

the said Mr. Randolph hath neither made nor Application to the  
 Government for the bringing the said Ship to a legal Tryall since  
 the Seizure of the same by our Mass. as aforesaid. That therefore  
 a special Court of Oyer & Terminer be forthwith appointed for  
 the Tryall of the said Ship, and thereupon —

Ordered by advice aforesaid as it is heretofore ordered  
 that Commission forthwith issued under the Great Seal  
 in Order to call a special Court of Oyer  
 and Terminer, hereby constituting & appointing  
 Samuel Hildsworth Nathaniel Dard John  
 Drayne John Low & John Watson Gentlemen  
 Commission & Justices for Tryall of the said Ship,  
 who are to Meet at the City of St. Marys the  
 27<sup>th</sup> day of this instant February to hear and  
 determine the same that speedy Justice therein  
 may be done. And further that all possible care  
 be taken to give due Notice to the said Mr. Randolph  
 that he then & there appear to make  
 good such his Seizure in Order to his Acquittal  
 or condemnation. and that in case of the said  
 Mr. Randolphs Nonappearance, the said Mr. Justice  
 give Security to Mr. Justice the Kings Collector  
 in the Sum of Eight hundred pounds Sterling  
 to stand & abide Tryall either in England or this  
 Province as the said Mr. Randolph shall see fit,  
 and that upon such Security given the Seizure  
 thereby in the interim be upheld.

There was read the following Resolution, viz