

with several armed Men at an unseasonable time of the Night come to seize the Petitioners Vessel then riding at Anchor in Patuxent River, whereupon Guns were fired on both sides, & the said Paine was killed; that some time after the Persons belonging to the Petitioners Vessel were brought to a Tryal, and three of them condemned, whereof One named John Woodcock was executed, & the Execution of the Other Two deferred till his Majestys Pleasure were signified concerning them; that the Grand Jury found the Bill against the Petitioner although he was in Bed at his own Plantation at the time of the said Action; wherefore humbly praying his Majesty to extend his Grace and Mercy to the said two condemned Men, and also Protection for himself to return and live peaceably at home as in the Petition annext is at large set forth; It is this Day Ordered by his Majesty in Council that it be, and it is hereby referred to Col Copley their Majesties Governor of Maryland and the Council there to examine the Matter of the said Petition, and to report to this Board how they find the same whereupon his Majesty will declare his further Pleasure

Liber K.

p. 6

William Blathwayt

His Excellency the Governor requireth the Advice and Opinion of this Board in Relation to the Premises, upon due Consideration whereof It is advised and their Opinion is that the Tryal of Major Nicholas Sewall appointed and intended to be at the next Provincial Court be suspended, and that Examination be had of the whole matter, and all former Proceedings therein; and fully represented from hence to his Majesty together with Copys of all Process Depositions Evidences and Proofs thereunto relating, likewise that Execution of the Other two Persons condemned be suspended till his Majestys Pleasure therein shall be further known, and that in the mean time or until further Order the said Sewall remain in Custody under a Guard of One Person at a time, at his own house as hitherto he hath done

A Petition preferred to this Board by Col Henry Darnall containing several Articles and Proposals of Demand & read and is committed to the Perusal and Consideration of the Attorney Gen^l together with the Clerk of the Council to be reported to this Board to Morrow

Moved by his Excellency, and the Opinion of this Board is demanded, concerning the Permission of severall Ships now ready to sail, whether Liberty may be given to such, in Consideration that two of them are of considerable force, and have Letters of Mart, and do accept and undertake to convoy and conduct the rest making a considerable Fleet, whether such