

I was inform'd that there were more persons in town guilty of Pyracye. I then Issued out my warrant for Apprehending them alsoe but the Govern^r hearing of it sent to Claypool the Sherriff for me and asked me what I had to do to send my warrants out ag^t anybody without acquainting him of it, telling me he was Chief Justice & that I should Exhibite my Informations before him if I had any, & not send my warrants up & down whifling to scare People (meaning the Pyrates) & further said th^t those men you have Committed shall be brought to a speedy Tryall, but however let me hear now what you have to charge them with, for they shall not be kept in prison for your pleasure. I replyed the Kings Evidence was ready when a legall Court was appointed to trye them, but still refusing to acquaint him what I had to prove ag^t them, he called me Rascall, & bid me send my warrants out ag^t those men (meaning the Pyrates) if I dared, & that he had a good mind to committ me. I told him he was Govern^r & took his liberty to give me ill language, otherwise I would not take it, that was hard to be soe heard for Serving my King & Coun-
treyy. He likewise ordered the Constables not to serve any more of my warrants as appeared afterwards by their refusing to serve them.

B. M.
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The Govern^r being that day highly incens'd, writt the warrant n^o 2 with his own hand, directed to the Sherriff of Philadelphia to disarme me. I liv'd five miles out of the town, and was often threatned by those Pyrates, & did at th^t time ride arm'd for my defence, for they were at liberty. Curtis the Under sherriff accordingly served the warrant, & took from me my sword & pistolls in the town of Philadelphia, and left me to ride home without any arms, keeping them till the Pyrates were Gone.

The Govern^r called his Councill & told them it was great pity those men in the Goale for Pyracye should lye there, and desired them to Consider of a way for their Tryall, they say'd they knew noe power sufficient in this Country to try them, neither would they be concerned in it, but if he pleas'd to ord^r them to be sent aboard any of his Maj^{tys} frigotts there in Virginia or Maryland bound to England they would be at the charge of it, his answer was he did not want their advice for that (or words to that Effect) and dismissed them seemingly displeas'd; this Sam^l Carpenter John Custis & most of the Councill told me.

At length the Lords Justices Proclamation received by Col^l Nicholson wth orders to be forthwith sent to Govern^r Markham was delivered to him by the Maryland Post (to whom he gave a receipt for it) for apprehending Every's men & to be published immediately. About 2 hours after the Sherriff was