

Lib. R. R. R. concerning the Captains power, that he might (if he had pleased) by his Commission, and the martiall Lawes of the Sea have putt him to death there, There happened also some further discourse betweene the said Coll Darnall, Maj^r Sewall, and the said Capt Allen, touching the reason why Capt^a Allen did not at his coming into the harbour in Maryland acquaint the Governm^t of his Quality and Comission, and make some Entry with the Governm^t of his Shipp as other shippes did usually doe and were obleiged; ffor otherwise without such notice the Governm^t might reasonably suspect him for a Pirate or vessell seizeable, Cap^t Allen relyed upon his Comission and Instructions, conceiving and soe affirming that he had nothing to doe with my Lord Prop^{ty} or his Governm^t though there, but that his Instructions obleiged him to observe noe other ord^{rs} but my Lord Effinghams and his Maj^{ties} Collecto^r in Maryland the said M^r Christopher Rousby decd: and that without applying himself to the Governm^t of Maryland he had power sufficient to examine and seize ships if he had occasion; some things being urged out of my Lords Charter of the power given by his Maj^{tie} to his L^{sp} his heires and successo^{rs} and that all persons both civill and military were to be Obedient to his Maj^{ties} Commands therein, Cap^t Allen did then say, if there were any fforreigne or domestick rebellion against his L^{sp}s Governm^t by sea or Land he would be ready to aid and assist his L^{sp} and Governm^t Hee the said Capt. Allen did produce his Comission and other writeings which he said were his Instructions, and read some small matter in them touching the said Collecto^r of Maryland, which to the best of my remembrance was that he should acquaint their Hono^{rs} from whom he had those Instructions, of what correspondency he kept with his Maj^{ties} Collecto^r in Maryland or to that effect. And after the said Coll Darnall and Maj^r Sewall coming away, The

p. 173 said Coll Darnall did once more in the name of the Lord Prop^{ty} demand the said prisoner with a guard ashoare, till the could be there sufficiently secured, but the said Cap^t Allen refused to deliver him, but caused his Pinnance to be manned to sett us ashoare, and after gave nine gunns, and after the Guns fired, and we gone some distance from the Ketch, they hailed the pinnace aboard, and aboard wee went, and Coll Darnall and Maj^r Sewall went into the Captains Cabbin, and they had some words, which (as I understood) that some on board had informed the Cap^t that there was Twenty men (as I take it) laid waite ashoare, but Coll Darnall and Maj^r Sewall satisfyeing the Cap^t of the falsity of the Report, wee had again leave to depart in his Pinnace aforesaid. This is the substance of what I can say touching the dispute betweene the Cap^t and