

Ans. No, I did not.

Ques. Did Mr. Protheroe compel the Americans in the tender to work?

Ans. No, he did not, but they sometimes voluntarily assisted in working the tender.

Ques. Did you at any time know Mr. Protheroe to put the Americans on one meal a day, or know them to fare worse than the tender's crew?

Ans. No, we all messed alike, having the allowance of the British Navy, excepting spirits, for part of the time, which was all used, and I know Mr. Protheroe to have frequently given them rum from his own private stock.

*Thomas Russel, seaman, examined.*

Ques. Were you in the Dotterel's tender with Mr. Protheroe, when he detained the American schooners Hero and Pilgrim?

Ans. Yes.

Relate all the particulars.

In running from Grand Passage to Grand Menan, observed two schooners lying at anchor, one of which got under weigh, and stood in shore. We made the best of our way to close her. I observed her with lines over-board fishing. We then boarded her, which proved to be the Pilgrim, American fishing schooner. She had at the time live fish on her deck. Mr. Protheroe detained her, and put two hands on board to take charge, she then being within a mile of the shore. Observed another schooner make sail from in shore, from the Northward: stood for her, fired, brought too, and boarded the American fishing schooner Hero. Mr. Protheroe then asked the master, what they had been doing in shore; a man named Wilson said, we have been on shore cleaning fish. Mr. Protheroe detained her. On our way to St. John's, anchored under the Eastern Wolves; as we were going in, observed two schooners about a mile off us. Mr. Protheroe hailed the Pilgrim for her boat, which was brought to us in the tender by a boy, who requested Mr. Protheroe to be allowed to pull him on board the aforesaid schooner. Mr. Protheroe with a man and the boy, proceeded to board these vessels. We then with the Hero and Pilgrim in company, proceeded for St. John's, anchoring each night, till we arrived in Mason's Bay: where the Pilgrim effected her escape during the night. Afterwards we proceeded in the tender, Hero in company, to St. John's, where the Hero was delivered up to the Custom-house.

Ques. Did you at any time hear Mr. Protheroe make use of abusive language to the Americans?

Ans. No.

Ques. Did you at any time hear Mr. Protheroe threaten to ill-use or maltreat the Americans on board the tender?

Ans. No, I did not.

Ques. Did Mr. Protheroe compel the Americans to work in the tender?

Ans. No; but they did sometimes assist voluntarily.