

The said Mr Smith Chief Justice &c. does not come by that time  
his Ex<sup>ty</sup> (God willing) to Morrow Morning will in person come  
into Court and swear the new Justices appointed, now present in  
Town.

Petition of Capt  
Charles Seaman about  
the French prize.

Petition of severall of the Seamen & Sailours belonging  
unto the ship Providence of London, Capt John Hurle Commander  
therein setting forth that they had hazarded their Lives in taking  
a French Prize which before a Court of Admiralty within this  
Province had been legally brought to England and condemned, therein  
praying to know what share of the said Prize they might legally  
claim - And further that there were not left above fifteen  
fighting Men and seven French Men on Board the said ship  
whereby they thought themselves not capable to withstand the  
least Privateer, therefore likewise prayed to know under what  
Convoy they w<sup>d</sup> be likely to go and how their Wages might be  
secured.

This Board having seriously taken into consideration  
the Case of the petitioners Do say, that as to the first  
they know not what part of the said prize ship does properly  
belong unto them, being forced to have recourse to the Admiralty  
Court of England for the Officers Fees about the Prizall  
of the same and therefore Refer them to be relieved in  
England; As to their saying, if they had been ready  
sooner they might have gone under their Maj<sup>ties</sup> Convoy,  
But that now there was Orders for all the Ships in the  
Country to sayle And that Capt Hurle their Command<sup>r</sup>  
had here in Councill promised to Exchange two of his French  
men for two English hands, and should take care to see their  
Wages & all other Matters honourably discharged Ordered  
therefore that the Petitioners proceed on their Voyage with  
Capt Hurle their Command<sup>r</sup> under the pains & penalty  
which by their Refusal may fall thereon.