

18. and that the said Coler at the same time showed the said Danby his Clearance from Virginia and the Lord Baltmore Officer.

17. That the said Coler did repair to the said Danby at the place aforesaid the 20th of July 1703 and then and there required the said Danby to Clear the said Ship pursuant to his promise.

18. That the said Danby then and there refused & denyed to Clear the said Ship and also upon the said Peter his demanding his Clearance from Virginia and the Lord Baltmore Officer who had delivered the aforesaid, did refuse to deliver them to the said Coler saying they belonged to him.

19. That the said Danby refused to Clear the said Ship for want of Security for the Bill of Exch: which he had recd & negotiated an considerable time before in full Satisfaction for the said Ship Rogers.

20. That the said Ship was detained in the Country and lost the Convoy by reason of the said Danby's Refusing to Clear the same.

21. That the said Ships Bottom was eaten out by the Worms and very much damaged in so much that she was now botomed at the Charge and Cost of the said S^r John Rogers by reason of the said Danby's refusing to Clear the same as aforesaid.

East. That the Cargo of Tobacco on board of the said Ship was by reason of the Damage aforesaid damaged in so much that to the best of their Dependants know Loading of three hundred ninety seven bushels & lost out of the said Ships

John Cadd Sent aged about 56 years or thereabouts being Sworn on the Oath Evangelist deposed and Saith.

first Inter. That he knoweth the plaintiff and Defendant.

2. That he knoweth the Ship Rogers and further Saith not.

3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. Suborrog always Saith not.

14. That the said Depot. was at the Office of the John Dansey on or about the 20th of July 1703 and then and there did hear the said Coler depose the said Danby to Clear the said Ship Rogers and further Saith not.

18. 19. That the said Depot. did hear the said Danby refuse & deny to Clear the said Ship unless he had Security for certain Bills of Exch: which S^r John Rogers his Agent had passed some time before to the said Dansey and that he also heard the said Coler demand his Clearance from Virginia and the Lord Baltmore Officer.