bays, in order to land the Troops,
" than a Mile and a half; and that there was but
" three Fathom Depth at high Water, near two
" Miles from the Shore. From this Report it ap-
" peared, That the Fleet could not approach the
" Shore near enough to cover our landing, and
" Troops and Artillery might eaſily be concealed
" behind the Sand-Hills to oppoſe us; and we had
" the more Reaſon to expect an Oppoſition, as the
" Rear Admiral had ſeen Troops marching on the
" Shore: Add to this, that the Garriſon of *Rochelle*
" was within two Leagues, and might detach a con-
" ſiderable Body of Men to attack us; at the ſame
" Time, the Ships were at too great a Diſtance to
" ſecure our Retreat, or preſerve a Communication
" with us. *Thierri*, the Pilot of the *Magnanime*,
" alſo affirmed, that he had been ſix or ſeven Weeks
" on board in that Road, in all which Time it was
" impoſſible from the Swell of the Sea to ſend a
" Boat on Shore: This great Swell is owing to we-
" ſterly Winds ſetting into the Bay from the Ocean;
" which Winds were now daily expected, it being
" near the Time of the Equinox.

" And what great Attention ought to be paid to the Se-
" curity of our Retreat, and the preſerving a Communi-
" cation with the Ships, will appear from a Paper given
" me by Sir *John Ligonier*, now Lord Viſcount *Ligonier*,
" Commander in Chief of his Majeſty's Land Forces,
" whoſe long Experience and great Abilities in the Art

" of War, will surely vindicate any Officer, who is guid-
" ed by so good an Authority: This Paper, containing
" his Observations on the intended Expedition, was, as
" I remember, read before the Council, and, when I
" desired a positive Order, he gave me that Paper.

" The Paragraphs are as follow."

' If an Attempt is to be made on *Rochefort*, it
' will be the Part of the Admiral to know the
' Coasts, to bring the Troops to the nearest Place,
' to cover the Landing by the Disposition of his
' Ships, and to destroy any Barbette Batteries,
' which the Enemy may have on the Shore, still
' remembering, that if the Troops are landed at
' too great a Distance from the Place, the Design
' will become dangerous, and probably impracti-
' cable.

' A safe and well secured Communication be-
' tween the Camp and the Sea, from whence you
' are to receive your Supplies of all Kinds, is abso-
' lutely necessary --- the whole depends upon it;
' But this being done, I should not be much in
' Pain for the Safety of the Troops; an inferior
' Number dares not approach you, and one supe-
' rior will not be easily assembled without your
' knowing it, and at all Events you have secured a
' Retreat to the Ships.'

" Tho' the Success of this Enterprize depended
" entirely upon the Suddenness of its Execution, yet
" it was apparent from many Circumstances, that we
" could not hope to find the Enemy unprepared. I
" had already received Intelligence from the Admiral,
" that Captain *Cleveland*, on the 17th of *August*, had
" spoke with a *Dutch* Convoy from *Rochelle*, and that
" the First Lieutenant of a Man of War came on
" board him, and told him, that the *French* expected
" the *English* at *Rochelle*.

" Captain *Proby* also had reported to the Admiral,
" that he had, on the 11th of *September*, spoke with
" the

" the Master of a *Dutch* Ship from *Vannes* to *Dort*, " who told him, that the *French* expected to be at- " tacked at *Rochelle*, or *St. Martin*'s, by the *English*, " and that an Embargo was laid on all Shipping in " *France*.

" After the Transports had been taken up, and the " Troops assembled near two Months, we sailed the " 8th of *September*; and the Alarm was given on the " 20th, in the Neighbourhood of *Rochefort*, by the " Arrival of our long expected Fleet; from the 20th " it must have been at least eight Days before we " could have come to *Rochefort*, and as there was In- " telligence from two Persons, that the Ditch round " the Town was capable of being filled with Water, " an Escalade could not be attempted with any Hopes " of Success; nor could it be supposed, but that, af- " ter so long Notice of an Enemy's Approach, the " Town would be put in a good Condition of De- " fence.

" There was a Marshal of *France* either at *Rochelle* " or *Rochefort*, and by the Accounts of the Pri- " soners, there was an Army assembled; one said he " had seen seventeen Battalions in the Isle of *Rhé*, " and eleven at *Rochelle*. There are always Marines " there, the Place is very populous, and the Men used " to Arms; the Dock-men are very numerous, and " the Crews of the five Ships then in the River, a- " mounted, if compleat, to near three Thousand " Men.

" As for the Opening mentioned by Colonel *Clerk* " and the Pilot, it is plain from its Situation on the " Banks of the River, that it was defended by the " Fire from the Ships, and the Enemy in two or three " Days Time might easily have raised an Entrench- " ment in that low marshy Soil, that would be a suffi- " cient Defence against a *Coup de Main*.

" Admiral *Brodrick* said, that it was impossible to " land the 24th.

" I now found myſelf in the Situation I had men-
" tioned to Mr. *Pitt* in my Letter of the 11th of *Au-*
" *guſt*, having actually been ſeveral Days off the Coaſt
" without being able to get into the Road, and the
" Alarm was already given. I had acquainted Mr.
" *Pitt*, that I looked upon this as a delicate Situation,
" ſince the Succeſs of the Enterprize depended on the
" Suddenneſs of its Execution, and had deſired par-
" ticular Directions how to act. In his Anſwer, *Au-*
" *guſt* 13, he ſays, he has laid my Letter before his
" Majeſty, and that he is commanded by the King to
" ſignify to me his Majeſty's Pleaſure, that I do, in
" Conformity to the Latitude given by his Majeſty's
" Inſtructions, judge of the Practicability of the Ser-
" vice upon the Spot, according as the contingent E-
" vents and particular Circumſtances may require,
" the King judging it highly prejudicial to the Good
" of his Service to give particular Orders and Direc-
" tions with regard to poſſible contingent Caſes, that
" may ariſe.

" From this Anſwer I thought it evident, that I
" was impowered to act, as Events and Circumſtances
" required; and it appearing by the Circumſtances
" abovementioned, that we had been already ſeen for
" many Days on the Coaſt, ſo that the Coaſt was
" thoroughly alarmed; that by the ſmall Quantity
" of Artillery, we could not attack the Place in Form,
" and by the Circumſtances relating to it, there were
" no Hopes of ſucceeding by an Eſcalade; and alſo
" that there was no Security at all of a Retreat for
" the Troops, or of any Communication with the
" Ships; not chuſing to depend upon my own Judg-
" ment in ſo difficult and important an Affair, I
" thought it my Duty, agreeable to his Majeſty's In-
" ſtructions, to deſire a Council of War, to take into
" Conſideration the further Steps proper to be taken in
" Execution of his Majeſty's ſecret Inſtructions.
" The Council was deſired by me; Sir *Edward Hawke*
" ſummoned it, and preſided at it; and I feel true
" Content of Mind, that at that Council I concurr-
" ed

" ed in an unanimous Opinion with ſeven Land and
" Sea Officers, whoſe Characters, whoſe Rank, Ex-
" perience, and whoſe unſtained Honour are ſo well
" known to the World.

" Theſe were the Circumſtances, under which I
" called the Council of War. I did not in calling
" it diſobey my Inſtructions.

" The Judgment was unanimous, and upon this
" Judgment I muſt reſt my Defence, and inſiſt, that
" it cannot be impeached, and, whilſt it remains, I
" cannot be found diſobedient of Orders, which
" named the Judges, and referred the Attempt to my
" Determination with ſuch Aſſiſtance.

" Thus the Attempt upon *Rochefort* was deter-
" mined upon the 25th of *September*, and the Judge
" Advocate has produced nothing ſubſequent to that
" Day, but what the *French* Engineer ſaid to Colonel
" *Clerk* upon the 26th, and the Obſervations of Colo-
" nel *Wolfe* on the 29th.

" I ſhould not apprehend much was neceſſary to
" ſatisfy the Court, that this Story, which Colonel
" *Clerk* himſelf made ſo light of as not to mention
" to me till the 27th at 9 in the Morning, although
" it had been told him on the 26th in the Afternoon,
" ſcarce deſerves an Anſwer.

" That Story ſurely was not ſufficient to induce me
" either to require a Review of, or act contrary to,
" the unanimous Opinion of the Council of War.

" I thought the Account not deſerving ſo much
" Attention; it was my honeſt Opinion, and if I
" have erred, I have this Satisfaction, That I know,
" I have not diſobeyed.

" But this appears from the Evidence of Colonel
" *Clerk*, that I was ſeriouſly attentive to the Execution
" of my Orders, and accordingly employed him on
" the 24th, to reconnoitre and gain Intelligence.

" Colonel *Clerk* ſays, that there was nothing in the
" Ditch to let in, or keep in the Water; whereas it
" appeared by Mr. *Bonneville*'s, and the Pilot of the
" *Neptune*'s Information, that there were Sluices for

" that

" that Purpose. The scaling Ladders were in all 80, " 20 of which were of 25 Feet, and the rest of 30.

" Colonel *Wolfe* has mentioned a Proposition of an " Attack, that I and General *Conway* made to Sir *Ed-* " *ward Hawke* upon the 24th; the Part which be- " longed to my Province in that Plan I embraced " cheerfully, and was ready to execute with Dispatch; " but my Part of it was but secondary; the Grounds " upon which the primary Part failed of Execution, " did not relate to my Share in the Operation, there- " fore I do not presume to make any Observations " upon it.

" The Council of War of the 28th came to a Re- " solution to land with all possible Dispatch, to at- " tack the Forts leading to, and upon the Mouth of, " the River *Charante*; and it being judged most ex- " pedient, that the Descent should be made in the " Night, the necessary Orders were immediately given, " and about One o'Clock the Grenadiers, and great " Part of the Troops, who were to have landed with " me in the first Embarkation, were on board the " Boats, when a strong Wind blowing from the " Shore, the Officers of the Navy appointed to con- " duct the Landing, represented, that it was with " Difficulty the Long Boats, which were to be towed " on Shore, could make way, and consequently the " Troops would be a long Time exposed to the Fire " of the Enemy; That the Transport-Boats, which " were rowed by Soldiers, would be still slower, and " more exposed; that it would be Day, before the first " Embarkation could get on Shore, and that it would " be six Hours more before the Troops first landed " could be supported by a second Embarkation: The " Generals judging the landing under these Circum- " stances not to be expedient, agreed not to attempt " it that Night.

" The next Morning Sir *Edward Hawke* acquaint- " General *Conway* and me, that if the General Offi- " cers had no farther military Operations to propose, " considerable enough to authorize his detaining the

" Squa-

" the Squadron under his Command longer there, he
" intended to proceed with it for *England*, without Loſs
" of Time; I made Anſwer, that I would ſummon the
" General Officers to conſider of it, and I deſired him
" to ſignify his Intentions in Writing, which he did
" in a Letter to me the ſame Day; I recollected that
" it would be proper to ſummon a Council of War,
" and applied to Sir *Edward* for one accordingly,
" who declined it, and ſaid, that Seamen were no
" Judges of Land Operations, which were to be per-
" formed by the Troops on Shore. In Conſequence
" of this Converſation, I ſummoned all the Land
" Officers, who had been of the Council of War, and
" laid Sir *Edward Hawke*'s Letter before them.

" We conſidered the Uncertainty of landing, if
" the Wind ſhould blow as it had done the Night be-
" fore, and the Account we had that Day received
" from the Captain of the *Viper* Sloop, who had in-
" formed Colonel *Howard*, that he had ſeen a conſi-
" derable Body of Troops near the Landing Place,
" whoſe Numbers he did not exactly know, but he
" had obſerved five Pair of Colours; that he ſaw
" them in Camp; that the next Morning the View of
" the Camp was interrupted, ſo that he could not ſee
" them again, which he attributed to the Enemy
" having thrown up ſome Ground on the Beach, and
" that he ſaw the Sand Hills on the Beach conſider-
" ably higher than they were on *Sunday*, when he
" came there. Colonel *Howard*, in his Return from
" reconnoitring, reported this to me.

" It farther appeared to us, that the Attempt up-
" on thoſe Forts at this Time, could not juſtify the
" ill Conſequences of detaining the Fleet in that Bay,
" at a Time when, from what we had learnt from
" the Converſation of the Sea Officers, two great
" *French* Fleets were expected home; that at this Sea-
" ſon of the Year, ſo near the Equinox, ſuch weſter-
" ly Winds were to be apprehended, as might detain
" the Fleet there many Weeks; that the Foundation,
" upon which the Reſolution of the Council of War

" upon

" upon the 28th was taken, was, that it might be " done during the neceſſary Detention of the Fleet in " the Demolition of the Fort of *Aix*, and thereupon " was directed to be done with all poſſible Diſpatch: " That the Demolition of the Works of the Iſle of " *Aix* was compleated that very Day, and that the " Wind was then fair for the Fleet to return; add to " this, that the Time limited by his Majeſty's Inſtruc- " tions was now expired, and that the Time was not " prolonged by Mr. *Pitt*'s Letter, which allowed us " only to compleat ſuch Operations, as we had alrea- " dy begun.

" Upon all theſe Conſiderations, not thinking it a " Meaſure either adviſeable or juſtifiable in us to take " upon ourſelves the Conſequences of detaining the " Fleet any longer in thoſe Parts, we came unani- " mouſly into the Admiral's Propoſal of returning to " *England*.

" This Meeting of all the Officers, who were pro- " perly under my Command, tho' I do not call it a " Council of War, I look upon equal to one.

" Sir *Edward Hawke*, the Commander of the Sea " Officers, declined calling them; I was not certain, " that I had Power to do it. Sir *Edward Hawke*'s " Reaſon for declining to call the Council was, that " the Sea Officers could form no Judgment. Their " Preſence therefore, at a Council of War, could on- " ly be Matter of Form; the Land Officers could " only determine, and, tho' ſummoned by me, did " determine.

" I have now opened to the Court the Defence, " which I propoſe to make out in Evidence; and I " cannot conclude without obſerving to this Court " the Singularity of my Caſe.

" I ſtand before you a Commander in Chief, ſent " out upon an uncertain contingent Attempt, with a " Power in my Inſtructions to judge upon the Cir- " cumſtances, as they ſhall appear.

" His Majeſty, beſides the Latitude given me, aſ- " ſigned me a Council of able and experienced Offi-

" cers;

" cers; I acted by their Advice; and though I am
" charged with Disobedience of Orders, in every Ar-
" ticle of that supposed Disobedience, I have the
" Sanction of the unanimous Judgment of those
" whom the King appointed to assist mine.

" I beg Pardon for having taken up so much Time.
" I have endeavoured to avoid Prolixity, but if I
" have erred in this respect, I hope the Situation I
" stand in will be my Apology: The Patience and
" Attention with which this Court has heard this
" Trial, and the known Honour and Integrity of e-
" very Member of it, leave me no Room to doubt,
" that they will remember throughout, that I am ac-
" cused of disobeying Orders, and that they will
" make a just Conclusion from the Premises that
" have been laid before them."

The Rt. Hon. Major General HENRY SEYMOUR CONWAY being sworn as a Witness, at Sir *John Mordaunt*'s Desire, and questioned, Whether he recollects any Conversation between Mr. Secretary *Pitt* and him, about Port *L'Orient* and the Instructions?

A. He does recollect a Conversation with Mr. *Pitt*, which he believes was had on the 6th of *August*, the same Day Sir *John Mordaunt* set out for the Isle of *Wight*: Having heard that the Government had received some Intelligence relative to Port *L'Orient*, which shewed that Place not to be in such a Condition, as to admit of an Attack by the Force sent upon this Expedition, he, Major General *Conway*, had had some Discourse with Lord *Anson* on the Subject, and told his Lordship, he thought it was Pity, if Port *L'Orient* was in the State described, that it should remain, as he understood it did, an Article in Sir *John Mordaunt*'s Instructions to attack it: His Lordship said, to the best of his Recollection, that he did not think Port *L'Orient* was seriously thought of at that Time, but, in regard to Sir *John Mordaunt*'s Instructions, referred him to Mr. *Pitt*. The Deponent thereupon took the Liberty of mentioning to Mr. *Pitt*, what he had heard of the State of Port *L'Orient*, who

who seemed to agree to it. He then observed, in like Manner as he had before done to Lord *Anson*, that it appeared to him rather hard upon Sir *John Mordaunt*, that the Order for attacking Port *L'Orient* should remain in his Instructions, if it was not seriously thought of: Mr. *Pitt*'s Answer, to the best of his Recollection, was, that Port *L'Orient* was named amongst other Things, but that he did not apprehend, it was meant to confine Sir *John*; that he had a Latitude to act in regard to that, as he should judge proper.

Q. Whether at the Cabinet-Council Mention was made of laying a Ship to *Fouras*?

A. Is pretty positive, it was; *Thierry* the *French* Pilot was examined in regard to it.

Q. Did he take Notice, whether Fort *d'Aiguille*, (which is near to *Fouras*) seemed to be a new Building or not?

A. The Work of it did appear very fresh to him.

Q. Did *Thierry* the Pilot ever make Mention of that Fort in his Examination before the Council?

A. He can't recollect he did.

Q. Was that Fort near the Place, where *Thierry* mentioned in the Council he thought there was a Possibility of landing?

A. It was near the only Place he ever heard him mention, as a Landing-Place; it was near the Point of Land called the Point of *Fouras*.

Q. Does he remember coming to Sir *John Mordaunt* on board the *Ramilies*, and what Conversation passed?

A. He can't very particularly remember the Conversation that passed then; he had taken some View of that Coast himself, having been up at the Isle of *Aix*, and mentioned to Sir *John Mordaunt* his Ideas, how a Landing and Attack upon Fort *Fouras* and Fort *d'Aiguille* should be made; he wrote down a Plan for that Purpose, which he afterwards shewed, or read, to Sir *Edward Hawke* and Sir *John Mordaunt*.

Q. Was not the Proposal, that if Sir *Edward*

Hawke would ſend a Ship to attack *Fouras*, they would endeavour to land the Troops at the ſame Time?

A. It was to that Effect: That was Part of it, that they ſhould land the Forces as near *Fouras* as poſſible, and aſſault Fort *d'Aiguille*: there were other Particulars, that a Diverſion ſhould be made at the ſame Time on the Side of *Rochelle* and the Iſle of *Rhé*.

Q. Did not Sir *Edward Hawke* decline that Propoſal?

A. He made ſeveral Objections to it.

Q. Does not he recollect, that the attacking Fort *Fouras* was mentioned more than once?

A. Several Times.

Q. Did Sir *John Mordaunt* ſeveral Times deſire from Lord *Ligonier positive* Orders before his leaving *London*?

A. He is very ſure he did hear Sir *John* ſay, he wiſhed, or hoped, upon ſo important a Caſe as this, that he might have a poſitive Order.

Q. Does he recollect Lord *Ligonier*'s Anſwer?

A. Thinks he ſaid, that poſitive Orders were never given in Caſes of this Kind, or to that Effect.

Q. Does he remember a Paper of Obſervations of Lord *Ligonier*'s upon this Occaſion?

A. Yes.

Q. Does he remember that Paper to have been read at the Council, when they were all preſent?

A. To the beſt of his Recollection, Lord *Ligonier* did produce that Paper at Lord *Holderneſſe*'s, where the Cabinet-Council was held, and read it.

Q. What Day they firſt made Sight of Land?

A. On the 20th they made the Iſle of *Oleron* about One.

Being deſired to give an Account of what paſſed on board the *Ramilies* the 28th, the Night on which they intended to land;

He ſaid, that Orders were given for landing that Night; he remembers, that being on board the *Ramilies* with Sir *John Mordaunt*, waiting for the Time

to

to go to the Rendezvous, Captain *How* came on board, and ſaid that he was ſorry to tell them, there was a very ſtrong Wind ſprung up from the Shore, which would probably obſtruct their Landing; Sir *John Mordaunt*, notwithſtanding, reſolved to go to the Rendezvous, which was on board the *America*: The Deponent accompanied him thither. As ſoon as they came on board, Adm. *Brodrick*, to the beſt of his Remembrance, was the Perſon who ſpoke; he can't be poſitive, whether the Admiral gave any Opinion of his own in regard to it, but he mentioned, that, the high Wind which was ſprung up from the Shore, would make the Landing very tedious. Several of the Sea Captains repreſented, that the Wind was ſo ſtrong, that the Boats which were towed up full of Men, could ſcarce make head againſt; that it would be Day-light before the firſt Embarkation of the Men could get on Shore; and that a ſecond Embarkation would not be able to arrive there under ſix Hours more. He remembers, one of the Captains particularly ſhewed him one of the Long-boats, that was then towing up empty, which moved very ſlowly, and, as they ſaid, could hardly proceed.

Q. Was it not his, Sir *John Mordaunt*'s Intention, and were not his Orders given out accordingly, that the Landing ſhould take Place juſt at the Break of Day?

A. No: He apprehended it was meant for a Night Landing, and the whole to be compleated before Break of Day, if poſſible; and the Reaſon he apprehended to be, that the Ships of War could not lye up to aſſiſt the Landing, and that the Landing-place was ſo near the Town of *Rochelle*, that beſides the Troops of the Country, the Garriſon from that Place might have been ready to oppoſe the Landing of the Troops, if the Diſpoſitions had been made for landing in the Day.

Q. At what Hour the Men were to be in the Boats?

A. He thinks about Eleven o'Clock.

Q. On the 24th, what was done after the Receipt of Admiral *Brodrick*'s Report?

A. It was propoſed to go to the Iſle of *Aix*, where they had a View of the Coaſt near *Fouras*, and where moſt of the *French* Priſoners were, in order to examine them.

Q. How did the Men of War and Tranſports lye at that Time?

A. The Diviſion under Admiral *Knowles*, which went up to attack *Aix*, laid up near the Iſle of *Aix*; Sir *Edward Hawke*'s Diviſion, and his Ship, the *Ramilies*, laid at the Diſtance of ſome Leagues; three or four.

Q. Whether after being at the Iſle of *Aix*, on the 24th in the Evening, they went on board the *Neptune* on purpoſe to examine more Priſoners?

A. They did.

Q. How late it was before they parted?

A. Thinks pretty late, cannot remember the Hour.

It being on the Stroke of Three, ADJOURNED till To-morrow Morning Ten o'Clock.

Friday, 16th of December, 1757.

THE COURT being met purſuant to Adjournment, Major General *Conway* was farther examined;

Q. Whether he does not think that all proper Methods were taken for getting early Intelligence, as ſoon as the Iſle of *Aix* was taken?

A. He believes they were; the Deponent himſelf was ſent upon Command to the Iſle of *Aix*, ſo that he was not at that Time with the Commanders in Chief, Sir *Edward Hawke* and Sir *John Mordaunt*: The Deponent examined many Priſoners himſelf there, and reported to Sir *John Mordaunt*, when he waited upon him, what ſeemed moſt material in their Examination.

Q. If he remembers what any *French* Priſoners might ſay, in regard to there being a wet Ditch at *Rochefort*?

 A. He

A. He remembers one did ſay poſitively the Ditch could be flowed all round.

Q. Whether he recollects what any *French* Priſoners told him in regard to Troops in that Neighbourhood?

A. They gave various Accounts of the Number of Troops; moſt of the Officers and Soldiers ſaid, there were a great many; as alſo that there was a Marſhal of *France* in the Place, meaning *Rochefort*, Marſhal *Senecterre*; there was a Man who ſaid he had ſeen eleven Battalions at *Rochelle*; the Priſoners in general made them a great many.

Q. Did any of the Priſoners mention their having been at Work at *Rochefort?*

A. There was one Man in particular, who, on the 24th, or 25th, in the Morning previous to the Council of War, ſaid, they had been at Work there ſome Time.

Q. Can he recollect at any Time, when he was reconnoitring at the Iſle *D'Aix*, whether he could diſtinguiſh from the Uniform, that there were *Swiſs*, or other Troops, at Fort *Fouras?*

A. Either at *L'Iſle D'Aix*, or on board Ship, he does recollect to have ſeen ſome upon the Coaſt near *Fouras* in red Cloathing, can't take upon him to ſay they were *Swiſs*; he ſaw particularly an Officer, or two, riding upon the Coaſt; imagines, they came from ſome other Place or Command, out of Curioſity, down to the Shore. He ſaw a great many others in other Uniforms, particularly white and blue. The Numbers were different at different Times; ſome Hundreds certainly; at laſt, he ſaw as many as from 800 to 1000.

Q. Was not the Intelligence of the Pilots of the *Magnanime* and *Neptune*, and of Captain *Bonneville*, and of all the Witneſſes, who were afterwards examined at the Council of War on the 25th (except that of Lieutenant Colonel *Clerk*) known to them before they met at the Council of War?

A. He imagines, they were moſt of them known; moſt of them, he believes, were examined by Sir *John Mor-*

Mordaunt, on board the *Neptune*, the Evening before.

Q. Were not several of the Members of the Council of War present on board the *Neptune* at that Time?

A. Yes, several were.

Q. Whether they had Artillery proper to attack *Rochefort* in Form?

A. He apprehends not, by what he has heard of the Artillery of the Place; he speaks of the Train of Artillery they had with them on the Expedition, not of the Ships.

Q. Whether proper Artillery to attack *Rochefort* in Form, was not mentioned and desired by the Generals at the Cabinet Council?

A. It was, as he remembers.

Q. Whether a Council of War was held on the 25th?

A. Yes.

Q. *(by the Court)* How far it appeared to him from the Pilot's Examination at the Cabinet Council, that the Possibility of attacking *Fouras* by Sea could be depended on?

A. He thinks the Pilot's Answer was doubtful; that he believed a Ship could lye up within half a Mile.

Q. What Objections Sir *Edward Hawke* made to the Proposals for an Attack, mentioned in the former Part of his Evidence?

A. He can't be quite positive, whether at that Time Sir *Edward* said a Ship could not lye up to *Fouras*; some Time after, it was laid aside, as an impracticable Thing: He objected particularly to the Ships being sent down to make a Feint towards *Rochelle* and the Isle of *Rhê*, as imagining that Operation was not practicable, or not proper, he is not certain which. Sir *Edward* talked of bombarding *Rochelle*, as he remembers, but that was not the Sort of Diversion the Deponent proposed. The Report of the Rear Admiral and

Captains, which ſaid there was no landing near *Fouras*, was not received at that Time.

Q. As he has only mentioned the Situation of Vice Admiral *Knowles*'s and Sir *Edward Hawke*'s Diviſions, on the 24th in the Evening, how did Rear Admiral *Brodrick*'s Diviſion lay at that Time?

A. The Deponent was in Vice Admiral *Knowles*'s Diviſion, and cannot ſay poſitively, but imagines Rear Admiral *Brodrick*'s laid in the Rear, near Sir *Edward Hawke*'s; perhaps a League diſtant.

Q. Were the Examinations of the Priſoners reduced to Writing?

A. Some of them were, but thoſe Minutes he has not now with him.

Q. What Accounts were given by the Priſoners, of the Ditch at *Rochefort*, in general?

A. He does not remember, whether any denied the *Practicability* of the Ditch being made wet; they gave, in general, very confuſed Accounts of the Place.

Q. When it was that he ſaw the Troops mentioned in his Evidence, particularly the greateſt Number, which he reputes to have been between 800 and 1000?

A. He ſaw Troops at all Times, ſome more, ſome leſs, but that greateſt Number was ſeen at laſt, on the 29th.

Q. What Time he refers to, when he ſpeaks, as having heard of the Artillery of the Place (meaning *Rochefort*?)

A. Before the Expedition left *England*; all the Accounts of the Place agree in it; they have great Founderies of Cannon there, or in the Neighbourhood, which furniſh Cannon to all the Ships that are fitted out there; he imagines, they could mount almoſt any Number of Cannon on the Ramparts and open Embrazures, as they pleaſed, as the Rampart was ſolid round the Place. The Deponent ſays, he heard Lieutenant Colonel *Clerk* ſay, the Artillery there was very conſiderable.

Q. If

Q. If a Council of War was deemed neceſſary, Could it have been convened on the 24th, after receiving the Report of the Rear Admiral and Captains?

A. He believes it was poſſible, but it would have been very late, becauſe the Gentlemen who were to compoſe it, laid in the different Diviſions of the Fleet, and might not have been found on board their Ships at that Time.

THE FOLLOWING MINUTES of two ſeveral Councils of War, the one held on board the *Neptune* on the 25th of *September*, and the other on board the *Ramilies* on the 28th of *September* 1757, which were mentioned by Mr. Secretary *Pitt*, to be delivered to him by Sir *John Mordaunt*, were now read at Sir *John Mordaunt*'s Deſire, (being firſt authenticated by Major-General *Conway*) *viz.*

'At a Council of War held on board his Ma-
'jeſty's Ship *Neptune*, at Anchor off the Iſle of *Aix*,
'*September* 25, 1757.

'Preſent,

'Sir *Edward Hawke*, { Knight of the *Bath*, Admiral and Commander in Chief of his Majeſty's Ships employed on the preſent Expedition.

'Sir *John Mordaunt*, { Knight of the *Bath*, Lieutenant General of his Majeſty's Forces, and General and Commander in Chief of the Troops on the preſent Expedition.

'*Charles Knowles*, Eſq; Vice Admiral of the Red.
'The Rt. Hon. Major General *Henry Seymour Con-*
'*way*.
'*Thomas Brodrick*, Eſq; Rear Admiral of the White.
'Hon. Major General *Edward Cornwallis*.
'Captain *George Bridges Rodney*.
'Colonel *George Howard*.

'The Fortifications and Island of *Aix*, belonging 'to the *French* King, having surrendered to his Majesty's Arms, the Council proceeded to take into 'Consideration the farther Steps proper to be taken, 'in Execution of his Majesty's secret Instructions to 'Sir *Edward Hawke* and Sir *John Mordaunt*, Commanders in Chief of his Majesty's Forces on the 'present Expedition; and the first Object being to 'determine, Whether a proper Place could be found 'for landing the Troops, Sir *Edward Hawke* produced a Report by Rear Admiral *Brodrick*, and the 'Captains *Douglas*, *Denis*, and *Buckle*, whom he 'had sent to sound and reconnoitre the Coast from '*La Rochelle* to the Point of *Fouras*, near the Embouchure of the River *Charente*, which Report is 'hereunto annexed.

'The Council having taken the said Report into 'Consideration, and examined the Pilots, it appears, 'that there are but two landing Places; and that the 'Troops could not be reimbarked from either of 'them in bad Weather, the Swell of the Sea making 'so great a Surf on the Shore that no Boats could 'be able to approach it to take the Troops off; the 'ablest Pilot having informed the Council, that he 'had been at Anchor seven Weeks in this Road, and 'not a Boat been able to pass or repass: And it likewise appears to the Council, that in case the Troops 'should be overpowered by superior Numbers of the 'Enemy, they could have no Protection from the 'Cannon of the Fleet, the shoal Water preventing 'their coming within Gun-shot.

'The Probability of Success in the Attempt against '*Rochefort*, in case the landing was effected, being 'then taken into Consideration, Lieutenant Colonel '*Clerk*, Chief Engineer, was called in, and being 'asked his Opinion, declared, That when he saw 'the Place in the Year 1754, he thought no Place 'was more capable of being taken by Assault; what 'Alteration may have been made in the Place since, 'he has not sufficient Information to judge; that he

'does

'does not imagine any regular Attack was intended 'against that or any other Place, the small Quan-'tity of Artillery we have not being sent upon that 'Plan. Being asked, If the Ditch were flowed with 'Water, whether he should then think it practicable 'to take the Place by Escalade; said, he thought not; 'but that when he saw the Ditch, it did not appear 'to him capable of being flowed.

'Monsieur *de Bonneville*, Volunteer, being asked 'what he knew of *Rochefort*, said, that he was there 'about nine Years ago; that the Ramparts were of 'Earth, and that there are Sluices there, by which 'they can flow the Ditch, and that it was full of 'Water all round, when he was there.

'The Pilot of the *Neptune* being called in, said, 'That he had been very frequently at *Rochefort*; that 'he commanded a small Vessel there many Years; 'that they have Sluices near the Hospital, by which 'they can fill the Ditch with Water; that they raise 'them sometimes to cleanse the Ditch, and that he 'has seen Water in it quite round the Town.

'The Informations of some *French* Prisoners were 'then produced confirming the same, as also that 'they had been working on the Fortifications there 'for some Time past.

'The Intelligence received from several neutral 'Vessels spoke with on the Passage was also produced, 'declaring, That the *French* had been for some Time 'in Expectation of a Descent from the *English* in 'those Parts; all which being taken into Considera-'tion, together with the long Detention of the Troops 'in the Isle of *Wight*, and our meeting with con-'trary Winds, Fogs and Calms upon our Passage, 'the several Informations received of Troops assem-'bled in the Neighbourhood, and the great Impro-'bability of finding the Place unprovided, or of sur-'prising it, or consequently succeeding in an Enter-'prize founded on the Plan of an Assault or Esca-'lade merely; and the Uncertainty of a secure Re-

' treat for the Troops, if landed; the Council are ' unanimouſly of Opinion, that ſuch an Attempt is ' neither adviſeable, nor practicable.

' *Edwd. Hawke*,
' *J. Mordaunt*,
' *Chas. Knowles*,
' *H. Seymour Conway*,
' *Thos. Brodrick*,
' *Edwd. Cornwallis*,
' *G. B. Rodney*,
' *G. Howard.*'

' At a Council of War held on board his Majeſ- ' ty's Ship *Ramilies* in *Baſque* Road, this 28th of *Sep-* ' *tember* 1757.

' Preſent,

' Sir *Edward Hawke*, { Knight of the *Bath*, Admiral and Commander in Chief of his Majeſty's Ships employed on the preſent Expedition.

' Sir *John Mordaunt*, { Knight of the *Bath*, Lieutenant General of his Majeſty's Forces, and Commander in Chief of the Troops employed on the preſent Expedition.

' *Charles Knowles*, Eſq; Vice Admiral of the Red.
' The Rt. Hon. Major General *Henry Seymour Conway*.
' *Thomas Brodrick*, Eſq; Rear Admiral of the White.
' Hon. Major General *Edward Cornwallis*.
' Captain *George Bridges Rodney*.
' Colonel *George Howard*.

' The Council of War being aſſembled, at the De- ' ſire of Sir *John Mordaunt*, proceeded to take un- ' der Conſideration, Whether it is adviſeable to land ' the Troops to attack the Forts leading to, and up- ' on the Mouth of the River *Charante*, and after ' mature Deliberation are unanimouſly of Opinion,

' That

'That it is adviſeable to land the Troops for that 'Purpoſe with all poſſible Diſpatch.

'*Edwd. Hawke,*
'*J. Mordaunt,*
'*Chas. Knowles,*
'*H. Seymour Conway,*
'*Thos. Brodrick,*
'*Edwd. Cornwallis,*
'*Geo. Bridges Rodney,*
'*G. Howard.*'

A PAPER was then tendered by Sir *John Mordaunt* to the Court, as containing Obſervations of Sir *John* (now Lord) *Ligonier*, mentioned by Major General *Conway* to have been read at a Meeting of the Cabinet Council; and it being admitted by the Judge-Advocate, that the ſaid Obſervations, or Hints, were written by Sir *John Ligonier*;—(but prior to his having any Knowledge of the Diſpoſition of the *French* Troops afterwards produced at the Cabinet Council) ——and that a Copy thereof had been given to Sir *John Mordaunt* at his own Deſire; the ſaid Paper was read as follows:

"THERE is a Chance in the beſt concerted Military "Enterprizes, which every Man of long Service "muſt have experienced; what Share then muſt be "left to Fortune in an Expedition, where neither the "Country, nor the Number of Troops, you are to "act againſt, is known with any Preciſion.

"The Capacity of the Generals may ſupply this "Want of Intelligence, but to give them any po-"ſitive Plan or Rule of Action under ſuch Circum-"ſtances, I apprehend would be abſurd.

"If I am rightly informed, the great Point his "Majeſty has in View by this Expedition, and the "alarming the Coaſts of *France*, is the Hopes of "making a powerful Diverſion in Favour of H.R.H. "the Duke, as well as the King of *Pruſſia*, who de-"ſires and preſſes much this very Meaſure.

"In

" In the Execution of this General Plan, a Pro-
" ject of giving a mortal Blow to the naval Power
" of *France* is in his Majesty's Thoughts, by attack-
" ing and destroying, if possible, the Dock, Ship-
" ping, and naval Stores at *Rochefort*.

" A Plan of that Place given by one of his Ma-
" jesty's Engineers, who was there in 1754, seems
" to encourage the Attempt; and it must be owned,
" that without such Authority it could hardly be be-
" lieved, that a Place of that great Importance could
" be left in so defenceless a Condition.

" In all doubtful dangerous Military Attempts the
" Advantages, that may accrue from Success, ought
" to be weighed against the Damage and Misfor-
" tunes, that may be the Consequences of a Repulse,
" and that well considered may in Prudence deter-
" mine the Choice.

" If an Attempt is to be made upon *Rochefort*, it
" will be the Part of the Admiral to know the Coasts,
" to bring the Troops to the nearest Place, to cover
" their landing by the Disposition of his Ships, and
" to destroy any Barbet Batteries, which the Enemy
" may have upon the Shore, still remembring, that
" if the Troops are landed at too great a Distance
" from the Place, the Design will become dangerous,
" and probably impracticable.

" Supposing the Troops landed, it must be left
" to the Consideration of the Generals, Whether
" they should not march with the proper Precautions,
" directly to *Rochefort*, to prevent any Succours be-
" ing thrown into the Place, at the same Time, that
" the Marines should be employed in making a good
" Entrenchment for the Security of the Stores to be
" landed from Time to Time, as well as of a Re-
" treat in Case of Necessity.

" We are told, the Country in the Neighbourhood
" is low and marshy; that Circumstance might be of
" great Advantage in this Undertaking, because in
" that Case Troops cannot march by *Overtures dans*
" *la*

" *la Campagne*, but muſt follow the Dykes, or Cawſeys, which may be eaſily defended by Coupures, or Redoubts.

" A ſafe and well ſecured Communication between the Camp and the Sea, from whence you are to receive your Supplies of all Kinds, is abſolutely neceſſary; the whole depends upon it :---But this being done, I ſhould not be much in Pain for the Safety of the Troops, an inferior Number dares not approach you, and one ſuperior will not be eaſily aſſembled without your knowing it; and, at all Events, you have ſecured a Retreat to the Ships.

" I would adviſe to procure Guides upon the Spot, and paying them greatly when faithful; there are Numbers of Proteſtants in that Province, that wiſh you well, and would be glad to go on Board with you.

" As for a *Coup de Main*, it may, perhaps, ſucceed beſt at your coming up, as the Enemy may be in great Hurry, Surprize, and Conſternation at ſuch an unexpected Viſit, and not have had Time to make his Diſpoſitions; but if that is not thought proper, it may ſucceed as well after the Place has been thoroughly reconnoitred, and you have fixed the Spots where you deſign to direct your greateſt Efforts, and if the Enemy ſee any Preparations for a regular Attack, they will leſs ſuſpect a *Coup de Main*.

" *Bergen op-Zoom* was taken by a *Coup de Main*, after a long Siege.

" St. *Philip*'s was taking by ſcaling Ladders and a *Coup de Main*, though the Garriſon was 3000 ſtrong, after a Siege of 56 Days.

" The Neceſſity of dividing a ſmall Garriſon in a Place of ſuch Circumference, as *Rochefort*, may facilitate the Succeſs of a bold Attempt."

The Hon. Lt. Col. JAMES MURRAY being ſworn, was aſked, what he ſaw in the Iſle of *Rhé*?

A. The Morning of the 23d, the Day of the Attack on the Iſle of *Aix*, he went on Board the *Ramilies*,

lies, and from the Poop of that Ship with Col. *Hodgson*, and Col. *Wolfe*, took a View of the Isle of *Rhé*; they saw a Body of Men with two Colours, he thinks, equal to a Battalion of 600 or 700 Men, marching along Shore to Fort *Sabranceau*; they saw them lodge their Colouts just by the Side of the Fort, and immediately fall to work upon the Fort on the Outside of it: They viewed this with Telescopes. They saw likewise Vessels passing from the Isle of *Rhé* to the Continent, or the Continent to the Isle of *Rhé*, is not certain which; the Vessels seemed to be about sixty or seventy Tons, as near as he could judge.

Q. Did he view the Coast towards *Fouras*, when the Transports laid at the Isle of *Aix?*

A. Yes, he did with a Telescope.

Q. What did he observe?

A. The Morning of the 25th from his Transport, which laid off the Isle of *Aix*, he took a View of the Coast of the Peninsula, upon which *Fouras* is situated, from the Point next to the Isle *d'Enet*, which is the northernmost Point of that Peninsula, as far South, as his Eye could reach; it appeared to him, that there was a very fair Bay for Landing very near that North Point; but that there was a Stone Battery there, or Redoubt, (does not know which it was) which defended that Bay; he distinguished seven or eight Embrazures with Guns; likewise Guns *en Barbette*, is not positive, as to the Number. Between this Battery, or Redoubt, and *Fouras*, there was an Encampment; the Deponent could count thirty Tents; the full View of the Camp was intercepted by a Wood; he saw about 4 or 500 Men at Work upon the said Battery, and in the Bay between that and *Fouras*, whom he imagined to belong to that Encampment. He also saw Men at Work upon *Fouras*; and upon a rising Ground above *Fouras*, he saw 11 or 12 Guns naked (no Parapet.) The Shore to the Southward of *Fouras* was rocky, and did not seem to afford any proper Place for a Debarkation: The Distance between the said

stone

ſtone Redoubt, or Battery, did not ſeem to exceed a Mile and a Half. Upon the Iſle *Madame* he ſaw People at Work, alſo two Officers Tents upon a riſing Ground, juſt above the Sea; he was at too great a Diſtance to give a diſtinct Account of the Iſle *Madame*; this was all he could ſee there.

Q. Whether he was near enough to diſtinguiſh from the Walls, whether Fort *d'Aiguille* was built lately or not?

A. It was Maſonry and appeared new; it was either new, or newly cleaned up.

Sir *John Mordaunt* obſerving, that Lieut. Colonel *Murray*, if he recollects right, was wounded at *Oſtend*, during the Siege, and left at *Ghent*, deſired he would inform the Court, whether there were not *French* Militia employed at the Siege of *Oſtend*, and likewiſe in Garriſon at *Ghent*; and, from what he ſaw of the *French* Militia, What is his Opinion of them?

Lieut. Col. *Murray* anſwered, he can't take upon him to ſay, there were any *French* Militia employed at the Siege of *Oſtend*, as he was confined; but he heard there were three Battalions, as well as he can recollect. At *Ghent*, where Sir *John Mordaunt* left him behind, he ſaw ſeveral Regiments; the Regiment of *Normandy* was at the ſame Time in the Garriſon there; theſe Militia in their Cloaths and Appearance were like the other Troops, but he had no Opportunity of knowing any Thing of their Quality. The Militia, if they were ſuch, which oppoſed our Troops, when they made the Deſcent in *Britany*, were a deſpicable Rabble, and made no Reſiſtance; they ſeemed to him to be the *Poſſe Comitatus*, and he believes them to be different from the Militia; they were neither regularly cloathed, nor armed.

Q. (by the Court.) At what Time he reported, or communicated to Sir *John Mordaunt*, what he had ſeen from the *Ramilies* in the Iſle of *Rhé*?

A. He don't recollect that he mentioned it to Sir *John Mordaunt* at all; Colonel *Hodgſon*, and Colonel

nel *Wolfe* being both there, he took it for granted they would.

Q. At what Time he reported, or communicaeed to Sir *John Mordaunt*, what he saw from his Transport off the Isle of *Aix*, on the Morning of the 25th?

A. He made no regular Report; believes, he mentioned it one Day in the Admiral's Cabin, when every Body was giving an Account of what they had seen; but is not certain of that neither.

Capt. PATRICK TONYN, Aid de Camp to Sir *John Mordaunt*, being sworn, and desired to give an Account of what Conversation passed on board the *Ramilies* on the Evening of the 23d, about the attacking of Fort *Fouras*; deposed, that in the Evening after the Isle of *Aix* was taken, he said to Sir *Edward Hawke*, that the next Step that appeared necessary to be taken, was, to attack *Fouras* by some of the Ships, to bombard *Rochelle*, or give any other Diversion, or Jealousy to the Enemy, and that the Troops, in that Case, might be landed at *Chatelaillon*, or any other Spot, that might be found out thereabouts. The Admiral said, a little Time, after what the Deponent has now repeated was spoke to him, that he would lay a Ship along-side of *Fouras*, bombard *Rochelle*, and the Troops might land; he recollects that Col. *Wolfe* immediately took up the Conversation, and the Discourse continued between him and the Admiral.

Capt. THOMAS OSBERT MORDAUNT, Aid de Camp to Sir *John Mordaunt*, being sworn, and asked, Whether he was present at any Conversation with Sir *Edward Hawke*, on the Evening of the 23d?

Deposed, that he remembers being present at a Discourse that Evening, but can't now take upon him to deliver what passed; but on the Morning of the 24th he received a Message from Sir *Edward Hawke*, desiring him to come down to him in the Cabbin, where he found the Admiral, the Vice-Admiral, and the Pilot of the

Mag

Magnanime: Sir *Edward Hawke* desired the Deponent, as he did not understand *French* himself, to ask the Pilot some Questions, and explain his Answers to them. —Among other Questions, he asked particularly about the Approach of Ships of War to Fort *Fouras*; the Pilot said, he would undertake to carry the *Magnanime* within half a Mile, even within a Quarter of a Mile of the Fort, but then he must run her upon the soft Mud, from whence the next Tide would bring her off. Sir *Edward* asked the Pilot, if by lightning the *Barfleur* he could bring her as near; he answered, he could, but had rather go with the *Magnanime*: The Admiral seemed satisfied with this Discourse, saying, that would do, or to that Effect.

Q. Does he recollect, whether the Pilot spoke of a *French* Mile, or an *English* Mile?

A. The Deponent asked him particularly, What Miles he meant; and the Pilot answered, "Miles of "*England.*"

Vice Admiral CHARLES KNOWLES being sworn, and desired to inform the Court, what *Thierry* the Pilot told him of the Swell of the Sea in the Road of *Basque*; said, he has declared that in the Council of War held on the 25th of *September.*

Q. Does he recollect, when he first mentioned it?

A. He can't recollect; it must have been before the Council of War, or else he could not have mentioned it there. The Passage he refers to in the Minutes of the Council of War is this——"The ablest "Pilot having informed the Council, that he had "been at Anchor seven Weeks in this Road, and "not a Boat been able to pass or repass."

The

The following List of Ships sent out under the Command of Sir *Edward Hawke* on the Expedition being, by Desire of a Member of the Court, shewn to Vice-Admiral *Knowles*, he informed the Court, that all the Ships contained in the said List, except the *Southampton*, were in the *Basque* Road, which Ship, having taken a Frigate, the Admiral sent her into Port, *viz.*

Rate	Guns	Men	Ships	Commanders
1	100	870	Royal George	Matthew Buckle
2	90	780	Ramilies	James Hobbs
		770	Neptune	James Galbraith
		750	Namur	Peter Denis
	84	770	Royal William	Witt. Taylor
	80	700	Barfleur	Samuel Graves
3d	80	666	Princess Amelia	Stephen Colby
	74	700	Magnanime	Hon. Richard Howe
		700	Torbay	Hon. Aug. Keppel
		600	Dublin	Geo. B. Rodney
	70	520	Burford	James Young
	64	500	Alcide	James Douglas
4th	60	420	America	Hon. John Byron
		420	Achilles	Hon. S. Barrington
		420	Medway	Charles Proby
		420	Dunkirk	Robert Digby
5th	32	220	Southampton	J. Gilchrist
6th	28	200	Coventry	Carr Scrope
Frigate	18	120	Cormorant	Benjamin Clive
		120	Postillion	William Cooper
		120	Beaver	Edward Gascoigne
	16	80	Pelican	James O'Hara
	14	80	Escort	Charles Inglis
Bomb	8	60	Firedrake	Owen Edwards
		60	Infernal	James M'Kenzie
Fireship		45	Pluto	John Lindsey
		45	Proserpine	Francis Banks
Buss	6	45	Canterbury	Thomas Lempriere
		45	Medway	Charles Lucas
Hosp. Ship	22	100	Thetis	John Moutray
			Hunter Cutter	

Vice Admiral *Knowles* being asked (by the Court) how many Men, as he thinks, could have been landed in one Embarkation?

A. He

A. He was on another Service intirely diſtant from that of the Embarkation, and cannot anſwer that Queſtion.

Q. What occaſioned the Fleet not coming into the Road ſooner than the 23d, ſeeing they made the Coaſt on the 20th?

A. He will give the beſt Account he can, without his Log-Book and Journal; but for want of them cannot be particular as to the Hours.—In the Morning of the 20th, Sir *Edward Hawke* gave him the following Order, *viz.*

'By Sir *Edward Hawke*, Knight of the *Bath*, 'Admiral of the *Blue* Squadron of his 'Majeſty's Fleet, *&c.*

'If in ſtanding in between the Iſles of *Rhé* and 'Oleron, I ſhall find the Winds and Weather will 'admit of proceeding to *Baſque* Road, and attacking 'the Iſle of *Aix*, I will hoiſt a red Flag on the Flag-'ſtaff at the Foretop gallantmaſt-head, and fire 'three Guns; then you are hereby required and di-'rected, without Loſs of Time, to ſtand in as near 'to the ſaid Iſle of *Aix*, as the Pilots will carry you, 'with all, or as many of the Ships of your Divi-'ſion, as you ſhall think ſufficient for that Service, 'and batter it, till ſuch Time, as the Garriſon ſhall 'either ſurrender, or abandon it. In either Caſe 'you are to land a Number of Men ſufficient to de-'moliſh it with all poſſible Diſpatch, ſending me the 'earlieſt Intelligence of your Proceedings. For 'which this ſhall be your Order.

'Given under my Hand on Board his Majeſty's 'Ship *Ramilies* at Sea this 20th *Sept.* 1757.

ED. HAWKE.

'To *Charles Knowles*, Eſq; Vice-'Admiral of the *Red* Squadron 'of his Majeſty's Fleet.

'By Command of the Admiral, '*J. Hay.*'

The Signal being given, the Deponent about Noon, took his Leave of Sir *Edward Hawke*, and made Sail with his Division. The *Medway*, which was a-head by Sir *Edward*'s Order, to look out for the Land, about two or three o'Clock, as near as he can remember, made a Signal for seeing the Land; very soon after, the Deponent saw it himself: As his own Ship and those of his Division were ordered to prepare for the Attack, the Lieutenant, or the Captain, came to acquaint him, the Ship, was clear and ready for Action; this was about Four o'Clock, the Wind at that Time, and to the best of his Remembrance the whole Day, was about N. E. As he looked upon a Ship cleared, and in Order for Battle, to be a very entertaining Sight, he desired Major General *Conway* to go down to see his Ship between Decks: While they were viewing her, one of his Lieutenants came down, sent by the Captain, to acquaint him, Capt. *Keppel* hailed the Ship, and told them, there was a *French* Man of War standing in for the Fleet; for some short Space of Time the Deponent took no Notice of it, thinking it impossible, the Fleet should not see her; a second Message was sent him down to the same Purpose, he then immediately went upon Deck with General *Conway*, and was shewn her by his Captain, when with their Glasses they plainly discovered her to be a two-deck'd Ship; she soon made a private Signal by hoisting a Jack at her Mizen-topmast-head; the Deponent was in Doubt, whether to make a Signal to any of his Division to chace, being ordered on a different Service, which he took Notice of to Major General *Conway*, and to his Captain; he judges, he was then at least five Miles a-head of Sir *Edward Hawke*, and the Enemy's Ship much nearer to him and his Division, than they were to Sir *Edward Hawke* and the rest of the Fleet; and he plainly saw, if some of his Division did not chase her, none of the others could possibly see her, so as to chase her, when Night came on. The *Magnanime* was then about two Miles to

Leward

Leward of them, on which he threw out her Signal to chace, and hailed Capt. *Keppel* in the *Torbay*, and directed him to chace alſo; obſerving, at the ſame Time, to Major General *Conway* and his Captain, that if Sir *Edward Hawke* did not approve of what he had done, he would certainly call them in again; but, inſtead of that, Sir *Edward* threw out their Signals to chace, by way of confirming what he had done; and in Addition, made the Royal *William*'s Signal alſo, belonging to his Diviſion; two more Signals for Ships in the reſt of the Fleet were thrown out afterwards, and very ſoon recalled. Early the next Day in the Morning, Sir *Edward Hawke* ſent the Deponent the following Order to take under his Command three other Ships in the Room of thoſe three Ships that were detached to chace, *viz.*

'By Sir *Edward Hawke*, Knight of the
'Bath, Admiral of the Blue Squa-
'dron of his Majeſty's Fleet.

'*Dublin*,
'*Burford*,
'*Achilles*.

'You are hereby required and directed
'to take under your Command the Ships
'named in the Margin; the Captains of
'which have my Orders to follow your
'Directions; and proceed, without a Mo-
'ment's Loſs of Time, to put in Exe-
'cution the Orders you received from me
'Yeſterday. For which this ſhall be your
'Order.

'To
'*Charles Knowles*, Eſq; Vice-
'Admiral of the Red Squadron
'of his Majeſty's Fleet.

'Given under my
'Hand on Board his
'Majeſty's Ship *Ra-*
'*milies*, at Sea, this
'21ſt *Sept.* 1757.

'ED. HAWKE.'

'By Command of the
'Admiral.

'J. HAY.'

In Obedience to that Order, the Deponent proceeded with his Division with all the Sail they could carry, to get in, and make, what Land it was; he judges it was about 9 o'Clock, when they were got within about two Miles of the Land, in 11 Fathoms Water, very hazy thick Weather, so as his Pilot desired, the Ship might be tacked and laid with the Head off till it cleared, so as he could see his Marks. Whilst he was laying to, he made a Signal for the Captains of his Division, and ordered them to send for their Pilots, no two of whom agreed, what Land it was; their several Examinations he took down, and immediately sent them to Sir *Edward Hawke*, who by that Time was advanced nearer to him by two or three Miles than he was before, as he the Deponent laid with his Head off Shore. In his Letter to Sir *Edward* he acquainted him, that not one of the Pilots would even take Charge to lead in with a twenty Gun Ship; if they would, his Division should have followed her. Soon after his Boat went away, he made a Signal for speaking with the Admiral, seeing he continued under Sail, and did not stop to take up his Boat. At the same time he made sail with his Division towards him, and by about 12 joined him; when the Deponent got on board him, he was surprized to see Mr. *Keppel* on Board, and also to find the *Magnanime* and *Royal William* had joined him again, which the thick weather had prevented the Deponent's knowing. Sir *Edward Hawke*, upon the Deponent's acquainting him with what had happened, (for he thinks he got on board, before his Letter) immediately sent for the Pilot of the *Magnanime*, at the same time telling the Deponent, he judged, what was the Matter when he saw him bring to, for his Pilot had refused carrying his Ship in: When the Pilot of the *Magnanime* came on board, he immediately told them, what Land it was; and after offering to carry the Fleet in, returned on board his own Ship, and led the Deponent's Division in, the Admiral and the rest of the Fleet following.

The

The Wind was pretty freſh all this Day, till towards the Evening, when about 6 o' Clock the Tide of Flood being ſpent, the *Magnanime* made the Signal to anchor; they were then in the Mouth of the *Pertuis* of *Antioche:* About 8 o' Clock Sir *Edward Hawke* made the Signal for the Fleet to anchor, and they continued working in, and anchored, as they came into proper Births, all Night. —Early in the Morning of the 22d the *Magnanime* made the Signál, when the Deponent weighed with his Diviſion, and Sir *Edward Hawke* and the reſt of the Fleet weighed alſo: About 11 o'Clock it falling calm, the Signal was again made to anchor; about Two or Three a ſmall Breeze ſpringing up weſterly, the *Magnanime* made the Signal and weighed again, and the Deponent ran in with his Diviſion, till between 9 and 10 o' Clock at Night, Sir *Edward Hawke* and the Fleet of Tranſports all following, when the Deponent's Diviſion came to an Anchor.

Q. When was the Demolition of the Iſle of *Aix* finiſhed?

A. About 7 o'Clock in the Evening of the Day before that, on which they ſailed for *England.*

Q. Whether a Council of War, if thought neceſſary, could have been held on the Evening of the 24th, after receiving the Report of the Rear Admiral and Captains?

A. As to the Poſſibility of it, or not, he can't anſwer, the Council of War wanting the Teſtimony of ſeveral Evidences, of whom he cannot ſay, where they were, or when they could have been collected together; beſides, Admiral *Brodrick* was juſt returned from Sounding, and had been up all the Night before, and Colonel *Howard*, one of the Members of the Council, who was in the Fort at the Iſle of *Aix*, muſt have been ſent for, which would have taken up 3 or 4 Hours, it being 9 or 10 Miles diſtant.

Q. (*At Sir John Mordaunt's Deſire.*) Whether that Evening was not employed on board his, the Vice-

 Admiral's

Admiral's Ship, in getting proper Intelligence concerning *Rochefort?*

A. On the 24th in the Morning, the Day after the Attack of the Isle of *Aix*, the Deponent saw his Signal out on board Sir *Edward Hawke*; on which Major General *Conway* and he went away immediately; Sir *Edward Hawke*, on their coming on board, told the Deponent, Admiral *Brodrick* and three Captains were gone reconnoitring for a Landing-Place, and he wished for their speedy Return. As that Signal, which was out on board Sir *Edward*, was for the Rear-Admiral as well as the Deponent, being a Standard at the Ensign-Staff, and the Vessels, which Admiral *Brodrick* had with him, were not in Sight, he begged of Sir *Edward* to make the Signal for all Land and Sea General Officers, which is the Standard at the Mizen Top-mast Head, that being most discernible at a Distance, and to repeat firing a Gun every Hour, which he did: Before Four, Admiral *Brodrick* and the Captains returned, very much fatigued, and drew up their Report. After taking a Morsel of Dinner they all got into their Boats and went away to the Isle of *Aix* (excepting Admiral *Brodrick)* in order to collect what Intelligence they could from the Prisoners taken in the Fort; a Number of the Prisoners were sent on board the Deponent's Ship, and examined, one by one, by General *Conway*, he speaking *French*, till near 11 o' Clock at Night, when Sir *Edward Hawke* and Sir *John Mordaunt* went away; and the Admiral declared his Intention of holding a Council of War on board the Deponent's Ship the next Morning, which was accordingly done.

Q. Whether the Pilot of the *Neptune* was examined that Night?

A. He cannot remember.

Q. Does he recollect any thing relating to a Report, Captain *Proby* made to the Admiral, of his having spoke to a *Dutch* Master, in relation to the *French* having made great Preparations at *Rochelle* and St. *Martins?*

A. He

A. He conceives, that is contained in the Minutes of the Council of War of the 25th, among the Reasons assigned for the Opinion of that Council; but in regard to what passed at that Council, he informed the Court, that he took very exact Minutes, which he has now with him, and he laid the same before the Court, in Words following; *viz.*

' Sir *Edward Hawke*'s Instructions read, dated 5th ' *August*, 1757, as far as is found practicable (*Quere*, ' Intelligence if to be considered, or believed before Trial.)

' Sir *John Mordaunt*'s Instructions read — conformable to the other — dated 3d *August*.

' Letter from Sir *John Mordaunt* to Mr. Secretary ' *Pitt*, dated 11 *August*, 10 o'Clock at Night, Isle ' *Wight*, —— regarding contrary Winds preventing ' the sudden Execution of his Majesty's Instructions.

' Mr. Secretary *Pitt*'s Answer read, dated 13th ' *August*, —clear, as to Power of judging.

' Mr. Secretary *Pitt*'s Letter to Sir *Edward Hawke*, ' dated 15th *September*,— urging the Attempt for the ' Destruction of *Rochefort*, and clear as to Limitation of time.

' Dº to Sir *John Mordaunt* —— D. D.

' Report—Admiral *Brodrick*.

' On Examination of Col. *Clerk*, all that could ' be gathered is, that the Army are to march up ' to see, if *Rochefort* can be escaladed or not, but ' that all opening of Trenches for carrying on of a ' regular Siege were not in his Plan for attacking ' it.

' *Bonville*—a Ditch.

' Pilot *Neptune*—a Ditch and Sluices.

' Prisoners—*Ditto*—*& Contra*, and worked on Fortifications about a Fortnight.

' 12 Broke up, —— unfinished.

It being Three o'Clock,

ADJOURNED till to Morrow at Ten in the Morning.

SATURDAY 17th DECEMBER, 1757.

THE COURT being met, and Vice Admiral *Knowles* not being yet come,

THE FOLLOWING Letters of the 18th and 19th *August* last, from Captain *Archibald Clevland* to *John Clevland*, Esq; Secretary to the Lords Commissioners of the Admiralty, and proved by him to have been received on the 19th of the same Month, were read by Desire of Sir *John Mordaunt*, *viz.*

" *Gibraltar, Spithead, August* 19th, 1757.

" Sir,

" Be pleased to inform the Lords Commissioners " of the Admiralty of the Inclosed ; I should have " sent it Yesterday, but thro' Hurry I had mislaid it.

" I am,

" Sir,

" Your most Humble Servant,

" ARCH. CLEVLAND.'

" *Gibraltar, Spithead, August* 18th, 1757.'

" SIR,

" On *Wednesday* the 17th of *August*, about 12 " o'Clock at Noon, I spoke with a *Dutch* Convoy " from *Rochelle*, there was two Men of War, one " of 60 Guns and one of 44 Guns, with 55 Sail " of Merchantmen ; the first Lieutenant of the 60 " Gun Ship came on board me, and told me, that " the *French* expected a Visit from us at *Rochelle*, " but made no Preparation.

" I am

" Your most humble Servant,

ARCH. CLEVLAND."

" LIEUT.

LIEUT. WILLIAM ROY Engineer being ſworn, was aſked, if he had as many Workmen as he choſe to have, how long Time it would take to throw up a Work of three hundred Yards, ſo as to make it defenſible againſt any ſudden Aſſault?

A. He believes it extremely difficult to determine any Thing of that Kind exactly, becauſe it muſt depend on the Nature of the Soil where the Work is to be thrown up, and on the Number of Men, which can be employed on that Work, but he is nevertheleſs of opinion, that in any ordinary Soil, ſo ſmall an Extent of Entrenchment as 60, 100, or 300 Yards might be thrown up, and in the Space of 2 or 3 Days made ſo ſtrong, as to render it unaſſailable, till ſuch Time, as it was battered and laid open by Cannon, and in the ſame Time he thinks even a covered Way, Glacis, and perhaps an advanced Ditch might be made.

Q. Had the Expedition Train of Artillery ſufficient to oppoſe to the Cannon of a fortified Town?

A. He imagines not; believes, they had only 12 Pieces of battering Cannon; is not certain.

Q. Of what Calibre were the Cannon?

A. Twelve Pounders and Twenty-four Pounders, is not certain of the Number of each.

A RETURN from the Ordnance Office being inſpected, it thereby appeared, that the Ordnance ſent out on the Expedition is as follows, *viz.*

Ordnance Heavy.		*Proportion.*
Braſs, mounted on travelling Carriages, compleated with Limbers, &c.	24 Pounders	6
	12	4

Ordnance

Ordnance Light:

Brafs, mounted on travelling Carriages, with Limbers, Ammunition, Boxes, and Elevating Screws,	6 Pounders	10
	3	6
Howitzers,	$5\frac{1}{2}$ Inches	2
Mortars on their Beds,	10 Inches	2
	8	2
	$4\frac{2}{5}$ Cohorns	20

Lieut. *Roy* being afked, what Number of Artillery Horfes there were?

Anfwered, He does not know exactly the Number, never having feen the Return of them.

Sir *John Mordaunt* informed the Court, the Number of Artillery Horfes were Forty.

THE HONOURABLE MAJOR-GENERAL EDWARD CORNWALLIS being fworn, and defired to inform the Court, what he knows in regard to the Opinion of the Sea Officers, as to the Difficulty of landing in the Night of the 28th, depofed, that he went on board the *America*, the Ship appointed for the Rendezvous, about Ten or Eleven o'Clock that Night, and was there fome Time before Sir *John Mordaunt* came; there were feveral Captains of Men of War on board, and the Deponent found by them, that the landing, in their Opinion, would be dangerous, almoft impracticable, and Madnefs in a Manner to attempt it. The Deponent had much Difcourfe with Captain *How* in particular, who expreffed himfelf with a great deal of Warmth, and feemed very uneafy at the Undertaking; he faid there would be at leaft fix Hours in towing to get to the Shore againft a Head-Sea, and likewife five or fix Hours more before a fecond Embarkation

barkation could be made to ſupport the firſt; that the Boats might be a conſiderable Time under the Enemies Batteries, if they had any, the Men ſtowed ſo in the Boats as not to be able to make uſe of their Arms, ſo as to make any Sort of Defence, and no Ships to protect them. Captain *How* ſaid, though he was not upon that particular Duty, yet he thought it of ſuch Conſequence, that he could not help declaring his Opinion, and that he would mention it to the Commander in chief, when he came on board. This likewiſe ſeemed to be the general Opinion, particularly Captains *Denis*, and *Buckle*, ſhewed Diſlike to the Attempt. After Sir *John Mordaunt* came on board the *America*, and heard the general Opinion, as to the Difficulty of landing, he talked with Major-General *Conway*, Colonel *Howard*, and the Deponent, on the Subject, and they all agreed, that the Attempt would be wrong as the Wind then was. Sir *John Mordaunt* thereupon ordered the Troops to reimbark from the Boats on board the Tranſports, many of them having been ſome time embarked, and then returned on board the *Ramilies*. The Deponent ſtaid at his Poſt, till it was Day-light, and until Sir *Edward Hawke* had ordered all the Boats to their different Ships again, and then went on board his own Ship the Princeſs *Amelia*.

Q. (By the Court) Upon the 25th, if it had then been thought adviſeable to land, would the ſame Difficulties have occurred?

A. He does not particularly recollect; as to the Weather and the Head-Sea he thinks not; but as for the Diſtance of the Tranſports from the Place, at which it was intended to land, they were on the 25th as far, and, he rather thinks, farther off.

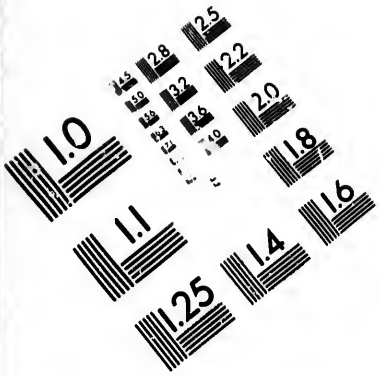
Q. At what Place the landing was intended to be made on the 28th?

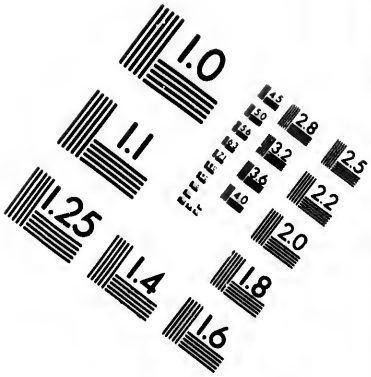
A. In the Bay of *Chatelaillon*.

Q. How many Days Proviſion were the Troops to take on Shore with them?

A. He thinks, Four Days Proviſions.

Q. At





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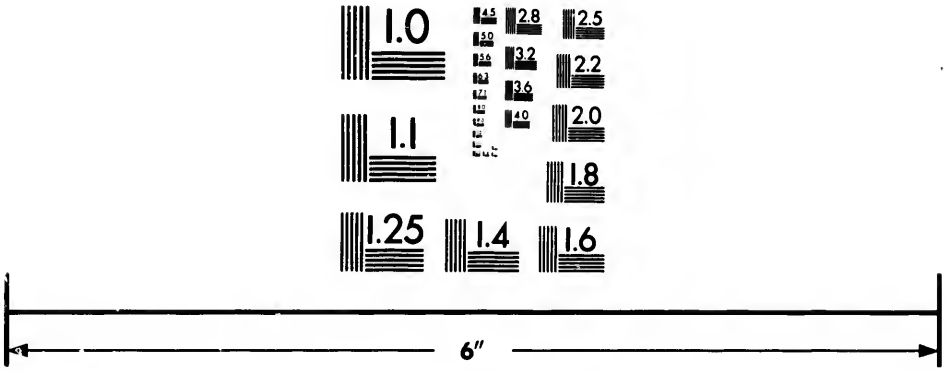

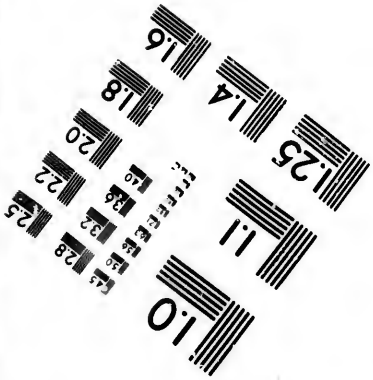

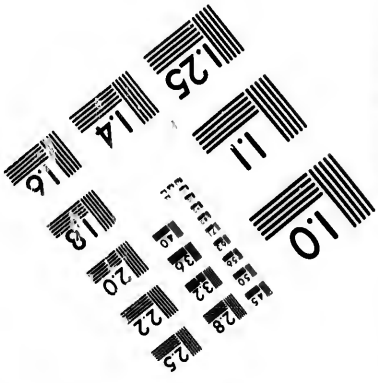

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Q. At what Time the Boats were ordered back again to the Transports and Men of War?

A. He can't easily say; thinks Sir *Edward Hawke*'s Order for that Purpose was about an Hour and an half, or Two Hours, after the Return of Sir *John Mordaunt* on board the *Ramilies*.

Q. Whether the Purport of the Memorial of the Disposition of the Troops of *France*, which represents *ten thousand* Men only upon the Coast, from *St. Valery* to *Bourdeaux*, was communicated by Sir *John Mordaunt* to the Council of War of the 25th?

A. He can't recollect; he rather thinks not.

Q. How many Debarkations would it have taken to compleat the whole?

A. The Boats, as he understood, would have contained from 1500 to 1800 Men: and supposing all the Boats to have returned safe to the Ships, the same Number would have been landed in the second Embarkation, and by that Reckoning, it would have taken four or five Debarkations.

Q. After the Soldiers were disembarked, whether it would not have required another Embarkation at least for the Artillery, Stores, and Horses?

A. It would have taken, as he conceives, more than one Embarkation for the Artillery and Stores; and the Horses he doubted of their being able to land at all; he thinks they must have been landed in Long-boats, or swam on Shore, if it could have been effected at all.

Q. Would the Flux and Reflux of the Tide have caused any Alteration in the Matter?

A. He is not a competent Judge.

Q. Did he attend the Cabinet-Council, or any of the Meetings, before they went upon the Expedition?

A. He attended the first Cabinet-Council.

Q. From the Conversation he had there, did he not expect great Assistance from the Fleet?

A. Yes, he certainly did; but they appeared at that Meeting so totally ignorant of the Bay, of the Place

Place of Landing, or of the Coaſt, that it finiſhed with ſending for the Pilot, *(Thierry*, as he believes; it was a Pilot then at *Spithead.)* The other two Councils he did not attend, being ordered to the Iſle of *Wight*, to take the Command of the Troops there.

Q. Were any of the Admirals, or principal Sea-Officers preſent at that Meeting?

A. Sir *Edward Hawke* and Vice-Admiral *Knowles* were there.

Q. (By Deſire of Sir *John Mordaunt)* Was Application made at that Meeting for additional Strength of Artillery?

A. He can't directly ſay, whether for more Artillery or not; ſome Demands were made; he thinks for more Troops.

LIEUTENANT COLONEL MURRAY, being again called in, was examined.

Q. On the 29th, when he was ordered by Sir *John Mordaunt* to reconnoitre the Coaſt, what Obſervations he reported to Sir *John?*

A. Colonel *Howard*, Lieutenant-Colonel *Wolfe*, Captain *How*, and the Deponent, went on board the *Viper* Sloop, which Sloop lay neareſt the Shore in the Bay of *Chatelaillon.* They viewed the Coaſt from the Top of the Awning, (which is elevated above the Deck) and ſaw a Tent and ſix Guns naked upon the bluff Point of *Chatelaillon.* From that Point to the Point *Angolin* they computed it to be about three Miles and an half, or four; all which afforded a good Landing; but there was a Ridge of Sand Hills, that ran from Point to Point quite along the Bay, within about forty Yards of High Water Mark, to the beſt of his Judgment. Theſe Sand-Hills ſeemed to be about 25 or 30 Feet, in general, perpendicular Height, and capable of concealing any Number of Troops from their Sight. They ſaw no Troops, Redoubts, or Batteries, (excepting the Battery he has mentioned) to oppoſe a Debarkation. The Captain of

of the *Viper* Sloop told them, that upon the 26th he had seen a considerable Body of Troops, with several Pair of Colours, march along the Shore from *Rochelle*, and that they encamped in the Bay that Afternoon behind the Sand Hills; which Sand Hills the Captain of the *Viper* called an Entrenchment; that the Men went to Work the same Afternoon upon these Sand Hills; and the next Day their Tents were more covered, intercepted by the Work they had thrown up, and at last they were intirely covered, so that he could not see them from his Awning. That, however, the 28th, (the Day before their coming on board) he had seen them from his Main-top; but that Captain *How* had been that Morning of the 29th to his Main-top, but saw neither Troops nor Encampment. Captain *Cooper*, Commander of the Ship that laid next to the *Viper* Sloop, told them he had seen the Troops from his Top-gallant-mast-head that same Morning, that being an higher Ship.—From the *Viper* Sloop they rowed into the Shore, as near as they thought it prudent; but saw nothing more from the Boats, than they had done from the Awning of the Ship. When they returned, they reported this to Sir *John Mordaunt*, and, as he remembers, also mentioned to him, that the Ground beyond the Sand-Hills was such, as Cavalry could act in.

Q. At what Time of the Day did they make this Report to Sir *John Mordaunt?*

A. About Five o'Clock in the Afternoon of the 29th

Q. (By Desire of Sir *John Mordaunt*) As he reconnoitred that Coast, what Number of Troops, under a good Officer, does he imagine sufficient to have defended the Bay of *Chatelaillon* against their landing, had it been attempted?

A. It is Matter of Opinion, and depends greatly on the Capacity of the Officer; he thinks, against two thousand Men, which he believes was the whole Number the Boats could have embarked at once, one Batallion of Infantry, and two Squadrons of Dra-

goons, with ſix Field-pieces, might have rendered their landing ineffectual, had it been made on the 29th, when the Wind was as ſtrong, as it was on the 28th. —In his Opinion, if the Wind was to the Weſtward, they could not have landed at all.

Q. (By the Court) How near it was neceſſary for the Boats to have gone to the ſix Pieces of Cannon mentioned in his Evidence?

A. Had they gone down to the *Angolin*, they might have been intirely out of the Reach of the Guns, and had they gone directly under the bluff Point, they would not long have been annoyed by them.

Q. Did he ever hear, how far it was from *Rochelle* to the Place, where they were to land?

A. From the Point of *Angolin* does not appear to be above three Miles from *Rochelle*, as far as he could judge from the Eye, and from the Map he has ſeen; but to the Cod of the Bay, believes, about five Miles.

Q. Whether the Captain of the *Viper* mentioned the Number of the Troops he had ſeen?

A. He thinks the Captain mentioned having ſeen ſix Colours; he can't take upon him to ſay, whether he mentioned how many Troops.

MAJOR-GENERAL CORNWALLIS was further examined.

Q. Whether Sir *John Mordaunt* did ſummon all the Land-Officers of the Council of War to conſider of a Letter of Sir *Edward Hawke*, propoſing a Return to *England?*

A. On the 29th of *September*, the Deponent received a Letter from Sir *John Mordaunt* in the Middle of the Day, deſiring he would attend him that Afternoon on board the *Ramilies*. The Deponent went accordingly, and after having been there ſome Time, Sir *John Mordaunt* (he believes it was then about the Hour of Seven) ſent in for him and Colonel *Howard*, Major-General *Conway* being already with him. Sir *John* told them, that he had received a Letter from Sir *Edward Hawke*, which he gave the Deponent to read,

read, and which he believes to be the same, as now produced in Court, *viz.*

Ramilies, *Basque* Road, *Sept.* 29, 1757.

"SIR,

"Should the General Officers of the Troops have "no farther military Operations to propose, conside-"rable enough to authorize my detaining the Squa-"dron under my Command longer here, I beg Leave "to acquaint you, that I intend to proceed with it "for *England* without Loss of Time.

"I am, SIR,

"Your most Obedient,

To Sir *John Mordaunt*. "Most Humble Servant,

"ED. HAWKE."

And he asked the Deponent's Opinion, as also that of the others, what was proper to be done upon it; the Deponent told Sir *John*, he knew pretty well his Opinion; for that he had constantly been against landing, since the Council of War of the 25th, and that every Day and every Hour they staid, he should be more and more against it; that there was no Service of Consequence to be done, and therefore he was of Opinion to return.

Q. Did they not all unanimously concur in Opinion to return?

A. He thinks Major-General *Conway* did hesitate upon it; but did afterwards come into the general Opinion for returning.

Q. (By the Court) Whether Sir *Edward Hawke* was on board at the Time?

A. He was on board; but not present at the Council, or Meeting.

Q. Were not they, who were assembled, the four Officers appointed for the holding Councils of War at Land?

A. Yes, as he understood it.

Q. Can

Q. Can he give any Reason, why the Admirals and the eldest Sea-Captain were not at that Council of War?

A. He cannot.

Q. Did Major-General *Conway*, when he hesitated, urge any Objections?

A. He thinks nothing new, or that tended to convince the Deponent at all; he did not propose any Operations, as he remembers.

Q. What was doing the 26th, and 27th?

A. A Proposal was made, as he believes, on the 26th, is not sure, by Major-General *Conway* about landing on the Isle of *Oleron*; Sir *Edward Hawke* made some Objection; the Deponent likewise was of a different Opinion, as thinking it tended to nothing of Consequence.

Q. (By Sir *John Mordaunt*'s Desire) What was his, Sir *John Mordaunt*'s, Opinion at that Consultation?

A. Sir *John Mordaunt* said, that, if it was the general Opinion, he should concur in it.

In regard to the 27th, the Deponent informed the Court, that he received a Message from Sir *John Mordaunt* that Day, to come down to the Isle of *Aix*; he accordingly went there in the Morning, where he met Sir *John Mordaunt*, with Sir *Edward Hawke*, Vice-Admiral *Knowles*, and Major-General *Conway*, (whether Colonel *Howard* was there, he can't say) they seemed to be employed in viewing Fort *Fouras* with Spying-Glasses and Telescopes, to see what they could make of that Fort; the Deponent could make nothing of it himself at so great a Distance, so as to form any Kind of Judgment about it. After having been there some Time, the Deponent asked Sir *John Mordaunt* if he had any Commands for him, and Sir *John* answering him, that he had not, he returned on board his own Ship.

Q. (By Sir *John Mordaunt*'s Desire) Did he receive a Summons that Evening to attend a Council of War the next Day, to consider of an Attack of the Forts on the Mouth of the *Charente*?

A. He did receive a Summons to attend a Council of War the next Day; can't say now, what it contained.

Q. (By the Court) While they were at *Aix* on the 27th, was there any Consultation between the Generals and Admirals?

A. They did at Times talk together, but the Deponent did not hear that Discourse; there was no geral Consultation.

VICE-ADMIRAL KNOWLES was again called in, and it being observed to Sir *John Mordaunt*, that the Minutes of the Council of War, which speak only in general Terms of "several Informations received of "Troops assembled in the Neighbourhood," would not be sufficient to establish any particular Intelligence, he might think material for his Defence; Sir *John Mordaunt* desired, that his Question of Yesterday might again be proposed to Vice-Admiral *Knowles*, *viz.*

Q. Does he recollect any thing relating to a Report made to the Admiral by Captain *Proby*, of his having spoke to a *Dutch* Master, who informed him, that the *French* had made great Preparations at *Rochelle* and St *Martin's?*

The Vice-Admiral answered, that he cannot particularly charge his Memory, who it was that was mentioned to have given the Report; but that Sir *Edward Hawke* did deliver in several Papers of Intelligence, which he had gained during the Passage; and amongst them mention was made of the Enemy's having Knowledge of their Approach; and it was taken for granted at the Council of War of the 25th, that the *French* had Intelligence of their Designs; and the Deponent is confirmed in their having a Knowledge of it at *Brest*, because he read several Letters taken in the *Emerald*, the *Southampton*'s Prize, giving an Account thereof, and of what Preparations the *French* were making.

Being desired to explain his Answer, whether from the Intelligence he refers to, he understood, that the

French

French had Knowledge of any particular Object of this Expedition, or whether they apprehended ſome Attempt upon their Coaſts in general? and whether the Preparations were confined to *Breſt*, from an Apprehenſion that the Armament might be intended againſt that Place, or whether they were general along the Coaſt?

He ſaid, that he cannot be certain, as to the whole of the Intelligence; but from thoſe particular Letters taken in the *Emerald*, he underſtood, that the *French* had Notice of a Deſign ſomewhere upon the Coaſt, and were making Preparations in general.

Some of the Witneſſes having mentioned Vice-Admiral *Knowles* as being preſent, when a Diſcourſe was had by Sir *Edward Hawke*, touching an Attack intended to be made upon Fort *Fouras* by Sea, he was deſired to inform the Court, what he knows concerning that Intention, or the Practicability of ſuch Attack:

Sir *John Mordaunt* deſiring, that unleſs the Anſwer tended to make either for him, or againſt him, it might be waved, as it would prolong the Trial,—

Vice-Admiral *Knowles* took that Opportunity of declaring, that if he knew any thing againſt Sir *John*, he would declare it publickly, and not bring it out by Piece-meal; but that he does not: On the contrary, he does in his Conſcience believe, Sir *John* has done every thing, that becomes an experienced General, to the beſt of his Judgment, for the Service of his King and Country, and would have done more, if it could have been done:—

The Vice-Admiral then depoſed in Anſwer to the Queſtion, that after the Surrender of the Iſle of *Aix* Sir *Edward Hawke* told him, the Pilot of the Ship *Magnanime* had offered to carry her in, to batter Fort *Fouras*; he does not recollect, at what Diſtance; the Deponent objected againſt the *Magnanime*, as ſhe drew at leaſt a Foot more Water than the *Barfleur*, and propoſed that Ship inſtead of her, as being of greater Force, as well as an old Ship, and her Loſs therefore immaterial. Sir *Edward Hawke* directed the Depo-

nent to have the *Barfleur* lightened immediately for that Purpose. When he returned on board his own Ship he directly sent for Captain *Graves* of the *Barfleur*, and told him Sir *Edward*'s Intention; the Captain reply'd, his Ship was on Ground, where she then laid, being, to the best of his Judgment, more than five Miles distant from the Fort. He has since heard, that Colonel *Brudenell* was on board of her at that Time. Upon this several Masters, together with Pilots, were directed to go sounding, particularly the Master of the *Barfleur*, and of his own Ship the *Neptune*. On his acquainting Sir *Edward Hawke* with the Impracticability of getting the *Barfleur* in, and the Masters having made their Reports of the Soundings, that Intention was laid aside, as impossible. Some Days after, he can't be positive, but believes after the first Council of War, Sir *Edward* directed the Deponent to carry in the two Bomb-Ketches, to try to bombard the Fort; the Deponent immediately gave their Captains Orders so to do, and directed the Pilot of the *Magnanime* to conduct the Infernal Bomb in, and the other to follow. In attempting to get in, the Pilot ran the *Infernal* aground, where she laid some considerable Time; two Row-Galleys, seeing her alone (for she had out sailed the other Bomb, and was at least two Miles from her) made to attack the *Infernal*, which the Deponent perceiving hastened on board, and gave a Signal for all the Boats, mann'd and armed, to go to her Assistance, and went himself in the *Coventry* Frigate; on which the Galleys retired, after firing a great many Shot at the Bomb-Ketch.—When the Ketch was on Ground she was a long Way without the Reach of her Shells, with the greatest Requisite of Powder (which he knows will fly two Miles and two thirds) having thrown several, which fell greatly short. The *Coventry*, in attempting to get to the Bomb, ran on shore five different Times.—After the Tide had flowed, and the Bomb-Ketch floated, she got under Sail again, and worked nearer to *Fouras*,

as

as near as her Draught of Water would let her, and then threw ſeveral Shells more, none of which did reach.—He added, that he is confident, if it had been in the Power of Man to have got any Ship or Veſſel in for that Purpoſe, Fort *Fouras* would have been attacked by Sea by Order of Sir *Edward Hawke*; and the Deponent, in Conformity to his Commands, would have effected it.—Likewiſe in regard to a Propoſal, that has been mentioned of attacking *Fouras* by Land at the ſame Time it was attacked by Sea, as an Officer, he declares it to be impoſſible, becauſe the Shot from the Ships, which miſſed, would have cut the Army behind it to Pieces.

The following Expreſſion being obſerved in the Minutes taken by Vice-Admiral *Knowles* at the Council of War of the 25th, as by him laid before the Court Yeſterday—"Pilot *Neptune*, a Ditch and "Sluices—Priſoners *Do*. and *contra*," he was deſired to inform the Court, whether any of the Priſoners examined at the Council of War denied the Circumſtance of a wet Ditch, or of Sluices?—To this he anſwered, that ſome of the Priſoners aſſerted, that there was a wet Ditch all round, and ſome that there was not; but does not remember any ſaid poſitively, *there were not Sluices*.

Q. As his Minutes ſhew him to have been very particular in regard to the Proceedings of the Council of War of the 25th, can he recollect, whether the Import of the Memorial, giving an Account of the Diſpoſition of the *French* Troops, produced at a Cabinet Council in *London*, was communicated to that Council of War?

A. He cannot recollect.

Q. Whether *Thierry* was pitched upon for conducting in the Bomb-Ketch, as the beſt Pilot?

A. Yes.

Q. If *Thierry* the Pilot had been loſt, had they any other Pilot, who knew that Part of the Coaſt?

A. None.

SIR JOHN MORDAUNT acquainted the Court, that he ſhould not trouble them with the Examination of any more Witneſſes, but delivered a Paper containing a few Obſervations, which he deſired might be read.

COLONEL WOLFE being made acquainted with Lieutenant Colonel *Murray*'s Evidence, in regard to Troops ſeen on the Iſle of *Rhé* from the Poop of the *Ramilies* on the 23d *September*, which Circumſtance is not mentioned by Colonel *Wolfe*, who is ſaid to have been in Company; as alſo in regard to Veſſels being ſeen to paſs from the Iſle of *Rhé* to the Continent, or from the Continent to the Iſland,—— ſaid, that he does recollect ſeeing ſome Troops through Glaſſes, and thinks likewiſe Colours; but did not attend to the Matter ſufficiently to be ſo particular, as Lieutenant Colonel *Murray* has been.

THEN the Paper delivered by Sir *John Mordaunt* was read, agreeable to his Deſire, in Words following;

My LORD,

'Before I put a final Concluſion to the Trouble 'I have given the Court, I hope you will excuſe my 'detaining you a few Minutes longer; in order to 'make ſome Obſervations that have occurred, and 'which I have ordered to be put together, during 'the Courſe of my Proofs.

'By a Queſtion aſked one of my Witneſſes by the 'Judge Advocate, it ſeems, as if he thought, I could 'have called a Council of War upon the 24th; but 'I dare ſay it will be remembered, that the Time of 'calling a Council of War was not preſcribed by my 'Inſtructions, and therefore I can be guilty of no 'Act of Diſobedience in calling it at that Time, 'which I thought moſt proper for obtaining the 'End propoſed by it. It cannot have eſcaped the 'Court, that it is proved, that the Afternoon and 'Evening of the 24th were employed in endeavouring to gain Intelligence neceſſary for our 'Actions, or Deliberations. And the Court will alſo remember, that the Members of the Council of

'War

' War were on board ſeveral Ships at many Miles
' diſtant from each other, and Colonel *Howard* at the
' Iſle of *Aix*; but indeed Admiral *Knowles* has com-
' municated to the Court the Difficulties, or rather
' the Impoſſibility, of aſſembling a Council that
' Night, if it had been wanted.

' I recollect, that Mr. *Pitt* mentioned a Circum-
' ſtance, of which it may be expected I ſhould take
' ſome Notice; which was, that the Paper produced
' by him, containing the Number and Employment
' of the *French* Forces, had been confirmed by ſub-
' ſequent Intelligence.

' Colonel *Clerk* too, it may be proper to obſerve,
' ſaid, if I recollect it right, that ſeveral People,
' whom he had ſeen ſince his Return, had confirmed
' him in the Opinion he had firſt formed of the State
' of *Rochefort*.

' If Obſervations of this Kind had been propoſed
' by the Judge Advocate to have been given in Evi-
' dence, I ſhould have objected to it, as improper,
' Evidence. What Mr. *Pitt* alluded to, has not been
' explained, nor laid before the Court, and like Mr.
' *Clerk*'s Diſcourſe confirming his Opinion, is all
' ſubſequent to the Tranſaction now under Exami-
' nation: It is awowedly ſubſequent to our Return,
' and therefore could never operate upon my Con-
' duct, nor influence the Judgment I was by his Ma-
' jeſty's Inſtructions to form upon the Spot. It ſeems
' therefore prepoſterous, to make that Evidence of
' Diſobedience of Orders, which muſt relate to ſuch
' Opinion, as I was able to form before theſe Facts
' were known. My Judgment can only be tried by
' the Proofs, on which it was formed. If the Judg-
' ment was upright upon thoſe, it can never be made
' otherwiſe by other Proofs, not then in my Power;
' beſides, the Court will alſo conſider the Abſurdity
' of admitting ſuch Evidence; for, if the preſent
' differs from that obtained upon the Spot, Intelli-
' gence ſtill ſubſequent may hereafter be obtained
' to contradict the preſent.

'Another neceſſary Obſervation ſeems to be, That 'the Reſolution of the Council of War of the 25th 'was not, That it was impracticable to land, but 'that *ſuch an Attempt*, that is, an Attempt to land 'in order to *attack Rochefort* according to the ſe-'cond Inſtruction, was neither adviſable nor prac-'ticable.

'I have heard, that ſeveral Perſons have men-'tioned Eſcalades ſucceeding during a Siege, but I 'am ſure this Court will remember, that, in all ſuch 'Inſtances, Surprize has been eſſential to the Succeſs.

'Capt. *Clevland*'s Letter ſhews, that the *French* 'expected a Viſit upon their Coaſt. Indeed at *Ro-'chelle* they ſeemed to have had no Fears about it; 'they made no new Preparations upon that Account; 'they are known to have been ſufficiently ſecure 'without them.

'I think I ſcarce need remind the Court, that, as 'it was not the Intention at home, that *Rochefort* 'ſhould be attacked any other Way than by Sur-'prize or Eſcalade, ſo the Artillery, *&c.* were not 'deſigned for, or adapted to a regular Attack. The 'Horſes did not, in Fact, exceed forty.

'This Court will pleaſe to remember, that the '26th, 27th, 28th, and Part of the 29th, were 'employed in the Demolition of the Works of Fort '*Aix*, according to the Inſtructions, to demoliſh 'all the Works we ſhould make ourſelves Maſters 'of.

'This Province was aſſigned to Admiral *Knowles*. 'How the Generals were employed, Major-General '*Cornwallis* has juſt given an Account.

'I have now finiſhed the Evidence I propoſed to 'lay before the Court. I hope I have anſwered every 'Part of the Charge made againſt me. It is a very 'heavy Charge— A criminal Diſobedience of his 'Majeſty's Orders.

'It does not lie upon me to impeach the Propriety 'of the Equipment: It might be proper to be made, 'though it could not be ſucceſsful.

'I did every Thing in my Power to execute faithfully the Instructions given me; the Trust reposed in me.

'The Court perceives by the Instructions, that upon the Spot, with the Assistance appointed by the King for me, I was to judge of the Fitness of acting,—of the Practicability of making the Attempt, before I put the Flower of the *British* Troops to Hazard, or risqued the Honour of the *British* Arms.

'The Subject was important; I had therefore Recourse to those appointed by the King to assist me.

'We could not be ignorant, that our Judgment would be unpopular; but it was our Duty to take Care that it should be honest and becoming Officers.

'Upon that Judgment I still rely; it was formed in Pursuance of the Power given by the Instructions, and can never, I apprehend, be deemed a Disobedience of them.

'There have been many Instances of Officers tried (perhaps too for supposed Disobedience) when the genuine Complaint was, that they could not be successful. But I have this Satisfaction, that as my Defence rests upon the concurrent unanimous Opinion of all the principal Officers employed with me, so the Cause of Commanders in Chief tried in my Name, is to be determined by Officers, who have Ability to discern the Justice of my Case, and Sensibility to feel the Delicacy of it.

'With these Sentiments I submit myself to the Judgment of the Court."

THE JUDGE ADVOCATE briefly submitted to the Court his Opinion, that subsequent Confirmations of Intelligence, as they could not have any Influence on the Resolutions, when taken, are not proper Evidence; and, if any such have appeared, in the Course of the Proceedings, on either Side, they ought unquestionably to be laid out of the Case. With regard

gard to Lieutenant Colonel *Clerk*'s Evidence, he does not recollect any Mention of Information obtained by him, since his Return to *England*, either in Confirmation, or Contradiction of his former Account of *Rochefort*.

But the Argument urged by Sir *John Mordaunt* in the Beginning of his Defence, against the admitting in Evidence that Intelligence, which was communicated to the Commanders of the Expedition at the Cabinet Council in *England*, he conceives to be without Foundation, as it is not produced as Evidence to prove any particular Act of Disobedience (the E idence of the supposed Disobedience in this Case being the Notoriety of the Return to *England*, without having attempted a Descent) but is only introduced to shew the Practicability of the Enterprize; and it would be as unreasonable to set aside this Intelligence, when the Question turns upon the Practicability, as to deprive Sir *John Mordaunt* of the Use of any Intelligence received previous to their sailing from *Spithead*, or of the Argument raised from the unavoidable Detention of the Troops in the Isle of *Wight*; which Circumstances were equally known to the Government, and both previous to the Orders signified by Mr. Secretary *Pitt* in his Letters of the 5th and 15th of *September*.

As to the Use endeavoured to be made of Port *L'Orient* being permitted to remain in the Instructions, (though the Ministry seemed to have given up the Thoughts of an Attack upon that Place) in order to govern the Construction of the other Article of the Instructions, which relates to *Rochefort*, the Latitude or Power of judging being expressed by the Word *practicable* in both Articles,—The Judge Advo- observed, that there is a manifest distinction,—The Article relating to *Rochefort*, directing an Attempt with a View to that particular Object, *if found practicable*; in the other Case, Port *L'Orient* and *Bourdeaux* are recommended, as the most important Objects

jects of his Majesty's Arms; and it is Ordered, that an Attempt should be made, successively, on both, *or either*, of those Places, as should be *judged practicable*, or on *any other Place* that should be thought *most advisable*, from *Bourdeaux* homeward to *Havre*: the Judgment of the Practicability being evidently intended to be made, upon the Spot, by the one Article, and not so, by the other.

As to the several Arguments, which go to the Impracticability of a Descent only, he submitted to the Consideration of the Court, whether they are not altogether defeated by the subsequent Resolution of the 28th of *September*, whereby the landing is determined not only to be practicable, but advisable, and to be made with all possible Dispatch; especially as no material Intelligence had in the mean Time been gained, which shewed Fort *Fouras* to be more assailable on the Land-side, than they had before Reason to apprehend.

He also recommended an Attention to the Dates of the several Resolutions and Proceedings, as nothing but what was anterior to the Council of War of the 25th, and known at that Time to the Commanders, can be considered as having any Effect upon that Deliberation, and therefore on the one Hand, all Troops seen from the *Viper* Sloop,—the most considerable Number (being from 800 to 1000) seen by Major General *Conway*,—and all other Obstacles subsequent to the Date of the 25th, will be laid out of the Case; as will on the other Hand the Confirmation of Lieutenant Colonel *Clerk*'s Opinion, obtained from the *French* Engineer on the 26th; which Circumstance alone, supposing the Resolution taken on the 25th, of laying aside the Design upon *Rochefort*, to have been justifiable and right, can hardly be insisted upon as a sufficient Motive for reviving that Consideration.

ADJOURNED till *Monday*, the 19th Instant, at Ten o'Clock in the Forenoon.

MONDAY,

MONDAY, 19th of DECEMBER, 1757.

THE COURT met according to Adjournment.

Some Members hearing that Admiral Sir *Edward Hawke* is arrived in Town ſince the laſt Sitting of this Court, expreſſed a Deſire, that he ſhould be examined, as a Witneſs, upon this Tryal for their fuller Information; and Doubts thereupon ariſing, whether, the Evidence both on the Part of the Crown and of the Priſoner being ended, the ſaid Sir *Edward Hawke* ſhall now be examined as a Witneſs?

The Matter was fully deliberated upon, and the Queſtion being put, it was reſolved in the Affirmative.

Ordered, That Admiral Sir *Edward Hawke* be deſired to attend this Court To-morrow Morning at Ten o'Clock.

Ordered, That Lieutenant General Sir *John Mordaunt* have Notice of the above Reſolution of the Court; and that he will be at Liberty to propoſe any Queſtions, he ſhall think proper; as likewiſe to produce any Witneſſes, to obviate or explain any Evidence, which may ariſe from the Examination of Sir *Edward Hawke*.

The Court peruſed and conſidered the Minutes of their former Proceedings, until the Hour of Three,

And then ADJOURNED till To-morrow Morning, Ten o'Clock.

TUESDAY, 20th of DECEMBER, 1757.

THE COURT being met purſuant to Adjournment,

ADMIRAL SIR EDWARD HAWKE was ſworn, and queſtioned,

Whether at any, and what Time, a Propoſal was made to him to lay a Ship to batter *Fouras?*

A. On the 24th of *September*.

Q. Whether he approved of that Propoſal?

A. He did; the Pilot of the *Magnanime* was examined as to the Strength of the Place, and Depth of Water

Water near it: Elated with the Succeſs of the 23d, and fond of the *Magnanime*, he ſaid at firſt, before Captain *Mordaunt*, he would carry her in, and deſtroy the Fort. As the Deponent had attentively conſidered the Shore, and was ſenſible, that the *Magnanime*, which drew more Water than ſome of our three-decked Ships, could not be brought near enough to batter the Fort, he gave the Pilot's Gaſconade Time to ſubſide; and then asked him, if he could carry a Sixty Gun Ship in againſt it: He anſwered, her Metal was not weighty enough, as there were Twenty-four Pounders in the Fort. He then propoſed to him to lighten the *Barfleur* two Feet (this ſecond Converſation was upon the Quarter Deck, by the Intervention of a Man well verſed in ſuch *French*, as thoſe Kind of People ſpeak) The Pilot ſeemed ſome time ſatisfied with this, and in Conſequence the Deponent prepared an Order to Vice Admiral *Knowles*, to lighten the *Barfleur*, and in the mean Time gave him a verbal Order; who immediately went away to give the neceſſary Directions, and to enquire into the Practicability of the Attempt. — The Pilot now recollected himſelf, and declared, that, even thus lightened, the *Barfleur* could not be brought near enough; that when ſhe could come neareſt at the Top of High Water, on the Ebb, ſhe muſt ſink in the Mud ſix Feet or more, from which he could not anſwer whether ſhe would riſe. Upon Tryal afterwards, the Pilot could not carry a Bomb Ketch within Random Shot of the Fort, as Mr. *Knowles* informed him; in whom, as being the ſecond Sea Officer in Command, he apprehends, he might ſafely confide for that Information. — The Deponent declares, he ſhould as readily have ordered an Attack upon *Fouras*, as he had done upon *Aix*, had it been practicable by Shipping; though it was his Opinion then, and ſtill is, that an Attack on either had no Connection with the principal Object in his Majeſty's ſecret Inſtructions, unleſs the Guns from either of thoſe Fortifications could have prevented the Boats from landing. --- (There they certainly could, but not

in

in anotherPlace.)--The principalMotive which induced him to give the Order for an Attack on the Isle of *Aix*, was, that at the Council at Lord *Holdernesse*'s, it was thought necessary by several of the Council, who laid their Fingers on that Fort, imagining the Guns from thence could have annoyed the Boats in landing at the Place, which then seemed to them, from the Chart, the most reasonable. But *Chatelaillon* afterwards appearing, on the 24th of *September*, to be the proper Landing Place (from whence, according to his Information, there was a good Road to *Rochefort*) *Fouras* did not, at that Time, appear to him of so great Consequence, though he came readily into the Proposal. He added, that the Pilot, upon Examination at the Council, appeared to him to be very ignorant of the Place: And even at the Attack of the Fort of *Aix*, he observes, that the *Magnanime* sewed in the Mud, though *Thierry* was on board.

Q. Whether, before they went from *England*, any Landing-place for the Troops was proposed, and by whom?

A. He does not remember, that a Landing-place was talked of, and that it was proposed to land the Troops either on one Side, or the other, of that small Neck of Land, which runs up near *Fouras* towards *Rochelle*: *Thierry*, the Pilot, said, he supposed there might be a Landing-place there, or thereabouts; said, as he thinks, if they could not land on one Side, they might land on the other; and the Deponent believes, it was farther said, if they should not be able to land there, that possibly a Landing-place would be found upon sounding and reconnoitring theCoast, somewhere thereabouts. The Deponent just now recollects, another Place was talked of at the Council in *London*, which was from *Fouras* towards Fort *la Point*, where seemed to be a little sandy Bay, which was at first judged to be a Landing-place; but little stress was laid upon that, for he believes, upon considering it, it was thought otherwise.

Q. Whether

Q. Whether the Place propoſed by *Thierry* the Pilot at the Council in *London* was reconnoitred, and Soundings made thereat, and whether it proved to be a Place proper for landing?

A. His Order, directed to Admiral *Brodrick* and the three Captains, was to reconnoitre the Coaſt from Point *du Chi*, near *Rochelle*, down to Fort *Fouras*, which includes that Place; and their Report mentions no other Landing-place, than *Chatelaillon*.

Q. Whether they had any other Pilots on board the Fleet tolerably well acquainted with that Coaſt?

A. They had Pilots capable of carrying Ships into the *Baſque* Road, provided the Weather was clear, and they could ſee their Marks upon the Iſles of *Rhé* and *Oleron*, but had he not had thoſe Pilots, he would have ventured to carry the Fleet into the *Baſque* Road himſelf; the Chart of the *Neptune François*, which is well ſet down, would have afforded Aſſiſtance therein.

Q. Whether *Thierry* was looked upon, as a ſkilful judicious Pilot, and thoroughly acquainted with the Coaſt near *Rochefort?*

A. *Thierry* was looked upon to be a good Pilot for the Road, and for the anchoring of Ships both in the Road and about the Iſle of *Aix*; but, from what Obſervations the Deponent made, ſeemed to have very little Knowledge of the Shore; believes, he never was upon every Part of it; and it appeared to the Deponent at the Council in *England*, that he was not acquainted with every Spot of Ground; thinks, the Pilot himſelf mentioned, only, having been on Shore ſomewhere near the Fort.

Q. As he attended ſeveral of the Councils before he went upon the Expedition, was it believed, that Troops could be landed in ſmall Boats either at *Chatelaillon*, or near *Fouras*, under the Protection of the Ships?

A. He does now recollect the Pilot ſaid, "If you "can't land at thoſe Places without being annoyed "from the Fort, you will probably find a Landing-"place about *Chatelaillon*;" but don't remember,

that the Pilot cleared up to the Council, that the Frigates could come near enough to the Shore to protect the Landing.

Q. When they came upon the Spot, did they find it possible to bring the Men of War near enough to the Shore to protect the Landing?

A. Certainly not.

Q. Mention having been made by Vice-Admiral *Knowles* of the Council of War of the 25th having broke up at 12 unfinished,—At what Time did that Council of War meet, and how long they sat?

A. He, with Sir *John Mordaunt*, went on the 25th early in the Morning on board the *Neptune*, and the Result of that Council was not actually finished that Night; they had chiefly come to a Resolution over Night, but the Result was wrote out fair, and signed on board the Deponent's Ship the next Morning.

Q. What Time, he imagines, it would have taken up to have made the whole Landing of the Troops?

A. That at the last Council of War, in which it was determined to land, he made a Proposal to the General Officers, in order to save Time, that, if they approved of it, he would immediately order all the Transports as close to the Shore, as they could possibly go, and the Frigates within them, at the Place where the Troops were to land, that they might get on Shore with the greater Expedition: This Proposal was seconded by Mr. *Knowles*, and by the rest of the Sea-Officers, but was objected to, principally by Major-General *Conway*, who urged, that to send the Transports in there in the Afternoon, would point out to the *French* the Place, at which they intended to land; he does not remember Sir *John Mordaunt* said any thing on the Subject, and thence concluded, he agreed in Opinion with Major-General *Conway*. The Deponent explained, that the Frigates were meant as a Protection to the Transports, to preserve them from being fired, or receiving any Injury. He remarks one other Thing, that although landing Troops in the Night

Night is against his own Opinion, as Men are liable to Surprize, and many Accidents, where they do not know the Ground, yet he submitted that to the General Officers, as supposing them much better Judges of it than himself, and made no Objection thereto; but with a View that the greater Expedition should be made in landing the Troops that Night, he gave Orders to the Agent of the Transports on board his own Quarter-deck, and to one or two of his own Lieutenants, to go on board the Transports, with a positive Direction from him, that at the Instant the first Body of Troops was gone from the Ships, the Transports should get under Sail immediately, and run close into the Shore, where the Troops were to land, in order that the second Body of Troops might be landed with much greater Expedition than the first.

The aforegoing Question, *viz.* "How long, he imagines, it would have taken up to have made the whole Landing of the Troops," being repeated with this Addition, "at any Time, supposing all Circumstances the most favourable"?

The Admiral said, he cannot answer that Question with any Sort of Certainty; they might have landed with great Expedition, had the Transports been as near, as they could get to the Shore.

Q. Would not the Flux and Reflux of the Tide have made an Alteration in the Time of Landing?

A. It certainly would; it would not have taken the same Time, had the Transports got under Sail, and ran close into Shore.

Q. Whether any of the Officers made a Report to him, that they had delivered his Orders on board the Transports, relative to their getting under Sail?

A. To the best of his Remembrance, they did; the Agent of the Transports particularly, as he remembers, told him, that he had; and he cannot doubt of their having been delivered, as he gave out those Orders in Person, (which is not usual for the Admiral) on Purpose to give them more Force, and that they might be the more fully understood.

 Q. As

Q. As the Court has been informed of Fifty-one light Horse, and Forty Artillery Horses being on board the Fleet, and as the Transports could not come near the Shore, whether it was practicable to disembark the Horse?

A. The Transports would have come within a tolerable Distance of the Shore about High-Water, but he understood the Horses were to be put into the Long-boats, and towed on Shore; which he apprehends would have been effected without any great Difficulty; but he knows very little of disembarking Horses, never happening to have seen any disembarked.

Q. What was his Objection to attending a Council of War on the 29th of *September?*

A. He can only say, he never was pressed to it by Sir *John Mordaunt*; he never did deny a Council of War to Sir *John* with a View to distress him; but when he saw the Troops did not land the Night of the 28th, and Major General *Conway*, with Colonels *Wolfe* and *Howard*, having reconnoitred the Coast over again on the next Day, and no Application then made to him to land them, he was thereby induced to write the Letter, he did to Sir *John*; not in the least doubting, they had good and satisfactory Reasons for it, and supposing the General Officers to act with the same View as himself, that of doing their Duty to the best of their Judgment.

Q. (By Sir John Mordaunt's Desire.) Did not he, Sir *John Mordaunt*, the very Morning of the Day, on which they came to a Resolution not to land, speak to him about having a General Council of War, and did he not return for Answer, that there was no Occasion for the Sea Officers, as it was a Land Operation only?

A. Yes; he recollects, it was about Noon, (when he spoke to Sir *John* to the same Purpose, as he afterwards wrote in his Letter.) —— And his Reason for it was this, that he always looked upon it to be his Duty, as Admiral, to convoy the Troops to the Road of

of *Basque*, and there, if possible, to find out a Landing-place for them, and, in case of their landing, to give them all the Assistance in his Power for that Purpose; but with respect to the Question, "Whether "they should land, or not land" (tho' he would have signed to any Proposal he thought right, and would have acquiesced in any justifiable Measure, yet) he constantly thought, it was the Part of the Generals to determine that Question by themselves, nor should he have given Sir *John* the Answer he did, but from its being his sincere Opinion;—he looked upon them to be good and gallant Officers, and Officers of Service, and therefore could not but suppose they were infinitely better Judges of their own business, than he could be. It was from the same Opinion of their Knowledge in their own Profession, that he assented to signing the Resolutions of the first Council of War, "That it was not practicable to take *Rochefort* by "Escalade," and he at that Time expressed a Desire, that the Land Officers should give their Opinion by themselves, as he thought it a Matter of Judgment, which merely related to them, and that the Sea had nothing to do with it, farther than telling them, they had found out a Landing-place, and were ready to land the Troops, if they thought proper, and to give them all the Assistance in their Power. — When the Deponent mentioned this, Major General *Conway* said, as he remembers, "Why really I am of Opinion, "as Sir *Edward Hawke* says, it is a Matter of Opi-"nion of our own;" but in Confidence of the Abilities of the Generals, he nevertheless acquiesced in their Opinion, of the Impracticability of taking *Rochefort* by an Escalade or Storm; however, though he assented to the not landing upon that Footing, he did not give it, as his Opinion, that the Troops should not land at all, for any other Attempt, which the General Officers should find proper and expedient for the Service; on the contrary, he then urged the Necessity, there appeared to him, of doing something agreeable to the King's Instructions.

Sir

SIR JOHN MORDAUNT being asked, whether he had any Question to propose to the Admiral, or any other Matter to offer, answered, That he had nothing farther to trouble the Court with; — that he felt himself quite happy in having gone through a publick Trial, and before such Judges.

THE COURT having duly weighed and considered the whole Matter before them, is unanimously of Opinion, that the Prisoner Lieutenant General Sir *John Mordaunt* is NOT GUILTY of the Charge exhibited against him; and doth therefore ACQUIT him.

TYRAWLY.

A True Copy,

CHARLES GOULD,
Deputy Judge Advocate General.

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