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978-1-108-02262-0 - The Naval Chronology of Great Britain: Or, a Historical Account of Naval and Maritime Events from 1803 to 1816, Volume 3

James Ralfe

Excerpt

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THE  
NAVAL CHRONOLOGY  
OF  
GREAT BRITAIN.

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OCCURRENCES AT AND NEAR HOME.

**T**HE Parliament of the united kingdom was opened on the 23d January by commission, when the Lord Chancellor read his Majesty's speech, of which the following are extracts :

“ His Majesty commands us to express to you, his deep regret that the exertions of the Emperor of Austria against the ambition and violence of France have proved unavailing, and that his Imperial Majesty has been compelled to abandon the contest, and to conclude a disadvantageous peace. Although that war was undertaken by that monarch without encouragement on the part of his Majesty, every effort was made for the assistance of Austria which his Majesty deemed consistent with the due support of his allies, and with the welfare and interest of his own dominions. An attack upon the naval armaments and establishments in the Scheldt afforded at once the prospect of destroying a growing force, which was daily becoming more formidable to the security of this country, and of diverting the exertions of France from the important objects of reinforcing her armies on the Danube, and of controuling the spirit of resistance in the north of Germany. These considerations determined his Majesty to employ his forces in an expedition to the Scheldt. Although the principal ends of this expedition have not been obtained, his Majesty confidently hopes, that advantages, materially affecting the security of his Majesty's dominions in the further prosecution of the war, will be found to result from the demolition of the docks and arsenals of Flushing. This important object his Majesty was enabled to accomplish, in consequence of the reduction of the Island of Walcheren by the valour of his fleets and armies.

“ The expulsion of the French from Portugal by his Majesty's forces under Lieutenant-General Lord Wellington, and the glorious victory obtained by him at Talavera, contributed to check the progress of the French arms in the Peninsula during the late campaign.”—“ The most important considerations of policy and

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of good faith require, that as long as this great cause can be maintained with a prospect of success, it should be supported, according to the nature and circumstances of the contest, by the strenuous and continued assistance of the power and resources of his Majesty's dominions; and his Majesty relies on the aid of his parliament, in his anxious endeavours to frustrate the attempts of France against the independence of Spain and Portugal, and against the happiness and freedom of these loyal and resolute nations.

“The inveterate hostility of our enemy continues to be directed against this country with unabated animosity and violence. To guard the security of his Majesty's dominions, and to defeat the designs which are meditated against us and our allies, will require the utmost efforts of vigilance, fortitude, and perseverance. In every difficulty and danger, his Majesty confidently trusts, that he shall derive the most effectual support, under the continued blessing of Divine Providence, from the wisdom of his parliament, the valour of his forces, and the spirit and determination of his people.”

On the 26th January, Lord Porchester, in the House of Commons, moved for a committee “to inquire into the policy and conduct of the late expedition to the Scheldt.”

In the course of a long and animated speech, his lordship declared, that the object of the motion was, to give an assurance to the public, that the causes of the disaster and disgrace which had lately befallen the country should be fully inquired into; that a transaction which had entailed such misfortunes upon England, while it had entirely closed the prospect of benefiting the Continent, should not pass without due investigation; that it should be traced to its source; that it should be followed throughout its progress, that we might endeavour to derive from that review all the means of instruction which experience could furnish, to assist in extricating the nation from its difficulties. In strong and pointed language, he attributed the failure and disgrace resulting from this expedition to the ministers and their agents; to that tardiness of preparation, ignorance of conduct, and imbecility of combination, which marked the whole of their administration. “The whole of their policy and proceedings,” said his lordship, “served only to waste our strength, to exhaust our resources, and to expose our national character.”<sup>a</sup> He complained of the delay which had taken place in the sailing of the expedition, of their destination, and of the time which elapsed before the evacuation of Walcheren took place.

The motion having been seconded by Mr. Windham Quin, Mr. Croker rose, and said, “The noble lord has asked, why was not the late expedition sent to the north of Germany instead of Walcheren? To this he would reply, that there was a great difference between sending an expedition to a place not more than twenty-four hours' sail from our coast, and despatching one by a circuitous way to the north of Germany, a distance of many hundred miles. The noble lord has spoken

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of the circumstances under which the expedition sailed from this country, uncan-  
dily stating the dates of the battles in Germany, without at the same time inge-  
nuously stating to the House the periods at which those events became known in  
England. The noble lord has taken the same unfair advantage of the unfavour-  
able state of the weather; and while he spoke of the battles of Aspern and  
Wagram in Germany as having been known earlier than it was possible for the  
information to reach this country, he has spoken of the expedition as having been  
delayed, by a want of promptitude on the part of government, a fortnight after  
it was ready to sail." He asserted, "that nothing had been done by this country  
to incite Austria to hostilities, till she had declared war against France, and com-  
mitted herself; till the war was actually begun; till the die was cast, and the  
fate of Austria was in her own hands: that done, then, and not till then, England  
made common cause with her, and gave her all the aid she could afford." He  
opposed the motion, not because inquiry was unnecessary, but because the papers  
promised in his Majesty's speech had not yet been laid before the House.

On a division, there appeared for the motion, 195; against it, 186.

On the 29th January, Lord Cochrane moved, "That there be laid before the  
House a copy of the minutes of the trial of Admiral Lord Gambier, held on board  
his Majesty's ship the *Gladiator*, in Portsmouth harbour, on the 23d of July, 1809;  
also the original minutes taken day by day by the deputy judge advocate." In  
moving for this document, his lordship stated, "that its production was absolutely  
necessary to enable every member fully and impartially to decide, whether the  
thanks, then in contemplation, were due to Lord Gambier for the part he took in  
the victory obtained over the enemy in Basque roads. But, as if it were unne-  
cessary that we should judge for ourselves, it has been asserted by the Chancellor  
of the Exchequer, that the merits of this case have been already decided upon;  
that the court-martial held on the noble lord has already proclaimed his honour-  
able acquittal, and displayed the zeal, ability, and anxiety he manifested for the  
welfare of his Majesty's service. But even were all this true, and were it possible  
that all those facts could be ascertained by the mere inspection of the copy of the  
sentence, still I contend, that the combination would not entitle the officer to  
the thanks of parliament. We have a right, and ought, to judge for ourselves; and  
this we can only do by carefully examining the minutes of the court-martial be-  
fore which the noble lord was tried on a very serious charge—a charge not brought  
against him by an individual, but by the Lords Commissioners of the Admiralty,  
and grounded on official documents. Upon such documents their lordships founded  
the charge 'of neglect, or delay, in taking effectual means to destroy the enemy;' and  
we cannot suppose that their lordships brought it without due investigation.  
However this may be, I submit, that zeal, ability, and anxiety for the welfare of  
his Majesty's service, and having done nothing wrong, do not entitle any officer  
to the thanks of parliament; which, if bestowed on trifling, or on any occasion

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except when marked by brilliant achievement, will dwindle into utter contempt, even with those on whom they should be conferred. The House should always be on their guard against giving way to motions that have such objects; as by these means ministers might screen themselves from reprobation, and gain for a man, whose parliamentary influence they required, the highest honours they could render, however unworthy the object. I contend, that to give thanks to an officer who has been tried on heavy charges, who, instead of going into action, continued at a distance of not less than seven miles during the whole time, would be doing that for which no precedent could be found. I am clearly of opinion, that the minutes of the court-martial are indispensably requisite, not only with a view to reconsider the decision of the court, but to give foundation to our opinion respecting a matter on which we are not only entitled, but bound, to decide justly, and on which the court-martial could not decide for us. Indeed, even in Lord Gambier's written defence we might find his lordship's pretensions to a vote of thanks, which would be some satisfaction; but in the sentence pronounced by the court, and offered as a ground on which to rest our judgment, I protest I can find no claim. I shall go further; and though it is not the object to criminate by the production of the minutes, yet I boldly assert, that the charge of delay will be found not only to have been proved by the witnesses produced, but admitted also by his lordship's written defence. A delay of four hours elapsed by the noble lord's own account, even before he took up the position which he has stated to be the best for observing the motions of the enemy, and for sending ships to the attack; and five hours afterwards elapsed before any attack was made, which is in direct opposition to the sentence delivered by the court. Not only do I assert, that the charge has been admitted by his lordship, and proved by witnesses, but that his lordship's written defence will be found to contradict itself in points on which the charge hinged, and in others of material import; that his lordship's official letters contradict that defence, and each other; and that many of the witnesses falsify their own evidence in substantive facts, and contradict themselves when deposing only to the best of their knowledge. In other instances, they swear positively to things, of the truth of which they had no knowledge. The fabricated chart will then also come under review; that chart produced by the master of the *Caledonia* to the court, in order to explain the various positions of the British and French fleets 'on and previous to the 12th of April,' for the purpose of inducing the members, on what may be called 'the trial of Lord Gambier,' to believe, that no more of the French ships could have been destroyed than were destroyed, had the British force been sent in at an earlier period: although the fabricator of that chart, after having, on his first examination, sworn that it was a chart of the 12th, swears afterwards that it was meant for the 13th, inasmuch as that the only vessels marked on the chart for the 12th were those that had been destroyed, those that did not exist! I have one word more to say respecting the falsity of this vile fa-

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brication, which the master of the *Caledonia* professes to have copied from the *Neptune François*. The distance between the shoals is contracted to little more than one third of the size of the *Neptune*, from which it is declared to have been taken, in order to shew that the space for anchorage, as deposed by the masters, without knowledge of the fact, was confined, the water round it shoal, and the passage narrow; and that the British ships must have been within point-blank range 'not only of the destructive broadsides of the two ships afloat, but of the upright ones on shore, and of the tremendous batteries of Aix, which, separately or united,' according to the testimony given in support of the assertions of Lord Gambier, must have demolished every vessel 'locked up in so confined an anchorage:' though at the same time, and for the safety I suppose of his Majesty's ships that might have been sent in in defiance of 'such unwarrantable peril,' the vessels aground are removed, by the contriver of the chart, from 'the N. W. part of the Palais shoal, the part nearest the deep water flanking the passage,' where he had sworn they were situated, and which was the fact, to the S. E. side of the shoal, furthest from the deep water, and beyond the Tonnere, which was not within range, and 'where they never could have been approached by our ships for the shot to reach them.' This is not all: by Stokes's deposition, the *Cassard*, one of the ships which would have raked us with such terrible effect, is stated, and in truth it was so, to have been about one third of a mile from Aix, and the *Foudroyant*, another of them, about three cables' length from her; but Mr. Stokes, in his chart, has cunningly put them in a corner between two shoals, and close to both, where he has sworn they could not be got at; though he had positively sworn, first, that they could have annoyed us, and next, that he did not know the distance between the shoals. I have already asserted, that contradictions of facts on which the charge was founded are frequent in the defence of Lord Gambier; but I have yet to say, that these contradictions of substantive facts are in several, nay many instances, confirmed sometimes one way, and sometimes in another, by the same individual witnesses examined in behalf of the defence. For instance, by some of these witnesses it is said, that the *Cassard*, *Foudroyant*, and some of the grounded ships, would have fired with complete effect on the British ships, had they been sent earlier to attack them; and again, that we never could have got near them for the shot to reach: assertions that are, in the nature of things, incompatible, as in positive contradiction to each other, and given in support of Lord Gambier's statement, that three out of the seven ships aground on the Palais were never within reach of any of the fleet that might have been sent in to attack them, and that the other four of the eleven were never in a situation to be assailed after the fire-ships failed in their main object; although, at another time, the noble lord declared, that some of those very ships would have raked ours had they been sent in earlier than they were. I will also prove partiality on the part of the court, and illegal and unjust conduct on the part of the judge advocate, who ad-

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mitted, and even courted, evidence on one side which he rejected on the other; and urged inquiry into the conduct of officers whose conduct the court were not empowered to investigate, in order that he might, by insinuations (for there could be no other motive), create an unmerited prejudice against me, and so induce them to unite against me, and make common cause with the commander in chief, who had stepped forward, as he insinuated, to vindicate their injured characters; and examined his secretary on the subject. One instance may, of the many I could adduce, well suffice in relation to the conduct of the judge advocate: Asked, on a certain occasion, by the president, 'Is that evidence?' he answered, 'I should think it is.'—'And why did he think so?'—'Because it was to affect the evidence of Lord Cochrane,' although I had not touched on the subject then under consideration. As to the court, their conduct is too glaring to admit of a doubt as to the motives by which they were actuated. Conversations between officers, and questions framed upon matter arising out of them, were admitted, notwithstanding my testimony had been refused in an instance wherein I had merely stated, that the opinion I had at the moment delivered to the court, had formerly been given in the presence of certain officers. The judge advocate pursued the same course. He received documents as evidence which could not be authenticated; and, on the other side, he rejected that which could. Amongst the latter, was Captain Wolfe's order to supersede me in the inner anchorage, though the secretary who wrote it, and Captain Wolfe who received it, were witnesses before the court; but had that paper been produced, it would have proved that it was written, together with Lord Gambier's two letters of recall, on the 13th, although the signal to the same effect had been attempted to be denied, and witnesses examined to support assertions against his acts. This, and all that I have said, I pledge myself to prove to the conviction of the world, if the minutes of the court are laid before the House; or if I fail, then let contempt and merited infamy follow me; then, unworthy of the honour which his Majesty was pleased to confer upon me, I shall resign it back into his hands, and vacate my seat in this House. I do not desire to get off with nominal responsibility, and I wish his Majesty's ministers would give such a pledge for their actions, and for their statements."

Sir Francis Burdett having seconded the motion, Captain Beresford said, the noble lord who made the motion, had, in his opinion, cast a severe reflection on the court and on the witnesses. He knew every member of that court, and he believed they were officers of as high honour and character as the noble lord. He also knew the witnesses, and he believed them in the highest degree worthy of credit. He had himself been a very strong witness against what had been done by Lord Cochrane. He said to the court what he then repeated, that had Lord Gambier acted as the noble lord wished him to do, he would have disgraced himself, and our ships would have been on shore. The noble lord had forgotten how

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he formed his charts and log-books in favour of the evidence to be adduced before the court-martial. In thus declaring his sentiments and opposition to the motion, he was actuated by no motive but a sense of duty.

Sir John Orde said, "I cannot content myself with giving a silent vote on a question that so materially affects the vital interest of the profession to which I have the honour to belong. I do not comprehend the object of the noble mover in calling for these minutes. Is it the intention to try Lord Gambier again, or to put the members of the court-martial on their defence? If it is, what, in God's name, would be the situation of officers in the navy? If these are not the objects, what then are they? It has been said, that the minutes might justify the acquittal of Lord Gambier on a charge for life or death, yet that they might shew him not to be entitled to the thanks of parliament: surely an investigation of them for this purpose would savour more of persecution than of public justice. Lord Gambier's conduct in the affair of Basque roads has already been investigated before two competent tribunals; first before the Board of Admiralty, and secondly by a court-martial, composed, I will venture to say, of as honourable men as any country or any service can boast. To try his lordship after this, or here to try the merits of the court-martial, I think would be as unjust as injurious to the service."

Mr. Littleton stated, that the House ought not to take upon itself the revision of such sentences upon light grounds; but still the proceedings of courts-martial were liable to revision in the House, as the court of dernier resort. This doctrine was laid down in Mr. Adye's book on courts-martial; and there was an instance of such revision in 1744, when the sentence of a court-martial on Captain Norris was decided by the House to be partial, arbitrary, and unjust.

The Chancellor of the Exchequer moved, as an amendment, that the word "minutes" should be left out, and the word "sentence" inserted in its stead.

Sir F. Burdett observed, that the preceding speakers had saved him the trouble of proving the right of the House to interfere with the sentence of a court-martial: the question, therefore, now related solely to the propriety of such an interference in the present case. The noble lord had pledged his character in the most explicit manner, that if the minutes were produced, he would prove that the court-martial had acted partially, and that Lord Gambier was not deserving the thanks that were to be moved in his favour; and he thought it was impossible to believe the noble lord would do so without being able to fulfil what he had promised. The right honourable gentleman had said, that the House ought to be contented with the sentence: that, however, was what the noble lord complained of, and it seemed there were things connected with it which could only be properly explained by the minutes. The noble lord had said, that Lord Gambier had delayed sending in ships to support him. Lord Gambier himself allowed, that a lapse of time had taken place. If there was any distinction between the charge

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and the admission, Lord Gambier's was the strongest. A lapse of time, he feared, was a lapse of victory. It was a lapse of a tide. The old proverb said, that "time and tide wait for no man;" Lord Gambier thought they would, but he found himself mistaken. The noble lord (Cochrane) was appointed to conduct the attack, appointed by the Admiralty for the purpose, and his orders should have been obeyed as the commander in chief. Lord Gambier's principal concern seemed to have been to preserve the fleet. If Lord Nelson, at the battle of the Nile, or that glorious action in which he lost his life, had acted on this principle, he would never have been crowned with the laurels he so bravely won, nor would the thanks of that House, and the honours of his sovereign, have so eminently and gloriously distinguished him. Lord Gambier's plan seemed to be, a desire to preserve his Majesty's fleet; that of the noble lord's was, to destroy that of the enemy. He never heard that the articles of war held out an instruction to preserve the fleet. He had never heard that Lord Gambier pretended to have done any important or signal service on this occasion; his only merit seemed to consist in what he had omitted to do. That omission might indeed have been wise and prudent, but could never be the object of a vote of thanks. In the minutes it appeared, that his noble colleague had made a signal for assistance at five o'clock in the morning, and none was given till two in the afternoon. The shoals and batteries had not been removed; they remained the same as in the morning; and if there was any danger in them, it was not greater in the morning than in the afternoon.

Mr. Yorke said, that the question was not as to the right of the House to call for the minutes, but whether it was necessary to do so under the circumstances of the case. This was not a case where the noble lord came forward and stated reasons, as consisting with his own knowledge, for withholding the vote of thanks from Lord Gambier; but, on the contrary, one where, in consequence of insinuations thrown out by the noble lord, a court-martial had been held on Lord Gambier, and he had been honourably acquitted, the charge, or rather insinuation, being totally unfounded. He regretted the noble lord should have thought it a part of his duty to adopt this line of conduct after the decision of that court-martial, on which all the evidence was wholly at variance with his ideas. He regretted that a gallant officer, who undoubtedly had rendered great service to his country, should have esteemed it necessary to set up his own opinion and experience against the opinion and experience of so many others. The honourable baronet was mistaken in supposing, that the noble lord was charged with the enterprise; whereas, on the second day, Captain Bligh, and the other captains of the line-of-battle ships, were those who performed the service. He was surprised the worthy baronet should say, that the noble lord went to the attack unsupported; and that having the command that day, he made a signal, which should have been honoured, but was not. That signal was only a communication to the commander in chief, as to which he was to form his judgment; and most of the officers of the fleet agreed it would have been a most extraordinary thing if he had acted upon it.



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Mr. C. W. Wynn said, that he was sorry to see the thanks of the House bestowed with too little consideration, so as greatly to lower the value of that distinguished honour. He should hardly have thought this a case in which they ought to have been granted, were it not that their now withholding them might seem to countenance the present charge.

Mr. Wilberforce and Lord Newark spoke against the motion.

Sir C. Hamilton declared, that if his information were correct, the fault that more damage had not been done to the enemy's fleet lay with the noble lord (Cochrane) himself; and if the minutes were produced, he should engage to bring evidence to that effect before the House. If the noble lord had followed the advice of a senior officer, in reserving some of his fire-ships, he would have been able to destroy all the ships of the enemy. When with the explosion-ship the noble lord gave the signal, those who observed his orders did not succeed, and those who did not observe the signal, but were more deliberate in their proceedings, were successful. Those officers who disobeyed the order to fire the ships had been promoted, and those who obeyed the order had not been promoted.

Mr. Croker said, that the noble lord would have done no more than his duty in making the present charges the subject of proceedings against Lord Gambier. What, however, had been the conduct of the noble lord? Instead of making a direct charge, he had merely contented himself with referring the Admiralty to the log-book of his own ship for information. The Board of Admiralty, therefore, in acceding to the wish of the noble lord for an inquiry into his conduct, had done him no more than an act of justice. He then paid a high compliment to the officers composing the court-martial for their professional abilities, and declared, that the noble lord having put his character against the majority of his profession, he was bound to adhere to the majority in preference to the noble lord, however highly he estimated his talents.

After a few words from Mr. Whitbread in support of, and from Mr. Ponsonby against, the motion, Lord Cochrane again addressed the House, and said, "It has been asserted, that it was my duty to have brought forward myself charges against Lord Gambier if I thought his conduct censurable; but I contend, that I adopted the mode which, under such circumstances, it was my duty to adopt. I did not presume to form charges founded on my own opinion of the transactions which had occurred in Basque roads. I did not deliver charges; but when I found that a vote of thanks was to be pressed, I felt myself called upon to refer the Lords of the Admiralty to the log-books and minutes of signals, where they would find reasons why a vote of thanks should not be granted to the commander in chief: and their lordships found them in those official documents, which are received as evidence in all courts of law. These I had no power to falsify, and to these I referred, not with a wish maliciously to criminate, but to save the House and my country from what I felt to be a disgrace; and this I submit was the fair and ho-

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nourable mode to proceed. It was regular, and not liable to be affected by prejudice or my opinions: no individual had the power to mislead their lordships. Respecting the 'forming of logs for the purpose of evidence,' I beg to observe, that when any one throws out insinuations, or rather accusations, such as these, it would be but honourable, and justice demands, that he should state the difference which was detected in them. Lord Gambier, who was pretty much alive to detect errors, did point out, that in one, the signal made was, that 'half the fleet could destroy the enemy;' and in the other, that it stood, 'part of the fleet can destroy the enemy.' What is the mighty difference between part and the half? A part may be either more or less, or exactly the half. Is this the error which has been spoken of? or is it the circumstance of my hailing the Indefatigable, which is not noticed in one, but inserted in the other? That was a personal act of my own; the words spoken had nothing to do with the transactions usually inserted in the log-books of ships. Those who were on board can vouch for the correctness of the fact. As to the chart, I pledge myself to prove, if the minutes are granted, that my chart is correct, and is corroborated, as to every part for which it was produced, by the testimony of the master of the Caledonia himself, who, after falsifying his own chart, swears that the French ships lay exactly as I placed them. And here I will give a specimen of the evidence of those ingenious gentlemen, the inventors of the fabricated chart, which was introduced for three reasons: to shew the confined-state of the anchorage, the point-blank shot of the batteries of Aix, and that no more of the enemy's ships could have been got at than those that were destroyed. In all these points I pledge myself to prove the chart produced by the master of the Caledonia false, by the mouths of its fabricators themselves; and here is there evidence: first, as to the space in the anchorage. Mr. Fairfax, on being asked, 'Is it much confined, and the water round it shoal?'—*A.* 'The space is much confined.'—*Q.* 'Is the navigation of Aix roads difficult for large ships, as far as you know?'—*A.* 'Very much so.'—*Q.*

Did you know, previous to the 12th of April, of any anchorage above the Buoyart shoal, and near the Palais shoal, for line-of-battle ships out of range of the enemy's shells?'—*A.* 'I knew of no anchorage.'—*Q.* 'Have you acquired a knowledge of any such since?'—*A.* 'I have not.'—*Q.* 'Were you in the road of Aix after the British ships were placed for the purpose of attacking the enemy?'—*A.* 'No.' So much for this gentleman's knowledge of that to which he positively swears. Now let us see Mr. Stokes' evidence on the same head. 'He does not know the distance between the sands from his own soundings: yet he positively swears, that 'the space for anchoring is much confined, and the water round it shoal; that it is difficult for large ships, and that the channel is very narrow.' Why, even by his fabricated chart the channel is a mile wide, and neither bank nor shoal between where our fleet lay and the Cassard and Foudroyant, which he has very ingeniously contrived to put in a corner, a mile distant from Aix, though in his evidence