

in Number being in some foreign Language; but in what Language he the Deponent doth not know; that as soon as he the Deponent had examined the Papers Captain Mulkere sent him of his own Crew on Board the Brig with Orders to bring to him two Foreigners which he Mulkere had observed on Board the said Brig, that as soon as the Boat got alongside the Brig, the Mate of said Brig and the rest of her crew jumped into the Boat and came on Board the Schooner whereupon Captain Mulkere desired the Mate of the Marlboro' to return with a few of his Men and assist him; the Deponent in taking care of the Brig, but that the Marlboro's Mate refused to do so, declaring that he would not touch a Pipe on Board her; that then Captain Mulkere ordered the Deponent to go with four of his Mulkere's Men and his Commission or Letter of Part in Order to take care of the Brig and prevent her being driven on Shore; that some short Time after he the Deponent and the other four Men had got on Board the Brig the Painter with which they had fastened the Schooner's Boat to the Brig gave Way and the Boat went adrift, but the Schooner bore down and took the Boat up; that then he the Deponent shortened sail in Order that the Schooner might come up with the Brig. Marlboro' of which he had then Charge, and soon after perceiving that a Whiff was hoisted to the Schooner's Mast Head as a Signal to speak with him the Deponent he hove to and the Schooner then being to the Windward of the Brig came to an Anchor; immediately afterward, the Deponent saw the Schooner's Sails lowered, and all the Brig's People being nine in Number jump into the Schooner's Yawl, and now towards the Brig which they boarded three of them having in their Hands naked Cutlasses which they had brought from the Schooner; that after the said Brig's Crew had come on Board the Brig he the Deponent applied to them for the Boat in Order that he and his four Men might return on Board the Schooner but they refused to let him have the Boat one of them named Mr. Lacklan at the same Time holding a drawn Cutlass over the Deponent's Head, and swearing he would cut him down if he the Deponent offered to say a Word; That then the Marlboro's Crew made all the sail they could and stood up the Bay having taken all the Cars out of the Boat, and veered her astern; that about one or two o'clock in the Morning the Mate of the Marlborough whose Name he thinks was Bill, came to him the Deponent and ordered him and his four People to go into the Boat saying he would keep them no longer on Board and that if they did not go readily he would put them in Head foremost; and that when the four People were descending into the Boat the said Mate of the Marlborough demanded the Brig's ^{King's} Papers of the Deponent in whose Custody they had been; since they had been first delivered to Captain Mulkere; that at first the Deponent hesitated to deliver them, saying that he had no Papers belonging to him the said Marlboro's Mate, but the Mate saying promptly that the Brig's Papers were in his the Deponent's Pocket together with Captain Mulkere's Commission, and