

court of admiralty, for the trial of such captures and seizures as are or may be made pursuant to the late resolves of the continental congress on that subject, and brought into any port or district within this province, and thereupon came to the following resolutions, to wit:

*Resolved,* That a court of admiralty be established for the trial of such captures and seizures, with full power to take cognizance of all libels on account of such captures and seizures, and to proceed to a final determination and decree thereupon. Which court shall consist of a judge to hear and determine, a register to record the proceedings, and a marshal to call the said court and execute the several processes thereof; the said judge be nominated and commissioned by the convention, or in the recess thereof, to be nominated and commissioned by the council of safety for the time being; and the said register and marshal to be nominated and appointed by the judge of the said court; the commission of the said judge, and the nomination and appointment of the said register and marshal, to be during the will and pleasure of the convention for the time being; the process and form of proceeding to be as usual in the courts of admiralty: but if either libellant or defendant, or any controverted material fact between them, demand a trial of the said fact by a jury, in such case shall order and direct the marshal to summon out of the neighborhood where the court is held, a jury of freeholders to find and say the truth of the said fact on oath, and upon the verdict of the said jury, shall pronounce his decree accordingly: the final determination and decree of the said judge to be subject to such appeal, and in such manner, as recommended in the resolutions aforesaid of the congress. The fees for proceedings in this court to be the same with the fees heretofore allowed the court of admiralty by an act passed in 1763, entitled, "An act for amending the staple of tobacco, &c." the said fees to be paid in money at the rate of 12s. 6d. common money per hundred; and the allowances to juries and witnesses to be the same as heretofore made to juries and witnesses in the common law county courts of this province. This court to be held at such place as the judge shall think convenient for the trial of such captures and seizures as are or shall be made as aforesaid.

William Hayward, Esq. was unanimously elected judge of the said court of admiralty.

The committee for that purpose appointed, bring in a passport for his excellency governor Eden, and a draught of a letter to the committee of safety of Virginia, which was read and agreed to.

Adjourned till 3 o'clock.