

vention 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, on 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 neighbourhood 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 were read and agreed to.

Adjourned till 3 o'clock.

P O S T M E R I D I E M.

Met according to adjournment.

Whereas his Britannic majesty King George has prosecuted, and still prosecutes, a cruel and unjust war against the British Colonies in America, and has acceded to acts of parliament, declaring the people of the said colonies in actual rebellion: and whereas the good people of this province have taken up arms to defend their rights and liberties, and to repel the hostilities carrying on against them, and, whilst engaged in such a contest, cannot, with any sincerity or devotion of heart, pray for the success of his majesty's arms; therefore **RESOLVED**, That every prayer and petition for the king's majesty, in the book of common prayer and administration of the sacraments, and other rites and ceremonies of the church, according to the use of the church of England, except the second collect for the king in the communion service, be henceforth omitted in all churches and chapels in this province, until our unhappy differences are ended.

On reading a second time the report from the committee, to whom the memorial of the officers of the battalion of regulars was referred, the Convention took the same into consideration, and thereupon **RESOLVED**, That it will be most conducive to the public service, that the Council of Safety be at liberty to prefer such persons, as shall appear to them to be most meritorious, in which promotions the Convention doubt not the Council will give a proper attention to justice.

That as the contract for furnishing the troops with rations includes the officers, as well as privates, and the emoluments of the contractor being to arise upon his furnishing the rations in specie, the officers cannot be allowed the alternative of receiving the ration or cash, during the subsistence of the present contract, without a breach thereof on the part of the public.

E.

That