

impartial Judge. It is not in human nature for a man to neglect his duty in the hour of need and such is the sentence of the Court on this occasion. Their opinion relating to neglect was founded on a paper written by myself, at the time when I was in a state of distraction both of body and mind, and merely states an impression which the result of the British Commander's conduct made on my mind after the affair was ended, but which the paper alluded to, did not contain. namely the words, to take by force any British vessels found on board the Chesapeake. Thus was this cruel sentence passed and inflicted without mercy on a man who had spent the prime of his life in the service of his country and the truly guilty set at liberty and protected from crime or punishment.

If an officer having preferred charges against his Commander, fails to produce other proof and when brought to his own rank, perjurates as to the facts, is he not guilty of falsehood and in some measure of mutiny? Is not perjury punishable?

Mr. Babil, was proved so by four witnesses and the sentence of the court proves that the charges exhibited against me by the officers of the Chesapeake were without foundation.

x. This paper was sent on the day the affair happened, and was signed by me.