

on Board her, and immediately upon this the said Captain Carcaud this Examinant and the rest of the said Brig's Crew went on Board the said Schooner's Boat leaving the said Mulhern and the rest of his Crew on Board the said Schooner byed as aforesaid, and upon this Examinant and his said Company in the said Boat's arrival on Board the said Brig they immediately made Sail in her up the said Bay for Patuxent-River aforesaid and immediately after having thus made Sail, this Examinant and the said Brig's People observed Mulhern and his People on Board the said Schooner walking about on the said Schooner's Deck and soon after saw them heave up their Anchor and make Sail after the said Brig which was between one or two in the Afternoon and between three and four the said Schooner was within about a League of the said Brig which continued Sail all Night but about two of the Clock the next Morning this Examinant demanded the said Brig's Papers from the said Schooner's Mate who took them out of his Pocket rolled up in a Handkerchief with the said Schooner's Commission and delivered the said Brig's Papers to this Examinant when this Examinant ordered the said Schooner's Mate and his four Hands into their Boat, and gave them three Days Provision and Water and the three Cullasses which they the said Schooner's Mate and Hands had brought on Board with them, and were all that were on Board the said Brig this Examinant having searched the said Brig for every thing that might belong to them; And this Examinant and Laughlin Donnatlin having before they left the said Schooner quitted the two Cullasses they had taken up on Board her, and ordered them off from the said Brig, at which Time this Examinant could see Smith's Point being the Lower Point of the Mouth of Potowmack, and about three Miles from it rather below it; and the next Night about twelve of the Clock the said Brig arrived at Patuxent where a Pilot came on Board and carried her up the said River, and the said Examinant being asked where he or the said Carcaud Master of the said Brig had shipped some of her Crew he answered at Salem in Delaware, and being further asked from what Port the said Brig came next before her arrival at Salem he answered not, nor to the further Question where the said Brig took in her Sugars.

16. March 1761.

Taken before the Governor and Council.

Thos. G. Cond.

Middleton Dist.