

confident expectation that this Court will not suffer itself to be made the instrument of private animosity or personal resentment.

In occupying the time of the Court to this extent, the Prisoner would feel that an apology was due to them, if this were merely a question of personal concern. He knows how difficult it is to identify our feelings with those of persons to whom we are united, by no peculiar ties; How difficult it is to feel with him the mortification he has experienced in the origin and progress of the present affair, - in being passed over as an officer, - in being prevented by an irregular order, from appearing at the head of his Battalion in the protracted course of his Trial, during which his sword is taken from him, and his services as an officer proscribed. - But these considerations so interesting to him have not alone impelled him to this defence, - a higher motive and one as important to all officers as to himself, has actuated him to make this stand. He sees, in the course attempted to be pursued by the General, the disorganization, and protraction of the natural force of the State. He sees, that the effect of its success, would be to overturn all the established Rules of military Law, to subvert all distinction of Rank, and to introduce and foment endless collisions and jealousies among officers. If his resistance can prevent the

the adoption of such a course, he will be highly gratified, if not he hopes for consolation under censure in the perfect consciousness of having discharged his duty to himself and to the public service.

C. P. Bennett Maj. 1st
" Bat. Mil. Det.

Court adjourns until 2 o'clock P.M.

Court met pursuant to adjournment.

The Court taking into consideration the charges exhibited against Major Bennett, and the evidence in support of the same, and also the evidence upon the part of the prisoner and his written answer and defence against the said charges - and having maturely weighed and deliberated upon the same - the court is of opinion - that the first charge is proved, and the prisoner is therefore Guilty of said charge.

Of the second charge the court acquit the prisoner.

The Court in deciding that the facts specified in the first charge, are proved; feel it incumbent upon them, to pronounce the conduct of Major Bennett to have been un-military. The Court therefore consider advice and determine, that Major Bennett be reprimanded, in such manner, as may be directed by his Excellency, The Governor and Commander in Chief.

I do hereby certify, to His Excellency
Samuel Rodney Esq., Governor of the
State of Delaware and Commander
in Chief of the Militia of said State,
that the preceding pages, are true and
correct copies of the proceedings of a General
Court Martial, opened pursuant
to General orders. In testimony whereof
I have hereunto set my hand and seal
this 11th day of August A. D. 1814.

James Rogers Esq.
Judge Advocate.

Given August the 22nd 1814.
The sentence of the Court is approved. And the President and
Judge Advocate, is hereby directed, to reprimand Major Caleb
P. Bennett, in such manner, as they may consider, will be
most effectual, to prevent Officers of the Militia in future,
from issuing orders "Knowingly in direct opposition to the
Orders of" their superior Officers.

Dan^l. Rodney