

Lib. C. B. Then was Read the following Petition, Viz^t

To the hon^{ble} their Maj^{ties} Council for the Province
of Maryland

Thomas Tench by his Petition Humbly Showeth

Mr Tench's
Pet & Ordr
abt Seizure
p. 46 of his ship
by Esqr
Randolph

That by Vertue of a speciall Comission of Oyer & Terminer before their Maj^{ties} Justices therein named, at their Court held at the City of S^t Maryes: the ship Margaret of London, one William Burnet Comander was vpon a fair Tryall and by the Verdict of a Jurye legally Convicted and condemmed for breach of severall Acts of Parliament of England relating to Trade & Navigation & therevpon adjudged to be forfeited with her Goods &c^a one third to their Maj^{ties} the other third to the Governo^e and the remaining third to their Maj^{ties} Collector whoe Seized & sued for the same according to the Teno^e of the said Acts: That by Vertue of the condemnation & fforfeiture afores^d the said ship hath been taken into custody & is now ready to Saile, but prevented and stoped by the Seizure of Edward Randolph Esqr Surveyo^e Gnerall of their Maj^{ties} Customs here, vnder what pretence yo^e Petition^r is not certainly informed, but (as is said) for want of a due Entry and paying their Maj^{ties} Duties before loading to the great Damage of your Petitioner now therein interested & concerned and vtter overthrow of the Voyage against which he hath at present noe further or other Remidy then to applye himselfe to this hon^{ble} Board for an Order peremptory to take off the Seizure aforesaid he haveing given security to the Collector according to Law & is willing to give New Bond & Security for the Master of the said Ship to pay the Kings Dues and observe the Laws &c^a as is Usuall

And shall pray &c^a

After a full heareing of the same it was the Opinion of this Board as likewise of their Maj^{ties} Attorney Generall here, being therevnto Required his Advice, that Whereas the said M^r Randolph hath hitherto made noe Application to the Governm^t for the bringing the said Ship to a legal Tryeall since the seizure of the same by him made as afores^d that therefore a Speciall Court of Oyer & Terminer be forthwith appointed for the Tryall of the said Ship, and therevpon—

Ordered by advice afores^d as it is hereby Ordered that Comission forthwith issue vnder the Great Seale in Order to call a Speciall Court of Oyer and Terminer, thereby constituting & appointing Samuell Holdsworth Nathaniell Dare John Bayne, John Lowe & John Watson Gentlemen Comission^{rs} &