

stated by Lieut Burgess respecting his present
situation as an officer. Lieut Burgess stated that
he had been taken prisoner by the British & parole
by them; that he has never been officially notified
of his Exchange & that from the delicacy of his
situation, he wished the Court to decide whether
he was competent & safe in acting, under those cir-
cumstances, as a Member of a Court Martial? The
Court determined, that, though they were not formally
prepared to decide positively upon the point, yet they
considered it one of so much importance to the Honor
both of Lieut Burgess & of the Service in General
that they would defer any further proceedings in
the cases, upon which the Court ^{has been} ordered, until
directions of the Board of the Admiralty, shall
be received upon the subject, to whom they decided
to refer the subject.

Christopher Hughes R. J.
Lieut Burgess

C. J. D. Gordon

The Hon
William P. Jones

Receipt of
of the book
as soon as
in procuring