

Lib. J. R. the said Commission from Captain Mulkere the Seal was  
& U. S. whole, but that when he returned it afterwards to the said  
Captain the Seal was crack'd, tho' how that Accident had  
happened he does not know, but is sure it was not broken  
or injured by the Marlbro's Captain or any of his Crew  
that immediatly afterwards the Deponent went into his  
Boat to his four Men, and the Boats Painter was then cast  
off the Brig and Boat being as he apprehends at that Time  
a little to the Northward of the Mouth of Potowmack, that  
having rowed and steered the Boat Southward all the next  
Day being the 19<sup>th</sup> of February he and the four People who  
were with him, discovered and came up with the Schooner  
which was then at Anchor in Fleads'-Bay a few Miles to  
the Northward of Rappahannock River. The Deponent also  
saith that when he and the four Men went on Board the Brig  
to take Charge of her, they carried with them on Board two  
Cutlasses which when they were ordered on the Morning of  
the 19<sup>th</sup> to descend into the Boat he desired might be de-  
livered or returned to him, but was refused them, tho' the  
Brig's Crew did hand into the Boat at that Time the three  
Cutlasses which the said Crew themselves had brought from  
the Schooner.

Thomas Dale.

12<sup>th</sup> of March 1761.. Sworn before the Governor and Council.  
J Ross Cl.. Conc..

William Every Mariner belonging to the Schooner In-  
dustry of which Valentine Mulkere is Master having been  
sworn on the holy Evangels of Almighty God deposeth and  
saith that on Wednesday the 18<sup>th</sup> of February about 10.  
o'Clock in the Morning as the abovementioned Schooner,  
was going down the Bay of Chesapeak in Company with a  
Brig commanded by one Captain Smith, Captain Mulkere  
hailed a Brig that was turning to clear New point Comfort  
asking the Master of her whence he came, to which the said  
Master answered, "from Jamaica," and that then Captain  
Mulkere ordered him to bring to, and then hoisted out his  
Boat and went on Board the said Brig soon after which  
one of Captain Mulkere's Men returned in the Boat to the  
Schooner for the said Captain's Commission or Letter of  
Marke, and after that had been carried to the Captain he  
the said Captain Mulkere returned on Board his Schooner,  
and then sent four Men in his Boat to bring the Brig's-  
Master with his Papers on Board the Schooner, which was  
accordingly done, and soon afterwards Captain Mulkere  
sent his Boat again for two Outlandish Men whom he had  
seen on Board the Brig, that soon afterwards all the Brig's