

(3.)

Question by Major Bennett. Did Major Bennett inform you that unless you owned him as Major, you were not worthy of him?

Ans. It was something to that amount.

Question by the same. Did Major Bennett inform you that if the orders had come thro' him, he would have been the first to have appeared in the field?

Ans. He did, — something to that amount.

Question by the same. Suppose you had obeyed the order of Major Bennett, could you then have marched to the place of parade of the Regiment soon enough?

Ans. According to the customary time of the meeting of the Regiment I could not.

Question by the same. At what time did the Regiment meet and form?

Ans. I do not know. It was later than customary on account of the rain.

Question by the Prosecutor. Do you think that Major Bennett intended to march the battalion to New Port?

Ans. The thing did not strike me.

Captain Cesar A. Rodney  
sworn.

Received the following order soon after its date, to wit, No. 4

New Castle 6. May, 1864.

Sir, The Company of Artillery commanded by you will parade and be reviewed with the first Regiment of Delaware Militia on the first Monday in June next. You will form the company on the right of the first battalion; and after the line is reviewed and the salutes given, you will file off, & exercise your company either alone, or with Captain Wilson's Artillery. — You will perform the 6<sup>th</sup>, 7<sup>th</sup>, & 14<sup>th</sup> manœuvres laid down in Duane's Military Library.

C. A. Rodney Esq.  
Capt. of Artill<sup>y</sup>. Co.  
Attached to 1 Brig. Del. M.

By order J. R. Black.  
Brig. Maj. & Inspector 1st  
Brig. Del. Mil.

I communicated to Major Black that I would obey the order. Afterwards I received the following order No. 5. viz. -

Battalion Orders.

Sir, You will parade in battalion with your company on Monday next, the 6<sup>th</sup>. of June, on Mendenhall's old field, on the Road leading from Wilmington to Clarke's corner; you will be on the ground precisely at 11 o'clock A.M. when and where Major Caleb P. Bennett ~~and~~ will superintend the order and evolution of the day.

By order of Major Bennett,

A. Hamilton Adj't.

Capt. C. A. Rodney Command:  
ing the 2<sup>d</sup>. Comp'y. of Artillery at-  
tached to the 1<sup>st</sup>. Brigade of Dela-  
ware Militia.

I enclosed a copy of this order to Genl. Stockton, and rec'd. the following answer, to wit - No 6. -

Sir, I had received a copy of Major Bennett's order to you & Capt. D. Wilson, ordering your companies to parade at Mendenhall's old fields the 6<sup>th</sup>. of June next; - that is the day of the review of the 1<sup>st</sup>. Regiment, which you have been ordered to attend by the Brigadier Genl. thro' his Major in April last; - which is authorised by the 8<sup>th</sup>. section of the Militia law; - and I conceive Major Bennett is not clothed with power at any time to order out the Artillery Battalion without the consent of the Brigadier; - therefore you are not to obey his order on this occasion; - and have ordered his arrest this day. -

May 31. 1854. I am Sir respectfully your Obedt. servt.

Geo. Stockton B. G.

Capt. C. A. Rodney.

Being informed that Major Bennett was under arrest, I did not answer the said order. I attended the Regimental Review.