

Mr Attorney Gen<sup>ls</sup> Report about Governor Copleys Commission of Vice-Admirall

In pursuance of an Ord<sup>r</sup> of Council to me directed to make inspection into the late Governors Com<sup>is</sup>ion of Vice-Admirall and Report the Authorities relating to the Jurisdiction of their Ma<sup>ts</sup> high Court of Admiralty within this Province I humbly Represent to yo<sup>r</sup> Ex<sup>ncy</sup> and this Hono<sup>ble</sup> Board that the late Governor Copley and in case of his Mortality the then present Governm<sup>t</sup> had power to hold plea of all Maritime Causes as well Civill as Criminall brought or prosecuted within this province as also the Tryall of prize ships is comprehended within the Generall Words and the powers Granted by the said Com<sup>is</sup>ion to inforce obedience to the Decree or the Definitive sentence of the said Court allowing the party grieved his Appeale to their Ma<sup>ts</sup> high Court of Admiralty of England, all w<sup>ch</sup> I humbly leave to the grave consideration of your Ex<sup>ncy</sup> & this hono<sup>ble</sup> Board and am yo<sup>r</sup> Ex<sup>ncies</sup>

Lib. H. D.  
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most obedient humble Serv<sup>t</sup>  
George Plater

His Excellency was pleased to aske him whether or noe a Judge, Register and Marshall were excepted in the said Com<sup>is</sup>ion whoe does say & acknowledge that a Judge, Register & Marshall are therein excepted; then produced his Ex<sup>ncy</sup> Coll Nicholsons Com<sup>is</sup>ion of Vice-Admirall, wherein (vpon pervsall) there appeared no such Exception but contrariwise a speciall power to Com<sup>is</sup>ionate such Officers; therefore it being found that the late Proceedings in the Court of Admiralty had & taken vpon the Tryall of the Prize ship brought in by Cap<sup>t</sup> Hurle were Erroneous for want of sufficient power to Erect such a Court, it is the Opinion of the Board that the said ship must Necessarily be Tried by proper Officers to be Com<sup>is</sup>ionated by his Ex<sup>ncy</sup> according to the directions of his Ex<sup>ncies</sup> said Com<sup>is</sup>ion, And therevpon Ordered by advice in Council that Com<sup>is</sup>ions pursuant thereto be prepared to constitute Coll Henry Jowles, Judge, Henry Denton Register and Thomas Collyer Marshall of the said Court of Admiralty, who are to Meet at Coxe Towne the third day of August next in Order to the Tryall of the s<sup>d</sup> ship.

Whitehall

Capt Hurles prize ship Ordered to be Tried anew &ca

Coll Hen: Jowles constituted Judge of the Admiralty Henry Denton Registr<sup>r</sup> & Tho: Collyer Marshall of sd Court

July the 31<sup>th</sup> 1694.

The Business concerning the Tryall of the Prize ship being taken into consideration & fully Debated, it is the Opinion of this Board that if the same be condemned, the Goods thereof