

P. R. O.
Colonial
Papers.

Court—You have here in Court owned yourself that you met him.

Fend^{ll}—I deny it not, but that I said those words.

Chanc:—It is sworn by a man of credit and a Protestant, have you any more to say.

Fend^{ll}—I have done.

Chanc:—Cap^t Fendall you stand indicted for mutinous and seditious speeches practices and attempts ag^t the person of the Lord Prop^{ty} to the subversion of the State and Government of this Province.

Fend^{ll}—Nothing of it is proved.

Chanc:—Give me leave to speak S^r

Fend^{ll}—I understood you spoke to me

Chanc:—So I did to the Jury pray let me go on.

Fend^{ll}—I submitt

Chanc:—Here is Boyden proves Cap^t Fendall called my Lord Traytor and said he could prove it that people were Fools if they paid Taxes and he would bear them out if they did not that now was the time for people to speak their minds and say anything it was no Treason words I think sufficiently mutinous and seditious and what the words bearing out can make but force I leave to any Judgm^t There is Bright another Evidence that swears that Cap^t Fendall said he believed in his Conscience the Papists and Indians did confederate together when the people were cut off at Point Lookout and this in his comon discourse, that my Lord did uphold the Indians in what they did, what tends this to but Mutiny and Sedition, But he need not go to the Southward for land The King and Parliament in England were at Warrs and here would be land enough shortly for them all which words cannot well be construed without force intended to be used; Here is likewise M^r Dent swears to the words spoken of the papists and Indians joyning together and that if my Lord and four or five more were secured then—what can this mean but force, here are severall overt acts to make good to make good the Indictm^t If only one be proved by one Witness and another by another though there be not two Witnesses to one and the same part yet if there be more than one to prove the several parts or overt acts it is sufficient

Chanc:—You Gentlemen of the Jury you have heard the charge against the Prisoner as also the severall Evidences and the Prisoner's defence to prove the mutinous and seditious words spoken by the prisoner you have heard Boyden say &c^a as also Taylor Bright and his Wife and M^r Dent who all swear to the words, particularly Boyden that the people were fools if they paid Taxes and he the said Fendall would bear them out if they did not what bearing out could mean without force