

Island, to guard and protect the American fishing schooner *Clara F. Friend*, then lying in the harbour of Charlottetown aforesaid, a prize, in the custody of the Marshal of the said Vice-Admiralty Court. That on the night of the said 24th day of November instant, at about half-past 11 o'clock P.M., this deponent then being below in the cabin of the said schooner, and off watch, was called on deck by his comrade, John Thomas, who was then on watch; that on coming on deck this deponent observed a boat, with a crew of between fifteen and seventeen men on board, alongside of the said schooner, on the starboard side of the fore-rigging. Deponent then went to the rail, and asked the men in the boat who they were, when one of them asked if they were far from Southport; deponent replied that they were a long way to leeward of Southport. One of the men in the said boat then said that they would go on board for a drink of water; deponent replied, that he would not allow them on board. A man in the boat insisted that they would go on board; some of them then attempted to board the said schooner, when this deponent, being at the time armed with a rifle with a fixed bayonet, pointed the bayonet at one of the crew; the men in the boat then rushed on board the said schooner; this deponent then unfixed his bayonet. Two of the men from the boat then rushed at him, and took away his rifle. Deponent then went below into the cabin. Among the men who boarded the said schooner this deponent recognised Thomas Grady, who was master of the said schooner at the time of her capture, as deponent is informed, and believes, John Howe, late one of the crew of the said schooner, and Michael McCarty, also one of the crew. That while deponent was in the cabin, a man (whom deponent was informed, and believes, was the owner of the said schooner) came below, and stated to deponent and his comrade, the said John Thomas, that they need not be alarmed, that they would not be hurt, that if deponent, and the said John Thomas would go along with them he would look after them; he also stated that he had been waiting in Charlottetown for three weeks, waiting for the damned cutter (meaning H.M.S. *Plover*) to leave. And this deponent further saith: that the said Thomas Grady, together with the men who so boarded the said schooner, got the said schooner under weigh, and proceeded under sail out of the harbour of Charlottetown aforesaid; and when about three miles outside the said harbour, this deponent, together with the said John Thomas, and one James Stewart, who was on board the said schooner when she was so boarded, were put into a boat with four oars, and cast adrift from the said schooner, the said schooner proceeding on her way to sea. That this deponent, with his comrades, arrived at the entrance of the harbour of Charlottetown about half-past 3 o'clock A.M. of Friday, the 25th day of November instant, and immediately proceeded to Charlottetown.

his
(Signed) MICHAEL × FURNIS.
mark.

Sworn to before me, at my chambers, in Charlottetown, in Prince Edward Island, this 25th day of November, A.D. 1870.

The above Affidavit having been first truly read over to the said Michael Furnis, who appeared to understand the same, and who made his mark thereto in my presence.

(Signed) R. HODGSON.
Judge of Vice-Admiralty Court of Prince
Edward Island.

I do hereby certify that the name "R. Hodgson," with the addition, "Judge of Vice-Admiralty Court of Prince Edward Island," to the Jurat of the Affidavit on the other side written, is of the proper hand-writing of Sir Robert Hodgson, Knight, Judge of the Vice-Admiralty Court of Prince Edward Island aforesaid; and that full faith and credit is due, and ought to be given, to all his acts and attestations in his aforesaid capacity. In testimony whereof I have hereunto subscribed my name, and set hereto the Great Seal of Prince Edward Island, this 25th day of November, A.D. 1870.

WILLIAM ROBINSON,
Lieutenant-Governor of Prince Edward Island.

L. S.