

Wind presented, I failed, and proceeded till Tuesday the second of August. The Ship, contrary to my Knowledge, took Fire; and had not the Boat been got out immediately, and we had no other Thing to have Recourse to, to save our Lives, we had been all lost. After we had been in the Boat about an Hour and half, we were taken up by Capt. Nicholson, to whom I had before given two Bottles of Wine and a Cabbage. Each of these Witnesses signed the Protest.

Lloyd's Defence. Whatever was acted on Board the Ship was a Secret to me; I know nothing of the Affair.

Pow's Defence. I know nothing of the Bills they charge me with. I never gave them such Orders as they have said. The Man that has sworn against me is in my Debt.

They each called several Persons to their Characters.

And, the Evidence being closed for the Prisoners, the Council for the Prosecution replied to the Objections before mentioned by the Prisoners Council, to this Purpose:

To the first, That no Person can set Fire to a Ship at Sea, that is not one of those, either Master, Captain, Mariner, &c. Therefore it is confined to them, in Point of Destruction, as the only Persons that can be considered as principal Felons; that is, in directing, advising, or procuring to be done; and it has come out, in the Nature of this Evidence, that the Master of this Ship did set her on Fire, because he ordered it to be done. If so, he is certainly indictable as a Principal, on this Act of Parliament. Then, it so, upon this Description of the Offence, then any Person that instigates, incites, or advises the Mariners on Board, to commit this Fact; in that Case he is Accessary before the Felony committed, at common Law; that being made so by the Statute; and therefore triable in this Court.

To the second, That if the Iniquity, Pow was charged with, had been committed in the Body of the County of Devon, or any other County in the Kingdom, there would have been some Colour for that Objection; but the Notes were given by him in the Cabin of the Ship, *Argentine*, as she was riding at Anchor in the Road of Lundy, where the Tide has it's Flux and Reflux; which is the same as if she had been ever so many Leagues from Shore; and is certainly triable in the Jurisdiction of the High Court of Admiralty, for inciting, moving, instigating, stirring up, persuading, and advising, &c. &c.

The Jury withdrew, and soon returned with this Verdict: LANCEY, GUILTY, DEATH. LLOYD ACQUITTED. AND POW, before the said Felony was committed by LANCEY, near the Island of Luncy, did incite, move, instigate, stir up, and counsel the said LANCEY to commit the same; but they found him neither Owner, Captain, or Mariner; and so referred it to the Judge of the Court.

(Continuation of the ASSEMBLY AFFAIRS begun in N^o. 471.)

Monday, May 20, 1754.

ON a Motion Leave was given to bring in a Bill, — To make it Penal to Counterfeit the Bills of Credit of Pennsylvania, New York, New Jersey, or the Three Lower Counties on Delaware-Bay, or Tender the same in Payment in this Province, knowing them to be such. And for a Bill, — To adjourn the Provincial Court.

Post Meridiam. A Report from the Committee to Inspect the Paper Currency Office, was brought in and read.

A Bill, — For issuing Writs of Replevin out of County Courts; And a Bill, — To adjourn the Provincial Court; had a first Reading: Then, the last mentioned, had a second Reading (by especial Order,) passed, and was sent up.

The House adjourn'd.

Tuesday, May 21.

The Bill, — For issuing Writs of Replevin; had a second Reading, passed, and was sent to the Upper House.

A Report from the Committee of Grievances, relating to the Growth of Popery in this Province, was brought in and read; setting forth, "That several Papists in St. Mary's County had lately made great Opposition to the enlisting Men for his Majesty's Service, in Order to march to the Ohio, to repel the Invasion of the French, and Indians in Alliance with them, and offered many Insults to the Recruiting Officer," &c. [To which was annexed the Deposition of John Willis Sergeant in the Virginia Regiment, and Others; and likewise a Letter from Col. Fry.]

The Bill, — For Adjournment of the Provincial Court, was brought down from the Upper House, with a Negative.

Post Meridiam. The Bill, — For his Majesty's Service, was brought down from the Upper House, with some proposed Amendments.

The Report (brought in in the Morning) was again Read, and unanimously concurr'd with; and an Address to his Excellency thereon, was ordered to be prepared.

Leave was given to bring in Bills, — To ascertain Fees to the Justices of the County Courts, in lieu of the present Allowance of 80 lbs. of Tobacco. And, — For the Security of his Majesty's Dominion, and to prevent the Growth of Popery within this Province.

The House adjourn'd.

Wednesday, May 22.

The Bill, — To prevent the Growth of Popery; was brought in, and had a first Reading.

On reading and considering the Amendments proposed by the Upper House to the Bill, — For his Majesty's Service; the House agreed to several of them; and Ordered, that a Message be prepared to be sent to the Upper House, to propose a Conference between the two Houses on the said Bill.

Five Members appointed to prepare the said Message.

Post Meridiam. The Committee of Accounts were ordered to close the Journal of Accounts, to the 23^d Instant.

The House adjourn'd.

Thursday, May 23.

The Message proposing the Conference, was brought in, approved of, and sent to the Upper House.

A Message from the Upper House, in Answer thereto, was brought down; naming Two of the Gentlemen of that House as Conferrees, to join those which should be named by the Lower House, in a Conference on the morrow Morning.

A Message was sent up, from the Lower House, naming six of the Gentlemen of the Lower House, as Conferrees, to join those of the Upper House, at the Time appointed.

Post Meridiam. On the second Reading of the Bill, — To prevent the Growth of Popery, the Question was put, Whether that Part of the Bill which relates to Conveyances made subsequent to the first of October 1751, shall be altered, or not? Carried in the Negative. Nays 31. Yeas 20.

After reading the said Bill throughout, the Question was put, Whether it should pass, or not? Carried in the Affirmative. Yeas 32. Nays 18.

Then the Bill was sent to the Upper House.

The House adjourn'd.

Friday, May 24.

On reading the Report of the Committee for finding Ways and Means to raise a Fund for the Establishment of a Seminary, the House concurr'd therewith.

The same Committee were ordered, to peruse the Will of Col. William Whittington, of Somerset County, Deceased, relating to his Devise of Lands to be sold and appropriated for the Education of Youth.

Resolved, That the House will not take into Consideration, any new Business, this Session, after To-morrow.

Post Meridiam. The Bills, — For granting Fees to the Justices, &c. — To make it Penal, to Counterfeit or Pass, the Bills of the neighbouring Governments; — And, Additional Supplementary to the Act for amending the Staple; had a first Reading.

The House adjourn'd.

Saturday, May 25.

On the second Reading of the Bill, — For granting Fees to the several Justices, &c. the Question was put, Whether the following Amendment, [That the Justices of the several County Courts shall be allowed in the County Levy per Diem Fees for sitting in Court, and the Tax upon Suitors be assessed in Tobacco and applied to the Credit of the County,] shall be made to the Bill, or not? Carried in the Negative. Nays 36. Yeas 12.

After Reading the Bill throughout, on the Question, Whether it should pass, or not? it was carried in the Negative. Nays 25. Yeas 23.

His Excellency the Governor communicated the following Message, viz.

Gentlemen of the Lower House of Assembly, THOUGH I learn that the Conferrees from the Upper and Lower Houses, have not been able to agree on Means for raising such Supplies as both Houses have thought expedient, for supporting the neighbouring Colonies against their and our formidable Enemies; yet your Professions at the Beginning of this Session, make me indulge myself with the Hopes of finding you disposed to

comply with my present Request, by making some immediate and separate Provision for the Indian Allies.

As the Day appointed for the interview is so near at Hand, you must be sensible that the least Delay, will absolutely make it impossible for me to obey their Lordships Instructions, which, I hope, will sufficiently justify this so earnest a Recommendation. HOR^o. SHARPE.

Post Meridiam. The House taking into Consideration his Excellency's Message,

Resolved, That a Sum of Money, to Answer the Request of his Excellency made therein, be provided for by an Ordinance to take Money out of the Treasurers Hands, to make an immediate Provision for the Indian Allies.

Ordered, That the Committee of Laws prepare a Message to be sent to the Upper House, to request them to join in such Ordinance.

Then the Question was put, Whether Current Money, or Sterling Money, be taken out of the Treasurers Hands for a Present to the Allied Indians? Carried for Current Money. Yeas 21. Nays 18.

Then the House adjourn'd till Monday.

LONDON, March 30.

LETTERS from Paris advise, that the Ship *Ascension*, commanded by Capt. Prepaud, who was killed in cold Blood by the Algerines after he had struck to them, was released the 8th of February with all the Crew; so that they now begin to presume the Yeulon Squadron will not be employed against Algiers.

The King has been pleased to appoint Mr. Trevor-Corry, to be his Majesty's Consul to the Republic of Dantzick, in the Room of Archibald Gibson, Esq; Yesterday it was reported that the Right Hon. the Earl Gower has resigned the Office of Lord Privy Seal.

And that his Grace the Duke of Marlborough was appointed Lord Privy Seal in his Lordship's Room.

We hear that Mr. Legge, Lord Dupplin, Lord Barnard, and Mr. Nugent, are appointed Lords of the Treasury; and the first of these Gentlemen, Chancellor of the Exchequer.

That Sir George Lyttelton, is appointed Cofferer to his Majesty's Household.

George Grenville, Esq; Treasurer of the Navy. John Campbell, Esq; Lord Lyon, King at Arms for Scotland.

Charles Townshend, Esq; one of our Lords of the Admiralty.

Lord Hillsborough, Comptroller of the Household. Lord Barrington, Master of the Wardrobe.

Richard Edgcumb, Esq; and Thomas Pelham, Esq; Lords of Trade and Plantations.

Yesterday the Right Hon. William Pitt, Esq; Pay-Master of his Majesty's Forces, was said to be at the Point of Death, at his Apartments in the Pay Office, Whitehall; and at Night it was reported he was dead.

We are assured that the Difference between our Court and that of France, in regard to the new Works carried on at Dunkirk, is accommodated in a satisfactory Manner to both Powers.

It is said that the French have erected five Forts on the Coast of Land seized by them on the Back of Virginia; and that the People of Virginia had taken up Arms, and were preparing to march against them.

Thomas Pitts, Esq; Member of Parliament for Oakhampton, is appointed Governor of South-Carolina.

St. James's, March 23. His Grace the Duke of Newcastle having this Day resigned into the King's Hands, the Seals of the Office of one of his Majesty's Principal Secretaries of State, the King has been pleased to appoint the Right Hon. the Earl of Holderness, to succeed his Grace as Secretary of State for the Northern Department; and to appoint Sir Thomas Robinson, Knight of the Bath for the Southern Department. His Grace has been Secretary of State almost thirty Years. He resigned the Place of Lord Chamberlain of the Household, April 2, 1724, and the 8th of the same Month was by his late Majesty appointed Secretary of State.

CHARLES TOWN, in South Carolina. April 16. This Day Mr. Tucker met with a Sloop at Anchor off Capen's Island, about 15 Miles N. E. of our Bar, without a living Creature on board; but looking towards the Shore, saw some People on the Beach, to whom he went in his Canoe: One of them pretended to be the Master of the Sloop, who said, he was the only one there belonging to the Kessel, for that his Mate and People were gone to Charles-Town some Days ago; which Mr. Tucker told him, he was a Liar, and offered (with some

of the People of the Sloop in here, but pretends to own would not confess he was bound for Africa built, about 1700, and is very old, with having a Quantity of Fire and a Number of the 14th Instant say they are free Barbadoes, one upon Capen's Island mentioned, but Anchor in smooth brought away; may drive her are told she has Sloop, is under away with from ing to Mr. P. Capt. Curtis, and Crew, which the and the Mula-ed or-e other whom they were PHIL A

Tuesday last arriv'd here from Advice, that C. New-York, was stormy Weather his Boltsprit, a Part of his C. (Smith) took up the Ship Diligent to Whitehaven The Captain, man, and two being drown'd Weeks at Sea, had every Th when met with Feet Water in she must have s Hands were qu been eight Wee the Supercargo before Cap. S. A

Friday last going up Patapsco Wind, was jirk drowned.

Since our last Charles, Capt. J 45 Indented Ser

On Saturday Guns on board Henry Cary, on the Powder into been fired, it w

The Hon. BE Major ABRAHA

finers to go to t ny in June nex this Province; morrow, or nex

This Afternoon guid the Gener 16th of July ne

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HORAT GOVERNOR and over

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I form Willis, a Serge Others. That St. Mary's Cou the raising his tender's Health legal Practices

And that a County, hath Gerard Jordan

I have, the of his Lordship Proclamation, of his Majesty's cers excepted,

FOUNDS and bringing to also a Reward