

lost a great many Men. He answered, that he was very sorry for it himself, that it was altogether owing to Capt. *Rous*, whose Conduct he immediately related. Governor *Cornwallis* answered, that if Things were as he said, Capt. *Rous* was in the Wrong; and furthermore, would call his Council the next Day to decide thereon, which he accordingly did. Capt. *Rous*, his Mate, and some of the Company belonging to the Brigantine, were called to it; Capt. *Vergor* was also called, who declared the Facts in the same Manner as related heretofore: Capt. *Rous* could not but own, he had first fired a Gun with a Ball in the Fore-mast of the Brigantine. Whereupon the Governor arose, and having ordered all the Officers belonging to the Brigantine, who were in a Room adjacent, to come into the Council Chamber; they were asked who had fired the first Gun, and they all replied, that Capt. *Rous* had fired two Volleys. Immediately the Declaration of Capt. *Vergor* was read before them, and they all affirmed it true in every Circumstance. Nevertheless, nothing was determined, either at that Sitting, nor at five or six others which were since assembled. But two or three Days after the first Sitting, Governor *Cornwallis* asked Capt. *Vergor*, what he would require to repair the Brig. fit for Sea Service, offering to provide him with all that was necessary for that Purpose? He answered, he could not do without a Main-mast, and four Pieces of Cordage. The Governor promised he should have them, and accordingly ordered one to be cut down, which the Crew belonging to the Brigantine drew out of the Woods, and told Capt. *Vergor*, to see that his Sails, his Rigging, and every Thing else he had Occasion for were mended. Whilst this Captain was about repairing his Vessel, Capt. *Rous* applied to the Admiralty, where the Brigantine was condemned. In a Letter which Governor *Cornwallis* wrote to M. *Desbiers*, a Commander at *Cape-Breton*, as he was sending him back, Mr. *Vergor*, and the Men belonging to the Brig, as also their Arms, he saith, that the Admiralty pronounced it a lawful Prize, for having carried on an illicit Trade

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