

thence, while the enemy was boarding or attempting to board the Frigate Chesapeake, accompanied the person of his disabled commander, before named, to the Gun deck, and there continued, without properly exerting himself, during the remainder of the action.

Specification the second. In that after having left his station and proceeded to the upper deck, and, thence, while the enemy was boarding, or attempting to board, the Frigate Chesapeake, accompanied the person of his disabled commander to the Gun deck, he did not return to the command of his division, but went forward on the Gun deck, and while there and the men were retreating below, commanded them to go to their duty, without enforcing that command himself, or directing, or permitting others so to do; where and in the stowage of the said Frigate, he continued during the remainder of the action, contrary to his duty and the good example of an officer.

To all of which the prisoner pleaded not guilty

April 26. 1814. The court met pursuant to adjournment

Present

Captain Stephen Decatur, President

Captain Jacob Jones

Mas^r Commd^r James Biddle

Lieutenants William Carler, Sen^r

John T. Shulbrick

Benjⁿ W. Booth

Alex^r Claxton

David Bonner

John Gallagher, and

John D. Hoag

members; when all the proceedings and evidence, whether on the part of the prosecution or the defence, being read, they pronounced the following

Sentence.

The court, after mature deliberation, on the evidence adduced, find the prisoner, Lieutenant William S. Boscawen, not guilty of the charges first for cowardice, second for disobedience of orders, exhibited against him.

Of the third charge, for desertion from his quarters and neglect of duty, the court find the prisoner not guilty, of desertion.