

ing up fish, and on boarding her, found live fish on her deck. Mr. Protheroe said he should detain her for fishing in our waters. We sent two men on board her to take charge. We then made sail for another schooner, which proved to be the Hero. When we boarded her she was about a mile and a half from the land with lines overboard fishing; and had live fish in the hold. Mr. Protheroe asked them what they had been doing close in shore, with their sails down. A man named Wilson, said they had been cleaning fish on shore. I was sent on board the Hero, with another man to take charge, and to follow the tender and Pilgrim, which we did, anchoring each night till our arrival in Mason's bay, at which place the Pilgrim made her escape in the night. We afterwards proceeded, anchoring each night, till we arrived at St John's.

Ques. What quantity of wood and water had the Hero on board?

Ans. Two casks of water and some wood: the quantity I cannot say.

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

Ans. No. I did not.

Ques. Did Mr. Protheroe compel any Americans to work?

Ans. No, not to my knowledge, but they continued assisting the working of the vessel with their own free will.

*Thomas Cassady, 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.

We were running in for the Menan and boarded the Pilgrim American Schooner, about a mile or a mile and quarter from the land, fishing. Mr. Protheroe asked what business they had fishing there, as they were within three miles of the land. The answer was, they did not know they were within the limits. Mr. Protheroe detained her, and put two men on board to take charge, and we proceeded to board another schooner, which proved to be the Hero, about two miles from the land.

Ques. Did you hear Mr. Protheroe ask the master of the Hero, if he could assign any reason for being so near the land with her sails down?

Ans. Yes, but did not hear the reply.

Ques. What became of the Hero?

Ans. Mr. Protheroe sent two men on board her, to take charge, and we proceeded to Mason's Bay, anchoring each night in the tender, with the Hero and Pilgrim in company, at which place the Pilgrim made her escape in the night: afterwards we proceeded to St. John's, in the tender, with the Hero, where she was delivered over to the Customs.

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