

T H E
P R O C E E D I N G S

O F 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.

L O N D O N :

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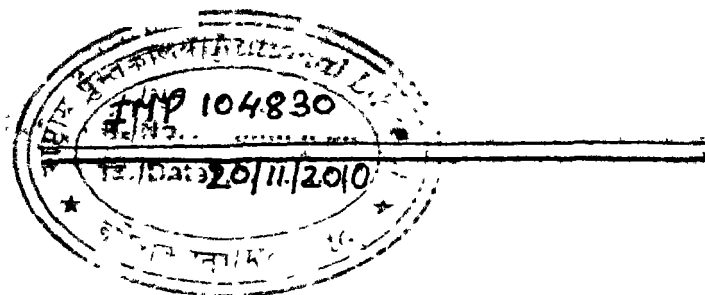
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ADVERTISEMENT.

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 Tyravely*, 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

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trusty

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 Mostyn*, *Edward Carr*, Major Generals of our Forces; our trusty and well beloved Colonels *William Kingsley*, *Alexander Durore*, 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 Thirtieth First Year of our Reign.

By his MAJESTY's Command,

H O L D E R N E S S E.

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

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 *Ramilies* 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-
 ‘ lar 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 *Rockefort*: 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 *Rockefort*, 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 Efforts,
 ‘ as you shall judge most proper for annoying
 ‘ the Enemy.

III. ‘ After the Attempt on *Rochebort* shall either
 ‘ have succeeded, or failed; and in Case the Circumstances
 ‘ of our Forces and Fleet shall, with Prospect
 ‘ of Success, still admit of further Operations; you
 ‘ are next to consider Port *P’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 Pleasure
 ‘ is, That you do not keep Possession thereof;
 ‘ but that after demolishing and destroying, as far as
 ‘ may be, all Works, Defences, Magazines, Arsenals,
 ‘ Shipping, and Naval Stores, you do proceed,
 ‘ successively, on the ulterior Operations of this Expedition,
 ‘ 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 *England*
 ‘ at, or about, as near as may be, the End
 ‘ of *September*, unless the Circumstances of Our
 ‘ Forces and Fleet shall necessarily require their Return
 ‘ sooner: And you are to land the Troops at
 ‘ *Portsmouth*, or such other of Our Ports, as the
 ‘ Exigency of the Case may suggest.

V. ‘ Whereas it is necessary, that upon certain Occasions
 ‘ you should have the Assistance of a Council
 ‘ cil

‘ **cil of War;** We have thought fit to appoint such
 ‘ a Council, which shall consist of four of Our Prin-
 ‘ cipal Land Officers, and of an equal Number of
 ‘ Our principal Sea Commanders, including the Com-
 ‘ manders in Chief of Our Land and Sea Forces (ex-
 ‘ cept in Cases happening at Land, relating to the
 ‘ carrying on any Military Operations, to be per-
 ‘ formed 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 re-
 ‘ spectively directed, from Time to Time, to be aid-
 ‘ ing and assisting with their Advice, so often as they
 ‘ shall be called together by you, or by the Com-
 ‘ mander in Chief of our Squadron for that Purpose :
 ‘ And in all such Councils of War, when assembled,
 ‘ the Majority of Voices shall determine the Reso-
 ‘ lutions thereof; and in Case the Voices shall hap-
 ‘ pen to be equal, the President shall have the cast-
 ‘ ing Vote.

VI. ‘ And whereas the Success of this Expedition
 ‘ will very much depend upon an entire good Un-
 ‘ derstanding between Our Land and Sea Officers;
 ‘ We do hereby strictly enjoin and require you, on
 ‘ your Part, to maintain and cultivate such good Un-
 ‘ derstanding 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 expe-
 ‘ dient, by taking Post on Shore; manning Bat-
 ‘ teries; covering the Boats; securing the safe reim-
 ‘ barkation 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.

‘ VH. 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 *Rockefort*, 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

‘ necessarily be given in those Parts ; this Conjunction 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. Merdaunt.

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

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

“ S I R,

‘ 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
B King,

‘ 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 *Aug*
ust 1757 (the Receipt thereof being proved by
 Mr. *Wood*, and admitted by Sir *John Mordaunt*)
viz.

‘ S I R,

‘ 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 Elliott*, 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 Elliott*, 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.

‘ S I R,

‘ 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.

‘ S I R,

‘ 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 Transports 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, together with the Fleet “so as to be in *England* at, or about, as near as may be, the End of *September*, 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 Manner, 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.

‘ S I R,
 ‘ 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 contain-
 ing 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 Ligomer, dated, London, July 15th 1757.

‘ S I R,

‘ 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 Conditions of some of their Fortifications of their Places of Importance, on purpose to judge, if an Attempt could be made with a Probability of Success, 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 Governor 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 surpris’d 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 many 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 Redoubts, 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. A TRANSLATION of the Paper, intituled “ Memoire “ sur la Force actuelle “ de la *France*, et les “ Services, auxquels “ Elle est employée “ dans L’Année 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.
- ‘ **T**HE *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’*Armée Française, 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	Infanterie Françoise	98,330
Artillery	4,100	Artillerie -	4,100
Foreign Foot	25,589	Infanterie Etrangere	25,589
King's Houfd. Horfe	3,210	Maison du Roy, Caval.	3,210
French Horfe	14,520	Cavalerie Françoise	14,520
Foreign Horfe	960	Cavalerie Etrangere	960
Dragoons	7,680	Dragons -	7,680
Huffars	800	Huffars - -	800
Light Troops	2,158	Troupes Legeres,	2,158

157,347

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 27,620 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 Horfe 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

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 Temps, une Augmentation se fit dans les *Dragons*, qui porta chaque Regiment à 4 Escadrons de 640 Hommes montant en tout à 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*, et les corps de *Fischer*, furent aussi augmentés, nous ne savons pas au juste de combien, mais, selon nos

Avis,

‘ cording to our Advices,
 ‘ this Augmentat on came
 ‘ to 680 Men, or therea-
 ‘ bouts. These several
 ‘ Augmentations amount
 ‘ to 38,420 Men; and
 ‘ consequently, the *French*
 ‘ Army (without reck-
 ‘ oning the Militia and the
 ‘ Invalids, which I put at
 ‘ above 67,000) is com-
 ‘ posed of 196,000 Men.
 ‘ They have, it is true,
 ‘ raised two new Regi-
 ‘ ments in the Country of
 ‘ *Liege*; but notwithstan-
 ‘ ding that, their regular
 ‘ Troops are under
 ‘ 200,000 Men.

‘ The Islands of *Mi-*
 ‘ *norca* and *Corfica*, with
 ‘ the Colonies in *America*,
 ‘ take up 25,000 Men at
 ‘ least; they embarked in
 ‘ the Spring, 3, or 4000
 ‘ Men for different Servi-
 ‘ ces in the two *Indies*;
 ‘ Marshal d’*Estrée*’s Ar-
 ‘ my, 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*, *Mar-*
 ‘ *seilles*, *Cette*, *Antibes*, &c.
 ‘ at Hand for that Part of
 ‘ the Coast.

Avis, cette Augmentation
alloit a 680 Hommes, en
environ.

Toutes ces differentes Aug-
mentations montent à 38,420
Hommes; et par conséquent
l’Armée Française (sans
compter la Milice et les In-
valides, que je mets au delà
de 67,000) est composée de
196,000 Hommes. Ils ont,
a la verité, levé deux Nou-
veaux Regiments dans le
Pais de Liege; mais mal-
gré 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 Hom-
mes pour differens Services
aux deux Indes; l’Armée
de Monsieur le Maréchal
d’Estrées, si les Regimens
etoient complets, iroit a
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, Cet-
te, Antibes, &c. à portée
de cette Partie de leur Côte.

‘ Ac-

Selon

‘ According to this
‘ Calculation then, there
‘ are 160,000 regular
‘ Troops employed; there
‘ will remain about 40,000
‘ Men for all the Garri-
‘ sons from Sedan to the
‘ Frontiers of *Switzerland*;
‘ as also for those of *Rou-*
‘ *ssillon* and *Guienne*, with-
‘ out 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 fr m *St. Va-*
‘ *lery* to *Bordeaux*.’

Selon ce Calcul, donc
voilà 160,000 Hommes de
Troupes réglées employées ;
Il restera environ 40,000
Hommes pour tous les Gar-
risons depuis Sedan jus-
qu’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 de-
puis St. Valery jusqu’ à Ber-
gue, 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 Bordeaux.

III. THE MINUTE taken in *Arlington-street*, August
1757, containing the Examination of *Joseph Thierry*,
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,	Mr. Secretary Pitt,
‘ Sir Ed. Hawke,	Gen. Ligonier,
‘ Lt. Gen. Sir J. Mordaunt,	Adm. Knowles,
‘ Major Gen. Conway,	Capt. Clarke.
‘ Lord Holderness.’	

TRANSLATION.

‘ **L**E nommé *Joseph Ti-*
‘ *erry* *Pilote François*,
‘ Natif de
‘ Protestant de
‘ Religion, aiant été exa-
‘ miné, dit—Qu’il a ex-
‘ ercé le metier de *Pilote*
‘ sur

Joseph Thierry a French
Pilot, born
of the Protef-
tant Religion, having been
examined, saith,—That
he has been for above 20
Years in the Employ-
ment

' 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
 ' éviter 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-
 ' mé 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-
 ' faire 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 se-
 veral 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 Rhe and Ole-
 ron is 3 Leagues broad, and
 that he has turned it in
 and out in the Magna-
 nime. 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 dif-
 ficult 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 environ sept Miles d'Angleterre de circuit, & une quarantaine de Cabanes, ou Maisons, rassemblés 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 Fortification; que les plus gros vaisseaux peuvent en approcher de bien prés, & que le vaisseau le Magnanime seul pourroit en peu de temps destruire la dite Batterie.

Que le plus gros vaisseaux peuvent monter jusqu'a Vergerot, a deux miles Angloises de l'embouchure de la Riviere avec leurs Canons, & Equipage; que la Riviere est fort étroite.

Que l'on peut mettre du Monde a terre au nord d'une Batterie nommée de Fourras sans estre vu du Fort, dans une prairie; 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, jusqu'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 fossés, ny des marais. *ther by Ditches, or Morasses*

‘ Que la ville est presque entourée par un rampart, mais que l’endroit, qui aboutit a la Riviere des deux cotés, il n’y a point de mur l’espace de soixante pas, quin’est fermé simplement que par une Barriere ou Palisade, et que le terrain pour aborder les dites Palisades n’est coupé d’aucun Fossé. *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 Fosse.*

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*.

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 Height 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, " 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 Height 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 *Ramles*, 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 *Rocheport* 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 *Rockefort*, before *July 1757*, being the Month, in which his Letter is dated ?

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

Q. (By Desire of Sir *John Mordaunt*) Could he observe any Bank or Dyke at *Rockefort*, which separated the dry Fosse 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 *Rockefort*, 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 *Rockefort* 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 *Rockefort* 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 *Roche fort*. 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 *Chataillon* 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 28th*. When the Wind was fair, he believes it might be possible to set Sail for the Purpose of landing.—The Transports had each of 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 *Doujeon* 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 Squadron of his Majesty’s Fleet, &c. Dated the 23d
 ‘ of *September*, 1757;

‘ **W** E the under written went and sounded the
 ‘ *French* Shore from *Rockelle* to Fort *Fouras*,
 ‘ and find as follows.

‘ From the south Point of the Entrance of *Rockelle*,
 ‘ (on which Point there are 27 Guns mounted on *Barbet*) to the Point of the *Angolin*, we find it a rocky
 ‘ Shore, and steep Cliffs, 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 *Chatellaillon* 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 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 *Rockefort*?

A. It is about 9 Miles, as he was told, from *Rockefort*, 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 few in the Boats, that were to tow the Long-boats; but this 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 Officers, whom his Majesty had appointed to enquire into the Causes of the Failure of the Expedition.

“ I appeared upon the Enquiry, and was considered as a Person accused, and from whom a Defence was expected.

“ The Enquiry had all the Appearance of a Public Trial, except in two Circumstances,—The Witnesses were not examined upon Oath, and I, who stood accused, was examined; which Examination 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 answer 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 Oppression.

“ 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 implies 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 Witnesses, 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 *Wolfe*’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 *Cbatellaillon*. 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 profess-
 “ edly 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 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 Article, 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. Secretary *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, according as the contingent Events and particular
 ‘ Circumstances may require.’

“ If this could require further Explanation, what
 “ arises upon the third Article of Instructions relative to *Port l’Orient* would establish it.

“ The Direction to attack *Port l’Orient* is expressed
 “ in the same Manner as the second Article, with
 “ regard to *Roche fort*, that is,” ‘ If it should be
 “ judged practicable.’

“ Yet it will appear, that one of the Generals mentioning 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 Instructions 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 before 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 Circumstances 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 *Rockelle*, 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 *Louras*, 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 aforefaid 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. *Thierry*, the Pilot of the *Magnaume*,
 “ 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 guided 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 *Rockefort*, 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 impracticable.

‘ 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.’

“ 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 *Rockelle*, and that the First Lieutenant of a Man of War came on board him, and told him, that the *French* expected the *English* at *Rockelle*.

“ 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 *Dst*,
 “ who told him, that the *French* expected to be at-
 “ tacked at *Rockelle*, 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 *Rockefort*, 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 *Rockefort*, 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 *Rockelle*
 “ or *Rockefort*, and by the Accounts of the Pri-
 “ soners, there was an Army assembled; one said he
 “ had seen seventeen Battalions in the Isle of *Rbé*,
 “ and eleven at *Rockelle*. 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 *Rockefort* 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 confi-
 “ 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 already 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, af-
 “ 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 Probability 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*

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 *Rbé*.

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 *Holderness'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 *Rockelle*, 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, ADJOURN-
ED 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* ?

E

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 *Rocheport*, Marshal *Senetierre*; there was a Man who said he had seen eleven Battalions at *Rochele*; the Prisoners in general made them a great many.

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

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 *Rocheport* 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 *Rocheport* 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 *Rochebelle* and the Isle of *Rhé*, as imagining that Operation was not practicable, or not proper, he is not certain which. Sir *Edward* talked of bombarding *Rochebelle*, 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 Foundations 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 Majesty’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*, Lieute-
nant General of his Majesty’s
Forces, and General and Com-
mander 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 Ma-
 ‘ jesty’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*, Com-
 ‘ manders 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* pro-
 ‘ duced a Report by Rear Admiral *Brodrick*, and the
 ‘ Captains *Douglas*, *Dems*, and *Buckle*, whom he
 ‘ had sent to sound and reconnoitre the Coast from
 ‘ *La Rochelle* to the Point of *Fouras*, near the Em-
 ‘ bouchure 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 reimbarcked 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 like-
 ‘ wise 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 Quantity of Artillery we have not being sent upon that
 ‘ Plan. Being asked, If the Ditch were flow’d 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 flow’d.

‘ 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 Improb-
 ‘ ability 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 Escalade
 ‘ 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.

‘ *Edw^d. Hawke,*
 ‘ *J. Mordaunt,*
 ‘ *Cha^s. Knowles,*
 ‘ *H. Seymour Conway,*
 ‘ *Tho^s. Brodrick,*
 ‘ *Edw^d. 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*, Lieute-
 nant 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.

‘ *Edw^d. Hawke,*
 ‘ *J. Mordaunt,*
 ‘ *Chas. Knowles,*
 ‘ *H. Seymour Conway,*
 ‘ *Tho^s. Brodrick,*
 ‘ *Edw^d. 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 inform’d, 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 Project of giving a mortal Blow to the naval Power of *France* is in his Majesty’s Thoughts, by attacking and destroying, if possible, the Dock, Shipping, and naval Stores at *Rochefort*.

“ A Plan of that Place given by one of his Majesty’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 believed, 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 Misfortunes, that may be the Consequences of a Repulse, and that well considered may in Prudence determine 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 remembering, 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 being 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 Retreat 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 Caw-
 “ seys, 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 re-
 “ ceive your Supplies of all Kinds, is absolutely ne-
 “ cessary; the whole depends upon it :---But this be-
 “ ing 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, Surprise, 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 taken 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 *Rocheport*, may fa-
 “ cilitate 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 At-
 tack on the Isle of *Aix*, he went on Board the *Rami-*
lies,

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 *Sablanceau*; they saw them lodge their Colours 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 *Peſſe Comitatus*, and he believes them to be different from the Militia; they were neither regularly clothed, nor armed.

Q. (by the Court.) At what Time he reported, or communicated to Sir *John Mordaunt*, what he had seen from the *Ramies* 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 communicacced 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 *Rockelle*, 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 *Rockelle*, 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 Cabbins, 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 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	Penjamin 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
Buffs	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 *Ramilles* at Sea this 20th Sept. 1757.

E D. 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 Mizzen-topmast-head ; the Deponent was in Doubt, whether to make a Signal to any of his Division to chase, 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.

‘ You are hereby required and directed
 ‘ *Dublin*, ‘ to take under your Command the Ships
 ‘ *Burford*, ‘ named in the Margin; the Captains of
 ‘ *Achilles*. ‘ 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-*
 ‘ *mhes*, at Sea, this
 ‘ 21st Sept. 1757.

‘ By Command of the
 ‘ Admiral.

‘ ED. HAWKE.’

‘ 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 Signal, 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 Ship, in getting proper Intelligence concerning *Rockefort*?

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 Mizzen 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 Morfel 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 *Rockelle* 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, 11th *August*, — 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.

‘ D^o 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 escalated 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 Cleveland* to *John*
Cleveland, 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. CLEVELAND.”

“ *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. CLEVELAND.”

“ 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 unaffailable, 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 Picces 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.

<i>Ordnance Heavy.</i>	<i>Proportion.</i>
Brafs, mounted on travelling Carriages, compleated with Limbers, &c.	
24 Pounders	6
12 ———	4

Ordnance

Ordinance Light.

Brams, 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 $\frac{2}{3}$ Cohorns	—	20

Lieut. *Roy* being asked, what Number of Artillery Horses there were ?

Answered, He does not know exactly the Number, never having seen the Return of them.

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

THE HONOURABLE MAJOR-GENERAL EDWARD CORNWALLIS being sworn, and desired 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, deposed, that he went on board the *America*, the Ship appointed for the Rendezvous, about Ten or Eleven o'Clock that Night, and was there some Time before Sir *John Mordaunt* came; there were several Captains of Men of War on board, and the Deponent found by them, that the landing, in their Opinion, would be dangerous, almost impracticable, and Madnefs in a Manner to attempt it. The Deponent had much Discourse with Captain *Howe* in particular, who expressed himself with a great deal of Warmth, and seemed very uneasy at the Undertaking; he said there would be at least six Hours in towing, to get to the Shore against a Head-Sea, and likewise five or six Hours more before a second 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 reimbarc from the Boats on board the Transports, many of them having been some time embarked, and then returned on board the *Ramhes*. 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 *Gbatelaillon*.

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

A. He thinks, Four Days Provisions.

Q. At

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 *Ramilles*.

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 *Bordeaux*, 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

off 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 Battalion of Infantry, and two Squadrons of Dragoons.

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.

“ S I R,

“ Should the General Officers of the Troops have
“ no farther military Operations to propose, considerable enough to authorize my detaining the Squadron 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, S I R,

“ Your most Obedient,

To Sir *John*
Mordaunt.

“ Most Humble Servant,

“ E D. H A W K E.”

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 a y 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 Ports on the Mouth of the *Charente*?

G

A. He

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 general 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 felt 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 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 *Rockefort*.

‘ 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, Surprise has been essential to the Success.

‘ Capt. *Cleveland’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-
 ‘ prise 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,
 ‘ tho gh 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 risked 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 *Rockefort*.

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 Evidence 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 *Rockefort*, the Latitude or Power of judging being expressed by the Word *practicable* in both Articles,—The Judge Advocate observed, that there is a manifest distinction,—The Article relating to *Rockefort*, 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 Ob-
jects

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 *Bordeaux* 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 *Rockfort*, 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 *Foyras*?

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 23^d, 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 another Place.}--The principal Motive which induced him to give the Order for an Attack on the Isle of *Aix*, was, that at the Council at Lord *Holderness'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 *Rockefort*) *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 *Tbierry* 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 *Rechelle* : *Tbierry*, 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 the Coast, 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 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 Cbi*, 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 *Rbé* 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 foregoing 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 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 *Roche-fort* 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 Opinion of our own ;” but in Confidence of the Abilities of the Generals, he nevertheless acquiesced in their Opinion, of the Impracticability of taking *Roche-fort* 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.

CONSIDERATIONS

ON THE

PROCEEDINGS

OF A

GENERAL COURT-MARTIAL,

Upon the Trial of Lieutenant General
Sir JOHN MORAUNT,

(As published by Authority.)

WITH

An ANSWER to the Expedition against
ROCHEFORT, fairly stated. In a
LETTER to the Right Honorable the
Author of the CANDID REFLECTIONS,
&c.

To which is added

A N A P P E N D I X.

Being a REPLY to the MONITOR of Saturday
the 21st Instant.

By the AUTHOR of, The CANDID REFLECTIONS.

L O N D O N :

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MDCCLVIII

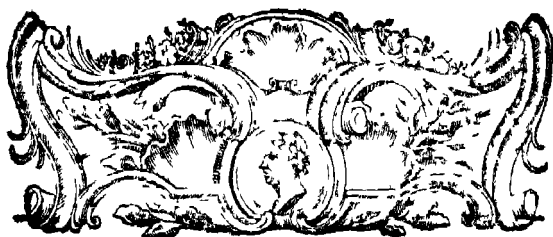
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A

LETTER, &c.

S I R,



YOU will hardly accuse of impropriety this address to you, who have drawn it upon yourself, by making it an indispensable duty to me, to clear up certain mistakes into which I apprehend you have been betrayed, by that suspicion of party-spirit, to which so many of our political writers are but too justly liable.

B

It

It is so rare to meet with any who judge of things by the sole standard of truth, without respect to their connections with the influence or interest of particular persons in power, or wanting to be in power, that I do not in the least wonder at your confounding me with the croud; especially as my opinion happened to differ so much from your's: I will not say that of your party, because I will not allow myself the liberty you have taken with me, of pronouncing you regularly enlisted in one. The worst I will in return suppose of you is, your being carried down the stream of that popular prejudice, which may be called the error of the day.

Unfortunately, at this very crisis, when every true Englishman has the greatest reason to spurn all attempts at imposing on his understanding, or misleading his judgment by false information, or false reasoning, we see hardly any thing else practised, and what is stranger yet, the deceit welcomed by the deceived, even in points where their greatest interest is not to be deceived. Some are even so attached to their leaders in error, that
any

any offer to deliver them from it, would receive no better thanks than those of the bear, who, on your taking the ring from his nose by which he is led, tears you to pieces for it.

But surely of all the ways of frustrating the representations of truth, none can be more effectual than to suppose them to come from so infected a quarter as that of one party, merely in opposition to another, where perhaps sounder judgment, and exact candor lead to an equal contempt of both.

Yet however, Sir, you may have mistaken the person on whom you fasten the imputation of that letter, you have thought fit to answer on the foot of that supposition ; I own myself not a little obliged to you, for the opportunity of explaining my thoughts particularly on two points you mention.

The first, (page 12) relating to a board of enquiry on an officer, "who was judged, condemned, and ruined without any other trial." On which I shall only

say, that it seems to me impossible for you to have a worse opinion of that procedure than it deserves, let who will have been the promoter of it : and that this I well remember, that if there was any doubt, and I believe there was very little, of that gentleman's innocence, before he was *in that manner* condemned, there was none at all of it afterwards, no more than about the reason for which he was so.

The second, "as to the decency and "humanity of ridiculing a bed-ridden miser, &c." (p 61) I can safely say, that not the warmest of his friends, nor the most implicit of his cluster of adherent, could more detest the nature of such an illiberal personality, than did many of those who had never over-admired him either as a patriot, a statesman, no nor even as an orator, nor saw any thing in him above a very common man, to whom certain strange conjunctures in these ridiculous times, had given a popularity, by which he had more than once been hoisted into power, after more than once giving as plain proofs as could be wished, of how much he deserved the one, and was
qualified

qualified for the other. If in this opinion, however, they were in the wrong, purely for want of better judgment, even you yourself can only pity them.

But surely, Sir, it does not at all follow, that from one's thinking one person unequal to the taking charge of the British system, one should think another more fit for it, to whom, perhaps, even greater and juster exceptions might be made ; and much less others, of whom a long and sad experience has pretty well settled the rate of opinion, and who nevertheless are probably still the predominant party at bottom.

The truth is, that in the mention of those party-cabals to which you allude, (p. 61.) I sincerely meant no pierce of any, but an exclusion of them^{all}: in the opinion, which you are most easily welcome to treat with what contempt you please ; that from none of them this country can very rationally hope its retrieval out of its present state of ordination. But explode this opinion as you may, at least you cannot but acquit it of flattery to
to

to present power, or even to *future*, when I ingenuously add, that I have no particular substitutes in view ; only, I presume in general, that this great nation cannot be so absolutely destitute of neutrals of birth, rank, influence and abilities, as not to afford a competent and a less exceptionable choice amongst them : at least, it will be one great merit, not to have been servilely enrolled in any party.

To one then fixed in a just contempt of *all* parties whatever, you will easily imagine that the treating him in quality of even the head of one, could not be a very accotable compliment. As little would the oncomitant title of right honorable, flatter one who knows so well to what sort of personages it is now so often given, as it with design to degrade it. That Enghman, whatever his condition may be, who sincerely and disinterestedly loves his country, is a character so much higher, by the heart at least, than those who dishonour or disserve it ; and is in these days great a distinction, that he must have wretched taste, indeed, who would envy him a worthlessness, that is no distinction

inction at all, unless a scandalous one in proportion to the exaltedness of the stations in which it is found. If this preamble should appear impertinent to others, at least it cannot so to you, whose mistake has made it necessary ; and I now proceed to what my title-page promised, some further and supplemental considerations, occasioned by the publication of the proceedings of the court-martial.

The first point to be noticed, since it was the only one left unexamined by the board of enquiry, is the reason of Fort-Fouras being inaccessible to sea-ward, after so explicit a declaration as that of the pilot Thierry, that *he* could *carry* the Magnanime within half an English mile of it. It was then but natural to suppose, that since nothing was attempted against it, the pilot must have out-promised his power to perform ; for which Sir Edward Hawke accounts very naturally in a part of his examination, that may very well, considering its consequence, admit a quotation here. (Page of the Proc. 108 and 109.)

“ On

“ 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 the *Barfleur*, *even thus*
 “ *lightened*, could not be brought *near*
 “ *enough*: that while she should 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 an-*
 “ *swer* whether she would *rise*. Upon
 “ *trial* afterwards, the *pilot* could not carry
 “ a *bombketch* 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.”

He, Sir E. H. added, (p. 10.) that this
 same pilot, “ upon examination at the
 “ council, appeared to be *very ignorant*
 “ of the *place*, and even at the attack of
 “ the fort of Aix he observes, that *the*
 “ *Magnauime* *sewed* in the *mud*, though
 “ *Thierry* was on board.”

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Thus is the non-attack of *Fouras* by sea solved in the very manner, which it was so obvious to bespeak it would : and as to the French seventy-four gun-ship running up the Charente, on which you lay such a stress, there is hardly a foremastman in the navy, but what can give a very satisfactory reason why she could not be followed, even if the subsequent one would not do ; that there was not a single pilot on board the fleet that would take charge of a twenty gun-ship in the chace up it. Page 84, of the proceedings you will see this point as fully explained, as the greatest punctiliousness of examination could require.

You will also see (from page 81, *proc.*) the question minutely answered, “ why “ the fleet did not come into the road “ sooner than the 23d, seeing they made “ the coast on the 20th ? ” Concerning which, whatever your private opinion may be of vice-admiral Kn——, in general, which you are certainly as free to entertain as possible ; yet is it plain, that in this particular you have done him wrong,
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as well as Sir E. H. who, if either the fact or reasoning, on which you proceed, was true, must have been the compleatest diveller on earth, to have suffered his subaltern's management, or opinion, to have had any share in defeating so great a project as that, of which the maritime part of the execution was committed to himself, or to his choice of whom to trust in any branch of it. Did Sir E. H. complain of Mr. Kn-----? and if he did not, who can, without beginning at Sir Edward? whom even malice itself, never that I could yet learn, charged with being either coward or fool.

The procedure of the court-martial having then cleared up the only point that had been left dubious, the practicability of attacking Fouras by sea, all the other parts of it will fall so properly within the course of my reply to your several objections, that there will be no occasion for a separate discussion. And as to the unanimous and honorable acquittal of Sir John by a numerous Commission of officers appointed to try him, however natural it might be to challenge

a strong^a presumption from thence in his favor, I entirely wave that advantage, from a consciousness, that as their condemnation of him would not in the least have changed my opinion, founded as it was, on matters of fact and evidence; neither could his acquittal add to that most perfect certainty of his innocence, they had before established: a certainty that had not the least connection with my knowing there was such a person in the world, as the projector or patron of the expedition.

If that acquittal, however, should be unpopular, or, if there are still some, as in favour of that common sense, of which you so often, and so pathetically invoke the name, I hope there cannot be many, who can harbour the least doubt of Sir John's having fully done his duty, there is one reflection which cannot fail of comforting him. A false judgment can only "*dishonor*" those who make it, or those who are weak enough to be misled by it, without examination: nothing being so rash as the decisions of the ignorant, nor nothing so hard as to engage

engage them to retract them. Who does not every day see men persevere in an error, as if that was the best expedient to cover the shame of having been in one, or preferable to the glory which the wise always find in renouncing it, from a consciousness that, being but men; fallibility could not be half the reproach to them, that obstinacy must be?

But whoever condemns, or acquits him, most certainly there is no man in Britain, who ought to confess himself so deeply obliged to that commander, as the patron of the expedition himself, if he has a grain of that gratitude, with which it would be very unfair to suppose him unprovided. He must himself rejoice, that such a number of his countrymen were not so fully sacrificed to an opinion of his, perhaps too lightly taken up; and which, himself being persuaded, he could hardly fail of persuading others to adopt, supported as it was by the irresistible powers of his oratory. But had the nation sustained so deep a loss, as was palpably prepared for it, and to so little purpose, even a sentiment of just compassion

passion would then probably have disposed many minds to examine into the nature and practicability of the project itself: minds now averse to that examination, from the excuse of doubt left them by the non-execution; a doubt, of which the partizans of the scheme do not fail to avail themselves, with those upon whom it can pass for one. Though, so tenacious of its object is the rage of prejudice, that had Sir John even been cut off, one half of his troops knocked on the head, and the other taken prisoners of war, which, or something like it, must in all human probability have been the case, I do not doubt but there would still have remained some, who would have kept on trumpeting the excellence of the plan, and have discovered in the execution that cause of its miscarriage, which your favorite, common sense, would have never thought of looking for, but in the project itself.

You produce, Sir, with great emphasis (page 10) the names of his M---, and the Privy-council, in support of the plan, against those who took the liberty of treating

treating it from the first, as a wild, chimerical, and absurd one. I know not what impressions they *may* make on you, but I readily suppose them such as they would make on every man of sense; impressions of the highest respect and veneration. But, I own, I think there is still an authority superior to theirs, in points where judgment and not obedience is concerned, and superior, because derived from God himself, and that is, one's own reason. The names of King and Council, at the same time they justly command the most submissive regard, do not challenge the attribute of infallibility, which even the Roman-Catholics begin to be heartily sick of allowing to their Popes. So far from it, they are often themselves most graciously pleased to lay before the Public, their motives and course of procedure, leaving every free Englishman to judge of them for himself. You, Sir, for example, are perfectly at liberty to think the intelligence that determined the resolution of the expedition, an admirable and compleat one. But will you grudge others the same liberty of thinking the contrary?

Others,

rant a person, it seems rather too vague and inconclusive to have deserved the *whole* of that important resolution being rested upon it ; I say, the *whole*, for the intelligence furnished by Col. Cl-- may be pronounced precisely less than nothing, even taking into the account *all* that he *said* before the council of war, the board of enquiry, and the court-martial, put together. Can you, Sir, say that he ever so much as pretended to have personally explored the great and important point of all, the accessibility of Rochefort by sea, or to ascertain many other essentials necessary to be known, before the plan of attacking it could be so much as attempted to be carried into execution ? Yourself only affect to be arch upon the doubt of there being a ditch quite round the place or not, and to take it ill that the troops did not march up TO SEE whether Rochfort could be escaladed or not, where, N. B. IF it was not, there was no artillery that could give a chance to force it, or to oppose to that of the place. But, deign to ask yourself the question, was any thing known that ought indispensably to

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have

Others, with as good intentions to their country as yourself, though perhaps not with eyes so penetrating, might very innocently see nothing in it of particularity, or weight enough for the superstructure of such a plan upon it, as was offered and approved.

Of the memorial of the French forces I have already spoke in my first letter : you will hardly find in it such an absurdity as that of a private authority disputing preference with a public, in which I only mentioned the difference between the list furnished to the Council, and the common report and notion, under appeal to the reader's own judgment, which comes nearest to probability. Though, had the government even been egregiously in this matter imposed on by false accounts, it would not certainly have been the first time of its being so ; and as to the pilot *Thierry's* deposition, I do not even take the advantage of its having proved a false one, because that could not be well foreknown, but by what appears of it previous to the resolution, however tolerable an one it may be from so very *ignorant*

have been known, preliminary to such a measure as that of attacking Rochefort? and the answer of your own knowledge and judgment to that question, can hardly, if you will suffer your prejudice to give them fair play, be other than favorable to the resolution of not risking so fine a body of troops, on such light and defective information?

If a French officer should report to his court, that Newport on the Isle of Wight was an unfortified place, that a hundred or less regulars might carry by a coup-de-main; what would he in that say, that was not strictly true? And yet I fancy, that they would think twice before they attempted it with ten thousand men, could they even procure a pilot through the Needles, and had they nothing to dread from the superiority of our naval force; especially where the case of a surprize should be out of the question, as it was with respect to Rochefort. The place itself forms the least object; its relations and connections, such as the means of coming at it, of retreating in case of a repulse, and the probability of succours by
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the national force, being the capital points to be previously ascertained beyond a doubt ; nothing of which was in this case so much as pretended to be known. Or surely, sixteen ships of the line needed not to have been employed, in convoying transports upon an expedition, where even a bomb-ketch could not come within gun-shot of the forts at the mouth of the river. The city-barges, as somebody before me has humorously observed, might certainly have been at least as serviceable : even frigates could not cover the debarkation, at the only spot where it could take place. It is indeed said, in a quotation of your's from the Report, (p. 41.) " that the bomb-ketches might *annoy* the troops, if there were any behind the sand-hills." Perhaps they might ; not much, however, I fancy. But as to bomb-ketches covering a debarkation, I have no great conception of its being possible for them to be employed on such a service, but that may very well be owing to my ignorance of the military art ; and to the same ignorance do I impute my doubt about a couple of field pieces blowing up a sluice in half an hour, by which

the ditch was to vanish, (p. 54.) and can hardly yet believe, that the success of the expedition depended on so simple an operation.

You have asked, sir, some questions in the name of common sense ; permit me now to ask you one in the name of common candor. What could possibly be your drift in introducing two such *stories*, as that of the Marshal Seneclerres being worn out with infirmities, and crying like a child, according to *your* French accounts ; and in that of its being understood on the coast, that both Rochefort and Rochelle would, in the course of a few days, fall into the hands of the English ; there being no possibility to reinforce them till the household-troops could arrive from Versailles, (postscript.) Is it possible, sir, that you can have seriously swallowed such gross illusions, or can hope to pass them, unless on the profoundest ignorance, or the most indolent acquiescence of non-examination?

As to the Marshal, that he might be very infirm, even to the dotage of shedding
tears

tears there is nothing incredible in that : the great duke of Marlborough himself, was precisely in that condition before he died. Nay, I grant it even possible, tho' assuredly barely so, that the court of France might be so ill-informed of this his disqualification, as to have trusted him with so important a command as that of the coast, in so critical a conjuncture as this of a threatened, and of what you would have to be considered as a very formidable, invasion. But is it to be believed, that since you allow there was a Marshal of France in or near Rochefort, that he had not officers and troops with him sufficient to conduct for him the necessary operations, and at least to put Rochefort into a posture of defence against a coup-de-main, which could not, if you believe colonel Cl-----, (you see I quote no unfavourable witness to you) take place, but by a sudden surprize ? All possibility of which being long enough over, any other method of attack was out of the question, since there was confessedly no artillery prepared ; and without it, our army must have made before it as silly a figure as a cock pitted without his gaffles. That such accounts
then

then you might have, I do not doubt : there are as silly ones every day imported ; but surely nothing would equal the absurdity of grounding upon the like of these a plan of enterprize, except that of condemning on them the non-execution of one. As to any awe or terror to be struck by the mere name of a Marshal of France, I heartily agree with you, that nothing could be more ridiculous or shameful. We have had a Marshal, nay, a king of France in our prisons before now, and may again, but it must not be by such projections as you are pleased to defend, nor by such a spirit of party as now reigns, instead of the old British one, which seems so thoroughly extinguished.

Now as to the taking of Rochefort and Rochelle being given over by the French, as already in our possession, on the bare appearance of our armament, as you advance on the authority of a captain or master of a transport vessel ; not denying the existence of this curious piece of intelligence, let us examine the merit of it, and leave the pronouncing on it to every Englishman, who shall *dare* to make use of his own judgment and knowledge.

First, as to Rochefort, the practicability of the attempt without knowing *how* it lay, how to be come at, without artillery, without security of a retreat, without, in short, only every thing that was material to be known, has already been discussed.

But as to *Rochelle*, surely no falsity was ever more grossly palpable. There is hardly a man who knows any thing, but knows that this place, the last important fortress of liberty, and the Protestant religion in France, is so extremely well fortified by art and nature, that an army, by sea and land, of fifty or sixty thousand men, might *perhaps* promise to itself the reduction of it in the course of a campaign, if not in mean time relieved by the whole force of France. To believe then that they could tremble for such a place, where especially surprising it towards the sea, is from its situation impossible; and where the case of a surprize itself did not exist, is such a stretch of credulity, that one would hardly imagine there was a man capable of even feigning it. It may also here be observed, that strong as it was before, it received within
these

these few years, a very considerable addition to its works, which cannot be unknown here, since it was in all the foreign gazettes.

As to the household-troops being ordered to hold themselves ready to march at a minute's warning, can any one from thence draw an inference of our armament having been an object of terror? Was such a disposition other than what might naturally be expected? Were a descent on the point of being made on any part of our coasts by the French, would not any forces at London have the same order, to be ready at all events, even if the coast was ever so well guarded? Must not then one be reduced to the most pitiful shift for argument, to infer from that disposition of the household troops, the French being frightened out of their senses?

In the mean time, it is precisely by such silly stories and idle reports as these, that many well-meaning, worthy people in the nation, are mis-led and abused; I mean those who are not in a way or condition

condition to examine for themselves. Thus it is, that many with the best of hearts towards their country, and even from that very goodness of heart, have been betrayed into the countenancing men and measures which, had the truth of things been known to them, they would have been the first to disapprove. Put to whatever deception they may be liable, from any designing men or parties, they can never suspect it in those, who desire nothing so much of them, as that they would not trust any other's judgment or knowledge but their own, especially in points where it is so easy for themselves to obtain sufficient information. Many would not want more than would constitute them, if not consummate politicians, at least competent judges in matters, of which almost any Englishman should be assured to be thought ignorant, or blindly to pin his faith about them on others. Yet, as things stand, how few dare think for themselves. They are content with having their opinions ready chewed for them, as we are told of the Negus of Abyssinia having his royal food chewed by an old woman,

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and

and chucked down his throat. With respect to certain personages, as well as to certain measures, how could the preference and popularity of the one, or any approbation of the other be otherwise accounted for?

As to France again, what gross absurdities, what palpable falsities and even often contradictory ones, are not every day swallowed; if they but flatter either the popular humor, or favor any particular point of interest of designing men? Few seem to consider how pernicious such national mistakes are, or how indispensable a preliminary to the taking of just measures for reducing an enemy: it is to know his exact state of strength, as well as his weak side. The next point is, on that knowledge, neither to dread him so much as to let fear enervate councils or operations, nor to despise him so much as to let that contempt lead into false measures. Has this maxim, true as it is trite, ever been observed towards France? Let the public measures declare. Sometimes we are panic-struck at scarce the shadow of a danger from it, other times knocking our heads against the hard impenetrable

penetrable substance of one. For my own part, I neither think her so formidable as some represent her, nor so despicable as others do, nor that she is to be subdued, no, not even by the great force in fashion, of whole regiments of tropes, battalions of metaphors, or brigades of families, though the man that should be at the head of them, were *heaven-born*.

Yet, Sir, you tax me, and surely very unjustly (p. 28) with entertaining a high opinion of the French wisdom and ability, and extolling them highly on every occasion. I presume there is no part of what I wrote on this subject that breathes a thought so foreign to me. The most that I ventured to say, only supposed, they could not well be thought such rank idiots as to omit, in their own defence, what nothing but idiotism itself could neglect, and that our troops would probably have stood wretched a chance to have trusted to the possibility of such a neglect. For anything further, yourself cannot think worse than I know of them. They are constitutionally and systematically the incendiaries of Europe, and in short as great enemies to its liberty as to their own.

Slaves themselves, with sense enough inwardly to feel the shame of being so, and which a poorly palliated exposition, cannot conceal from them, they think, however, to cover that shame by propagating their system of slavery, wherever their arms, cunning, or perfidy can pave their way for subdual or influence. Their chains they affect to cover with the flowers of eloquence, or with the laurels of war, or jingle them harmoniously, as if they were vain of them. From the whole drift of their politics, they have made it the interest of every nation in Europe, to contribute to their reduction : and yet, by their management and intrigues, at almost all the courts of it, they have easily prevailed over such ministers as we opposed to them, and given the foulest cause imaginable, a face painted with fair colours. The war now on foot was undoubtedly premeditated, at the very instant they were signing the peace with us at Aix-la-Chapelle ; that peace in which we so tamely consented to give hostages ! and as to their great wisdom it capitally consists in our folly. They have erected their system on the basis of our actual blunders, or the presumption of them,

them, from their knowledge of us, in which, to give us our due, we have seldom deceived their most sanguine expectations. Their military, its true, is more numerous than ours, which is not to be wondered at, under a constitution that is purely military, though their area of dominion is not proportionable to the force they keep up so much greater than ours, and certainly not so populous : The common men in their armies are very common men indeed ; and far inferior in every respect to ours. The great stress of their force in war consists in their nobility, which still adheres to its original principle of institution for military service, and which to that powerful point of honor joins a more regular education and training in war, than most of our officers. I have counted on their military establishment amongst their lieutenant-generals, *Marechaux de Camp*, *Brigadiers d'Armées*, *de Cavalerie*, and *de Dragons*, 15 Princes, 31 Dukes, 193 Marquesses, 139 Earls or Counts, 10 Viscounts, 78 Barons and Knights, independent of the untitled nobility, and of those that may be presumed to be in the subaltern commands. The examples of men of such rank, doubtless
diffuse

diffuse great animation through the whole body of the army; and surely the employment of these noblemen in the service of their country, may without partiality to the French, be pronounced at least equal to the glorious amusements of ours in racing, cock-fighting, gaming, and carrying themselves and their country to market, &c. And yet, to an Englishman, these titles need be far from dazzling or awful. The lowest freeman is superior to the highest slave in point of intrinsic dignity. The first subject in France is but the first slave, let his chains be never so gaudily ornamented; and in that servile condition, there can never exist a true spirit, which is perhaps the reason they are forced to substitute a false one of honor they place in obeying a despotic master, and which should rather consist in spurning the yoke. To say then the truth, with all the advantages national liberty must give us over them, the greatest reproach that can be made to any administration is that of suffering the French to gain, or but to hope the least ascendant over us. Nor could that ever be the case, if the nation was once to feel its undoubted strength, or have it put into a

proper way of collecting and exerting itself to the purpose.

So much for my “ extolling the wisdom “ and ability of the French.” And now, Sir, give me leave to represent to you, your not having made the fairest use of the assertion you quote (P. 6.) of there having been those who pronounced boldly that nothing would or possibly could be done by that grand Armada ; an anticipation you observe at once astonished mankind, and afforded a bad omen of the success ; though it could certainly mean no more than an indifferent opinion of the projection, or perhaps of the projector himself. For to think that any private malevolence, pique or envy, could have prevailed on the commanders of the expedition to neglect so grossly their duty to their king, their country and themselves, and to commit therein a treason for which no protection could ensure their impunity, no reward in the power of a king to bestow, could compensate the infamy ; *such a belief, I say, would itself* be such a stretch of injustice mixed with folly, as mankind at least can hardly be suspected of,

of, however a few individuals blinded by party-rage, or prejudice might adopt it.

But of all the charges you bring against me, the heaviest and certainly the most ill grounded, is, my want of candor, which would be infinitely the more criminal in me, for all my prefatory solemn professions of it. Had you deigned to peruse my discussion in a state of mind, free enough from prejudice, for truth not to find the entrance shut against it, you could not miss observing that I was far from seeking to derive unfair advantages from the testimony of the officers of the council of war (P. 23.) whom you very justly call parties, or from vague reports in opposition to those of authority. The whole strength of my conclusions are rested entirely on the information produced on your own side, but especially on the intelligence and deposition of Col. Cl— himself. You cannot reasonably suppose him to have been favorable or partial to the resolution of **not attempting** to proceed against Rochefort; and yet, what could more conduce to it, next to an immediate survey and **consideration** of circumstances on the spot, than the figure that gentleman himself made

made before the council of war of the 25th, if the minute of it was not partially or falsely taken, though it does not appear to have been contradicted : as follows (*Proceedings* p. 87.)

“ On examination of Col. Clerk, ALL
 “ that could be *gathered* is, that the *army*
 “ are to *march up* TO SEE *if* Rochefort
 “ *can be* escalated or *not* ; but that all
 “ opening of trenches for carrying on of
 “ a regular siege, were not in HIS plan of
 “ attack.”

You will excuse, Sir, this repetition, on account of its importance, and which conveys not an unpleasant image of an *army* marching up an enemy's country *to see*, if an attack, upon the plan of a surprise, *N. B.* already long over, was practicable or not, in which last case, there was nothing for them, but to march back again, that is to say, if they could.

As to the virulence which you accuse me of a tendency to support against the M---n---r, in that you also greatly injure the meaning of my heart. I know the
 F present

present state of parties too well, not to think him the most plausible, if not even intrinsically the best of the leaders of them, and from his popularity, deserved or not deserved, the most capable to serve his country, if he could act up to his professions. And since it is fatal to Britain, that some particular party must rule, in exclusion of a more national spirit, and of those who if they deserved to rule, would despise all parties whatever, and wish the nation fairly rid of them all, than which day it could never see a happier : since, I say, there seems no great likelihood of so desirable a change of system taking place, no doubt your admired m---n---r is as proper a one as any other head, or member of a party. Yes ! even though now linked with colleagues, he once affected sovereignly to despise, on the sole strength of which contempt, he rose to his present super-eminence, and whom he has however taken under his most gracious protection, at the hazard of his popularity, and of making no better a figure, considering the different color of the principles he boasts, than a new patch on an old thread-bare ducal mantle. But
 what

what were the terms of the treaty, of a political penitence on their side, which cannot however be entirely unsuspicious, or of relaxations from the rigor of patriotism on his, the course and tenor of affairs must decide, and has, in truth, already pretty clearly decided.

So far then from harbouring the least malevolence against him, utterly indifferent as it must be to him whether I do or not ; if he has not already all the talents that constitute the great minister, which I am far from denying, as he may surely have them all without my knowledge or assent, at least, I wish he had them all both for his country's sake, and his own.

I wish he may remember that though in this infamous age, the rarity of having clean hands, has made that a great merit which is purely a common duty, it is also not unessential to have a clear heart, a heart that will not suffer to fume up to the head, and cloud it, the arrogance of superior lights, the fondness of power, without the requisites to discharge its

F 2
function,

functions, that narrow-spirited partiality which leads to the selecting of subjects for employment out of one's own little family, instead of the great store-house of the nation : a heart in short above all the little-nesses of the times.

I wish him the discernment necessary to nominate or recommend the greatest and ablest ministers to foreign courts ; fit to support the dignity and interests of the nation, in this most critical conjuncture, and likewise to select the properest and most useful subjects for his own assistance at home, the want of which attention was the very rock on which Albe-roni split, whose head intoxicated with his strange sudden elevation, and vanity did not permit him to listen to advice.

May he for his own sake remember, and apply the two following maxims of the Cardinal de Retz, which will be found true in all times, because all times resemble one another, so far as the heart of man, which is always and every where the same at bottom, goes to form them. The first, “ That no circumstance so
“ much

“ much disgraces one who pretends to
 “ be a great man, as his not seizing ex-
 “ actly, or making the most of the de-
 “ cative moment of his reputation, which
 “ is generally sacrificed to an over-eager-
 “ ness for making his fortune. And it
 “ is in that precisely he is commonly
 “ doubly deceived.” The second. That
 “ the very shadow of a closet, the weak-
 “ nesses in which one cannot hinder, is dan-
 “ gerous to a man, whose principal force
 “ consists in his reputation with the
 “ public.”

May he also be thoroughly assured that
 many proposals which might with a toler-
 able grace, or at least without much in-
 decency be made by others, will with the
 worst grace imaginable come from him, if
 he has ever before violently opposed the
 matter of them ! that will be for ever re-
 membered against him, and the most in-
 trepid assurance, on such occasions, will
 be but the more hurtful to the conclusions
 he would establish, as it will less operate
 conviction, than provoke indignation. A
 mind thus changed, is always supposed
 to be so by respects of interest and power,
 and

and not by the actual position of things. This inference may certainly sometimes be wrong, but men are ever less afraid of being unjust, than of being taken for bubbles.

In my present train of good wishes to him, I cannot omit wishing him a manly, nervous oratory, such as may rather bespeak a command of business, than a command of words. These never fail him who is a thorough master of the first. May he entertain a just contempt for all that rumor and false fire of declamation, so much in the nature of a mounted sky-rocket, that bursting with a bounce, scatters little artificial stars, whose glittering impression vanishes instantly into the ambient darkness. I wish him, in short, an eloquence rather of service than of parade.

This will show you, sir, that not the warmest of his well-wishers, wish him better, or indeed, so well as I do, unless sincerity should be esteemed more pernicious than the rankest flattery. Can any thing, for example, be more pregnant with injury

ry to him than what you say (p. 62.) that no man in England durst fill his office after him? I wave an insistence on the scorn and derision, which such a suggestion must naturally provoke in every man in England of rank, quality, or pretensions equal, and many must be superior to his, and shall only remark that another cause was assigned for that long vacancy, at least as probable as yours, which was, that none cared much for sitting after him in a place; his very getting into which proved at once the nature of the times, and of the qualifications for obtaining it, such as could not render it a very *great* object of ambition.

I come now to your mention of the *fix weeks admiralty* (p. 62.) which I am extremely ready to grant you was at least as valuable a set, as that which succeeded them: though I then thought the nomination of some of them, the highest impolicy in the personage, who was supposed to have nominated them, as it appeared so bad an omen, and gave his enemies so fair an handle to impeach his disinterestedness, in his very first step into power. Some of them one would have thought too
great

great men to accept such a subaltern part on his recommendation. I also admit the fact to be exactly as you state it, as to their designed reinforcements for America; but you will allow too that this, though very laudable attention, was nothing to the point I contended for, of taking Cape-Breton. For certainly that force could not be supposed sufficient, humanly speaking, to ensure success; and any force in the least, short of that, was nothing to Cape-Breton. If we know its importance, in the opinion of which, I am flattered with your agreeing with me; the French also know it. These are the French king's words, in a memorial of instructions, dated Versailles, April, 1751. "*La Colonie de l'Isle Royale quoiqu'une des moins et-*" "*endues sous ma domination dans l'Amerique,*" "*est cependant une des plus importantes et*" "*par sa situation, et par le commerce qui s'y*" "*fait.*" *

It is not then to be doubted but it will require a force to reduce it, in proportion

* The colony of Cape-Breton, though one of the least extensive ones of my dominions in America, is nevertheless of the greatest importance, both for its situation and for the trade carried on there,

to

to the naturally to be supposed augmentation of its works and defence : but it is as certain that it cannot, or is not at least hitherto put into a condition of resisting such a force as it is in our power to bring against it. As to the reproach you mention, having been made to that branch of the ministry of their being *America-mad*, there was a retort at hand too obvious to be missed, which is, that it was at least better than being *Germany-mad*, and the worst I wish them, is that they may not be whiffled round nor fall off from the deserving the honor of such an attachment to that truly national object being imputed to them, as hardly admits of an excess.

As to several common-place aphorisms interspersed in your letter, the purport of which is that a soldiers life is not his own, but belongs to the state—that hard services ought not to be neglected because liable to loss, or danger, and the like : they are much too just to be disputed in general ; all that I presume to deny of them, is their being in the least applicable to the present point.

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But to the question you propose with a little air of triumph. (p. 34.) "Is a private officer or a collection of officers in council (for the number does not alter their condition) to say, my orders are ridiculous? who constituted them counsellors of state, and submitted the propriety of their orders of decision?" a particular answer is due in acquittal of the commanders of the heavy charge it implies against them.

In one word, sir, it was the KING, the king who made sir John specifically, and his council the judges of the propriety of their orders, which must be exactly in proportion to the practicability they should find or not of them, on that or any part of the coast, to which they were sent. And let any one but consider the defectiveness of the information, on which the plan was embraced, and it will hardly be denied that his majesty with great consideration and justice, left that latitude in his instructions. An express positive order of proceeding, at all events and risks, would have certainly born date with more propriety from a cell in a mad-house, than
from

from a closet, which ought to be respected as the sanctuary of wisdom. If the commanders then, who must know on what intelligence and advice the plan was originally founded ; (however it came to be adopted by the highest authority) in the gall of their disappointment, at being sent on such an errand, had even taken the liberty to treat those orders not indeed as quite ridiculous, but only as better to have been spared for their being so impracticable, of which they were happily for this nation, and themselves left the judges ; there could not, methinks, have been any great harm in it, even though none of them were counsellors of state, or had not left a low post in the army in the aspiring views of becoming so, in the safer course of rising by parliamentary campaigns, or the wordy warfare of opposition.

Disdaining too all petty cavils, I wave what advantages might be drawn from *Port L' Orient* being suffered to stand in the instructions to the general, though that place was known to be unattackable, and it remaining uncanceled, was repre-

sented as a hardship on the commander. (See Proceed. p. 61. and 106.) This it seems was over-ruled, though probably it would have been more exact, consequently more in the style of business, in an affair of so solemn and momentous a nature, to have complied with the motion for leaving it out. But let it go for a companion to the famous letter by the Viper-sloop.

Having now, Sir, gone through the points I thought most required an answer and purely to avoid too great a tediousness, passed by many, in which I am however far from acquiescing, I might here properly conclude this letter, and the same is in fact concluded as to its principal object, the expedition. But my gratitude for the pleasure you gave me (p. 64.) to find there is one man at least in Britain whose heart is, or seems to be susceptible of tender feelings. “ For the distress and “ disgrace of this country,” continues the pen in my hand, whether I will or not. I cannot quit it, (though you may this letter, if you are tired with it) without stating my sentiments of the cause of that disorder

order you lament, and of the only glimpse of chance for a cure that appears to me. For I am not thoroughly satisfied, but that where past indolence may have invited that perdition, we have long seen jogging on towards us, a mis-governed wrong-headed activity must bring it on upon the spur.

If to bad heads or bad hearts, or to a complication of both, for they are seldom seen entirely separate, our present wretched state may justly be imputed, the too too rational despair of our emergence out of it, is owing to, if possible, yet a worse cause, that prodigious insensibility of the nation, to its greatest and most sacred interests, that so deplorably lie a bleeding.

So stupid, so even treasonable an unconcern, one would however be tempted to think incredible, if to, what every day passes before our eyes, the whole stream of history did not join its force of demonstration. Search all its records and you will hardly find a single instance of the fall, especially, of a free state, that was
not

not precisely owing to the gross indolence of those very persons who had the greatest interest in its preservation and prosperity : who yet were wanting to their country, wanting to themselves, in not taking effectual and timely measures against the pernicious designs of their foreign enemies, or to stop the ruinous career of domestic ones.

This torpor of the mind it is, which whether brought on by corruption, or bred and nursed by effeminating luxury, or by a mixture of both, gives the reason, and marks the epoch of the declension of so many of those states, of which there now remains nothing but the empty sound of a name. Rome, Carthage, Athens, ultimately perished from no other cause than the supine acquiescence of the bulk of their respective communities, in the follies, passions and vices of their leading men.

If we turn our eyes on the prospect offered us, by our country, nothing is easier to trace, than the present ruinous state of things, to the same original cause. It is
but

but too visible an one ; the extream negligence of those whose honor, interest and safety demanded so contrary a conduct. Who yet contented themselves with remaining passive spectators of this long series of blunders and impolicy, of which not to have foreseen the consequences such as they are, must be as great a reproach to their understandings, as their not joining to prevent them, must be to their spirit, or to their sense of duty to their country and to themselves.

But what renders such an indolence yet more inexcusable, is the egregious worthlessness of the adversaries those would have had to encounter, who, clear of all party-spirit, should have united purely on the principles of preserving and defending their country.

These adversaries may be divided into two classes, which, however, occasionally different, may be pronounced exactly the same at bottom.

The first, such as were in the actual possession of power, and who, whether
through

through incapacity of better judgment, or through that corrupt, and always disloyal concurrence to unnational measures, which might be prescribed to them as the sole tenure of their offices, sacrificed their country so much in vain to another, whose evidently greatest interest was, that it should not be sacrificed to it.

In the second, and surely not the much more respectable class of the two, might be ranked those, who being out of power, were not ashamed in their eagerness to get into it, of profaning the sacred term of patriotism, and of pressing it into the service of dirty self-interest, or private ambition. Such, however, is the force of that word, or of its equivalents, that even the frequency of the detection of their being no more than empty sounds, or the hackneyed language of pretext and selfishness, has not been able to stale their effect, or to rob them of the popularity annexed to the employ of them. These terms of art then, for such they literally were, under favor of a smock of zeal, and of petulant invective tragically declaimed, passing for all that is great and pro-

profound in oratory, and appearing to be attacks on the fortress of power, masked the oblique lines of approach, that were to produce the opening the gates to these mock-besiegers. But whether the admission of them was voluntary, or forced by conjunctures, or by the besieged being tired with the galling of their fire, certain it is that the nation was not one jot the better for their success, or for its having lent its name to their attack: for either very congenially and kindly incorporating with the old garrison, or rather relieving than disarming it; their country saw and felt, that whatever change there might be of men, there was none of maxims or measures, at least, for the better; and the truth is, that by those who knew them best, no better was or could be expected.

Certainly then, there never was any thing so formidable in those, or in all parties whatever, separated or united, as to deter those Englishmen yet uninfected with their corruption, folly or falsity, from interposing in behalf of their country against the fatal effects of them. Their nonsense could not be supposed to be the

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common

common nonsense of the nation ; and not being so, how easy would it be to kindle up a spirit ; and what spirit ! not that of a further schism, but of a cordial union of all true well-wishers to their country, against all who should oppose the rescue of it out of its present growing distress. What could withstand such a cause, pursued with the zeal it deserves with all the laws of God and man on its side ? laws, of which even that great one of self-preservation, is not the greatest, since that of restoring the national honor stands included in the attempt.

Circumstanced as things are, can there be any so blind as not to see the necessity of this noble and virtuous union, or seeing it, such traitors to their country and to their own interests ; or so abandoned to sloth and indolence, as not instantly to concur to the promotion of it ?

On such an union taking place we should see the public measures replaced on a national basis, and all the lines of deliberation and execution drawn to their long-forgotten centre, the true good of
this

this country ; and those alone would be considered as enemies to it who should set their faces to obstruct it. They, it would be, that would themselves be treated as visionaries, who should know so little of the true British spirit, as to suppose it, especially when thus roused as it must now be, incapable of producing such a salutary union.

Compared to which, when comprehending as it would do, the whole power and activity of the community, how petty, and how contemptible must appear all the selfish cabals of particular families or factions, who in their rage of engrossing that power to which they are so unequal, think it an injury done to them, if instead of serving their country, their country is not suffered to serve them.

Neither would the opposition, that such as they could make to that political regeneration, which would reduce them to their original nothingness of power as well as of character, deserve the name of an opposition. It could, at most, pass for a madness, that would justify the tying their

hands up from doing further mischief to the nation and themselves. Their struggles would be even a jest, instead of a discouragement, to such as, in the strength of such a cause, would resolutely undertake them. For, in fact, what are all the proofs they have hitherto attempted to give of ability or vigor, been, but matter of pity and ridicule, when considered with an eye of the least penetration or discernment? Contempt is, however, undoubtedly their due, and that is a debt as easy as it is just to pay them. For, in fact, what fear can there be of mistaking as to them, or of danger from them, unless of not despising them as much as they deserve? Even in the case of any prevalence of theirs against their opponents, the scorn of them could only be increased by the reflexion of the indignity of such a prevalence. Hard indeed would it be, if such as could never make any use of the power intrusted with them by their country, to the least hurt of its enemies, should be only armed with it effectually against its friends ; and of being friends to this country, there can scarce exist a stronger

stronger proof than the wishing it out of their power to do it farther harm ; nor is this wish even an unfriendly one to themselves, since their own private interest, in the common fate of the nation, is manifestly included in it.

It is not, however, from those who are congenially satisfied with the present course of things, from their hopes or views to come into play on the foot of that complaisance, or acquiescence, that the nation can expect its redemption. From these, if they were but honest enough to speak out, one might anticipate an answer, something in the spirit of that given by one of the great men of Java, to those who were urging him to join in suppressing a band of robbers (with whom, by the bye, he used to share the plunder), as a measure essential to the good of his country ; “ *Tell them so,*” said the great man, frankly, “ *who have the good of their country at heart ; for may I perish if I have.*”

As little good may be expected from those whose constitutional sloth, or, with
leave

leave for the expression, whose innate *vis inertiae* is proof against all the motives of honor, or even of what one would imagine dearer to them, self-preservation; yet, if it might not too much shock these men of ease, to urge to them any thing of so rough a nature as Reason. against the grain of velvet-indolence, they might, in favor even of that supream good of theirs, Ease, be reminded, that its being lost and destroyed, in the consequences of a general wreck, is far from being impossible.

This epidemic indolence, however, it is, which is not only an enemy to action, but tends to propagate a general and fatal blindness, in matters of the highest concern, to every individual of the nation. It begets, in those infected with it, an aversion to thought, as an invader of their quiet, especially when they have a sort of confused pre-notion, through the powerful instinct of truth, that the result of an examination will not be agreeable to their favorite prejudices. Prejudices that shall have been infused into them by such as had an interest to mislead them by false lights, or rather to keep them in utter

darkness. In this, their mis-leaders are greatly favored by the nature of indolence itself ; it being natural for those inclined to sleep, and to those who would lull them to it, so shut out their common disturber, the light of truth. Thence too, the so frequent administration of political opiates, which increase the disease, whilst they stupify the sense of it, and dose the patient into perdition.

But, if from characters of this lethargic turn the nation has little succor to hope, in times, when the utmost vigilance and activity could not be too much against that alert enemy at our gates, whose motions will be only quickened by our slowness ; neither can there a much greater dependence be reasonably had on those whose little heads are so engrossed by trifles, as to have no room left in them for any thing that is great, noble, or spirited.

Many of these however deserve great pity ; they are what they are, constitutionally. It would perhaps be even cruel to rob them of that taste of theirs for every thing that is futile and silly, since nature has made them

them capable of nothing else. Take from numbers of them their joy, and plume of pride in a tawdry equipage; their race-horses, dogs and flatterers; their keenness of composition for who shall be king of the butterflies on a birth-day, and other the like sublime points of their delight or occupation; what would you leave them, but a dreadful voice of existence there would be no filling up? organized as their heads are for the reception of nothing but refuse-trash, whilst their hearts are too rotten-soft for receiving and retaining the fair impressions of virtue or honor.

But even these, if they could be brought to a sense of their truest interest, would, for their own sakes, for the sake, in short, of preserving that property which enables them to indulge themselves in all their insipid rote of dissipation, and furnishes them the materials of parade with which their most miserable vanity is so humbly satisfied; yes! even these ought to wish for such a change of system, as might allow of some hopes of averting the storm that threatens to involve them all in the general ruin.

This

This consideration too, one would think, might give an alarm even to a certain veteran camp, where there has been long hung out a flag of defiance to the common sense of mankind ; and where it is impossible to decide which prevails most, the spirit of rapine, or the infection of dulness. There it is, that nonsense and folly receive as a favor, what sense and taste would spurn, if proffered ; an admission into clubs, which requires at least as much interest to obtain, as a seat in the senate. In that rookery, it is that, the greatest and most sacred interests of the nation have often been regulated over a card-table, or a dice-box, or at best, in the intervals, snatched with regret from the only serious occupation there, that of unmercifully pillaging one another. And, to say the truth, the face of affairs did not bely the nature of the time allotted to them, the manner of their digestion, nor the place whence they had dated. Even, at this day perhaps, that receptacle of gamblers and statesmen outvies the present m—t—r—l closet in point of extensive influence and solidity of power, though to do it justice, it has not
I yet

yet indeed produced any thing equal to the Secret Expedition.

Those then, who yet retain a claim to the name of Englishmen, a name once never associated but with the ideas of the highest honor, of courage, of spirit, and and in short of every thing that is great and estimable amongst mankind, never could desire an occasion more worthy of a just and virtuous ambition, than the present one of stepping forth ; and, before it is too late, effectually taking in hand, the cause of this much injured and long deserted country. Who should defend it, if they betray or fail it ? or where is there in the known world, that country so well worth defending as this ? let them consider too, that there is nothing of an affectation of gloominess or exaggeration in painting the prospect of ruin, as imminent and inevitable, unless averted by immediate counteraction and negotiations. There plainly appears but one alternative ; that of a bloody war, or of an ignominious ruinous peace. Between these two courses, there is no middle one ; and it is not hard to decide, for which of them it is, that a true Englishman

man will declare. It will also not appear a proposition very difficult to grant, that for the British Genius to soar once more to its antient heighth, it must first be freed from all those fetters of foreign interests, corruption, folly, and futility, that have so long kept it chained down groveling in the dirt. Not forgetting withal, that if inaction must be granted highly pernicious, it can, however, hardly be more so, than an unadvised, or misdirected activity.

Here, Sir, I conclude, and if there is any part of the foregoing has offended you, or can offend any one in the character of a true Englishman, I am heartily sorry for it, sorry for myself: nothing could be less my intention. As to those whom partial attachment, weak prejudice, or the strong byas of interest, subject to an invincible prepossession; it is for themselves that I am sorry; and especially, for so far as this country may, or must be affected by their error.

I am,

S I R,

Yours, &c.

APPENDIX,

I N

A N S W E R

T O T H E

Monitor of the 21st January, 1758.

TH E not having seen the Monitor till the foregoing sheets were finished and sent to the press, hindered my including in them my answer to it. On perusal of it, however, I judged this appendix, the more necessary for the good opinion in which that paper deservedly stands with the public. The spirit that animates it, is so palpably that of justice to this country, that I cannot but respect it, even where it may be, I do not say actually is, in an error. But, however different our sentiments may be in this or any other point, I defy him to wish the cause he has undertaken to defend

send more success than I do, if the justice of it deserves it, and I hope he would not himself with it on any other footing.

That the report of the board of enquiry was ineffectual, I entirely agree with him. If he even understands it, or can but guess at its drift or meaning, it is more than I pretend to do. The most I could make of it was, that it was something in the nature of the *special verdict* of a petty-jury, that leaves the matter of the indictment to the decision of the judges.

As to the unanimous acquittal passed by the court martial, which makes the great object of the Monitor's complaint, that the commanders of the expedition were not delivered up to a *public execution*, for not less do the motto and tenor of that paper import ; I own, after perusing the proceedings of that court, with the utmost attention, that I do not see what other sentence could pass, unless the members of it could have thought the sacrifice of the lives of those gentlemen, a compliment due to the wisdom of the minister, a sacrifice of which they deserved the

the less to be the victims, for their having spared to this country, so vain an one, as that would have been of its troops intrusted to their conduct. Or was nothing but their blood to atone for their having trusted their own senses, in defiance of what the admirers of the projection of the plan might think or say, and for having obeyed his Majesty's commands who so evidently constituted them the judges of its practicability? Or were they, in complaisance to an information of which the defectiveness could not escape them, especially when they had already found so many parts of it directly *false*, to proceed upon the uncertainty of two or three *ifs*, not one of which made scarce a possibility, to engage their forces beyond a power of retreating, in case of the repulse they had not a single reason not to bespeak, and a thousand to be sure of it.

The M. exclaims against the use of lenitives in failures of military duty, with great justice, no doubt, on his side. But in this case, it is plain, the commander spurned the thought of owing any favor to them : and, at least, as to his part, it is not even quite

quite fair to upbraid him with his having the benefit of them, when he previously and solemnly disdained it.

The M. says, that, on this occasion, "The enemies of the government seize the opportunity to spread insinuations against the propriety and practicability of the measure." And why not the friends of it? Is it then become a criterion of loyalty, to believe that the minister could not commit a mistake, and that it is better to put half a dozen innocent gentlemen to an ignominious death, rather than that his infallibility should be questioned? Or is the government to stand or fall, according to the notion that shall prevail of it.

If it is notorious, "That there is a lurking faction, which labored hard to carry their point in the court-martial." Let infamy attend that faction, it deserves it. But what is that to the commander of the expedition, who, it is plain, never rested the issue of his cause upon either faction, intrigue or favor, but purely on the justice of it? His defence is before the
public,

public, and above all, that great and essential part of it, produced by his accusers themselves, the intelligence on which the plan itself was founded, and which if the *best*, as the M. styles it, then certainly bad was the best, for it contains, except the memorial of the forces, nothing but that information of Col. Cl— so evidently vague and defective as to the fortifications; and as to the accessibility of the place so miserably supplemented, by the pilot Thierry's deposition, even admitting it had been a true one, whereas, in fact, it proved false in the most essential points, when it came to the trial. Yet, says the M. Sir Edward Hawke recommended Thierry to the favor of the Minister. He did so; but review the deposition of Sir Edward Hawke, and it will appear why he did so. The man had behaved bravely on board the *Magnanime* at the taking of the Fort of Aix, and was hearty and willing in the service, and Sir Edward's great humanity made him think he deserved encouragement, at least for his good intentions, and in favor of them, excused that ignorance of his, of which he specifies two or three proofs.

The truth is, that on board the whole fleet, they had not a single pilot that knew any thing of the navigation of the river Charente. Thierry was undoubtedly the best they had, and him, Sir Edward H. calls "*very ignorant.*" But was that the fault of any of the commanders ?

The *Reflexions* at which the M. is pleased to cavil, he says are made up of remnants. I do not clearly understand what is meant by remnants ; but he is certainly right if he means by them, particular parts picked out of the report itself on the enquiry, with the comments that occurred to the writer on them. The vague reports which are objected to him, he gives only as such, nor opposes them in the least to the intelligence of the government ; it is on the foot of that intelligence he reasons. If he mentions the other, it is purely to justify the opinion some had of the expedition the moment its destination was known. The Monitor calls the French militia " a phantom, or at least the invention of a frenchified genius to deter England from attempting to cut out work for the common enemy of Europe "

" on

“on their own coast.” All of this but the militia’s being his own invention, that writer confesses to be true. He heartily too wishes it was but a phantom, or that we had but such a solid body of militia to oppose to that phantom. As to the deterring England from any attempts on the coast of France, it would have been a great expence, and not a little ridicule spared to it, if it had been deterred in time, from this last one. That nothing under an army of force enough to attempt the conquest of France, can materially hurt it, many have said, and that for a self-evident reason. All its maritime places worth attacking require a regular siege, and what can form a siege with any hopes of success, unless an army sufficient to oppose the French one that would come to its relief? Is there any thing in this so obvious conclusion that implies a frenchified genius? Or that does not rather speak the plain Englishman, who would wish the prevention of his country’s blood and treasure, from being vainly and ridiculously lavished, or its reserving them for more practicable enterprises?

That bold strokes in war are highly commendable, and that even desperate attempts have oftener saved than ruined nations, experience and history concur to establish. The more hazardous the undertaking, consequently the more honorable it is, but that can never suppose a madness so blind, as that of having no certainty at all of the strength of the enemy's forces, nor no knowledge of the place to be attacked. Will the greatest advocate for the plan say there was? That *best* intelligence furnished by the list of the troops, only concludes with a supposition, which were it even a probable one, is at best but a supposition, contradicted by infinitely stronger ones, on the spot; and as to the state of the strength of the town, if one may believe Col. Cl.— who certainly would not exaggerate them: to have marched up an army of eight or ten thousand men, nine or ten miles at least, into that alarmed country, to view those works of it, of which he or they knew so little, and *see* if an *escalade* could carry them, where there was no such thing as a surprise to favor it, and without artillery, on failing of that,

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to have at least a chance for succeeding by a siege, and that too, depending on another supposition, that the French could not come down with an infinitely superior force, to cut off a retreat, must have been a measure of which not to see the matchless absurdity and folly, or to impute it to a general as a fault the not having proceeded in it, is one more melancholy proof of the prevalence of prejudice and party spirit, over all the powers of common sense, and common candor. Had such an enterprize proceeded from any of the minister's competitors, none of which, by the by, I mean to insinuate are preferable to him, what a flood of scorn and ridicule would not have been poured out upon them? so true it is that popularity, no matter how gained or merited, will acquit of any thing.

Nay there would even on this occasion be great justice in the popularity of the measure at least, if but on account of its presumable good intention, if it was not so much at the expence of so many innocent gentlemen who were demanded as the sacrifices to it; whose fate is surely hard to have their reputation, which

to soldiers especially, ought to be dearer than their lives, called into question upon a point which is itself no question at all.

The M. too seems greatly to mistake, not the meaning indeed of the word Coup-de-main, for in that he is tolerably clear, but its having been attempted to take sanctuary under the definition of that military term. For surely nothing can be more plain *against* the commanders than the extension of it by sir John Ligonier, to even an operation in the course of a regular siege, such as that of Bergen-op-zoom, or of Fort St. Philip. Sir John's advice then was far from countenancing the return of the troops, before they should have sat down before it, and even tried the siege for some time. But what do the commanders say? "The surprize on which
 " the only chance on making a vigorous
 " impression, or a coup-de-main, call it
 " which you please, was evidently over ;
 " and as to sitting down before it, we had
 " no artillery. Our plan admitted of
 " none."

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The safety of the Basque-road was not it seems so much as known 'till sir Edward himself made the experiment of it. This is one more proof how defective his prior information had been, which at least supposed the taking the fort of Aix so necessary a preliminary.

“ The shore is said to be inaccessible,” (says the M.) but whoever said so beside? both land and sea officers plainly declare the contrary, and built on it the resolution of landing the troops, to proceed against that fort Fouras, which had been evidently proved inaccessible by sea. Why did they then retract that resolution? because they found that that measure, which they had resolved on, purely from their ardent wish and desire to do something of service to their country, and of damage to the enemy, before they came away, after the main point had been formally given up, was not one jot the more advisable, for its appearing so practicable. They might indeed have got on shore, but only in such divisions, and with such probability of effectual opposition, that, such an object as the fort Fouras, and it was their only one, could

could by no means have justified the risk. Sir Edward Hawke, who was so far from giving his opinion that the troops should not land at all, that he urged the necessity of it, was however satisfied that fort Fouras was become of no consequence to troops landing in Chatellailon bay; and as no *other* object appeared worth landing for, either to Sir Edward Hawke, who wished it so much, or to the other commanders; what could they do but come away? for as to Rochefort, all of them had concurred in the opinion of its being not to be thought of more. And surely if the admirals were not judges enough of land-operations, to give a thorough weight to that their concurrence, at least being on the spot, their common sense could not be inferior to that of men equally unskilled, who have at a distance so sanguinely condemned that resolution to return. And as to the court-martial, composed of gentlemen of the army, whose military profession made them at least judges of the matter, they have unanimously approved it. But if the sea officers are ignorant, and the land ones partial, from whence can a judgment be admitted? or are none fit to
pass

pass and impose one on the public, but the admirers of the plan ?

There is in the said M. a very invidious reflection on that insinuation which he styles “ vague and sarcastical, evasive and fallacious,” of the fleet’s being wanted on more considerable service, and especially to watch the return of the *expected* fleets from Louisbourg and Martinico. But, surely, the little or nothing that obviously remained to be done against Fouras, was not an object for keeping the fleet longer upon that coast. It could not be worse to set it at liberty to proceed on important and real service, than to detain it in fruitless attendance on an imaginary one.

As to that great pretended informality of suppression of the minutes of the council of the 28th; all that appears to solve it, is, that the great point of the expedition against Rochefort being over, they did not deign to do so minute and inconsiderable an object as Fouras, the honor of holding a council about it. At least, there does not appear the shadow of any ill-design or unfair dealing being assignable to the unanimous resolutions of the commanders, for

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no minutes to be taken of that part of their procedure, to the insignificance of which, the report on the Enquiry has done but justice, and of which themselves were probably conscious and ashamed, though they had suffered their judgment to be carried away by their eagerness to do at least something ; or by what is yet a greater reproach to them, the fear of that unpopularity, they ought to have had the courage to despise, since they might be sure of not deserving it.

The M. concludes with a kind of threat of a parliamentary enquiry into every part of this transaction. I fancy, if the commanders have any fear at all about it, it is of its not taking place. Of this, I am sure, they could not but be greatly obliged to the interest or influence that should promote it.

Injured, cruelly injured as they have been by the popular clamor so unfairly excited against them, the representatives of the people would, probably, even but on the principles of common humanity and justice, grant them all the reparation in their power, or that they should be found
to

T H E
P R O C E E D I N G S
O F A
GENERAL COURT - MARTIAL
H E L D

At the HORSE-GUARDS on *Friday* the 7th, and
continued by several Adjournments to *Monday*
the 24th of *March* 1760;

A N D O F

A GENERAL COURT-MARTIAL held at the HORSE-
GUARDS on *Tuesday* the 25th of *March*, and conti-
nued b several Adjournments to *Saturday* the 5th
of *April* 1760,

UPON THE TRIAL OF

L O R D G E O R G E S A C K V I L L E .

Published by Authority.

L O N D O N :

Printed for A. MILLAR, in the Strand.
M D C C L X .

W A R R A N T

FOR HOLDING A

GENERAL COURT-MARTIAL

For the TRIAL of

L O R D G E O R G E S A C K V I L L E .

G E O R G E R .

WHEREAS We were pleased, by Our Commission dated on the thirty-first Day of *October*, One thousand seven hundred and fifty-eight, to appoint *George Sackville* Esquire, commonly called *Lord George Sackville*, then a Lieutenant-general in Our Service, to be Commander in Chief of all Our *British* Forces, as well Horse as Foot, then serving on the *Lower Rhine* in Our Army assembled, or to be assembled there under the Command of Our good Cousin Prince *Ferdinand* of *Brunswick*, Commander in Chief of Our said Army, enjoining and requiring him the said *Lord George Sackville* to obey such Orders and Directions as should be given him by the said Prince *Ferdinand*, or such other Person as might hereafter be Commander in Chief of our said Army, according to the Rules of War: AND WHEREAS We were pleased by Our Instructions, under Our Sign Manual, bearing Date the same thirty-first Day of *October* One thousand seven hundred and fifty-eight, to direct the said *Lord George Sackville* constantly to put in Execution such Orders as he might receive from Our said good Cousin Prince *Ferdinand* of *Brunswick*, or such other Person as might hereafter be Commander in

A 2 Chief

to deserve. At last there can be no doubt of their clearly discovering, “ whether it was an *impracticable* or *unadvisable* “ scheme of the *Ministry*, or the *bad conduct* of those entrusted with the *execution* of his Majesty’s commands,” which has brought the nation into the *present disgrace*.

F I N I S.



Chief of our said Army, according to the Rules of War, with regard to marching, countermarching, attacking the Enemy, and all Operations whatsoever to be undertaken by our said Troops, AND WHEREAS We were informed that the said Lord *George Sackville* hath disobeyed the Orders of the said Prince *Ferdinand*, which Charge We thinking fit should be enquired into by a General Court-martial, did, by Our Warrant, bearing Date the twenty-sixth Day of *January* last, order that a General Court-Martial should be forthwith held upon that Occasion, which was to consist of Our trusty and well beloved *Richard Onslow* Lieutenant-General of Our Forces, whom we did appoint to be President thereof, and of Our Trusty and Well beloved *Henry Pulteney*, Sir *Charles Howard* Knight of the *Bath*, *John Huske*, *John Campbell*, Our Right Trusty and Well-beloved Counsellor *John Lord De Lawarr*, Our Trusty and Well-beloved *James Cholmendel*, *James Stuart*, Our Right Trusty and Well beloved Cousin *William* Earl of *Pannure*, Our Trusty and Well beloved *William Kerr* commonly called Earl of *Abcrnam*, Our Right Trusty and Well-beloved Cousin *William* Earl of *Harrington*, Our Trusty and Well-beloved *James Abercromby*, Our Right Trusty and Well-beloved Cousin *George* Earl of *Albemarle*, Our Trusty and Well beloved *Francis Leighton* Lieutenant-General Our Trusty and Well-beloved *Edward Carr*, Our Right Trusty and Well beloved Cousin *Thomas* Earl of *Essex*, Our Trusty and Well-beloved *Robert Rich*, and *William Belford*, Major-Generals of our Forces; all of whom, or the said President together with any twelve or more of the said Officers, might constitute the said General Court-martial; which said General Court Martial hath met, but hath not yet examined any Witnesses: AND WHEREAS it hath been since represented that the said President Lieutenant-General *Richard Onslow* hath been taken suddenly ill, and is unable to attend: AND WHEREAS, if others of the said Members should by unavoidable Accidents be prevented from attending, there

there may not be a sufficient Number to compose a General Court-Martial, OUR WILL AND PLEASURE is, and We do hereby direct, that the General Court-Martial for the Trial of the said Lord George Sackville do consist of Our Trusty and Well-beloved Sir Charles Howard Knight of the Bath, whom We do hereby appoint to be President thereof, and of Our Trusty and Well-beloved John Huske, John Campbell, Our Right Trusty and Well-beloved Counsellor John Lord Delawarr, Our Trusty and Well-beloved James Cholmondeley, James Stuart, our Right Trusty and Well-beloved Cousin William Earl of Pannure, Our Trusty and Well-beloved William Kerr commonly called Earl of Ancram, Our Right Trusty and Well-beloved Cousin William Earl of Harrington, Our Trusty and Well-beloved James Abercromby, Our Right Trusty and Well-beloved Cousin George Earl of Albemarle, Our Trusty and Well-beloved Francis Leighton, Robert Manners Esquire commonly called Lord Robert Manners, Lieutenant-Generals, Our Trusty and Well-beloved Edward Carr, Our Right Trusty and Well-beloved Cousin Thomas Earl of Effingham, Our Trusty and Well-beloved Robert Bertie Esquire, commonly called Lord Robert Bertie, and Julius Caesar, Major-Generals of Our Forces; all of whom, or the said Lieutenant-General Sir Charles Howard President, together with any twelve or more of the said last mentioned 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 hereby appointed 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 authorise and empower the said Court-Martial hereby appointed, to hear and examine all such Matters and Informations, as shall be brought before them touching the

the Charge aforesaid, and proceed in the Trial of the said Lord *George Sackville*, 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 hereby appointed, and all others concerned, a sufficient Warrant. Given at Our Court at *St. James's* this 6th Day of *March* 1760, in the Thirty-third Year of Our Reign.

BY HIS MAJESTY'S COMMAND,

HOLDERNESSE.

To

Our Trusty and Well-beloved
Thomas Morgan Esquire, Judge-
Advocate-General of Our Forces,
or his Deputy.

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AT A GENERAL COURT MARTIAL held at the Judge Advocate General's Office at the *Horse Guards*, on *Friday* the 7th, and continued by several Adjournments to *Monday* the 24th of *March* 1760, by Virtue of Majesty's Special Warrant, bearing Date the 6th Day of the same Month.

LIEUTENANT GENERAL SIR CHARLES HOWARD,
President.

Lieutenant General	{	JOHN CAMPBELL.
		JOHN LORD DE LA WARR.
		JAMES CHOLMONDELEY.
		JAMES STUART.
		WILLIAM EARL OF PANMURE.
		WILLIAM KERR, EARL OF ANCRAM.
		WILLIAM EARL OF HARRINGTON.
		JAMES ABERCROMBY.
		GEORGE EARL OF ALBEMARLE.
		FRANCIS LEIGHTON.
Maj. Gen.	{	LORD ROBERT MANNERS.
		EDWARD CARR.
		THOMAS EARL OF EFFINGHAM.
		LORD ROBERT BERTIE.
		JULIUS CÆSAR.

CHARLES 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,)

THE RIGHT HONOURABLE GEORGE SACKVILLE, Esq; commonly called LORD GEORGE SACKVILLE, came Prisoner before the Court, and the following Charge was exhibited against him, viz.

‘ WHEREAS his Majesty was pleased, by his Commission
‘ dated the 31st Day of *October* 1758, to appoint him, being
‘ then a Lieutenant General in his Majesty's Service, to be
‘ Commander in Chief of all his *British* Forces, as well *Horse*
‘ as Foot, then serving on the *Lower Rhine*, in his Army
‘ assembled, or to be assembled there, under the Command
‘ of Prince *Ferdinand* of *Brunswick*, Commander in Chief
‘ of his Majesty's said Army, enjoining and requiring him to

' obey such Orders and Directions, as should be given him
 ' by the said Prince *Ferdinand*, or such other Person as might
 ' thereafter be Commander in Chief of his Majesty's said
 ' Army, according to the Rules of War, And WHEREAS his
 ' Majesty was also pleased, by Instructions under his Sign
 ' Manual, bearing Date the same 31st Day of *Oct.* 1758,
 ' to direct him constantly to put in Execution such Orders,
 ' as he might receive from the said Prince *Ferdinand* of
 ' *Brunswick*, or such other Person as might thereafter be
 ' commander in Chief of his Majesty's said Army, according
 ' to the Rules of War, with regard to marching, counter-
 ' marching, attacking the Enemy, and all Operations what-
 ' soever to be undertaken by his Majesty's said Troops,
 ' That he the said Lord *George Sackville* hath nevertheless
 ' disobeyed the Orders of the said Prince *Ferdinand* of *Brunsw-*
 ' *wick*.'

WHICH Charge of Disobedience was by the Judge Advo-
 cate declared to be confined to Orders relative to the Battle of
Minden.

The following Commission and Instructions being admitted
 by Lord *George Sackville* to be true Copies of those received
 by his Lordship, were then read, viz.

‘ GEORGE R.

‘ GEORGE THE SECOND, by the Grace of God, King of
 ‘ *Great Britain, France* and *Ireland*, Defender of the Faith,
 ‘ &c. To our trusty and well-beloved *George Sackville*, Esq;
 ‘ commonly called Lord *George Sackville*, Lieutenant General
 ‘ of our Forces, and Lieutenant General of our Ordnance,
 ‘ Greeting. We reposing especial Trust and Confidence
 ‘ in your Prudence, Courage, and Loyalty, have appointed,
 ‘ and, by these Presents, do appoint you to be Commander
 ‘ in Chief of all our *British* Forces, as well Horse as Foot,
 ‘ now serving on the *Lower Rhine*, in our Army assembled,
 ‘ or to be assembled there under the Command of our
 ‘ good Cousin Prince *Ferdinand* of *Brunswick*, Commander
 ‘ in Chief of our said Army; and all our Officers and Sol-
 ‘ diers of our said *British* Forces serving, or to serve on the
 ‘ *Lower Rhine*, as aforesaid, are hereby enjoined and required to
 ‘ obey you, as Commander in Chief: And you, on your Part
 ‘ are hereby enjoined and required to obey such Orders and
 ‘ Directions, as shall be given you by our said good Cousin
 ‘ Prince *Ferdinand* of *Brunswick*, or such other Person as
 ‘ may hereafter be Commander in Chief of our said Army,
 ‘ according

according to the Rules of War — And for the better Government of our said *British* Forces so employed, or to be employed, in serving on the *Lower Rhine*, as above mentioned, we have thought fit to authorize and empower, and, by these Presents, do authorize and empower you to prepare and publish such Rules and Ordinances, as are fit to be observed by all Officers and Soldiers under your Command; as also to punish all Offenders and Transgressors against the same, by Death, or otherwise, according to the Nature of their Offences, as they shall appear upon Trial before a Court Martial, which we hereby give you Power and Authority to assemble, as often as you shall see Occasion, agreeable to the Rules and Orders for the better Government of our Forces employed in foreign Parts; and, according to their Judgment, you are to cause Sentence to be pronounced against the Person or Persons so offending, either of Pains of Death, or of such other Pains, or Penalties, as shall be thought fit to be inflicted by the said Court Martial; which Sentence, or Sentences, you are to cause to be put in Execution, or to suspend the same, as, in your Discretion, you shall see Cause; we giving you Power to relieve any Person, under any Sentence, till our Pleasure be known; and for Execution of Justice in our said *British* Forces, we give you authority to appoint a Provost Marshal, to use and execute that Office, as is usually practised in the Law Martial. And whereas we have appointed a Judge Advocate to attend the said Court Martial, for the more orderly Proceedings of the same, we do hereby give you Power, in Case of Death, Sickness, or necessary Absence of the said Judge Advocate, to depute another Person, such as in your Discretion you shall think fit to execute the said Office. And we do further authorize you to cause exact Musters to be taken of the respective Troops and Companies of our said Forces, and to sign Warrants for their Pay, according to the said Musters, in Pursuance of an Establishment made for that Purpose. And whereas by the said Establishment, there is a Provision made for such contingent Charges as may arise for our Service, and the Use of our Forces, you are hereby authorized to direct the Payment of the said Money, in such Proportions, as you shall, in your Discretion, think necessary for the Purposes aforesaid. And for executing the several Powers and authorities herein expressed, this shall be your Warrant. Given at our Court at *Kensington*, the thirty-first Day of *October* 1758, in the thirty-second Year of our Reign. By his Majesty's Command,

H O L D E R N E S S E.

GEORGE R. ' INSTRUCTIONS for Our Trusty
' and well-beloved George Sackville
' Esq; commonly called Lord George
' Sackville, Lieutenant General of Our
' Forces, and Lieutenant General of
' Our Ordnance, whom We have ap-
' pointed to Command Our British
' Forces, now Serving, or to Serve on
' the Lower Rhine. GIVEN at Our
' Court at Kensington, the Thirty first
' Day of October 1758, in the Thirty-
' second Year of Our Reign.

' 1. **W**HEREAS { We have thought fit to appoint
' you, by the Commission herewith transmitted
' to you, to be Commander in Chief of Our *British* Forces
' employed on the Lower *Rhine*; you are, upon the Receipt
' of these Our Instructions and Commission, to give due No-
' tice thereof to Our good Cousin Prince *Ferdinand* of *Brunsw-*
' *wick*, Commander in Chief of Our Army now assembled
' upon the Lower *Rhine*.

' 2. WITH regard to Marching, Counter-marching, At-
' tacking the Enemy, and all Operations whatsoever, to be
' undertaken by Our said Troops, you are constantly to put
' in Execution such Orders as you may receive from Our said
' Good Cousin Prince *Ferdinand* of *Brunswick*, or such other
' Person as may hereafter be Commander in Chief of Our
' said Army, according to the Rules of War.

' 3. IN CASE of the Vacancy of any Commission in Our
' said *British* Forces, You are to give Us immediate Notice
' thereof, in order to your receiving Our further Pleasure
' thereupon, recommending to Our Favour such Officers as
' shall, in your Opinion, best deserve to be advanced.

' 4. DURING your Continuance in this Service, you are to
' send, or cause to be sent to Us, by One of Our Principal
' Secretaries of State, constant Accounts of all that passes;
' and you are to follow all such further Orders and Directions
' as We shall send you, either under our Sign Manual, or
' by one of Our Principal Secretaries of State.

G. R.:

THEN the following Witnesses were examined in Support
of the Charge.

LIEUTENANT COLONEL CHARLES HOTHAM, Adjutant-General to the *British* Forces in *Germany*, being Sworn and Questioned, WHETHER any and what Order was given out on the 29th of *July* last, for reconnoitering the *Detachés* leading into the Plain of *Minden*?

DEPOSED, That the Order given out on the 29th of *July* was this:—‘ The Regiments to make immediately necessary Overtures and Communications, that they may be able to march in Front without any Impediment. The Generals will take particular Notice of the Nine *Debouchés* by which the Army may advance to form in the Plain of *Minden*, that they may be well acquainted with them, should the Army be ordered to advance in Front.’

BEING desired to inform the Court, Whether any and what Order was given out on the 31st of *July* last, relative to the Army being in readiness to march the next Morning; and for the Generals to reconnoitre the Ground?

He DEPOSED, That in the Evening of the 31st, he thinks, about Six o’Clock, he received and sent up to the Line an Order to this Effect:—‘ HIS SERENE HIGHNESS ORDERS, That at One o’Clock To-morrow Morning, the Army shall be ready to March; the Cavalry must be saddled; the Artillery-Horses harnessed, and the Infantry gatered; but the Tents are not to be struck, nor the Troops put under Arms, till further Orders.’ This was the Order he sent to the Line.—There was another Part of it relative to Lord *George Sackville* only, of the *British*, which he immediately shewed to his Lordship, together with that which he has now recited, upon his Return from the advanced Picquets, where he had been detached. The Purport of it was:—‘ That his Serene Highness desired the Generals leading Columns, according to the Disposition given that Day, would make themselves acquainted with the Avenues leading (or March of the Columns) from the Camp, as well as the Ground in Front.’ The Deponent does not positively recollect, whether the Position the Army would then take was mentioned, or not. This, to the best of his Recollection, is the Substance of that Order.

Q. Can he recollect, whether there was any Disposition mentioned for the Line of Battle in this Order?

A. He cannot positively recollect, whether there was, or not.

Q. Was the Disposition of March the same on the 31st, as it was on the 29th?

A. He

A. He does not recollect any on the 29th.—That on the 31st, he produced and delivered in to Court, at the same Time saying, that it was given out earlier in the Day, than the Order he has before recited.

Q. How long was the Army in the Camp of *Hille*?

A. It arrived there upon the 29th of *July*.

Q. What Distance was the Camp from *Halen*?

A. From three to four Miles; he can't be sure of the Distance.

Q. (By desire of Lord *George Sackville*) At what Time of the Day were the Orders issued on the 29th?

A. He don't exactly remember.

Q. Was it not after the Business of the Day was over?

A. The Army marched on the 29th, and it was after their Arrival at the Camp of *Hille*, that the Orders were given.

Q. Were the Orders given out before the Prince returned from reconnoitering that Day, after the March?

A. He really does not remember that Day, it often happened, that they were given out before his return, but that Day, he can't be sure.

CAPTAIN HENRY STUBBS, who was acting Major of Brigade on the 1st of *August* last, being Sworn, and desired to relate, what he knows of any Orders coming to the Camp that Morning early, and of the Time, when Lord *George Sackville* joined the Cavalry of the Right Wing?

DEPOSED, That on the 1st of *August* last, a little before Four o'Clock, an Aid de Camp came to his Tent from Prince *Ferdinand*, and inquired for Lieutenant Colonel *Preston*; the Deponent thought he brought some Orders for the Cavalry, and went to him: He told the Deponent, his Business was to order the Cavalry to strike their Tents, and immediately form at the Head of the Lines. The Deponent accordingly sent the Orderly Man in Waiting to the First and Second Line, acquainting them with these Orders, and they immediately struck their Tents, mounted, and formed.

Q. Does he know of this Order being then communicated to Lord *George Sackville*?

A. He does not, at that Time.

Q. Does he know, at what Time Lord *George Sackville* appeared at the Head of the Cavalry?

A. The Deponent went to Lord *George Sackville* to inform him, the Troops were formed:—Upon their being formed, he heard several Officers say, Where is Lord *George Sackville*,

ville, who is to lead the Line!—Whereupon, knowing the Village his Lordship was quartered in, he galloped down to his Quarters to acquaint him the Line was formed: He found his Lordship in the Yard of his Quarters between the Stables and the House. His Lordship ordered his Horse, and followed the Deponent up to the Line, saying, he had but just before had Notice of it from General *Sporcken*.

Q. (By Desire of Lord *George Sackville*) Were the Cavalry saddled in the Morning at One o'Clock according to Order?

A. He thinks he saw them saddled at Four, he cannot speak any further.

Q. From whom ought he regularly to receive his Orders, as Major of Brigade?

A. He judges, he is to obey all Orders brought to him from proper Authority; he has received them from Generals, Aides de Camp, and Pass-Paroles.

The Question being again proposed, From whom he ought regularly to receive his Orders?

A. He apprehends from the Commander in Chief, from the Commander of the *British*, the General commanding the Brigade, the Adjutant General, or any other Person authorized to give Orders.

Q. Was not the regular Conveyance from the *British* Adjutant General?

A. He believes it was; he received many Orders from thence, and many which came through other Channells.

Q. (By the Court, How long was it after receiving the Orders, before he went to Lord *George Sackville*?

A. He thinks, it was between the Hours of Five and Six: It took up about an Hour and a Quarter after Receipt of the Order, before the Cavalry was formed at the Head of the Line; it might be more.

Q. Did this Aide de Camp at the same Time order the Cavalry to march, as soon as formed?

A. No.

Q. Was he near enough to know, whether the other Columns were in March, when the Cavalry was formed at the Head of the Lines?

A. He rather believes, the Infantry were not in March, when he went to his Lordship, but when he returned, he thinks what he saw of the Infantry were just broke, and forming their March.

Q. How long had the Cavalry been formed, and ready to march, before Lord *George Sackville* appeared at the Head of them?

A. He

A. He believes, about Half an Hour, as near as he can judge.

Q. (By desire of Lord George Sackville) Did he not, as he rode along, see or hear an Officer from General *Sporcken* give him an Order to put the Cavalry in Motion, as he was beginning his March with the Infantry?

A. He did not see any such Officer, nor hear any such Words.

Q. (By the Court.) Did they return very quick, or slow back?

A. He galloped all the Way; and Lord George Sackville came just behind him.

Q. How long was it, before the Cavalry marched, after Lord George Sackville appeared at the Head of the Cavalry?

A. Immediately. — Lieutenant Colonel *Sloper* said, they had been ready formed some time, and asked his Lordship's Orders, if he would please to have them march; and his Lordship gave Orders, and they marched immediately.

LIEUTENANT COLONEL JAMES JOHNSTON, of the Royal Regiment of Horse Guards, being sworn, and desired to mention, what he knows of an Order for the Cavalry to form early on the 1st *August* last, deposed, — That the Cavalry was formed at the Head of the Lines about four o'Clock, as he thinks, before they marched on the 1st *August*, but he cannot say, of his own Knowledge, at what Time the Order came.

BEING ASKED at what Time Lord George Sackville joined them?

ANSWERED, it might be about Half an Hour after they were formed, when his Lordship came, as he believes, from his Quarters, and spoke to the Deponent, who acquainted him, that General *Sporcken* and Colonel *Reden* had inquired for his Lordship, and that, he believed, they should have something to do. He don't remember that any thing more passed between Lord George Sackville and him, his Lordship then going to the Right of the Brigade.

BEING ASKED, whether any Thing passed within his Observation, upon the Day of the Battle of *Minden*, which he thinks material for the Information of the Court upon this Trial?

ANSWERED, Lieutenant Colonel *Ligonier* told him, at one Time of the Day, that he had carried the Prince's Orders to Lord George Sackville to bring up the Cavalry, that we had a very fine Opportunity of gaining a great deal of Credit, the Enemy

Enemy being all in Disorder ; but can say nothing of his own Knowledge.

BEING AGAIN ASKED, said, He does not know any Thing farther material for the Information of the Court.

Q. Between the Time of his seeing Lieutenant Colonel *Ligonier* and the Cavalry's Marching, how long was it ?

A. He believes, it was about twenty Minutes.

CAPTAIN WINTZINGERODE, *Hessian* Aid-de-camp to H. S. H. Prince *Ferdinand of Brunswick*, was sworn ; but, he not thinking himself sufficiently conversant in the *English* Language to give his Testimony therein, WILLIAM HAMILTON, Esq, was prevailed upon to interpret his Evidence ; and, being duly sworn for that Purpose, the Witness was (through him) desired to relate to the Court whether he carried any, and what Orders from H. S. H. to Lord *George Sackville* on the 1st of *August* last, and what passed in consequence of those Orders ? and in answer deposed, — That he was Aid-de-camp to H. S. H. upon the Day of the Battle of *Minden* (as he is still) and did carry Orders from H. S. H. to Lord *George Sackville*, — he does not remember the Hour, but he knows very well the Situation the Army was in at that Time . It was at the Time when the Infantry of the right Wing was a second Time advancing towards the Enemy, after having made some halt by order of H. S. H. to give Time for the Infantry adjoining, and the second Line to come up and form : It was then, as he has been saying, that H. S. H. ordered him to go and give his Orders to Lord *George Sackville* to advance with the Cavalry of the right Wing, to sustain our Infantry, which was going to be engaged — The Witness set out immediately : The Duke of *Richmond* joined him after he had gone a few Paces, to tell him again, from H. S. H., to hasten the Arrival of the Cavalry, and to tell Lord *George Sackville* to form with the Cavalry of the right Wing, under his Command, upon the Heath in a third Line behind our Infantry. He found Lord *George Sackville* with the Cavalry of the right Wing posted, where, he believes, he was first formed, some Distance, but he can't ascertain how far, behind our Artillery, which was posted near the Windmill of the Village of *Halen*, having some Trees upon its Left, which prevented its seeing our Infantry. In coming up he passed before the second Line ; he asked, where he could find Lord *George Sackville* ? — Lord *Granby*, whom he met at that Instant at the Head of the second Line of Cavalry, told him, he would find Lord *George Sackville* at the Head of the first

first Line.—He acquainted Lord *Granby* then, as he passed, that he was going to carry the Order to Lord *George Sackville* from H. S. H. to advance, and form upon the Heath behind the Infantry to sustain them.—(The Witness, upon his Evidence being afterwards again read over to him, desired it might be here understood and inserted, that he then mentioned to Lord *Granby*, that they were to pass through the Trees upon the Left, in order to get upon the Heath, and form there.) After this he found Lord *George Sackville* at the Head of the first Line of Cavalry. He communicated to him H. S. Highness's Orders, as they had been given to him by the Prince : Lord *George Sackville* seemed not to understand him ; and asked him, how that was to be done ? He endeavoured to explain them to him, as well as he could. —(The Terms, or Words he made use of, he don't exactly remember, but he is certain he explained the Sense of the Orders, which he brought him.)—He made him understand, that he was to pass with the Cavalry between the Trees, which he saw upon his Left, that he would then come upon the Heath, where he was to form with the Cavalry, to advance in order to sustain our Infantry, which he thought was already engaged with the Enemy. Lord *George Sackville* asked him again several Questions, how that was to be done. The Witness repeated to him, what he has been saying.—Lord *George Sackville* then turned towards the Officers attending him, and the Witness firmly persuaded, that he was going to give the Orders for advancing, went to rejoin H. S. H.—On coming upon the Heath behind our Infantry, which was then fully engaged with the Enemy, he saw Lieutenant Colonel *Fitzroy* coming towards him full gallop, who asked him, why the Cavalry of the right Wing did not advance, and gave him to understand, as he passed him, that H. S. H. was under the greatest Impatience about it. The Witness followed him to tell him, that he had been with the Order for that Purpose from H. S. H. to Lord *George*, and that the Cavalry was coming. —(The Witness, upon his Deposition being afterwards read over to him, desired it might be inserted, that he recollects his mentioning also to Lieutenant Colonel *Fitzroy* as he passed, that Lord *George Sackville* seemed for sometime not to understand him.)—But Lieutenant Colonel *Fitzroy*, without waiting for the Answer, went his Way towards Lord *George* ; and the Witness, seeing that the Cavalry of the right Wing, from whence he was coming made as yet no Movement on that Side of the Trees, where they were to form, upon the Heath, followed Lieutenant Colonel *Fitzroy* to assist him in
hastening

hastening the Cavalry to advance, he going towards Lord *George Sackville*, and the Witness towards Lord *Granby*, whom he found at the Head of the second Line of Cavalry, in the same Position, as he found him, when he passed by his Lordship first. He has nothing farther to say concerning Lord *George Sackville*, or of the Orders which he carried him from H. S. H.

Q. Did he repeat the Substance of Prince *Ferdinand's* Orders, in any other Language than French?

A. He spoke to Lord *George Sackville* in general in French; and he don't remember to have made use of the English Language, nor of any other, except that he thinks he endeavoured to make him understand in English, that he was to pass between the Trees on his Left, to form upon the Heath on the other Side.

Q. (By desire of Lord *George Sackville*) In what Service is he?

A. In the Service of the Landgrave of *Hesse Cassel*.

Q. In what Rank was he on the first of *August* last?

A. A Captain of Foot.

Q. Did he ever serve in the Cavalry?

A. No.

Q. Did he know before he saw the Infantry going to charge, that the Enemy's Cavalry was posted in the Centre of their Line?

A. He saw the Enemy presented them a Front of Cavalry and Infantry, he did not distinguish or attend to the Disposition, being employ'd in carrying Orders backwards and forwards.

Q. Whether the Position of the Cavalry of the right Wing, in respect of the Infantry of the allied Army, was, or was not, drawn up in such a Manner, as to shew, that the Cavalry of the Enemy was expected to have been upon the Flank of their Infantry?

A. He only carried Orders to Lord *George Sackville* to advance upon the Heath, behind our Infantry. he is not experienced enough to be able to judge of the Disposition, which the Army was then in, and still less, to judge of the Reasons, which H. S. H. had for employing the Cavalry, where he thought proper.

Q. How far was it from the Cavalry to the Place, where he met Lieutenant Colonel *Fitzroy*?

A. He cannot ascertain the Distance.

Q. Did he gallop, or what Pace did he go?

A. Full Gallop.

Q. Did he apprehend his Orders, and Lieutenant Colonel *Fitzroy's* to have been the same?

A. By the Question which Lieutenant Colonel *Fitzroy* asked him, he judged that he was going with some Orders to Lord *George Sackville*; but he asked him no Question about it, seeing that he was in too great a Hurry to be able to give him any Answer.

ADJOURNED till to-morrow Morning
at Ten o'Clock.

SATURDAY 8th MARCH 1760.

THE COURT being met pursuant to Adjournment, Captain WINTZINGERODE was farther examined by the Court.

Q. What Distance were the Cavalry from the second Line of Infantry, when he carried Lord *George Sackville* the Prince's Orders to advance?

A. He cannot fix the Distance; but, as near as he can remember, the Infantry could not then have advanced an hundred Paces from the Place, where they were first formed.

Q. What sort of Ground was there for the Cavalry to march upon, from the Place, where they were first formed, to that, where they were to form behind the second Line of Infantry?

A. As far as he can remember to have observed in passing by, there were some Trees upon the Left of our Cavalry of the Right Wing, through which it could, and was to pass, to get upon the Heath behind our Infantry, from whence it was to advance towards the Enemy.

Q. Does he think, if Lord *George Sackville* had immediately obey'd Prince *Ferdinanda's* Orders, when he delivered them to his Lordship, that the Cavalry could have come up time enough to have supported our Infantry, and to have engaged the Enemy?

A. He was not present, when our Infantry first engaged the Enemy; but he remembers well, that our Infantry was still engaged with the Enemy, when he rejoined H. S. Highness, after having been twice to our Cavalry of the Right Wing, to make it advance.

Q. Can he recollect the Distance of Time, between his first delivering the Prince's Orders to Lord *George Sackville*, and his return to the Prince?

A. He can't justly recollect the Distance of Time; he believes, it might be about three quarters of an Hour.

Q.

Q. What sort of Wood was it, through which the Cavalry were to pass ?

A. It was an open Wood, and no Bushes, as he remembers.

Q. Was there any considerable Body of the Enemy's Infantry posted near that Wood, to oppose the Passage of the Cavalry ?

A. He did not see any near that Wood.

Q. Were any of Lord George Sackville's Aides de Camp, or other Officers, present at the Time when he delivered, or explained the Prince's Orders to Lord George Sackville ?

A. His Lordship was accompanied, (when he found him at the Head of the first Line, and when he delivered him the Orders of H. S. H.) by several Aides de Camp and other Officers ; but he cannot name them all, as he did not take Notice of them.

Q. Can he name any of them ?

A. He may be mistaken, but he thinks he saw Lieutenant Colonel *Hotham*, Captain *Hugo*, and he thinks, Lieutenant Colonel *Sloper* was there.

Q. When the Prince sent him to Lord George Sackville, did he inform him, where he would find the Cavalry ?

A. He did not.

Q. Whether the Road or Way which he came from the Prince, when he carried the Order, was the same which the Cavalry was to have gone, in case they had executed these Orders ?

A. It was.

Q. Does he know any Reason, which could have prevented the Cavalry from executing the Orders brought by him to Lord George Sackville ?

A. He did not see any Reason to hinder them.

Q. Were there any of the Enemy's Batteries upon the Right, where the Cavalry was to pass ?

A. He did not observe any.

Q. How long was it from the second Time of his seeing Lord Granby, before the Cavalry marched ?

A. When he came to Lord Granby the second Time, he told him to march directly with the second Line, as he knew, that the Duke waited with Impatience the coming up of the Cavalry, and Lord Granby followed him immediately with the second Line, which he led through the Trees to the Heath, where it was to form, in order to advance. As to the first Line, he cannot speak of his own Knowledge, being employ'd in leading the Second.

Lord Granby preparing to follow him with the second Line, desired him to acquaint Lord George Sackville; with which he commissioned an Officer belonging to Lord George Sackville, who came up at that Time, and who, if he is not mistaken, was Lieutenant Colonel *Hotham*.

Q. Did he deliver the Orders to Lord Granby in the Prince's Name, or as from himself?

A. He told his Lordship, that it was the Order of H. S. H. that the Cavalry should advance.

Q. As he knew, that Lord George Sackville commanded the Cavalry of the right Wing, how came he to go to Lord Granby, to order him to advance, who was only Second in Command?

A. He knew very well, that Lord George Sackville commanded the Cavalry of the right Wing, and accordingly acquitted himself of his Commission towards him, by delivering to him the Orders, which he had received from H. S. H. He return'd the second Time to the Cavalry, with no other Intention, than to assist Lieutenant Colonel *Fitzroy*, in hastening the Arrival of the Cavalry; understanding by the Question, which Lieutenant Colonel *Fitzroy* asked him, when he met him, that H. S. H. was waiting with impatience their Arrival, and he knew besides, that Lieutenant Colonel *Fitzroy* was going to Lord George Sackville to make him advance.

Q. How far did he conduct the Cavalry upon the Heath?

A. As far, as necessary to give them Ground to form.

Q. Was Lord Granby then stopped from advancing, by any Orders, and by whose?

A. As soon as he had conducted Lord Granby upon the Heath, seeing him in a way of advancing, he left him to rejoin H. S. H. and he is not informed of the Orders afterwards given him.

Q. As he had before on that day carried Orders to Lord George Sackville for advancing the Cavalry, why, after having met Lieutenant Colonel *Fitzroy*, and followed him in order to forward the March of the Troops, he did not again apply himself to Lord George Sackville, to whom he had before carried Orders for that purpose?

A. Because he knew, that Lieutenant Colonel *Fitzroy* was going to Lord George Sackville to advance the first Line.

Q. What appeared to be in the Front of the Cavalry, when he first came to them?

A. He don't remember to have remarked any Enemy just opposite to the Cavalry; but he very well remembers our Artillery

tillery posted at some distance in the Front of our Cavalry near the Windmill of the Village of *Halen*.

LIEUTENANT COLONEL EDWARD LIGONIER, Aide de-Camp to Prince *Ferdinand*, deposed, That he brought Lord *George Sackville* Orders from Prince *Ferdinand* on the 1st of *August* last to advance with the Cavalry in order to profit from the Disorder, which appeared in the Enemy's Cavalry, he found his Lordship at the Head of *Bland's* Dragoons; he delivered him his Orders, to which his Lordship made no answer, but, turning about to the troops, ordered Swords to be drawn, and to march; which they did, moving a few Paces from the Right forward. He then told his Lordship, it was to the Left he was to march.

At that Time Lieutenant Colonel *Fitzroy* arrived, and delivered his Orders for the *British* Cavalry only to advance. Lord *George Sackville* turning to the Deponent said, their Orders were contradictory; the Deponent answered, they differed only in Numbers, that the Destination of his March was the same,—“to the Left”—His Lordship then asked him, if he would lead the Column, he said, he could not undertake to conduct them properly, but that if his Lordship would trust it to him, he would do his best. This was all that passed between Lord *George* and him.—The Deponent was prevented hearing what passed between Lord *George* and Lieutenant Colonel *Fitzroy*, being at that time at some Distance from them with Lieutenant Colonel *Sinper*—The Deponent saw Lord *George Sackville* and Lieutenant Colonel *Fitzroy* returning to find the Prince.

Q. What Report did he make to the Prince, when he returned?

A. He told H. S H., Lord *George Sackville* was coming to him.

Q. Did he see Lieutenant Colonel *Johnston* that day?

A. When he left Lieutenant Colonel *Sloper*, he went to Lieutenant Colonel *Johnston* before he returned to the Prince, and told him, that he had brought Orders for the Cavalry to advance, and that it would be a noble Opportunity for them to distinguish themselves

Q. (By desire of Lord *George Sackville*) Was he sent from the Prince upon any, and what Report, made to him by the Duke of *Richmond*?

A. He presumes, he was sent to Lord *George Sackville* on Account of many Reports being made to the Prince of the