

arrest.

Question by Major Bennett. Did you shew Major Bennett's order to General Stockton & when?

Ans. The same evening that I received the order of Major Bennett, I shewed it to the General and gave him a copy.

Question by Major Bennett. Did you ever say that Major Bennett would be broke?

Ans. I never did say so. I have said in jest to Capt. Wilson, that if Major Bennett should be broke, & if Capt. Rodney should be Major, and if I should be Captain, I would then apply to the Governor to commission us as the first company, and Captain Wilson's as the second.

Question by Major Bennett. In your conversation with Major Bennett, did you understand him as intending to influence you in uniting with him in open resistance of any orders of the Brigadier General?

Ans. My impression was that Major Bennett wished us to parade at Mendenhall's old field, and in opposition to the General's orders, as I suppose he then knew of them.

Question by Major Bennett. Did Major Bennett say that if the orders had passed thro' him, he would have attended at the head of his battalion?

Ans. He did, saying it was the whole Battalion.

Question by Major Bennett. Did Major Bennett say that he was not well treated; that he ought to have had the orders, it being the first time he had an opportunity to appear?

Ans. He did.

Major Joseph Lyubbs
sworn.

A short time after the orders

of the Brigadier General, I heard some conversation with respect to the orders.

Major James R. Black?
sworn.

I issued the Brigade orders for the June Review, on the 6th May; - and the orders to the Captains of Artillery about the same time, in the manner directed by the Brigadier General. Hearing that Capt. Wilson had not received his, I issued a duplicate. Afterwards by the order of the Brigadier General, I arrested Major Bennett, and afterwards received his sword.

Question by Major Bennett. Had you written or verbal orders from Genl. Stockton to order Captain Rodney and Capt. Wilson?

Ans. I had written orders.

Question by Major Bennett. Did Major Bennett ask you to permit him to see the orders?

Ans. He did. But I told him I would not, in consequence of a remark he made, in saying that I was the author of it all.

Question by Major Bennett. Did I say to you that I was grieved that I should be passed over, - it being the first time of commanding the two companies?

Ans. I told him that the General intended no slight to him, but intended to order the Battalion of Horse & Artillery ^{to parade} at a future day; - and that if the orders had passed thro' him, it might have prevented him perhaps from ordering out his battalion as he intended. Major Bennett mentioned that it was not too late to issue the order to him. I told him that it was too late, as he had given his orders to the companies. -

Question by the same. Did you tell Major Bennett, that the order was issued in this case, as had been usual with