the said William Roberts it was ordered that the aforesaid Deposition of the said James Rose be read unto him which was accordingly read in open Court in these words following Viz.t To their Majties Justices for Stafford County now sitting this Deposition of James Rose aged thirty years or thereabouts Master of the ship Montjoy now riding at anchor in Potomock River taken and sworn upon the holy Evangelist before us this Twelfth day of July Anno Dom: 1693. — Saith that William Roberts Master of a Ship belonging to Bristoll and which loaded in Wicocomico in Maryland last year did sober about the tenth day of February last then being on board the Montjoy who did then and there tell your Deponent that he had received a Letter from Mr. Clement Hill in Maryland in order to carry the England to send Romans there taken name yet Deponent doth not remember but that the said Roberts being in drink or in a perturbation of Mind taken by the French did as he told your Deponent break open the said Letter supposing it had contained mischiefs therein and that the subject matter therein was as the said Roberts told your Deponent information and Advice of the weakness in point of Force and defence of this Country intimating in the said Letter that there or four Ships of Warr the French would or might take and destroy most or all the Shipping in the Country and do therewith what they pleased, Here being no Strength to withstand the same And further your Deponent saith that the said Roberts did desire your Deponent to give information thereof to the Government upon his arrivall in Virginia or Maryland and that he the said Roberts would not have sunk the said Letter but that there might be found mischievous consequence contrary and being he was in no manner of overtaking the Privateer and further your Deponent saith not.

Which Cop: of his Deposition being read and heard the said William Roberts having then upon Book taken his Oath upon the Holy Evangelist Deposeth affirmeth and saith that he utterly denys every Article contained in the aforesaid Deposition and that he never had such discourse with the said James Rose (only he was on board the Ship Montjoy) And further saith as to a Letter he found on board his ship, that the day before he was taken by the French he ordered that what Letters were on board his ship to be tied and overtaking them he this Deponent found a Letter directed to Mr. Nadoing in Bristoll which Letter this Deponent opened and read and to this Deponent saith that the substance of the matter therein contained was (to this Deponent not remembrance) that the Merchants and mighty Planters in Maryland were in a ferment and in, they might easily expect by the Merchants in Maryland you to a ferment and in, they might easily be reduced or worse to that effect. But this Deponent saith he knew notwithstanding the writing the same was, nor from whomsoever he had it. And further saith that the packet of Letters he had from the said Mr. Clement Hill was chiefly up and never opened by this Deponent until together with other Letters he had, over board Closeing the Letter aforesaid opened, but the same he knew not thrown over board with the rest. And further that Deponent saith not taken and sworn by the said William Roberts the twelfth day of October aforesaid in open Court.

Which said Deposition of the said Wm. Roberts being taken and read in Court and by the Justices here fully understood. It was ordered by the Court that the appearance of the said Clement Hill be entered and accordingly entered of his discharge of his bonds: And the said Clement Hill humbly moved this Court here for the opinion & Judgment in the premises — Whereupon the Attorney Genl. being demanded of the Court if anything he had to allege against the said Clement Hill wherefore he should not be discharged from further prosecution in the premises Who the said Attorney Genl. having declared that he had nothing to say to his charge — It is therefore — Considered by the Justices here that the said Clement Hill be acquitted and discharged and that he go thereof without day.

W Taylor Clk