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Virginia (Colony) Council

EXECUTIVE JOURNALS

OF THE

Council *of* Colonial Virginia

Vol. I

(June 11, 1680 — June 22, 1699)



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The Virginia State Library

H. R. McILWAINE

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PREFACE

There have already appeared, published by the Virginia State Library, the "Journals of the House of Burgesses of Virginia" (13 volumes), the "Legislative Journals of the Council of Colonial Virginia" (3 volumes), and the "Minutes of the Council and General Court of Colonial Virginia" (1 volume). The word "journals" might have been substituted for the word "minutes" in the title of the last-named volume, since the volume contains the proceedings of the Council and General Court in final form, just as the set of "Journals of the House of Burgesses" contains the proceedings of the House of Burgesses in final form, and the set of "Legislative Journals of the Council of Colonial Virginia" contains the final form of the proceedings of the Colonial Council functioning as a legislative body. However, the word "minutes" seems to have been largely preferred to "journals" by writers of Virginia Colonial history as applied to the proceedings of the Council and General Court before 1680, when separate sessions for the transaction of different kinds of business had not begun to be held.

Unfortunately, the transactions of the General Court (the Council acting, with the Governor, in their judicial capacity) during the time that the Court had special sessions for attention to judicial business were burnt up in the fire that destroyed the State Court building the night of the evacuation of Richmond, in April, 1865. Since copies of these proceedings were not as a usual thing transmitted to England—only copies of a few now and then which were of more than local Virginia interest—there will be no separate volume printed by the Virginia State Library containing the transactions of the General Court. Such proceedings of the General Court, however, as were transmitted to England have been copied or will be copied and included in the series of volumes of which the present volume is the first. The attention of the student especially interested in the General Court is called also to two printed volumes entitled "Virginia Colonial Decisions", containing Sir John Randolph's and Edward Barradall's reports of the decisions of the General Court of Virginia, 1728—1741.

With the present volume begins the series of "Executive Journals of the Council of Colonial Virginia"—a series which will be composed of a considerable number of volumes. The Council in Colonial Virginia had legislative, judicial, and executive functions, in the latter of which it acted chiefly as the adviser of the Governor. The amount of time spent in the performance of these functions was as great, probably, as that spent in the performance of the other two functions combined, and the minutes, or journals, of the proceedings are in the aggregate voluminous.

This first volume contains, in addition to the executive journals proper, a few proceedings of the General Court, as noted above, and, in the Appendix, all that part of the "Randolph Manuscript" that appears to be pertinent. The "Randolph Manuscript", in the Virginia Historical Society Library, so called because it was at one time in the possession of John Randolph of Roanoke, is a copy of a manuscript

book in the Library of Congress called the "Bland Manuscript", which might itself be more properly called the "Randolph Manuscript", because it was made for Sir John Randolph, about the year 1722, when he was collecting material for use in writing a history of Virginia. It is a large bound volume of transcripts and abstracts of early Virginia records.[†] The portion printed in this book is the latter part of the manuscript and contains excerpts and abstracts from General Court records, from the journals of the Council as an executive body, and from other books of record of the Council. These give much cognate information not contained in the Council journals themselves. The dates are from December 20, 1677, two years and a half earlier than the first journal entry in this volume, to May 25, 1693. In the Appendix there is also printed a report from the Governor and Council in 1673 of an attack by the Dutch on the Virginia merchant fleet, secured from the British Public Record Office, and two orders of the Council of Virginia, secured from the same source, not contained in the copies of the journals sent over to England in regular routine.

The text of the journals printed in this book was obtained in its entirety from the British Public Record Office. The original journals, which ought to be in Virginia, have long since disappeared. It is extremely fortunate that on January 14, 1679/80, the Lords of Trade and Plantations, the committee of the Privy Council that had in charge the affairs of the colonies, at the same time that they ordered the clerk of the House of Burgesses (at that time called "Clerk of the Assembly") and the clerk of the Council as a legislative body (at that time called "Clerk of the General Assembly") to transmit copies of the proceedings of the two chambers, respectively, ordered the Secretary of the Colony to transmit, quarterly, copies of all important papers passing through his hands, and the Governor and Council to send quarterly accounts of their actions. Similar orders were sent to the authorities of the other colonies. The result has been that anyone who wishes to study the governmental history of the American colonies as a whole or of any one of them in particular is compelled to go to the British Public Record Office for his most important sources of information.

So far as Virginia is concerned, the order to the Governor and Council is not found in any of the records in Virginia that have survived the ravages of time. A copy of it is still in the British Public Record Office, however, and a rather full abstract is given in the "Calendar of State Papers, Colonial Series, West Indies and America." In the material from the "Randolph Manuscript", printed in the Appendix of this volume (see p. 485) is also found an abstract of the paper. This shows, it may be remarked, the importance of the material in the "Randolph Manuscript"

The Governor and Council did not, it appears, at the beginning construe the order as compelling them to send over complete copies of the Council journals. For some time, only copies of what were considered the most important items were sent. How long this continued, it is not at the present writing practicable for the editor to say. When,

[†]See for further information as to the "Bland Manuscript" and the "Randolph Manuscript", "Journals of the House of Burgesses of Virginia, 1619-1658/59", p. xxxiii, and the citations there given.

however, the transcripts received at the Virginia State Library from England shall overlap in date the originals (or early copies) still preserved here, the question may be answered after a comparison of the two sets of papers.

That full copies were not sent over to England is inferred from the fact that the two orders given in the Appendix (see pp. 536 and 537), dated 1680 and 1683, respectively, are not found among the proceedings for those years transmitted in regular course, but in a paper containing copy of the proceedings of the Council from September 25, 1680, to April 22, 1707, in reference to the boundaries of Virginia and North Carolina, sent over in 1708. With copies of these two orders were then sent copies of orders on the same subject dated 1688, 1690, and 1691, already transmitted. Evidently the Council did not at first think the omitted orders of sufficient importance to copy for transmission, but changed their minds when the question of the boundary between Virginia and North Carolina became a burning one. Either that, or Mr. Secretary Jennings, who by order was also required to send important information to England, thought it best in 1708 to transmit copies of all orders of the Virginia Council in reference to the Virginia-North Carolina boundary.

The inference that there were omissions in the copies of proceedings sent to England is also drawn from the fact that the "Randolph Manuscript" has abstracts of items not in the transcripts now being received from England, which must have been obtained by the compiler of the original "Bland Manuscript" from the original journals and not from the other record books of the Council in existence at the time the compilation was made. This hypothesis accounts also for the lack of strict chronological order of the entries, which is a noticeable peculiarity of the text. The procedure probably was that the clerk of the Council copied the items he thought important and then, if on re-perusal of the journals he was convinced that something of value had escaped his attention made good the omission without re-copying the whole. After this, no doubt, on his reading to the Council for their approval what he had copied, the members and the Governor would call attention to still other items that might be considered of sufficient importance to copy for transmission.

It has been thought best by the editor of this volume to have the text conform to the order in which the items were sent to England, rather than to make a strict chronological arrangement. This plan has the advantage of showing the order in which the copies sent to England are now preserved in the large, bound manuscript volumes in the British Public Record Office. The proceedings when sent to England were not there copied into books, but the various installments of the proceedings, on paper of a standard size and of the best quality, were themselves bound into books. The paper for recording purposes was secured in all the colonies from England, and keeping a sufficient supply of it on hand was not always a simple matter. It was at least once in the period covered by this volume the subject of inter-colonial borrowing. (See page 465.)

The proceedings show the Council dealing with all sorts of subjects. The line of demarkation between the functions of the Council as an

executive or advisory body and as a judicial body was not clear. Many of the questions appear to be judicial rather than administrative. Laws had not yet been passed covering the cases, or the Council did not recognize them as applicable. When there was such law and such recognition, the cases were referred to the courts. There are numerous instances. Occasionally the proceedings appear to be, on the surface, of a legislative character. But closer inspection shows that the bills were not being considered with a view to their passage by the Council but with a view to giving the Governor advice as to the exercise by him of the veto power. See, for instance, the first entry for May 17, 1695, which commences "Upon Consideration of the Bill concerning the Tare and Size of tobacco hogsheads". The legislative journals of the Council for the session of the General Assembly then being held are in existence and show* that the Council as the upper house of the General Assembly had already passed this bill, the Governor not himself, as was customary at that time, being present. The Council as the Governor's advisory body was now considering it in order to give advice as to whether or not it should be vetoed.

See top of page 356 of this volume for a discussion in the Council of a special legislative situation. In the second paragraph from the bottom of page 394, provision for the drafting of a bill is referred to. The drafting of bills, however, is not necessarily a legislative function. The bills in these early times were, no doubt, very largely drawn by members of the Council, men of a broader experience as a usual thing than were the members of the House.

In the text, as printed, the spelling, the punctuation, and the capitalization of the originals have been faithfully preserved. So have the peculiarities of "superior" letters and abbreviations in so far as these can be represented with modern type. But the special type used in printing the "Journals of the House of Burgesses" and succeeding volumes published in the past few years by the Virginia State Library to represent the manuscript characters indicating abbreviations have been discarded, and the words have usually been printed in full. There are no long "s's"; the interchangeable "u" and "v" have been printed either "u" or "v", in accordance with present style; double "f" at the beginning of a word appears as "F". In a word, the printing has been largely modernized as compared with the printing of the "Journals of the House of Burgesses of Virginia", etc. This has been done in the interests of economy and to make the reading easier. However, "y" for "th" ("y^e" for example, for "the" and "y^t" for "that") has been retained; and this, with the retention of "superior" letters and abbreviations—where possible—gives the page an archaic appearance in keeping with the phraseology, the spelling, the punctuation, and the capitalization of the original. Attention should, however, be called to one fact. As printed, the spelling is somewhat more inaccurate than it is in the original, for in the original double letters within words were usually—though by no means always—written as single letters with a mark over them, indicating the omission of one of the letters. Hence the word "command", for instance, usually appears in the original as "comand", with a curved mark over the "m",

*See "Legislative Journals of the Council of Colonial Virginia", vol. 1, p. 221.

whereas in the text there is no mark; "c" with a curved mark over it stands in the original for "ti". In the text there is no curved mark, "menconed," for instance, appearing for "mentioned". The student especially interested in the spelling exhibited in this volume—but such a one, it is supposed, will certainly be rare—should remember this caution.

NOTES.

Before the "copy" for the volume was submitted to the printers it was read over by the editor, and a few explanations of difficulties were made by means of words or even sentences enclosed in brackets. Other difficulties, or what might be difficulties to some readers not having a comprehensive dictionary at hand, appeared while the proof was being read and still others when the index was being made. Hence it was determined by the editor to add the following notes:

1. The conjunction "than" is almost always written "then". Instead of "jail" or "gaol", "goal" appears throughout.
- 1½. P. 1: In list of members of the Council, the name of Joseph Bridger is erroneously given as "John Bridges"—a copyist's error.
2. P. 2, l. 7: "Front" is used for "affront".
3. P. 9, paragraphs 2 and 3: The fort duties, or port duties, as they were at this time indifferently called, were earlier frequently also called castle duties. At first, they were paid in powder and shot by the captains of incoming ships in proportion to the carrying capacity of their ships. Later, payment in other goods was allowed, and, still later, payment in money required, at the rate of one shilling and three pence for each ton burthen. At this time there was one port on each of the following rivers: James, Nansemond, York, Rappahannock, and Potomac, built in each case by an "association" of contiguous counties. (See Hening, II, 255-259).
- The head money here spoken of was the six pence per poll required to be paid for each person imported into the Colony.
4. P. 13, l. 38: "carriages of the Nanzattico Indians" means simply their conduct.
5. P. 16, l. 28: "all large" is a misprint for "att large" (at large).
6. P. 17, l. 5: "implicite hast" means unqualified haste.
7. P. 19, l. 37: "sett a mading" means made unreasonable.
8. P. 20, l. 37: "hampiers"—so in copy—means simply hamper baskets.
9. P. 36, l. 27: "broken up" means broken open.
10. P. 57, l. 48: "prevalency of Col. Codd" means dominance of Col. Codd.
11. P. 72, l. 27: "nammer" is a misprint for "manner".
12. P. 73, l. 25: "unassaied" stands for "unessayed" (untried).
13. P. 75, l. 22: "detainer" means detention.
14. P. 79, l. 48: "rwo" is a misprint for two.
15. P. 80, l. 31: "president" is used, as almost always, for "precedent".
16. P. 86, l. 44: "walking on broad" means walking abroad.
17. P. 89, l. 12: "letts" stands for "lets", meaning hindrances.
18. P. 101, l. 21: "was" should be "wax".
19. P. 105, l. 41: "beat up drums" means simply beat drums. The "up" was usually put in at that time.
20. P. 121, l. 17: "outcry" means an auction.
21. P. 150, l. 38: "no purchase no pay" means no plunder no pay.
22. P. 264, l. 29: "inch of candle" means an auction sale at which a small piece of burning candle measured the time.
23. P. 283, l. 34: "to officiate the aforesaid" means to perform the duties of.
24. P. 299, l. 14: The word "the" before "Coll. Griffin" is evidently a copyist's error for "tho'" (though).
25. P. 310, l. 16: "benefists" means holders of benefices or livings. It appears to be a manufactured word.
26. P. 311, l. 26: "breifs" is for "briefs", meaning subscription lists.

27. P. 321, l. 13: "Ordered that the said Letter be Entered in the Councill Booke". This and other references show that the Council had a book additional to the Minute Book or Order Book or Journal—the book in which the proceedings of the Council were entered—in which were copied letters and other papers of importance—commissions and instructions to governors, orders to the Governor and Council, letters, etc. The compiler of the "Bland Manuscript" had access to this volume or these volumes and made valuable notes from them. These records were kept from the earliest times.
28. P. 322, l. 36: "state" means statement.
29. P. 331, next to last line: "horser" is intended, probably, for "hauser".
30. P. 340, l. 23: "comport" means behavior.
31. P. 346, l. 37: The groat, the coinage of which in England ceased in 1662, was still in 1696 a money of account. It was worth 4 pennies.
32. P. 347, l. 10: "express" means dispatch.
33. P. 357, l. 34: "association" here means the agreement entered into by the members of the House of Burgesses, similar to the one drawn up in England, on the escape of William III from assassination, to defend the life of the king and to uphold the Protestant succession to the throne.
34. P. 371, l. 26: "amuses" means deceives, the usual meaning of the word in the 17th and 18th centuries.
35. P. 379, next to last line: "damnified" means injured.
36. P. 380, l. 18: "amove" (or as written "a move") means remove.
37. P. 381, l. 38: "commissionated" stands for "commissioned".
38. P. 386, l. 25: "Caroso". The editor has been unable to identify.
39. P. 396, l. 3: The "freshes" were the lands on the fresh water part of a river, as the "salts" were the lands on the salt water part.
40. P. 402, l. 34: "pressed" is used for "impressed".
41. P. 404, l. 15: "privatiers" is written for "privateers", and means here those serving on private men-of-war. The ships, and not the men, were after 1664 usually called "privateers". The word referred as a general thing rather to the vessels than to the men aboard, but also, as here, to the crews. Many of these vessels had only imaginary or forged letters of marque and were little if any better than piratical craft. The word "privateer" was almost synonymous with "pirate".
42. P. 409, l. 20: "Mr. Sherwood" should be "Mrs. Sherwood".
43. P. 412, 3rd paragraph: This ambitious order for taking a census of the Colony was not carried out. In 1702, however, a complete rent-roll was made, which has been recently printed in the "Virginia Magazine of History and Biography".
44. P. 413, l. 37: "presidents". See note 15.
- 44½. P. 421, l. 14: "disherison" is a misprint for "disherison".
45. P. 465, l. 40: "convened" means summoned or brought.
46. P. 468, l. 8: "evidences" means witnesses.
47. P. 468, l. 39: This line is printed exactly as it is in the original, but evidently the word "been" has been omitted by the copyist.
48. P. 470, l. 42: "intergatorys" stands for "interrogatories".
49. P. 471, l. 13: "put his neck upon it" means that the speaker would risk his neck on the correctness of his statement.
50. P. 471, l. 43: The word "house" is printed as in the original, but it is evidently a mistake for "horse".
51. P. 475, l. 20: "just" means properly pertaining.
52. P. 477, l. 35: "scandalizing" means slandering.
53. P. 480, lines 24 and 25: these two lines, printed as they are in the original, are, no doubt, badly copied. There should be a "to" in front of "whatsoever" in l. 24 and "they" after "information" in the next line.
54. P. 480, l. 49: "proceeded" is in the original, but it may be a copyist's error for "produced".
55. P. 481, l. 37: "in ability"; so in the original, but it should, of course, be "in-ability".
56. P. 481, last line: The "he" referring to "act" is in the original. It does not seem to be an instance of personification, but of the rare use of the masculine pronoun in referring to a neuter noun.
57. P. 482, l. 7: This line is printed as in the original. The word "act" has manifestly been omitted by the copyist.
58. P. 482, l. 9: "get" is a typographical error for "yet".

59. P. 488, l. 40: "impeacheable" means questionable.
 60. P. 492, l. 28: "hanging the plea" means pending the determination of the plea.
 61. P. 494, l. 14: "suddenly" means immediately.
 62. P. 498, l. 26: "complices" means accomplices.
 63. P. 498, l. 42: "irreguar" is a misprint for "irregular".
 64. P. 500, l. 22: "wodfels" follows the original, but it should be, probably, "woolfels" [woolfells].
 65. P. 505, l. 22: "capstorm" should be "capstan".
 66. P. 509, l. 1: "arts" is a misprint for "parts".
 67. P. 509, l. 32: "place" is in the original, but it should be, probably, "plea".
 69. P. 510, l. 25: "reviving" is probably a copyist's error for "revising".
 68. P. 509, l. 37: "whilst" means here till.
 70. P. 510, l. 31: This line is printed as in the original. However, after the word "excellency" some such words as "would call" are evidently omitted.
 71. P. 511, l. 40: "landskip" is used for "landscape".
 72. P. 513: In the original the word "dead" is written in the margin alongside the name of Robert Smith. Similarly "Displaced by his Majesty" is written in the margin by the name of Philip Ludwell.
 73. P. 514, l. 7: "retrencht" means omitted.
 74. P. 518, l. 46: "anded"—so written in the original. It should be, however, probably, "aided".
- This item must have been taken by the compiler of the manuscript from a record book of the Council other than the journal, for in the journal there is no corresponding entry.
- 74½. P. 520, l. 8: "Dun" is copyist's mistake for "Dunbarton".
 75. P. 522, l. 43: The line is printed as in the original. Several words have evidently been omitted, but the sense is clear enough.
 76. P. 523, l. 11: "dispensed"—so written, but evidently a copyist's error for "dispersed".
 77. P. 523, l. 21: "fact" means deed.
 78. P. 526, par. 3: This paragraph is printed as written in the original. The sense would be made clearer by the insertion of the words "that they" after "Plantations" in line 5 of the paragraph and the words "be made" inserted after the first "courts" in line 6.
 79. P. 526, l. 30: "chirurgeons" means surgeons.
 80. P. 526, l. 33: This line is printed as in the original. The word "surety", however, ought evidently to have been written after the word "being" toward the end of the line.
 81. P. 527, l. 24: The word "customers" is probably a copyist's error for "commissioners".
 82. P. 528, l. 11: "mind" means remember.
 83. P. 534, l. 19: At the end of the line the word "woods" has been omitted. "Much in the woods" means in great difficulties.

Executive Journals of the Council of Colonial Virginia

(From the Public Record Office, London, Colonial Office,
Class 5, Vol. 1405.)

At a Councill held at James City 11th June 1680

Present

His Excellency

S^r Henry Chicely L^t Gov^r

Nich Spencer Secry

Coll Nath: Bacon

Maj^r Gen^l Rob^t Smith

Coll John Bridges

Ralph Wormley Esq^r

Maj^r Rich. Lee

Coll Aug: Warner

Coll Jn^o Custis

Coll Tho Swan

Whereas in the last Generall Court held the 15th of Aprill a difference was then and there depending between M^{rs} Sar: Bland as Attorney of her husband M^r Jn^o Bland of London Merc^t & Coll S^t Leg^r Codd as intermarrying wth M^{rs} Anna Bland Executrix of Theo: Bland Esq^r deceased In w^{ch} the Jury found for Col S^t Leg^r Codd def^t and that Verdict confirmed by the Court from which Judgem^t M^{rs} Bland appealed to the King and Councill, whereupon the Court replied Appeales immediately lay from the Gen^l Court to the Assembly, w^{ch} she refused to accept, but this day moved this Board she might bee allowed an Appeal to this Gen^l Assembly to w^{ch} Coll S^t Leg^r Codd called to answer, replied, he was wholly unprovided not expecting this motion of M^{rs} Bland, and not having timely notice hoped should not be required at present to answer, which being considered this board are of the opinion, and accordingly do resolve that an Appeale lyes to the next Generall Assembly

Hen: Hartwell *Cl Con.*

16th June 1680.

Whereas M^r W^m Pope at the last Generall Court obtained Judgement for payment of 4827 lb of Porke upon w^{ch} Judgement, Execution issued agst the Estate of the said Spring, which Said Execucon being levied by the Sheriffe apprizers were summoned to apprize the Porke w^{ch} being done the s^d Pope complains that the Apprizers had no power nor Command to make Appraizemen^t of the sd Porke, and both parties now appearing, as also the Sheriffe and Appraisers, & through [thorough] Examinacon and debate being had in the matter This Board do adjudge that the Appraisers ought not to have valued the Porke, and therefore do now value the Porke at sixteen shillings per hundred, and do order that after discount of the s^d Popes Bill of Exch^a for twenty

pound to the said Spring and Costs on that Suite, the s^d M^r Robert Spring pay the ballance with Costs and the said Pope to have M^r Sherwoods bond delivered to him.

H. Hartwell *Cl Con*

The 7th June 1680.

Whereas there was formerly a difference happened between Herbert Jefferies Esq^r and Col Phil Ludwell. Wee do declare that the sd Coll Phil Ludwell was alwaies ready to make his Acknowledgem^t for the Front he had offered to the dignity of the place Coll Jefferies stood in, and that he did request us his Maj^t's Council then present to move for him on that behalfe, which was accordingly done by the whole Body of the Council then present, but would not be accepted by Coll Jefferies, and for any other Crime Wee know of none he committed in any Station either publick or private, It is therefore moved by the whole Council (*nemine contradicente*) this day to his Excellency that they were very sencible of the want of that Assistance they for many yeares in Council have had from Coll Phil Ludwell whose good Abilities known Integrity and approved Loyalty rendred him not onely fit but most necessary to serve his Majesty, and this his Colony in that eminent Capacity, and therefore do not onely move but most earnestly request his Excellency to readmitt and receive Col Phil Ludwell to be one of the Council of this his Maj^t's Colony as well knowing it will greatly tend to a well advised carrying on the weighty affaires thereof.

Hen: Hartwell *Cl Con*.

The 15th June 1680.

M^r W^m Thompson further moving his Excellency and the Council that his Complaint might be inquired into, Some Gentlemen of the Vestry of Southwark parish being then present delivered what then they had to say in the matter upon the hearing whereof Its ordered, that the Vestry and the Parishioners of the said parish do convene the 10th of July at the place of usuall meeting, and from thence to report to his Excellency a true state of the matter and ground of this Petition

Hen: Hartwell *Cl Con*

The 23 June 1680.

Coll Edward Hill of Charles City County presented to this board a petition, setting forth that to his unsupportable grief he hath been so ill represented to his most sacred Maj^{ty} as to be a Marke of Royall displeasure though wholly ignorant for what Cause but feared the Actions of his Life, tho regular and inoffensive were to his unspeakable disadvantage represented Therefore humbly prayed this Board would be pleased to give his Excell^{cy} Thomas L^d Culpepper his Maj^{ty}'s Leiu^t and Govern^r Gen^l of this Colony such a Charecter of the Petitioners demeaner and behaviour of Life, as in their discerning Judgem^{ts} and full knowledge of him he deserves, and might justly be his due.

In answer to w^{ch} petition this Board do as in Right ought certify to his Excell^{cy} that to the most of them Col Edw: Hill hath been well

known ever since his youth to this present time, and that he hath alwayes been of good fame, clear Reputation and Integrity of Life, and for many yeares hath served the King and Country with singuler approbation both in Civil and military Employments, and do further certify that in our late unhappy distractions he gave signall demonstrations of his loyalty, his Sufferings, Losses and Imprisonm^{ts} were strong manifest actions of the same almost to the Ruine of himself and family. The Councill do therefore most humbly move his Exc^{oy} that this most just and well deserved Charecter of Coll. Hill may be accepted by his Excell^{cy} And that he will be pleased so to represent him to his most sacred Maj^{ty}, that his honesty Loyalty and Sufferings may be made known to his Maj^{ty} and thereby be restored to his Maj^{ty}s better opinion w^{ch} Wee humbly conceive will greatly tend to his Maj^{ty}s Service, and this Countrys satisfaction

Hen: Hartwell *Cl Con*

At a Councill held at James City June 23^d 1680.

Whereas M^r Jn^o Wright Minister this day by his Petition complained that one M^r Jonathan Davis contrary to all good order and directions of the Church though not a qualified Minister without leave given him assumed to himself the Liberty of the pulpit w^{ch} of right belonged to the said M^r Jn^o Wright Minister of Pocoton Parish, and thereby gave disturbance w^{ch} if not timely looked into may produce ill disorder: Its therefore ordered that M^r Jn^o Wright and M^r Johna Davis do personally appear before his Ex^{cy} and the Councill the 28th instant being monday about ten of the clock at James City to the intent the Ground of the Complaint may be rightly understood

Hen: Hartwell *Cl Con:*

The 23 June.

Whereas Thomas Phillips a Negro by his Petition complained that M^r Tho Fitts detaines him as a serv^t notwithstanding he hath served y^e said Fitts the full time he ought to do: Its therefore ordered that the said Thomas Fitts do personally appeare before his Ex^{cy} and the Councill the 28th instant being monday about ten of the Clock at James City to the intent the ground of the Complaint may be rightly understood

Hen: Hartwell *Cl Con:*

The 29th June 1680.

Whereas W^m Lennon attorney of Richard Lennon obtained Execution on a Judgement for payment of a certain Summ of mony agst the Estate of a Bryan Smith, by virtue whereof a Negro Boy of y^e s^d Smiths was by the Sheriff seized and valued, and then delivered to the said Lennon, w^{ch} said Boy the said Lennon having left with the said Smith and desireing an order of this Board for delivery of y^e said Negro Boy, Its ordered that the said Brian Smith forthwith deliver the said Negro Boy to the said Lennon unless the said Brian Smith on Satterday morning next show good cause to the contrary, the said Lennon giving M^r Smith timely notice thereof.

Hen: Hartwell *Cl Con:*

The 3 July 1680.

Ben Hatchers Peticon

This Peticon being considered his Ex^{cy} and the Councill have thought fit, and do order that L^t Coll Dan^{ll} Clerke deliver all such papers he hath in his hands that doth any way relate to the abovenamed Daniell Prices Land to the said Ben Hatcher unless the said L^t Coll Clerk show good cause to the contrary at next Charles City Court.

Hen Hartwell *Cl Con*:

The 7th July 1680.

Coll W^m Birds Peticon to his Excellency.

L^t Roger Potter recommended by y^e Councill to be a fit person for to command the Garrison at y^e Head of James River

Hen: Hartwell *Cl Con*:

The 19th June 1680.

Whereas his most sacred Maj^{ty} upon the Representation of the Affaires of this Colony by his Hon^{ble} Comm^{rs} S^r Jn^o Berry and Coll Fran. Morrison and their advice and Councill thereupon, in relation to the articles made by them with the Indians (without consulting or advising with your Maj^{ty}s Councill here, or Assembly some short time before sitting, and in severall points contrary to the opinion of your Councill, and as they have reason to believe of the whole Assembly also, and to the disadvantage of your Subjects here, was pleased to send four rich Coronets with Robes Silver badges, and sev^{ll} other presents to four Indian Kings and Queens here so called, w^{ch} accordingly this day his Ex^{cy} brought hither with intent to deliver to them accordingly. The Councill being all present and considering, and fearing those people may be heightened thereby especially by such Marks of Dignity as Coronets, w^{ch} as they humbly conceive ought not to be prostituted to such mean persons, doe therefore crave leave to offer their opinions to his Ex^{cy} in this weighty Affaire, and do unanimously desire his Ex^{cy} at least to forbear the delivery of the said Coronetts untill his Maj^{ty}s Pleasure be further known w^{ch} they conceive will be an acceptable service to his Maj^{ty} and tend to the Welfare of this his Colony. This Country haveing in its minority received from the Indians fatal returns for considerable presents given unto them, and it hath alwayes been found a wrong way of managing of those people they esteeming presents to be the effects of fear, and not kindness besides which severall other Neighbouring and more considerable Indian Nations who have deserved of the English at least as well as the called Queen of Pomunkey or any of the rest, will be infinitely dissatisfied therewith, and if not to the English themselves will shew their Resentment at least against them which is almost as bad, Wee being by the Articles of Peace bound to protect them will necessarily involve us againe in their defence, in a most dangerable and chargeable Warr.

Hen: Hartwell *Cl Con*:

The 3 day of July 1680.

This day his Ex^{cy} being pleased in Councill to communicate the Instructions from his most sacred Maj^{ty}, whereby his Maj^{ty}'s high displeasure is signified to a Representation made by y^e Assembly of this Colony in the year 1677. and his Excellency required and commanded with the first conveniency after his Arrivall in this Colony to declare his Maj^{ty}'s high Resentment of that disloyall and seditious Declaracon, and with the Assistance of the Councill to find out the Authors and Abettors of the same: Upon mature Consideracon thereof the Councill do offer to your Lordship that they well remember that his Maj^{ty}'s late Commis^{rs} (tho there was an Assembly sitting long time after theire arrivall here) did not ask the perusal of their Records till after its dissolution, and then commanded them from the Clerk under pretence of a Commission from his Maj^{ty} w^{ch} they would never produce either on that or any other occasion to any person whatsoever; however the Clerk came wth them and offered to attend them therewith as long as they pleased w^{ch} they refused, and took them from him by violence upon w^{ch} the next ensuing Assembly being sencible of the proceedings of the s^d Commis^{rs}, and beleiving they had no lawfull Warrant for the same, and if they had that they ought to have been satisfied with their Clerks Attendance on them did make the abovenamed Representation And considering it rather as a Mark of the Assembly's dissatisfaction to the Comm^{rs} proceedings, then any disrespect to his Maj^{ty}'s Authority w^{ch} none here yet did ever dispute, And w^{ch} your Lord^{sh} can particularly testify, all possible Care haveing been taken for the producing all Records whensoever you have thought fit to command it. And that the executing this Instruction will not onely necessarily beget a reply, and ripp up severall things now not fitting to be insisted on (contrary also to his Maj^{ty}'s own will and pleasure expressed in his late Act of Indemnity) but disoblidge an Assembly, which hath with entire Resignation complied with all his Maj^{ty}'s Commands, and in great measure unravell, and disturb the good and cheerfull settlement Wee are now in by your Excell^{cy}'s great prudence and Conduct, wee do unanimously advise and beseech you to suspend the Execution thereof till his Maj^{ty}'s pleasure be signified to the contrary, w^{ch} (these weighty reasons considered) will wee hope never be.

Hen Hartwell *Cl Con*:

The 3^d of July 1680.

His Ex^{cy} was pleased this day in Councill to communicate his Maj^{ty}'s Instructions commanding the Repeal of an Act of Assembly intituled an Act limiting times of receipts and payments of publique Tobacco, as likewise an Act regulating ordinary Keepers prises of Liquors, and an Act disposing Americiam^{ts} upon cast Actions, To all which the Councill do humbly offer their opinions as followeth: That in the Act Intituled an Act limiteing times of Receipt and payments of publique Tobacco, therein is contained divers Clauses relating to different and particular matters: Some of which are most necessary to be continued for the well Government of this his Maj^{ty}'s Colony Viz^t that part concerning Sheriffs and Collectors collecting publique Deeds

and the Clause that no man shall be Sheriffe and Clerk, and Justice and Clerk at the same time, and likewise that no person not born in the Country shall be capable to bear any Office untill he hath been three yeares in the Country. The Council do therefore humbly begg leave and unanimously advise your Ex^{ty} not to repeal the same untill the aforesaid Clauses necessary to be continued can by a succeeding Assembly be provided for.

Hen: Hartwell *Cl Con:*

In the Act regulateing ordinary Keepers prizes of Liquors do humbly advise, and desire your Ex^{ty} to suspend the repealing of the said Act untill his Maj^{ty's} Pleasure be further signified, onely finding that part of the Act unfit to be continued w^{ch} gives to County Courts the power of disposall of Forfeitures which may by a succeeding Assembly be taken off

Hen: Hartwell *Cl Con:*

In the Act disposing Amerciaments on Cast Actions The Council do advise, and most humbly desire his Excellency to suspend the repealing thereof untill his Maj^{ty's} Pleasure be further signified, because the Amerciaments which became due are long since disposed of by the severall Counties, and the repealing this Act will necessarily imply the former act to be still in force, which will be very oppressive to the poor people

Hen: Hartwell *Cl Con:*

Att a Councill held at Green Spring the 8th day of July 1680

Present

His Excellency Thomas Lord Culpeper Baron of Thoresway his Maj^{ty's} Leiu^t and Govern^r Gen^l of Virginia.

S^r Henry Chicheley Kn^t L^t Govern^r Coll. Phil: Ludwell.

Coll. Nich Spencer Secry. Coll. W^m Cole.

Coll Nath: Bacon Auditor. Coll Rich: Lee.

Coll Joseph Bridger. Coll Jn^o Custis.

Coll: Mathew Kemp, and Coll Jn^o Page were this day sworn of his Maj^{ty's} Councill for this Colony of Virginia.

Hen: Hartwell *Cl Con:*

Whereas by a late Act of Assembly it is ordered and provided that the Sold^{rs} in each Garrison be reduced to twenty besides the Command^r, and it being this day moved in Councill that his Excell^{ty} would be pleased for the greater ease of the Charge of the Country to draw off ten of the Soldiers so appointed fro each Garrison, and to supply the same with ten of his Maj^{ty's} Sold^{rs}. Its the opinion of this Board, and accordingly desired that his Ex^{ty} would be pleased to order that on the tenth of September tenn of his Maj^{ty's} Soldiers be sent to each Garrison, and tenn of the Country Soldiers drawn off from each Garrison

Hen: Hartwell *Cl Con:*

It appearing to this Board by a List of the number of parishes, and Ministers in this Country, that there are some parishes unprovided of Ministers the Councill do therefore humbly request his Excellency that he would be pleased to signify the same to the Lord Bishop of London, and take effectuall Care that they may be supplied with able godly and orthodox Ministers, Viz^t four to be sent in next shiping to supply past Vacancies, and two every year after Successively, which Wee conceive will *Communibus Annis* be sufficient

Hen: Hartwell *Cl Con:*

It being this day moved in Councill that his Excell^{ty} would be pleased to Commisionate some able, and discreet persons in whom a power might reside upon any Attack Our Indian Enemies should make on our Frontiers forthwith to raise men whereby to repell and pursue them, the w^{ch} if not speedily done do too frequently pass undiscovered, and considering y^e remoteness of Our Frontiers from his Excell^{ty} the opportunities of takeing our satisfaction from the spoiles and Injuries done us by our Indian Enemies is lost before his Ex^{ty} has knowledge or can give orders therein. Its therefore the opinion of this board and accordingly thought fitt that discreet and able persons be by his Excell^{ty} impowered thereto with such Limitations and Restrictions as his Ex^{ty} by his Instructions shall think fit therein to give them, and the persons by this Board nominated to be so Commissionated, and impowered by his Ex^{ty} are as followeth

Coll Joseph Bridger.....	for Nanzmond.
	Lower Norfolk.
	Isle of Wight
	& Surry.
Coll W ^m Bin [Byrd] for	Henrico & Charles City
L ^t Coll: Geo: Lyddall for.....	New Kent.
L ^t Coll W ^m Lloyd for.....	Rappahanock
Cap ^t Geo: Cooper for.....	Potomeck

Hen: Hartwell *Cl Con:*

The Councill takeing it into their serious Consideration how absolute necessary it is for the peace and safty of this his Maj^{ty}s Country so full of great Rivers Bayes and waters that the Dominion of the Sea Should be preserved, (almost of equal concern if not superiour to any reasonable land force) w^{ch} cant possibly be done with less then a Ketch or Vessell of at least sixty Tunns, twelve Seamen with a Commander, and ten Gunns alwayes attending here the service of this place, w^{ch} small sea force if formerly allowed had in all probability prevented the late Rebellion, and is the most effectuall meanes wee can propose to prevent the like or any other disorders for the future, It is the unanimous opinion of the Councill that his most sacred Maj^{ty} be humbly supplicated to order the same accordingly whensoever he shall think fit to recall the James now in his service here without which this Colony cannot be secure, and his Ex^{ty} is humbly desired to represent the same to his sacred Maj^{ty} and the Councill for his speedy and effectuall directions herein

Hen: Hartwell *Cl Con:*

It being this day considered in Councill how absolutely necessary it is for this Colony that an able and discreet person be made choice of resident near the Court in England to give his Excellency a speedy account of all Transactions here from time to time, and to sollicite and take Care of all such things as shall be necessary there, Its therefore the unanimous opinion of this Board, and accordingly thought fit that his Ex^{cy} make choice of some able and discreet person in whose ability for those services he may confide for w^{ch} Correspondency he to be paid one hundred pound annually by the Auditor for the time being

Hen: Hartwell *Cl Con:*

Whereas his Ex^{cy} was pleased this day to issue forth Commissions for collecting his Maj^{ty}s Impost of two shillings per hogshead Fort duties, and head mony in each district, and it being thought fit for the more orderly performance of the same that Instructions be given pursuant thereunto, Its therefore ordered and appointed that Coll. Nich: Spencer Secry and Coll Phil: Ludwell draw up Instructions, and to be presented to his Ex^{cy} for his Confirmation.

Hen: Hartwell *Cl Con:*

Whereas the Port Duties and Head mony arising from ships in this Colony trading hath been for severall yeares collected and received by Commissioners appointed by each Association, which by an Act of the late Assembly is now otherwise disposed of, Its therefore by this Board ordered that the Comm^{rs} of each Association do render an account to M^r Auditor the 6th day of the next generall Court of all such monyes so raised since the 11th day of July 1677 how they have been disposed of, and what Surplusage remains

Hen: Hartwell *Cl Con:*

It being this day considered in Councill that it will be of great service to the Country in easing the Charge thereof, that a power be resting in the Governor and Councill upon emergent occasions to satisfy publique Charges by levying on the people not exceeding twenty pounds of Tobacco per pole without an Assembly being agreeable to a former Act of Assembly in that case made, and provided, which cannot now otherwise be satisfied but by an Assembly, the Charge of which hath been too often found to be twice as much as would have satisfied all publique dues, and severall Counties here being sensible thereof, have petitioned for the Same. The Councill therefore request his Ex^{cy} that he will be pleased to give a Representation thereof to his most sacred Maj^{ty} to the intent his Maj^{ty}s Pleasure may be herein known, and his directions given to the next Assembly therein

Hen: Hartwell *Cl Con:*

At a Councill held at Green Spring the 15th day of July 1680.

Present

His Excellency

S ^r Hen: Chicheley Kn ^t L ^t Gov ^r	Coll Phil: Ludwell.
Coll: Nich: Spencer Secry	Coll W ^m Cole.
Coll Nath: Bacon Aud ^r	Fra: Leigh Esq ^r
Coll: John Page	

The debate concerning his Ex^{cy} appointing and commisionating discreet persons on the Frontiers of each River for the immediate raising of Forces in the remote Counties, whereby to engage any Indian Enemy that shall attack our Frontiers being this day in Councill reassumed fully debated, and all Events well weighed and considered: Its the opinion of this Board, and accordingly resolved that Coll Joseph Bridge be commissioned and impowered by his Excellency according to such Limitations and Restrictions as his Excellency by his Instructions shall think fitt to give him, for the immediate raising such a number of men and horse (fitted with Armes & Ammunition) in the Counties of Lower Norfolke, Nanzemond, Isle of Wight, and Surry, as may be agreeable to a present Exegency, giving speedy Intelligence thereof to his Excellency. And whereas at a Councill held the 8th of this month It was resolved that Coll Byrd, L^t Coll Geo: Lyddall, Coll Lloyd, and Cap^t Cooper should in the like nature be commissioned which being this day considered in Councill It is found that there is not y^e like reason for such Commissions for the head of Rivers they have fixed Garrisons for their defence, Its therefore resolved that onely a Comm^on issue to Coll: Bridger for the defence of the Counties aforesaid, the safty of the other Frontier being provided for as is before expressed.

Hen: Hartwell *Cl Con:*

Whereas the late Assembly begun at James City the 8th of June was on the seventh of this instant July adjourned to the fifteenth day of February next which being in Councill well considered and fully debated whether for the preventing of a certain considerable Charge attending the meeting of an Assembly, and for other great reasons, It be not fit that the adjournment of the fifteenth of February be Adjourned to a longer day unless his Maj^{ty} shall be pleased to send such Commands to his Governor here, which may require the meeting of the Assembly on the aforesaid fifteenth day of February, Its the opinion of this Board, and accordingly resolved that if Commands come not from his Maj^{ty} by the 20th of January next of such import as shall require the meeting of an Assembly that then Proclamations go forth on the twentieth of January next thereby to adjourn the said Assembly to the twentieth of January in the year 1681

Hen: Hartwell *Cl Con:*

At a Councill held at Green Spring the 22th day of July 1680.

Present

His Excellency.

S^r Henry Chicheley Kn^t L^t Govern^r Coll Nath: Bacon Auditor.

Coll Nich: Spencer Secry.

Coll Phil: Ludwell.

Coll John Page.

It is resolved in Councill and accordingly ordered that S^r Henry Chicheley Kn^t draw out of his Company thirty two Soldiers to be ready on Tuesday next to march to the four Garrisons at the heads of the Rivers being eight to each Garrison.

Hen: Hartwell *Cl Con:*

Sheriffs for the ensuing year appointed by his Excellency.

Coll Christop: Wormeley.

For Middlesex Counties.

Maj^r John Armstead.

For Gloster County

Cap^a Fran: Page.

For York County

M^r Thomas Pitt.

For Isle of Wight

Cap^a Daniell Fox.

For Lancaster

M^r Henry Smith.

For Rappahonock

Hen: Hartwell *Cl Con:*

M^{rs} Eliz Sykes widdow petitioning to this board agst Coll Edward Hill Ordered that the said Coll Edw: Hill have a Copy of the petition sent by the said M^{rs} Sykes, that the said Coll Hill may make answer to the same on the 7th of August before his Excellency at Green-Spring, both parties to be then and there present

Hen: Hartwell *Cl Con:*

Richard Carver Son of William Carver late of this Colony deced peticoning to this Board for administration, on his said Fathers estate, and also for possession of his Lands It is thought fit, and accordingly ordered, that the said Richard Carver have Letters of Admcon granted unto him on all and singuler the estate of the said W^m Carver his father deced he giving security as the Law enjoynes, and if any person or persons be in possession of any of the Lands of the said William Carver deced, and refuse to surrender the same unto the said Richard Carver, that then the said Richard Carver summon them to appear the 6th day of the next gen^l Court to show Cause why they keep Possession of the same, and it is likewise ordered, that at the next Court held for the said County four sufficient men be appointed by the Justices to appraise the estate of the said W^m Carver deced who are to be sworn thereunto

Hen: Hartwell *Cl Con:*

The Councill this day took notice to his Excellency of the extravagant mutiny of S^r Henry Chichelyes Comp^a on the twentieth of July last upon the restoring Ensign Rosse to his Employment (agst whom tho so long suspended) noe sufficient cause of misbehaviour appearing, He was cleared here in Councill from the same, The Assembly also, tho then sitting and moved therein objected nothing agst him, which was aggravated (beyond their former usuall Insolencies and disorders) by

their doing it to his person, and in Contempt of his Maj^{ty}s perticuler Commands and Authority, w^{ch} he used to them, and further observing that instead of being a guard and Safty to this Colony, (as by his Maj^{ty}s gracious favor) was first intended they have by their long stay and ill behaviour not only been totally uselesse, but dangerous and the greatest of their Terrors To which the personall differences between L^t Morris and Ensigne Rosse have not a little contributed: His Excell^{cy} was therefore pleased at the request of the Councill this day to cause the said Leiu^t Morris and Ensigne Rosse to be called to the Councill Table, To whom was pleased to expresse his high resentm^{ts} of the Companyes late mutiny as likewise their former ill practices in the same kind fro whom y^e Councill apprehended very evill Consequences especially if L^t Morris pursued his dissatisfaction to Ensign Ross. His Ex^{cy} therefore strictly required, and positively commanded both the said L^t Morris, and Ensign Ross to set aside all personall differences, and that the Comp^a might hereafter (if possible) be found more serviceable to his Maj^{ty} and Country then it had hitherto been, and not continued as now it is burthensome and dangerous in which if they did not reforme, his Excellency for the peace of the Country should be constrained to dismisse with disgrace out of his Maj^{ty}s Service, the first offender therein.

Hen. Hartwell *Cl Con*:

Its this day moved in Councill if there should be occasion of joining his Maj^{ty}s Soldiers with the Country Soldiers, whether the Kings Soldiers should be under the Command of the Country officers, which it is humbly desired his Ex^{cy} will be pleased to take Care to be resolved in England to prevent any dissatisfaction that may arise from thence

Hen: Hartwell *Cl Con*:

At a Councill held at Green Spring the 3^d day of August 1680.

Present

His Excellency

M^r Secretary Spencer.

Coll Phil: Ludwell.

M^r. Auditor Bacon.

Fra: Leigh Esq^r

Coll John Page.

His Ex^{cy} was pleased this day to communicate to the Councill his Maj^{ty}s most Gracious Lre to his Excell^{cy} signifying that it was his Royall Will and pleasure that his Ex^{cy} should repair back to his Royall presence as soon as in his discretion the state of Affaires here will permit his absence to give his Maj^{ty} in person a full and exact account of the same, w^{ch} by his Ex^{cy}s great prudence are to a generall satisfaction settled in a peaceable and hopefull way

Hen: Hartwell *Cl Con*:

Whereas in pursuance of an order of Councill thirty two of his Maj^{ty}s Soldiers are drawn out of S^r Henry Chiceley's Company whereof eight are ordered to each of his Maj^{ty}s Garrisons at the heads of the said Soldiers when they do arrive at the Garrisons the Commanders

thereof are ordered to draw out eight of the Country Soldiers from each Garrison, and dismiss them to their sev^l habitations, and that their horses and armes be delivered to his Maj^{ty}s Soldiers who are there to continue and abide upon his Maj^{ty}s and the Countries service until further order.

Hen: Hartwell *Cl Con:*

It is this day proposed in Councill that for the better Safety of the Country, and for the easing of his Maj^{ty}s constant standing charge of keeping a Guard on the Magazine at the middle plantation that Severall of the most considerable and Royall [Loyall] Gentlemen in this Colony (if it be thought fit by his Maj^{ty}) will take the Magazine into their Custody and be responsible for it, The Councill do therefore humbly desire his Ex^{ty} that he will please to move the same to his Maj^{ty} to the intent his Royall Will and pleasure may be known.

Hen: Hartwell *Cl Con:*

Its this day proposed in Councill if his Maj^{ty}s pleasure be to have two foot Comp^{as} continue as a Guard in this Colony, that then his Ex^{ty} will be pleased humbly to supplicate his Maj^{ty} that S^r Henry Chicheleys Company be changed, they haveing been near four yeares in the Country, and grown so insolent and mutinous that they are not onely uselesse but highly dangerous giving dayly occasions of continuall feares

Hen: Hartwell *Cl Con:*

Its the opinion of this Board that it will very much tend to the peace and safety of this Colony if his Ex^{ty} will be pleased to remove S^r Henry Chicheleyes Company from the Charge of the Guard at Middle Plantation the Magazine being too great a Concern for such refractory, mutinous, and insolvent Soldiers to be intrusted with, the Councill do therefore humbly request his Excell^{ty} that he will be pleased to remove S^r Henry Chicheley's Comp^a to Gloster or such other Counties as he shall think fit, and that his Ex^{ty}s own Company be drawn into S^r Henry Chicheleyes mens Quarters, and have the Charge of the Magazine.

Hen: Hartwell *Cl Con:*

Upon the reading Coll Edw: Hills Letter to M^r Secry—advising that there was a man missing in Charles City County, for w^{ch} they had in suspition a Notoway Indian Its thereupon ordered that M^r Secretary write to Maj^r Gen^l Wood, and send him a Copy of the Letter desireing him to make inquiry into the matter to the intent if possible the Truth be discovered.

Hen: Hartwell *Cl Con:*

Sheriffs for the ensuing year appointed by his Ex^{ty} with the advice of the Councill.

Cap ^a Jn ^o Lewis.....	for New Kent County
Cap ^a Edmund Scarburgh.....	for Accomack County
Coll Will ^m Pierce.....	for Westmorland County
M ^r Edm ^d Jenning.....	for James City County

Hen: Hartwell *Cl Con:*

Att A Councill held Att James Citty

the 1st of October 1681

Present

S ^r Hen: Chicheley	Kn ^t his Maj ^{ties}	L ^t Govern
Coll Jos: Bridger		Coll Richd Lee
Coll Wm: Cole		Coll John Custis
Ralph Wormeley Esq ^r		Coll Matt: Kemp
	Coll John Page	

Coll Joseph Bridger his Majesties Collector in y^e lower precincts of James River informing this Board y^t in a Vessell lately arrived, from the Island of Barbados, there are severall small parcells of European Goods brought into this Country, and the said Coll Jos: Bridger desiring the opinion of this board whether the same be forfeited by the Act of Parliam^t they are of opinion in regard his Majesty hath a Custome house in the Island of Barbados, where all Cocquetts are examined att going and coming and consequently noe goods can be brought there or from thence contrary to Law, are therefore of opinion that European goods brought thither and transported from thence hither, are not forfeited

Whereas It is represented to this board, that his Majesties Guard houses and Stores Att Middle Plantation are much out of repaire, and y^t the provisions that were provided for the Soldiers on Guard there, was almost Spent, and there being noe person to be found that will undertake the furnishing the said provisions, unless the pay may be ascertained: This Board taking the same into their serious consideration and finding that there is a necessity the Soldiers must have provisions provided them whilst they are upon the Guard, and also y^t the houses must be soe repaired, y^t his Majesties Stores may be kept dry and the Soldiers' armes not spoiled, are of an opinion, y^t such undertakers as will furnish the said provisions till order from his Maj^{ty} out of England, be paid a reasonable price for the same, out of his Majesties dues of two shill per hhd, & alsoe the necessary charge of repairing the said Guard houses, ought to be paid out of the same.

Whereas A Letter was directed to the R^t Hon^{ble} the Dep^{ty} Govern sent and delivered by the Secretary of Maryland, from the upper house of Maryland, Signifying y^t a certain Nanzatico Indian, by name Nehemin, had committed a most barbarous murder att Point Look Out in Maryland and desiring the same Indian to be sent and delivered into their custody, to answer for y^t his most inhumane fact, as formerly they had obliged this Colony by doing the like: Its therefore desired by this Board, y^t M^r Secretary Spencer, who is well acquainted with the carriages of the Nanzattico Indians this last Summer, if he be not able to clear the said Indian of his own knowledge, doe with his best dexterity and judgem^t forthwith gett the said Indian into his hands and transmitt him safely to Maryld pursuant to the request of the said upper house of Maryld, but if he can clear the s^d Indian from this accusation the way before express'd, y^t then he forthwith give the Govern an acc^t of it and likewise send an Answer to the Lord

Baltimore, in the name of the Councill, with the reasons of our refusing to deliver the Indian aforesaid.

Whereas Geo Brent and W^m Fitzhugh did humbly move, as on the behalfe of M^r James Ashton and Cap^t Geo: Cooper undertakers to provide and furnish Potom^k Garrison with provision, y^t they might be discharged from their undertaking aforesaid, which was by this Board granted, for y^t they the said Geo: Brent and William Fitzhugh did offer, rather then the Garrison should be unprovided of men, to supply the said Fort with provisions as aforesaid, to undertake for the same. It is therefore ordered that the said Geo: Brent and W^m Fitzhugh be appointed undertakers for the said Garrison and yt the Tobacco due for the last yeares undertaking be by the Clerke of the Assembly ordered into their hands, to make paym^t to the respective persons to whom the same is due, And it is further ordered that they the s^d George Brent and W^m Fitzhugh have all the Advantages and benefitts, that the rest of the undertakers, to say, Coll Wm: Bird, Cap^t John Langhorne, and Major Robert Beverley may receive from the Assembly, by reason of their great charge and trouble, they are necessarily Att because of the dearenesse and scarcity of provision and the extream lownesse of Tobacco, wherein their pay for their undertakeing consists, as by a former order granted to them the said Coll Bird, Cap^t Langhorne and Major Beverley, bearing date the 21st of Aprill: 1681, doth appear.

Whereas the late Assembly began att James Citty the eighth of June 1680, was on the seaventh of July adjourned to the twentieth of January 1680-1, from thence by Proclamation prorogued to the fifeteenth of Feb: 1681-2 which being this day maturely considered and fully debated on whether a further prorogation be not absolutely necessary (his Maj^{ties} Royall will and pleasure to the most humble Addresses of the last Assembly not as yet being signified) to prevent and allay the considerable and excessive charges and expenses, which necessarily and inevitably attends and accompanies the convention of an Assembly, seing the meeting of An Assembly on the prefixed fifeteenth of Feb: would seem totally needless and ineffectuall, all apprehensions, Jealousies and fears of troubles being att present dissipated & laid aside, by the retiring of our common and domestick enemies the Indians and the peace and safety of this Colony being sufficiently already and effectually provided for ag^t all forraigne attempts and incursions w^{ch} att present threaten us not upon the serious and carefull consideration of the premisses this board doe think fitt to order And it is hereby accordingly ordered, that the meeting of the Assembly, w^{ch} should have been on y^e fifeteenth of February ensuing be prorogued to the 27th of September 1682, unless his Majesty shall be most graciously pleased to signifye his commands to the contrary of such importance, as shall require the meeting of an Assembly or some absolutely necessary and emergent occasion require a more speedy convention, and M^r Secret Spencer is hereby ordered to prepare & draw up Proclamations for prorogation of ye same, and to present the same to the R^t Hon^{ble} the L^t Govern^r to be signed, which being accordingly done, to take effectuall care y^t the same be sent and distributed to the respective Counties.

Virginia.

By His Ma^t's Deputy Govern^r & c.

A Proclamation proroguing the Meeting of the Assembly from the 15th of Feb. 1681-2 to the 18th day of April 1682

Whereas by my Proclamation of the 22^d day of December 1680. I prorogued the meeting of the Assembly from the 20th day of January 1680 to the 15th day of Febr. 1681. By w^{ch} time it was hoped His Maj^{ty} would have signified His Roy^{ll} Will & Pleasure to the humble Addresses of the last Assembly w^{ch} not being yet arrived and dayly hoping for the same, the Arrivall whereof would render the meeting of the Assembly more considerable & effectuall: And because until the Spring time the Apprehensions of our Indian troubles are not great, Nor the Safety & preservation of the Country against forreign Incursions in great hazard, I have thought fitt to prorogue the meeting of the Assembly from the sd 15th day of February to the 18th day of Aprill 1682. In which time I greatly hope to receive His Ma^t's Commands concerning the same And by this my Proclamation, I do prorogue the meeting of the Assembly from the sd 15th day of Feb: 1681-2 to the 18th day of April 1682 unless His Ma^t's Commands from England or any Importunate Affaires of this Country shall require a speedier Convention, w^{ch} if so I shall signify y^e same by my Writts for calling the Assembly sooner And if not I will issue forth my Writts for their coming together at y^e day aforesd. Given under my hand at Rosegill this 26th day of Jan^{ry} 1681-2 & in the 33^d year of y^e Reign of our Sovereign Lord King Charles the Second, whom god long preserve.

To the Sheriffs of.....County
or his Deputy who is required to cause this Proclamacon to be published at the Churches & other publique places according to direcons of Law.

By His Ma^t's Deputy Gov^r & c:

Whereas by my Proclamation dated the 26th day of January 1681-2 after sev^{ll} prorogations of the Assembly therein recited to the 18th day of Aprill 1682 as by the s^d Proclamacon may appear. And pursuant to a Clause in the s^d Proclamacon contened that unless His Ma^t's Commands from England or any importunate Affaires of this Country should require a speedier Convention w^{ch} if so I should signify the same by my writts for calling the Assembly sooner, And if not I would issue out my Writts for their coming together at the day aforesaid, and as yet having rec^d no Commands from England to the contrary, and after mature deliberation finding that y^e present occasions of the Country are very urgent, and that it is absolutely expedient for the convening the Assembly on the sd 18th day of Aprill 1682. These are therefore in His Ma^t's name to will & command you to give timely notice to such Burgess or Burgesses as are now in being as Members of the last Assembly for y^e County, and if either or both of them shall bee dead or otherwise discharged from y^e sd Office, & place of a Burgess, that then you summon together all the Freeholders

& Housekeepers wth in yo^r County to meet at the usuall place for the election of Burgesses (at such convenient time as you shall appoint) then & there to elect one or two (as occasion shall require) of the most able & discreet Loy^l Men of y^r County to serve for Burgess or Burgesses in the room & stead of such who shall be so dead or discharged, to whom they may communicate their just grievances (if any) that they may be redressed, to meet mee & the Councill at James Citty the 18th day of April next, then & there to consult & advise of such matters as may be for the glory of god, y^e Honour of His Ma^{ty} & the publique Weal of this Colony. Hereof you are not to fail, as also to make due return of this Writt. Given under my hand at Rosegilo this first day of March 1681-2 *An^oque RR^s Caroli scdi Angl & c: tricessimo quarto.*

To the Sheriff of.....County or his Deputy

A Clause in My L^d Culpepers Letter to Coll Bacon.

If I should not come by the 11th of Dec: and you have no other orders before, the Councill should then by any means issue out a proclamation to adjourn y^e Assembly from the 15th or 20th day of January next (the day appointed now for its meeting) to some convenient day in Aprill when the generall Court is, Viz, any day from the 10th day to the 23th day of Aprill.

Memorandum

His Maj^{ty} by Letter dated the 20th Jan^{ry} 1681 signified His Command to S^r Henry Chicheley that he should not permitt the Assembly to sitt till the tenth of November following.

[Letter from Lord Culpeper to Sir Henry Chicheley.]

London 23 Dec: 1681

S^r

I am so pressed in point of time, that I have scarce enough to tell you that on the 21st all the Affaires relating to Virginia were determined at the Committee w^{ch} you will receive all large by Arburck in the Golden Fortune who sailes the 4th of January: In the mean time I am to acquaint you from His Ma^{ty} that no Assembly is to meet (except upon very great emergencies with advise of seaven of the Councill till the 20th of Nov: next 1682. Till w^{ch} time 'tis his Pleasure that this be adjourned, and before that day itt is declared in Councill that I shall return to your Parts, you will be infinitely surprised wth disbanding but more the reducing the Soldiers & Officers payes, & not allowing any thing after next January, and taking no care to pay for their return home.

As to the Soldiers short pay, there is no hopes of altering itt, but itt is resolved that Arburck shall bring pay till the end of March at the reduced rates, at least for Quarters, and that Masters of ships shall bee allowed: 01 li per head for each one they shall bring home; But this will not be published by proclamation, tho yet actually done.

You will receive something extraordinary concerning the Act for Towns very speedily, In the mean time the King hath suspended the execution of any thing prejudiciall to his Customes, w^{ch} pray observe

I desire your utmost kindness in the Concern of my Company in giving Certificates, Lycences of Absence Sickness & c: Tis all the benefit you & I are like to have, and I entreate you to let the mony for my Company be payed to Coll Bacon & c. as my Attorney.

I am in implicate hast; the wind is easterly & till setts saile,
I must bid you adieu & remain

Your affectionate humble Servant
Tho: Culpeper

Pray be kind to my now
Serv^t Will Colston on all occasions.

You may communicate the Contents of this to the Councill

(The rest could not be read.)

Att a Councill held Att James Citty

Aprill 26th 1682

Present

S^r Hen: Chicheley Kn^t Deputy Govern

Nicho: Spencer Esq Secret

Coll Wm: Cole

Natha: Bacon Esq Audit

Ra: Wormeley Esq

Maj^r Gen^l Robt: Smith

Coll Richd: Lee

Coll Joseph Bridger

Coll Joⁿ Custis

Coll Phill Ludwell

Coll Matt: Kemp

Coll John Page

Upon the debate whether the Sitting of the Assembly should be continued or prorogued, it's resolved *nemine contradicente*, that the meeting of the Assembly was contrary to his Majesties Expresse commands and that the House of Burgesses by their delays in effect refuse to make Answer to his Majesties letter, whether willing to continue the two foot companies att the Countries charge, It's therefore the opinion of the whole board that the present sitting of the Assembly ought not to be continued, but that the Assembly this day be by the L^t Govern prorogued, to the tenth day of November next, according to his majesties commands.

Att a Councill held Att James Citty

May 3^d 1682

Present

The R^t Hon^{ble} S^r Hen: Chicheley Kn^t Dep^{ty} Gover

Nicholas Spencer Esq Secret

Coll W^m Cole

Natha: Bacon Esq Audit

Ra: Wormeley Esq

Maj^r Gen^l Rob^t Smith

Coll Rich: Lee

Coll Joseph Bridger

Coll Jno Custis

Coll Phill Ludwell

Coll Matt: Kemp

Coll John Page

Upon the debate of the disorders now on foot in Glo^{ster} County, by many, unruly turbulent and disobedient Inhabitants of the said County, in cutting up all Tobaccos on all plantations, where they come, for the speedy suppression thereof, and of the growing mischief that may from thence arise, It's resolved and accordingly ordered that Coll Matt: Kemp doe immediately hasten into Gloucester County, and as Coll of the militia there raise and order such a number of horse and foot of the said County forthwith to their Armes, as he shall judge fitt and expedient for reducing the said disorders, by first requiring all and every person moving in the said disobedient, violent, ruinous and destructive actions to returne to their obedience to his most Sacred Majesty, to w^{ch} if they yeild not such ready obedience, as is required, that then It's likewise resolved and ordered, that Coll Matt: Kemp doe endeavour by all waies and meanes, by force of Armes, to Suppress and reduce them the sd disobedient and tumultuous Inhabitants of Glo^{ster} County; Its likewise the opinion of this board and accordingly resolved and ordered, y^t if the Inhabitants of Gloc^{ster} now in actuall mutinies and ruinous disorders should fly and continue together, that then and in such like cases Coll Matthew Kemp doe pursue them, into what parts soever they fly and with force of Armes reduce them; Its likewise resolved and ordered that L^t Coll Law: Smith and all inferiour militia officers and soldiers, and all his Majesties Leige people of this Collony be aiding and assisting to the said Coll Matt: Kemp in what County or Counties the prosecution of the Affaires requires his Marching into.

It's ordered that an expresse immediately goe forth requiring Cap^t Zachariah Taylor, Commander of the ship Augustine, not to saile untill further order, for that letters must by the said ship be sent for England, to represent to his Majesty the present condition of the Country.

Resolved and accordingly ordered, that Cap^t Wm: Armiger Command^r of his Ex^{cies} the Lord Culpepers Company be ordered to command the said Company to their Armes on the 4th Instant att Middle Plantation.

By his Majesties Deputy Govern:

A Proclamation prohibiting all riotous and tumultuous meetings

Whereas many riotous tumultuous and ungoverned Inhabitants of Gloces^r County, have contrary to ye Peace of our Sovereigne Lord the King, his Crown and dignity, invaded the rights and properties of many of the Inhabitants of the said County, by cutting up all plants on Plantations where they come, to the ruin and destruction of many of his Majesties Subjects, highly tending to the subversion of Govern^mt for preservation whereof and to the intent the peace of the Country may be entirely preserved by a timely suppression of all tumults and riotous disorders, I doe by this my Proclamation in his Majesties name will, require, and strictly command all and every the Inhabitant and Inhabitants of this his Majesties Colony well and truly to demean and behave themselves quietly, peaceably and obediently in all respects answerable to their duty and allegiance to our Sovereigne Lord the

King, and to the well being and safety of each other, and if any Inhabitant or Inhabitants shall presume to persist or goe forward in their riotous, tumultuous and ruinous disorders in Gloc^r or any Inhabitant or Inhabitants of any County or Counties in this Colony shall be soe evilly bent to enter into any such like combinations and evill practices; I doe by this my proclamation likewise require and command all officers both Civill and Military in this his Majesties Colony and Dominion of Virginia, to use their utmost care, industry & circumspection, according to the authority by Law placed in them to prevent and suppress, all such meetings and riotous actings for the preservation of his Majesties peace of this Colony, and rights and properties of the Inhabitants thereof; Given under my hand att James Citty May 3^d 1682

God save the King

Hen: Chicheley

To the Sheriffe of.....
or his Deputy, to be forthwith publisht

The like was sent to the respective Counties

Resolved that orders goe forth to the Command^{rs} of the respective Garrisons, requiring them to order his Majesties soldiers under their commands to repaire on the 18th Instant to the middle Plantation, in order to receive their pay appointed by his Majesty.

Ordered that orders be sent forth to the Commanders of the respective Counties, to Command to armes such a number of the militia horse and foot of their Counties, as they shall find convenient for the preservation of the peace of our Sovereigne Lord the King and from time to time to keep in armes such numbers of horse and foot as they shall find the Exigency of the affaire requires

Att A Councell held att Middle Plantation

May 7th 1682

Present

S^r Hen: Chicheley Kn^t Deputy Govern

Nicholas Spencer Esq Secret Coll Phill: Ludwell

Coll Natha: Bacon Audit Coll Wm: Cole

Coll John Page

The present disorders and commotions being taken into most serious consideration, and all matters, motives and inducements thereunto being well weighed, its the opinion of this board that Maj^r Rob^t Beverly hath been eminently instrumental thereunto, by stirring up informations ag^t ships upon the pretence of forfeiture by the act of Cohabitation, alsoe by setting on foot petitions for An Assembly and from thence giving an assurance of a Cessation, by which & other his practices the Inhabitants have been provoked and sett a mading, whose activeness doth not only appeare to have been the foundation of our present distractions, but he is likewise on serious considerations apprehended to be the encourager of their progressions, It's therefore y^e opinion of this board that it will much tend to the quieting the

present disorders to have Maj^r Robt: Beverly secured, In w^{ch} its ordered that an order of this board be directed to Maj^r Gen^l Smith that he make it his care Maj^r Beverly be by the Sheriffe of Middlesex forthwith secured and committed a prisoner under safe custody on board the Ship Duke of York in Rappahannocke River, John Purvis Master, there to remaine untill further order.

Att A Councell held att Middle Plantation

May 23^d 1682

Present

The Rt Hon^{ble} S^r Hen: Chicheley K^{nt} Dep^{ty} Govern.

Coll Nicho: Spencer Secret

Coll Phil: Ludwell

Coll Natha: Bacon Audit

Coll Wm: Cole

Coll Joseph Bridger

Coll John Page

This Board haveing taken into their serious consideration and well debated of what great weight and importance the safe and secure keeping of all Publick Records is and how much the same conduces and tends to the publick good, and on ye contrary how farr the negligent and careless keeping of the same may add to the ruin of the Country; Maj^r Robert Beverley Clerke of the house of Burgesses, in whose custody the Records of the Assembly were usually kept, being now confined a close prisoner, for being notoriously Instrumentall in these our present and unhappy distractions, and consequently rendred incapable of discharging soe great a trust, as to take care of the same, this board have therefore thought fitt and accordingly ordered that Ralph Wormeley Esq, Coll Matthew Kemp, and Coll Christopher Wormeley or any two of them, whereof Coll Matthew Kemp to be one, doe forthwith make seizure of all such Assembly Records as either have or are now or have been att any time heretofore in the possession, charge, keeping or custody of the aforesaid Clerke, and in case ye said Records by any pretence whatever be refused to be delivered to the aforesaid Gentlemen upon their demand, then the said Gentlemen are hereby ordered and impowered to use their utmost endeavours and best dexterity, by forcing open doores or otherwaies, as to them shall seem meet, to take into their possession all bookes, papers and other Records whatever, relating to the Assembly, w^{ch} sd bookes and papers being soe taken into possession, the Gentlemen are hereby desired to take a particular account of w^t bookes and papers soe taken and required to take effectuall care that the same be safely secured and put up in the hampiers belonging to the aforesaid Clerke, in w^{ch} they were usually brought to Towne in, and that the said hampiers be sealed with their particular seales, which being accordingly done, the aforesaid Gentlemen are impowered and ordered to committ the said bookes and papers to the charge of the sheriffe of Glocester, who with a Guard is ordered and required to convey them to York River side and there to impresse a boat for their transportation, from whence they are to be brought to the Secretaries office by ye aforesaid Sheriffe, where a

receipt is to be given for what delivered, and this order to be fully performed with all convenient expedition.

It is ordered that Cap^t John Purvis Commander of the Ship Duke of York, (being now on the point of saileing, and desiring that he may be discharged of his prisoner Major Beverley) that he deliver over the said Major Rob^t Beverley safely to Cap^t W^m Jefferys Commander of the ship Concord now att anchor in Yorke River, together with the fouer soldiers appointed a Guard over the person of the said Maj^r Robert Beverley; and it is likewise ordered that the sd Cap^t W^m Jeffreys doe receive the person of Maj^r Robert Beverley and alsoe the fouer soldiers appointed a Guard over the person of the s^d Maj^r Robert Beverley and him the said Major Robert Beverley in safe custody to keep on board his said ship Concord, untill further ord^r

Vera Copia

Test Nicho Spencer Secty

Att A Councel held Att Middle Plantation

May 9th 1682

Present

S^r Henery Chicheley Knt: Deputy Govern^r

M^r Secretary Spencer

Coll Phillip Ludwell

M^r Auditor Bacon

Coll John Page

The present disorders and commotions being taken into most serious consideration and all matters, motives & inducements thereunto being duely weighed, It's the opinion of this Board that Major Robert Beverley hath been eminently instrumental thereunto, by stirring up Informations ag^t ships, upon y^e pretence of forfeiture by y^e Act of Co-habitation, Alsoe by Setting on foot petitions for An Assembly, and from thence giving An Assurance of a Cessation, by which and other his practices the Inhabitants have been provoked and set a madding, whose activenesse doth not only appear to have been the foundation of present disturbances, but he is likewise on serious consideration apprehended to be the encourager of their progression; It's therefore y^e opinion of this board, that it will much tend to y^e quieting the present disorders, to have Major Beverley secured, in w^{ch} Its ordered that an order of this Board be directed to Maj^r General Smith, that he make it his care, Maj^r Robert Beverley be by y^e Sheriffe of Middlesex forth-wth secured and committed a prisoner, under safe custody on board y^e Ship Duke of York in Rapp^a John Purvis Master, there to remaine, untill further order.

May 19th 1682

Upon hearing y^e information Ag^t Stephen Tarleton and Charles Bostwicke of New Kent County for words greatly encouraging the present distractions, by cutting up Tobacco plants, w^{ch} appearing to this Board, It's Ordered that y^e Sheriffe of York County doe immediately take into his custody y^e said Stephen Tarleton and Charles Bostwicke and them securely to deteine, untill the said Stephen Tarle-

ton and Charles Bostwicke doe give good security for their future good behaviour.

May 23^d

Coll Jos: Bridger,

Coll W^m Cole

Whereas Information was made to this Board that John Woodington of New Kent County hath been a great Abettor in these our present and unhappy distractions, not only in suffering his own plants to be cut up, without any rebuke or check to y^e Plant Cutters, but likewise by encouraging y^e Plant Cutters to proceed in their riotous and tumultuous manners and to cut up others plants, to which y^e said Woodington Appeared and confessed part of y^e Information to be true, and y^e other part being sufficiently proved, Its y^e opinion of this Board and accordingly ordered that y^e aforesaid John Woodington, (for that his great transgression, especially as being a magistrate) be suspended from being a Justice of y^e Peace of y^e aforesaid County, and rendred utterly incapable of bearing any office, either civil or military above y^e office of a Constable. It's likewise ordered that y^e aforesaid John Woodington be committed to y^e Sheriffe of York County, in whose custody he is ordered to remaine, untill he enter into bond with good and sufficient security, for his future good behaviour.

Whereas Cap^t John Purvis Commander of y^e ship Duke of York desires to be discharged of his prisoner Maj^r Robert Beverley for that he is ready in all respects to saile for England, with his ship Duke of York, which being by this Board considered, and that he may not be letted or hindred in his present employment, and this board finding good cause, and it absolutely necessary, for y^e peace of y^e Country to continue Major Robert Beverley in safe custody, Its therefore ordered that Capt: John Purvis doe with his first conveniency depart y^e port of Rapp^a and saile to y^e mouth of York river, and there to come to anchor, and then to take ye person of Major Robert Beverley, now prisoner on board of his said ship y^e Duke of York, into y^e boat belonging to y^e said ship, together with y^e Guard of fouer soldiers placed on board y^e said ship, over y^e said Major Robert Beverley and him y^e said Major Robert Beverley with y^e fouer Guard Soldiers safely to deliver on board y^e Ship Concord, now att anchor in York river, whereof is Commander Cap^t W^m Jefferies, to whom is likewise an order directed from This Board, to receive on board his said ship Concord, y^e person of Major Robert Beverley, with y^e fouer Soldiers appointed a Guard over y^e said Major Robert Beverley in which y^e s^d Capt: John Purvis is to take Capt: W^m Jefferies his acknowledgment that he hath delivered y^e person of Major Robert Beverley, into y^e custody and keeping of him y^e said Cap^t Jefferies; It is alsoe ordered, that y^e ready willingness of Capt: Purvis, together with his trouble and charge of receiving and keeping the said Major Robert Beverley, on board his said ship Duke of York, be represented to his most Sacred Majesty.

This board having taken into their serious consideration & well debated of what great weight and importance y^e safe and secure keeping of all publick records is, and how much y^e same conduces and tends to y^e Publick Good, And on y^e contrary how far y^e negligent and

carlesse keeping of y^e same may add to y^e ruin of y^e Country and considering that Major Robert Beverley Clerk of y^e house of Burgesses, in whose custody y^e Assembly Records were usually kept is now confined a close prisoner, for being notoriously instrumental in these our present and unhappy distractions, and consequently rendred incapable of discharging soe great a trust, as to take care of y^e same, have thought fit and accordingly ordered that Ralph Wormeley Esq Coll Matthew Kemp and Coll Christopher Wormeley or any two of them, whereof Coll Matthew Kemp to be one, doe forthwith take into their possession all such Assembly records, as either have or are now in y^e possession charge keeping and custody of y^e aforesaid Clerke, and in case y^e said records by any pretence or colour of pretence whatever be refused to be delivered to y^e aforesaid Gentlemen, upon their demand, that then the said Gentlemen are hereby ordered and impowered to use their utmost endeavours & best dexterity, by forcing open doores or otherwise (as to them shall seem meet, to take into their possession all books, papers and all other records whatever relating to y^e Assembly, w^{ch} said books and papers being soe taken into possession, y^e Gentlemen are hereby desired to take a particular Account of y^e same, and required to take effectual care, that they be safely secured and put up in y^e Hampiers belonging to y^e aforesaid Clerke, in w^{ch} they were usually brought to Towne, and y^t y^e said Hampiers be Sealed with each of seales, w^{ch} being accordingly done, y^e aforesaid Gentlemen are impowered and ordered to commit the said books and papers to y^e charge of y^e Sheriffe of Gloucester, who with a Guard is ordered and required to convey them to York river side and there to impresse a boat for their transportation, whence they are to be brought to y^e Secretaries office, by ye aforesaid Sheriffe, where a receipt is to be given for what delivered, and this order to be fully performed with all convenient expedition.

Whereas It is ordered That Major Robert Beverley now prisoner on board y^e Ship Duke of York, whereof is Commander Capt: John Purvis, be by y^e said Cap^t John Purvis safely delivered over to Cap^t W^m Jefferies Commander of y^e Ship Concord, now att anchor in York river, together with y^e fouer soldiers appointed a Guard over y^e person of y^e said Major Beverley, in which Its now ordered, that y^e said Cap^t W^m Jefferies doe receive y^e person of Major Robert Beverley as alsoe y^e fouer soldiers appointed a Guard over y^e Said Maj^r Beverley and him y^e said Major Beverley in safe custody to keep on board his said ship Concord, while further order.

Middle Plantation May 25th 1682

S^r Hen: Chicheley Deputy Govern^r

M^r Secret Spencer

Coll Phill Ludwell

M^r Audit^r Bacon

Coll Richd: Lee

Coll John Page

Whereas It is represented that some ill disposed women in Gloucester County, doe persist in y^e evil and notorious riots, spoiles and great abuses and damages of cutting up Tobacco plants, in direct opposition to Lawes and Statutes in the like case made and provided

and in high contempt to y^e Govern^r's Proclamation and possitive orders for preventing and suppressing all riots and outrages of y^t nature, & whereas It is signified that y^e wife of Thomas Allman and y^e wife of Righard Longest are most notoriously active in y^e aforementioned wickedness and y^t y^e s^d Thomas Allman & Richard Longest doe refuse to find good security for y^e good behaviour of y^e wives of them y^e said Thomas Allman & Richd Longest,
Its therefore resolved & Accordingly ordered y^t L^t Coll Joⁿ Armstead doe forthwith cause y^e wives of Tho: Allman & Richd Longest to be taken into safe custody & them securely to detain, & cause to appear before y^e Govern^r & Councel att Middle Plantation on y^e 30th instant to answer to what shal be objected ag^t them on his Majesties behalfe & to be proceeded ag^t as by Law in y^e like case is prescribed.

James Citty June 15th

S^r Henery Chicheley Kn^t Deputy Govern^r

M^r Secret Spencer

M^r Audit^r Bacon

Coll Phillip Ludwell

Coll William Cole

Coll John Page

Whereas Maj^r Robert Beverley was by a former order of this Board committed prisoner on board y^e ship Duke of York, from thence removed on board y^e ship Concord, Cap^t Jefferies Commander, where till now he was contnued upon vehement suspicion of being y^e principle motive and chiefe Abettor, of these our present and most unfortunate distractions and troubles, from whence he was remanded to this board, where being taken under examinaton, and all evidences and circumstances being well and maturely considered on, which tend to y^e proof of what was objected against the said Maj^r Robert Beverley: Its y^e unanimous opinion of this board and accordingly resolved, it being thought absolutely necessary for y^e preservation of his Maj^{ties} Peace, y^e safe and secure Settlement of affaires in this Colony, being still under apprehensions, jealousies and feares of future troubles, that Maj^r Robert Beverley be still continued a prisoner and conveyed from hence by y^e Sheriffe of York County, with a Guard in Coll Custis his sloop, on y^e eastern shore, with intent that he deliver him y^e said Maj^r Robert Beverley to y^e charge and custody of y^e sheriffe of Northampton County, whose receipt he is to take for y^e delivery of y^e aforesaid prisoner, and then to returne with y^e aforesaid Guard in either sloop or shallop to be impressed by y^e aforesaid sheriffe of Northampton County, who is likewise hereby charged and strictly required, after his receipt of y^e afores^d Maj^r Robert Beverley, to take most effectual care for y^e safe and secure detainement and confinement of him y^e said Robert Beverley, for y^e better performance whereof, and that he may y^e more readily comply hereto, y^e aforesaid sheriffe is hereby ordered to place and continue such a Guard, over y^e said Major Robert Beverley, as he shall find necessary and requisite for his more sure confinement, and to apply himselfe to Coll John Custis whose orders and directions he is from time to time and att all times after his receipt hereof, to fully observe & follow, relating to his manner and place of

confining y^e aforesaid Major Robert Beverley, and to all other things that have relation thereunto, untill further order.

June 19th 1683 [1682]

Whereas It was ordered in Council, that Maj^r Robert Beverley should remaine under the custody of the Sherriffe of York County, and under his charge in Coll John Custis his sloop to be directly transported to Northampton County in order to his continuance under confinement in Northampton, and whereas y^e said Major Robert Beverley hath in great contempt & despight of y^e said order made his escape from y^e custody of the Sherriffe of York and pass'd thorow Gloucester into Middlesex County into y^e house of y^e said Beverley on Pyanketancke, where Cap^t Walter Whittaker by letter to y^e L^t Govern^r advizes y^e said Beverley is under safe custody of him y^e said Cap^t Walter Whittaker, in which It's resolved and accordingly ordered that Cap^t Walter Whittaker doe personally, with a sufficient Guard safely and securely convey y^e person of y^e said Robert Beverley, without y^e least delay of time, unto James Citty, and him the said Robert Beverley personally bring before y^e L^t Govern^r and Council in James Citty, there to receive such further order, as shall be found expedient It's likewise ordered that y^e said Cap^t Walter Whittaker doe cause to be impressed such a number of men and horse with Armes in Middlesex County, as he shall find necessary for y^e performance of this order.

June 21th Middle Plantation

Whereas his Majesty hath been pleased to order y^e paying off and disbanding the two foot Companies in this Colony w^{ch} being accordingly performed and ye Guard discharged his Majesties stores att middle Plantation will be exposed to great hazards and dangers, if not guarded, w^{ch} to maintain for that peculiar occasion, will be very chargeable, and Coll John Page having expressed his desire of serving his Majesty in y^e preservation of the stores and easing y^e charge, w^{ch} must unavoidably accrew by maintaining a Guard for y^e Stores, w^{ch} being considered by this Board, It's resolved and accordingly ordered that M^r Thomas Broomer (who hath y^e care and custody of his Majesties Stores) doe deliver unto Coll John Page or his order all y^e Armes, partizans, Halberts, Drums, Swords, pikes and amunition as alsoe what is in, belonging, or appertaining to his Majesties stores, for which y^e said Broomer is to take y^e receipt of y^e said Coll John Page, All w^{ch} It's ordered the said Coll John Page do Cause to be carted unto y^e house of him y^e said Coll John Page, att Middle Plantation, to be then secured untill his Maj^{ties} pleasure can be further known, as alsoe he y^e sd Coll John Page is desired to take care for y^e Securing y^e great Gunns and Shott belonging to y^e Guards, either by causing them to be lodged in y^e Guard house or such other convenient place, as he y^e said Coll Page shall judge fitt to receive and secure them in.

June 25th 1682

Whereas It was ordered by this Board, that y^e Sheriffe of York County should convey y^e person of Major Robert Beverley to y^e Easterne shore, with a Guard over him and there to deliver him to y^e

Sheriffe of Northampton County, which being by this board taken into serious consideration and willing to ease y^e great charge and certaine expence, w^{ch} necessarily and unavoidably will arise and accrew by performing of y^e same, if a sloop should be impressed for that use only, doe therefore order that M^r Charles Holden who has y^e command of Coll Custis his sloop, now att anchor in York river, doe receive and admit on board y^e said sloop y^e person of Major Robert Beverley, the sheriffe of York, and such a Guard, as y^e Sheriffe of y^e aforesaid County shall place over him the s^d Major Robert Beverley and them and every of them to transport to Northampton County, in order, that the aforesaid order may be fully performed, and with all convenient expedition.

Whereas a Pyrate hath lately forced and carried away from y^e houses of M^{rs} Rebecca Leake and M^r Joⁿ Williams att Tindalls Point, a considerable quantity of goods, monies, & plate, w^{ch} this Board taking into their serious consideration, and doubting that y^e said Pyrate doth still continue roving within y^e Capes, with intent to commit and perpatrare y^e like villanies and robberies on some other the Inhabitants of this Colony, or that y^e s^d: Pyrate waites with expectation to take small vessells, sloops & shallops, as they come in and out of this Colony, for prevention therefore of y^e like robberies and villanies, It is thought fit and accordingly ordered that Coll W^m Cole forthwith presse or cause to be impressed either Pinke, Ship, Barque or Ketch, as he shall think most fit & convenient, with rigging, tackle and furniture, to be ready upon all Commands, to receive on board such a number of men, as shall be judged necessary to goe in chase after y^e aforesaid Pyrate, as alsoe to make stoppage of twelve barrels of Porke, with other provisions, in whose hands soever y^e same he shall find, w^{ch} is not to be disposed off, within ten days after y^e aforesaid Stoppage, least there be occasion for y^e same, within that time, for his Maj^{ties} Service, in furnishing y^e said Vessell with provision and all his Majesties Leige people are required to take notice hereof, and yeild due obedience accordingly to what y^e said Coll W^m Cole shall doe or cause to be done.

June 25th 1682

Ordered that y^e Sheriffe of York County or his Deputy doe remove y^e person of Major Robert Beverley, with y^e fouer soldiers, to whose charge he is now committed, from off board y^e ship Concord, Cap^t W^m Jefferies Commander and him y^e said Major Robert Beverley with y^e Guard of y^e aforesaid fouer soldiers, (who are required to continue their care and charge over him y^e said Maj^r Robert Beverley) to convey to James Citty, in order to his appearance before y^e Lt Govern^r and Council on Thursday next.

James Citty September 25th 1682

S^r Hen: Chicheley Knt: Deputy Govern^r

M^r Audit^r Bacon

Maj^r Gen^l Smith

Coll Phill Ludwell

Coll W^m Cole

Coll Matt: Kemp

Coll John Page

The petition of Maj^r Robert Beverley, wherein he conceives his confinement hitherto to be illegal (ye cause of which and y^e precept for y^e same being kept from his knowledge) in which he humbly entreats, that a writt of *Habeas Corpus* may be granted to him, directed to y^e sheriffe of Northampton County, for his removal to James Citty, being this day read in Councel and full debate being thereon had, It's y^e opinion of this board and accordingly resolved, that in regard all proceedings relating to his confinement, with y^e reasons for y^e same, have been transmitted to England to his Majesty, for his Commands therein, which not being yet returned, that y^e aforesaid Major Robert Beverley be continued still a prisoner where he now remaines, in y^e custody of y^e Sheriffe of Northampton, untill his Majesties Pleasure shall be further known therein.

September 30th 1682

S^r Hen: Chicheley Knt: Deputy Govern^r

Coll Natha: Bacon

Coll Phill Ludwell

Maj^r Gen^l Smith

Coll W^m Cole

Coll Jos: Bridger

Coll Matt: Kemp

Coll John Page

Whereas there are severall warrants issued from the Right Hon^{ble} the Deputy Govern^r for y^e Apprehending Somerset Davis, Zuperañ Burwell, Robert Alcock, John Oakes, and John Cockin w^{ch} provide that in case they or any of them are Apprehended that then they or soe many of them, as shall be soe apprehended, be delivered to y^e Sheriffe of York County, who is therein and hereby strictly required safely to secure & detaine soe many of them, as shall be delivered to his custody, without baile or mainprize, and immediately after their commitment, to acquaint either Coll Nathaniel Bacon, Coll Phillip Ludwell, Coll W^m Cole or Coll John Page with y^e same, who or any two of them are desired strictly to examine such of y^e said parties as shall be apprehended and to make and passe such ord^{rs} concerning y^e same, either for y^e continuance of ye said parties soe apprehended, in safe and secure custody or otherwise as they shall find most fitt and conducing to y^e securing of y^e peace of this his Majesties Dominion, & in case y^e party, to whom y^e warrants are directed to execute, shall return that he cannot find them or any of them, then y^e said Gentlemen or any two of them, are hereby earnestly desired to issue forth Hues & Cryes for y^e apprehending soe many of them, as shall be soe returned, in what place soever shall be found and in case y^e aforesaid Gentlemen or any two of them shall think it necessary and expedient, that any other persons whatsoever, who have been active in destroying Tobacco plants, either by advice, encouragem^t or actings, be sent for, then y^e said Gentlemen are hereby impowered & desired to doe and Act therein, as they shall think necessary.

Att York Court house October 9th 1682

Coll Natha: Bacon

Coll W^m Cole

Coll Phill Ludwell

Coll John Page

In pursuance of an order of Council bearing date y^e 30th of September last Somerset Davis & John Cockin being brought before y^e above named Gentlemen, who upon examination of y^e aforesaid Somerset Davis & John Cockin think it most fitt and accordingly order that y^e Sheriffe of York County continue y^e abovenamed Somerset Davis & John Cockin in his custody, without baile or mainprize, untill y^e fourth day of y^e next General Court, when they are both to be conveyed to y^e sheriffe of James Citty, to y^e end they and each of them may answer to all such things, as shall be subjected against them in his Majesties behalfe

Att y^e house of Maj^r Samuel Weldons 8^{ber} 1st

Ordered that Maj^r Sam^{ll} Weldon high sheriffe of James City County continue y^e bodies of John Sackler, Matthew Hudson and Bartholmew Austin in his custody, untill they and every of them enter into bond of five hundred pounds Sterl, with good able and sufficient securities, for their and every of their personal appearances before y^e Govern^r and Council, att James Citty, on y^e fourth day of y^e next General Court, then and there to answer to all such things, as shall be objected against them, in his Majesties behalfe.

James Citty November 11th 1682

Present

S^r Hen: Chicheley Knt: Deputy Govern^r

M^r Secret Spencer

Coll Phillip Ludwell

M^r Auditor Bacon

Coll W^m Cole

Coll John Page

Whereas Maj^r Robert Beverley was under vehement suspicion of being notoriously Instrumental in stirring up our late troubles and outrages of plant cutting, to y^e hazard of overthrowing this his Majesties Government who for y^e same and to prevent y^e growth thereof, was upon serious and mature Council ordered to be taken into Custody and Committed prisoner to y^e Sheriffe of Northampton County, and whereas by order of Council in September last, It was ordered that Maj^r Robert Beverley should remaine and continue in y^e custody of y^e sheriffe of Northampton County, until y^e signification of his Majesties pleasure; This Board having according to the duty and trust by his Majesty reposed in them, represented to his Majesty y^e then present state of this his Majesties Colony and y^e ill apprehensions y^e Government on due consideration had of Maj^r Robert Beverley, and whereas y^e arrival of his Excellency y^e Lord Culpeper is daily expected into this his Government, with full signification of his Majesties pleasure in all affaires of y^e Government, therefore should y^e charge ag^t Major Robert Beverley be proceeded in, before y^e signification of his Majesties pleasure therein, or y^e Arrival of his Excellency y^e Lord Culpeper, It would speake y^e want of Duty to his most sacred Majesty and respect to his Ex^{cy} y^e Lord Culpeper, and whereas this Board are informed y^t Maj^r Robert Beverley is now in James Citty, att large,

which att this juncture may not only prove inconvenient, but Dangerous and hazardous to y^e peace and safety of this his Majesties Dominion of Virginia, which being by this Board taken under Serious consideration, It's therefore Resolved and Accordingly ordered, that y^e sheriffe of James Citty County doe forthwith take into his custody y^e body of Major Robert Beverley and him in safe custody to keep, and by sloop or boat y^e person of y^e said Maj^r Robert Beverley forthwith transport to y^e County of Northampton and him y^e said Maj^r Robert Beverley, to redeliver over to y^e charge, custody and keeping of y^e Sheriffe of Northampton County, who is hereby required and ordered to retake y^e body of y^e said Maj^r Robert Beverley, and him to Commit to y^e house of Coll John Custis, according to y^e tenour of y^e former orders of this Board, and there to continue y^e said Maj^r Robert Beverley, untill he shall thence be remanded by order of this Board.

November 16th 1682

Whereas Maj^r Robert Beverley was by order of this Board committed prisoner to y^e sheriffe of James Citty County, in order to be transported, in either sloop or shallop, and there to be continued, till order from this Board, & whereas the Rt Hon^{ble} y^e L^t Govern^r and Cuncel are informed, y^t y^e aforesaid Major Robert Beverley is yet on this side y^e Bay, being obstructed by y^e winds hitherto, and seeing y^t y^e General Court is now neer hand, this Board have thought fitt, and doe hereby accordingly order, M^r Richard Moor under sheriffe of York County to take y^e person of Maj^r Robert Beverley into his Custody, out of y^e charge of y^e sheriffe of James Citty County (where he now is) who is hereby ordered to deliver him ye said Maj^r Robert Beverley to y^e aforesaid M^r Richard Moor, who is hereby required to continue him, in such place as he shall think fit and convenient, while he shall be remanded to him, by order of this Board.

December 13th 1682

S^r Henery Chicheley Kn^t Deputy Govern^r

M^r Secret Spencer

Coll W^m Cole

M^r Audit^r Bacon

Coll Richd Lee

Coll Phill Ludwell

Coll John Page

Whereas John Sackler an Inhabitant of Glocester County in our late unhappy distractions hath not only proved a turbulent and great Abettor in y^e same by advice, but alsoe most notoriously Instrumental in perpatrating y^e greatest enormities, by pulling, cutting and destroying Tobacco plants, to y^e then too apparent hazard of his Majesties Peace and his Leige Peoples Quiet and tranquility, of which crimes and offences being now (though late) sensible and being most willing (bein^g highly and deeply concerned for y^e same) to expiate them, by procuring his Majesties Most Gracious Pardon, does now most humbly offer, that provided all apprehensions of his former riotously actings and misdemeanours be committed to oblivion and pass'd by, and he from all such offences clearly and fully acquitted and ever discharged, that were committed by him ag^t his Maj^{ty} his Crown and Dignity to purge himselfe by his future diligence, not only in being

obedient and conformable to Lawes, but likewise by building, erecting and compleating a most firme, convenient & sure bridge, over y^e Dragon Swamp, within one quarter of a mile of y^e bridge now standing, by y^e last day of November next ensuing y^e date hereof, passable for horse and foot, and y^e same being fully compleated, from that time to continue in good, firme and sound reparation for y^e terme of twenty one yeares, without demanding any satisfaction, from y^e Publick, either for y^e erecting or continuing y^e same in reparation, who for his more sure and better performance hereof, offers Ralph Wormeley Esq & M^r Christopher Robinson his securities, who now openly jointly and severally oblidge themselves, their heires, Executors and Adm^{rs} to our soveraigne Lord y^e King his heirs & successors, in y^e poenal^t summe of thirty thousand pounds of Tobacco and Caske, with condition, that if y^e above named John Sackler shal fully perform his Above humble and voluntary proffer, in erecting & continuing a good, sound, and firme bridge, over y^e Dragon swamp neer y^e old bridge for y^e space of twenty one yeares, that then they y^e said Ralph Wormeley Esq & Christopher Robinson & each of them shall be discharged from y^e aforesaid Judgement & every part thereof, otherwise that y^e same be paid upon demand and y^e aforesaid John Sackler for y^e saving harmeless & indemnified y^e aforesaid Ralph Wormeley Esq and Christopher Robinson from all damages, troubles, suites or causes of suits, that may arise or accrew by reason of not fully complying in his aforementioned undertaking, doth hereby confesse Judgem^t to y^e said Ralph Wormeley Esq and Christopher Robinson their heires, Executors and Adm^{rs} jointly and severally for present payment of sixty thousand pounds of good, sound, merchantable Tobacco & Caske and doth further oblidge himselfe, upon y^e request of y^e said Ralph Wormeley Esq and Christopher Robinson or either of them, to transfer all his estate both real and personal to them y^e said Ralph Wormeley Esq and Xpher Robinson, and to acknowledge the same in open Court and to give all further satisfaction they shall demand therein; this Board having most seriously and maturely considered that y^e offences of y^e said Sackler are of a high nature, tending with his confederates to y^e endangering the subversion of this Government, for which reparations ought to be made proportionably, and accordingly, but considering that y^e voluntary proffer of y^e said John Sackler in erecting, compleating and continuing y^e afores^d Bridge in repaire will apparently confer to y^e Interest of his Majesty, by conducing to y^e benefit of his Subjects y^e Inhabitants of this Country, in their more certaine & quicker passages, with their selves and horses, over y^e afores^d Dragon Swamp, and that y^e same will tend to y^e General satisfaction of y^e Country, The L^t Govern^r therefore by and with y^e advice and consent of y^e Council doth hereby openly declare, that y^e aforesaid John Sackler (having first fully performed and compleated what he most spontaneously proffered) is clearly acquitted and fully discharged, from all Crimes, offences, riots and all apprehensions of y^e same, that properly belonged to his Majesty to pardon, as perpatrated ag^t his Crown and Dignity, in pulling up, cutting and destroying Tobacco plants, provided alwaies, that if y^e aforesaid Sackler shall be obstructed by in-

undations, or otherwise by y^e hand of God, that then he be allowed a proportionable time, for compleating y^e aforesaid Bridge, after y^e time limited by this order.

Whereas upon an Information exhibited by y^e house of Burgesses that John Herbert had contrary to Act of Assembly made in June 1680, ship'd severall hhds of Buck and Doe Skins on board y^e ship Dolphin, Cap^t Benjamin Hall Commander, wth designe to export y^e same, and desired, that y^e L^t Govern^r would issue forth his warrant, for seizing y^e same, w^{ch} being granted and a return thereof being now made by M^r Robert Bradly, that by virtue of ye aforesaid warrant, he had seized five hhds of skins and furs intermixed, and y^e same had here in Town, but that there was two hhds no: 23: 26 remaining yet on board, w^{ch} by reason of their difficulty, he could not well bring on shore, being in y^e bottom of y^e Hold and y^e ship almost loaden, and now M^r William Fitzhugh and M^r William Sherwood, in y^e behalfe of y^e House of y^e Burgesses move, that y^e aforesaid Skins being forfeited, may be condemned, as y^e Law directs, and y^e said John Herbert being in person and alleadging nothing in defence, why y^e said skins should not be forfeited, but most willingly submitting to y^e forfeiture, by confessing he had ship'd y^e sd: skins; Whereupon this Board having perused and maturely considered y^e aforesaid Act, made in June 1680, ag^t y^e exportation of hides and Skins, are of opinion, that y^e aforesaid skins, as well those, as yet, on board, as those on shore, are legally forfeited, and order accordingly that y^e said skins being one thousand eight hundred, seaventy six be condemned, & disposed of, as y^e aforesaid Law requires, all Costs, charges and sallary being first deducted, but in regard It's a matter of great difficulty, and may prove very inconvenient for y^e ships Voyage, being now upon sailing, provided all Tobaccos should be removed, whereby to bring on shore y^e aforesaid two hhds, doe therefore order, that y^e aforesaid John Herbert enter into bond to y^e value of one hundred pounds Sterl, with good and sufficient securities, that y^e aforesaid two hhds of Skins, now on board, containing five hundred eighty three Buck and Doe Skins shall be delivered att James Citty, to Coll W^m Cole his Majesties Collector or order, by y^e 25th of December 1683 And whereas y^e aforesaid Act provides, that there shall be one hundred pounds of Tobacco, for every skin so exported, paid by y^e Exporter, This Board doe likewise adjudge y^e penalty for y^e whole number of skins to be due, And Its hereby accordingly ordered, y^t y^e aforesaid John Herbert pay, as y^e aforesaid Act directs, after y^e rate of one hundred pounds of Tobacco a peice for every of y^e said skins soe seized and designed to be exported.

Nicho: Spencer Secty:

By his Maj^{ties} Deputy Govern^r

A Proclamation Dissolving the Assembly begun att James Citty
June y^e 8th 1680

Whereas I Received his most Sacred Majesties Letter beareing date the 21th day of January 1681-2 wherein I was Comanded that I should neither Call nor permitt an Assembly to Sitt, untill the tenth

of November next, by which time I was advised his Excellency the Lord Culpeper may be Expected in, and y^e Assembly begun the Eight day of June 1680, and by severall prorogations Continued, being Convened on the Eighteenth day of Aprill last, I did pursuant to his Maj^{ties} Comands, by the Advice and Consent of the Councill of State, Pro-rogue y^e Said Assembly, untill the tenth day of November next now forasmuch as it hath been maturely Debated in Councill whether the said Assembly should Continue or a New one be Chosen, It is Concluded that it will be most agreeable to his Majesties Comands, and for his Service and well being, of this his Maj^{ties} Collony, and Satisfaction of all his good Subjects that the said Assembly be Dissolved, and a New one immediately Called, by a fair and free Election of Representatives, to be made of such persons as may Represent their Grievances, I doe therefore hereby in his Maj^{ties} name with the Advice of the Councill of State by this my Proclamacon Dissolve the aforesaid Assembly begun the said Eight day of June 1680 of which I doe hereby Require and Comand all his Maj^{ties} good subjects to take due notice, Given under my hand att James Citty the 29th day of September 1682 *Annoq Regni Regis Caroli Secundi & c 34^o*

Hen: Chicheley

God save the King

To the sheriff of.....
or his Deputy

Nicho: Spencer secrty

By His Excellency

A Proclamation Comanding all Sheriffs to Collect his Maj^{ties} Quitt Rents, in all and Every County & Counties in this Collony

Whereas there are Severall yeares Arreares of Quitt rents in this Collony due to his Sacred Majesty remaining uncollected, of w^{ch} if Care be not taken in due time the Same will amount unto an Excessive Sum, and be very burthensome & inconvenient to the Inhabitants thereof, if Demanded at once, for prevention thereof, and of the growing Rents, I Thomas Lord Culpeper Baron of Thorsway his Maj^{ties} L^t and Govern^r Gen^l of Virginia by vertue of his Maj^{ties} Letters Patents under the broad, Seale of England to me Directed, doe by this Proclamacon in his Maj^{ties} name Appoint and Comand all and Every Sheriff and Sherriffs in Every County and Counties in this his Maj^{ties} Collony and Dominion of Virginia, to Demand Receive & Collect one yeares Quitt rents of every Planter and Inhabitant of this Collony, according as hath been formerly and usually paid proportionably to the Quantity of Land Each Planter by Pattent doth hold, and to the intent Every Sheriff may have a Certaine knowledge what lands each person holds, and what Quitt rents each planter and Inhabitant is to pay for their said Lands they hold of our Sovereigne Lord the King, all Sheriffs are hereby appointed and Required to Demand of Each Planter, and Inhabitant of this Collony the sight of their Pattent or Pattents Deed or Deeds of Land and thereof to Returne a perfect Rent Roll in writeing under their hands with all their Receipts thereon in person to M^r Auditor Bacon in James Citty att or before the second day of Aprill

Gen^l Court, as likewise a full and perfect account of all Quitt rents received by vertue hereof, of which they are to make payment to M^r Secretary Spencer or his Order, upon or before the tenth day of February next att the farthest, he being thereunto by me Impowered, And whereas severall former sheriffs and others have received severall of his Maj^{ties} Quittrents of which noe Account hath yet beene given by them, and have Severall Sumes remaining in their hands, all Such Sheriffs and persons Concerned are hereby strictly Charged and Required att their perills upon or before the Second day of Aprill Gen^l Court att James Citty to give in person to M^r Auditor Bacon a true & perfect account in writeing under their hands of all Quittrents by them so received and att the same time or before to make payment thereof to y^e above named M^r Secretary Spencer or Ord^r and what Sheriffs shall faile so to doe Process will goe out ag^t them as Debtors to our Sovereigne Lord y^e King Given under my hand and the Seale of the Collony this 23th day of December 1682 *Annoq Regni Regis: Caroli Secundi nunc Angliae & c 34^o*

Tho: Culpeper

God save the King

To y^e Sherriff of.....
or his Deputy

Nicho: Spencer Secrty

By his Maj^{ties} Deputy Govern

A Proclamation Prohibiting all Riotous and Tumultuous Meetings

Whereas many Riotous, Tumultuous and ungoverned Inhabitants of Glocester County have Contrary to the Peace of our Sovereigne Lord the King his Crown, and Dignity, Invaded the Rights and Properties of many of y^e Inhabitants of the said County by Cutting up all Plants on Plantations where they Come, to the Ruine and Destruction of many of his Maj^{ties} Subjects, highly tending to the Subversion of Governm^t for preservation whereof, and to the Intent the peace of the Country may be Entirely preserved, by a timely suppression of all Tumults and Riotous Disorders, I doe by this my Proclamacon in his Maj^{ties} name Will and Require and Strictly Comand all and Every the Inhabitant and Inhabitants of this his Maj^{ties} Collony well & truely to Demeane and behave themselves quietly peaceably and Obediently in all Respects answerable to their duty & allegiance to our Sovereigne Lord the King, And to the well being and Safety of Each other, and if any Inhabitant or Inhabitants shall p^rsume to persist or goe forward in their Riotous, Tumultuous & Ruinous Disorders in Glocester, or any Inhabitant or Inhabitants of any County or Counties in this Collony shall be so Evilly bent to enter into any such like Combinations & evill Practises I doe by this my Proclamacon likewise Require and Comand all Officers both Civill and Military in this his Maj^{ties} Collony and Dominion of Virginia to use their uttmost Care Industry and Circumspection According to the Authority by Law placed in them to prevent and suppress all such Meetings & Riotous Actings for the Preservation of his Maj^{ties} Peace of this Collony and

Rights and Properties of the Inhabitants thereof. Given under my hand att James Citty May y^e 3^d 1682

Hen: Chicheley

God save the King

To the sherriff of.....
or his Deputy to be forthwith Published

Nicho: Spencer Secrty

By his Majesties Deputy Govern^r

A Proclamacon Declareing unlawfull Assembling to Cutt up pull up, or otherwise Destroying Tobacco plants to be open Rebellion in the Actors thereof.

Whereas many Evill, ungoverned and Mutinous Inhabitants of this Country, Contrary to their Duty and Alleageance Riotously Assembled themselves in severall Counties of this his Maj^{ties} Dominion of Virginia and Committed violencies and outrages by forceable cutting up of Plants, for Suppression whereof, I Issued forth my Proclamacon dated May the third, Requiring and strictly Comanding all Officers to be Vigilant, Carefull and Active to Suppress all persons Riotously Assembled, and likewise by that my Proclamacon Comanded all his Maj^{ties} Leige People to be Aiding and Assisting in the suppressions of such Riotts as by Law of the Realme in their Distinct Qualifications they are Required to Doe, and performe, in which that none may be unknowing I thought fitt by this my Proclamacon to Declare that Every Justice of the Peace in the County wherein he lives is by y^e Statute made in y^e 13th yeare of y^e Reigne of King Henry the fourth Required immediatly to Endeav^r the Suppressions of all Routs, Riotts, or unlawfull Assemblies upon the forfeiture of one hundred pounds sterl. to our Sovereigne Lord the King, and by the same Statute all persons are Required to be Aiding and assisting to the Justices of y^e peace in the suppressions of such Routs, Riotts or unlawfull Assemblies upon paine of Imprisonment, and to make fine and Ransome to the King to y^e full value of all their moveable Goods, and by y^e said statute, it is likewise Declared that all persons so Riotously Assembled are to be Imprisoned fined and Ransomed for their first time of their so Riotously assembling, and whereas Some evill Mutinous and Rebellious disposed persons in Contempt of my Proclamacon have most obstinately persisted to Cutt up, pull up, and otherwise destroy y^e tobacco plants of many the good subjects of this his Maj^{ties} Dominion of Virginia to the great prejudice and loss of many the Inhabitants thereof thereby highly Endangering the peace and welfare of the whole Government. I doe therefore by this my Proclamacon declare that he or they who shall futurely dare to Cutt up, pull up, or otherwise destroy tobacco plants, to the loss prejudice and Damage of his Maj^{ties} Subjects of this Collony, and hazard of the peace and welfare thereof shall be held Deemed and prosecuted as Rebels against the Crown and Dignity of our Sovereigne Lord the King, and peace and welfare of his Maj^{ties} Dominions, and for the same shall undergoe all paines penalties and forfeitures as in open & actuall Rebellion, & whereas

many Rebellious persons with intent to Conceale their mischiefs and Rebellious practises, have perpetrated the same in the night Season I doe therefore hereby Declare, whosoever shall detect and Discover to the next Justices of y^e peace, the Actors and perpetrators of such mischiefs and Rebellious practises shall have the Reward of two thousand pounds of tobacco paid him or them, in the County wherein he or they shall Dwell or Inhabit for his or their Discoveries, and If he or they so discovering have beene the Actors and perpetrators of those mischiefs, and Rebellious practises, yet upon his or their discoverys of others assisting in those Rebellious Acts, shall to all Intents and purposes be fully and clearly acquitted & Indemnified, as if he or they had not been guilty of such mischiefs and Rebellions, and have the aforementioned Reward of two thousand pounds of tobacco paid to him or them so discovering alwaies Provided he or they make such Discovery within ten days after the Acting and perpetrating of such mischiefs and Rebellions. Dated att Rosegill August the twelveth 1682 & in the 34th yeare of the Raigne of our Sovereigne Lord the King.

Hen: Chicheley

God save the King

To the High sherriff of.....
or his Deputy

Nicho: Spencer secrty

Att a Councill held att James Citty Jan^{ry} y^e 10th 1682-3

Present

His Excellency Thomas Lord Culpeper & c.

S^r Hen: Chicheley Kn^t

M^r Secretary Spencer

M^r Auditor Bacon

Maj^r Gen^l Smith

Coll Joseph Bridger

Coll Phillip Ludwell

Coll W^m Cole

Ralph Wormeley Esq^r

Coll John Page

His Excellency the Lord Culpeper was pleased this day in Councill to Communicate his Maj^{ties} Instructions of y^e 27th of January 1681 Concerning y^e Advancement of the price of Forraigne Coyne, to w^{ch} the Councill doe humbly offer their opinions as foll: that y^e same would most Certainly Contribute to y^e benefit and advantage of y^e Country by y^e Promocon of Publique trade & Commerce, Merch^{ts} being so intent on their Interests, as alwaies to send their money & c lawfull to be Exported where they can be allowed most for, and doe therefore humbly pray his Excellency to issue forth Proclamacons for y^e advancem^t of y^e price of Foraigne Coyne, w^{ch} his Excellency Condescending to, It's therefore Ordered that Proclamacons be prepared for his Excellencies passing, declareing y^e value of pieces of Eight whether of Peru, Mexico, or any other place whatever, provided Silver, to be equall in value with six shillings Sterl, and so halfe peices and other smaller pieces with the same proviso proportionably, and that New England money be paid and Reced according to Stamp, with this Exception, that his Maj^{ties} dues be not included in y^e aforemenconed Coynes being to be

paid in the intrinsick value in money sterl or Bills of Excg^a and those Proclamacons to have Regard only to such moneys that become due after y^e date hereof, and not to make any Retrospection, with Severall other necessary Clauses. Ordered y^t Proclamacons be prepared Commanding & Requireing all Justices and Churchwardens to Returne abstracts of their County & parish Leavyes this yeare Raised and Leavyed in y^e Respective Counties and Parishes in this Collony, and for what due, and to whom paid, thereby to Render a particular account to his Majesty whereby to be satisfied whether the same hath become justly due as also whether Rightly applyed & duely Administred.

Nicho: Spencer Secrty

Att a Councell held Att James Citty January 10th 1682-3

Present

His Excellency the Lord Culpeper & c	
Sr Hen: Chicheley Kn ^t	Coll Phillip Ludwell
Coll Natha: Bacon	Coll W ^m Cole
Major Gen ^l Smith	Ralph Wormeley Esq
Coll Joseph Bridger	Coll John Page

His Majesties Instruction of y^e 21th of December 1681, was read and ordered to be registred.

The Examinations and depositions about Plant Cutting were read and ordered that Somerset Davis, John Cockin, Richard Baily and Bartholemew Austin be forthwith committed for Treason and tryed y^e fourth day of y^e next Generall Court, and y^t y^e Interim y^e Attorney Generall take care to doe his part and every thing be prepared for their tryals;

Consideration was then alsoe had about M^r Robert Beverley, and found that it could be proved against him First That he had broken up publick letters, directed to y^e Secretaries office, with writts enclosed for calling y^e Assembly in Aprill 1682, and had took upon him y^e exercise of that part of y^e Governm^t that belongs to y^e Secretary, by the immediate dispersing y^e Several writts, to y^e respective Sherriffs, not only [not] acquainting y^e Secretary therewith, but contrary to his desires.

2^{dly} That he had made up y^e Records and inserted his Maj^{ties} letter therein, being first communicated to y^e house of Burgesses, att y^e time of their prorogation, after y^e said prorogation.

3^{dly} That he refused to deliver coppies of y^e Journals of y^e house of Burgesses in April 1682, to y^e L^t Govern^r and Councell, saying that he might not doe it without leave of his Masters.

January 11th 1682-3*Present*

His Excellency y^e Lord Culpeper & c
S^r Hen: Chicheley Kn^t Coll Joseph Bridger
M^r Secretary Spencer Coll Phillip Ludwell
M^r Auditor Bacon Coll W^m Cole
Major Gen^l Smith Ralph Wormeley Esq
Coll John Page
Coll W^m Bird sworne one of y^e Councill

Three Proposals made by His Excellency

Having in y^e first place, according to his Maj^{ties} particular Commands given order yesterday for y^e vigorous prosecution, according to Law, of such persons, as upon y^e Informations taken by you, and y^r representation to me, have appeared to be y^e Chiefe Actors and Promotors of y^e late Insurrections and disorders about Plant destroying I am in y^e next place to acquaint you, that his Majesty expects to receive from you, in writing under y^r hands, with all speed

First An Account of ye Government, since my departure out of it in August 1680, particularly as to y^e stopping of ships and matters of ships, upon pretence of y^e late Act about Townes, y^e Calling y^e Assembly last Aprill and y^e occasions rise, growth and Progresse of y^e late Insurrections and Commotions about Tobacco Plants destroying, with all other matters relating to y^r same, and all transactions to y^e day of my Arrival.

2^{dly} Y^e present true state of y^e Country and Government as well in relation to itselfe, as to y^e Indians and y^r neighbour Christians.

Thirdly The best method of managing y^e same for y^e future, with y^e most Security and Safety to his Majesty and least charge and expence, and therein you are in an especial manner to consider y^e best and most effectual meanes not only to hinder and prevent such tumults and disorders, with their necessary ill consequences; but alsoe to take away y^e first occasions and pretences thereof, if possible, and to represent all particulars, that may carry on y^e Government Securely, improve y^e Revenues, Cutt off unnecessary charges, if Any such be, and tend most to his Maj^{ties} Service, and y^e Ease and Quiet of y^e Country.

Tho Culpeper

His Excellency y^e Lord Culpeper was pleased this day in Council to communicate his Majesties Instruction of y^e 27th of January 1681, concerning y^e advancement of y^e price of Forraigne Coine, to w^{ch} y^e Council doe humbly offer their opinion as foll, that y^e same will most certainly contribute to y^e benefit and advantage of y^e Country, by y^e promotion of Publick Trade and Commerce, and doe therefore humbly pray his Excellency to issue forth his proclamation for y^e advancement of y^e price, w^{ch} his Excellency condescending to, It's therefore ordered, that Proclamations be prepared for his Excellencies passing, declaring y^e value of peices of eight, whether of Peru, Mexico

or any other place whatever, provided silver, to be equal in value with six shillings sterl and soe halfe peices and other smaler peices, with y^e same provisoe, proportionably, and y^t new England money be pd and received according to stamp, with this Exception, that his Majesties dues be not included in any of y^e Aforementioned Coines, y^e same being to be paid in y^e intrinsick value in money Sterl or bills of Ecsha. with other necessary clauses

The opinion of y^e Councell that proclamations be prepared Commanding and requiring all Justices and Church wardens to return Abstracts of their County and Parish Leavies this year raised and leaved and for what due

Coll Page, M^r Thorp and Cap^t James Archer y^e Engenier appointed to survey his Majesties stores and present values, and then y^e Council will consider what is fitting to be kept, y^e rest being to be sent home

A vessel with Master, Mate and Gunner and fifteen seamen to be necessary for y^e Country's safety, w^{ch} his Excellency is desired to take care in, as alsoe to have eighteen men with a Serjeant and Corporall att land.

Proclamations to issue to every County, to put y^e lawes in force; particularly y^e Act for planting two Acres of land for every tythable, every County Court to appoint Grand Jury men, who are to return an account of y^e execution of y^e afore^s lawes to every Gen^l Court.

Jan^r 31th 1682-3

Present

His Excellency

M^r Secret Spencer

Coll Natha: Bacon

Coll Phill Ludwell

Coll W^m Cole

Coll John Page

Sherriffs appointed for y^e year 1683 in every County M^r Attorney Generall to take care of all Deodands, fines and forfeitures due to his Majesty since y^e beginning of y^e last Rebellion

All Soldiers, lately disbanded, being house keepers or having servants, and those who have Employed their time in making Tobacco since their disbandmt: are equally lyable to pay leavies with other his Majesties Subjects.

Att A Councill att James Citty December y^e 13th 1682

Present

S^r Henry Chicheley Kn^t Deputy Govern^r & c.

M^r Secretary Spencer

Coll Nath^l Bacon

Coll Phillip Ludwell

Coll William Cole

Coll Rich^d Lee

Coll John Page

Whereas the last Sumer the houses of Rebecca Leake & Jn^o Williams Inhabitants of York River were Rifled and Plundered by severall Privateers belonging to a Vessel then Riding at Anchor att y^e mouth of the said River, and five of the said Privateers being afterwards taken

in Rhode Island, and by y^e Govern^r thereof sent here to y^e intent they might have their tryalls where they had perpetrated such villanyes w^{ch} five being Comitted to y^e County Goal of Middsex well loaden wth Irons who soon after made their Escape from thence, after whom Hue & Cryes being issued through all parts of y^e Country for their seizing & apprehending by vertue of w^{ch} two of the Privateers least guilty by name W^m Harrison & John Manly were taken and imediately Conveyed to James Citty, where within few dayes they had their tryals, it being then y^e sessions of y^e Gen^{ll} Court, who by y^e Grand Jury were brought in *Billa vera*, and by y^e Petty Jury guilty, where-upon sentence of death passed ag^t them on y^e 28th of November to be hanged by y^e neck while they were dead, on y^e fifth of December y^e night before y^e day appointed for Execution the Convicts petitioned the L^t Govern^r for two dayes Reprieve w^{ch} was granted, one of them being a Polander desired to be Baptized, w^{ch} was performed by y^e ordinary, on y^e 8th of December y^e warrant of Execution was Signed and Delivered to y^e officer to perform his part y^e next morning on y^e Eighth att night y^e Convicts freed themselves of their Irons and made their Escape out of one of y^e Windowes, by y^e removall of two Iron Barrs, the same night Hue & Cryes issued to all parts of y^e Country but wrought no Effect, not y^e least advice being reced w^{ch} way y^e Convicts went, three nights after they voluntarily returned to Prison, went in att the same place they went out, and in y^e morning sent to the sheriff, whom they Informed wth Cheerfull Countenances, that they had well Effectted what they had Designed, they had prepared themselves for Death, and Came willingly to Submitt to y^e sentence thereof, the unlike heard of President so wrought upon the hearts of many well Disposed Christians, that severall Petitions were Presented to y^e L^t Govern^r for a Reprieve, w^{ch} by y^e advice of y^e Councill y^e L^t Govern^r doth hereby Grant, untill y^e Signification of his Maj^{ties} pleasure shall be signified herein, upon Representation hereof.

Nicho: Spencer Secty

Febr^y 21th 1682-3

Present

His Excellency
M^r Secret Spencer
M^r Auditor Bacon

Coll Jos: Bridger
Coll Phill: Ludwell
Coll W^m Cole

Mr. John Buckner and all others prohibited Printing,

March 13th 1682-3

Present

His Excellency
M^r Secret Spencer
M^r Audit Bacon
Coll Jos: Bridger

Coll Phil Ludwell
Coll W^m Page [Cole]
Coll John Page

A Summons to issue for y^e appearance of M^r Henery Whiting on y^e next Councel day

The Council doe unanimously and humbly acquaint his Excellency, that it hath alwayes been y^e Custome of Virg^a for y^e Sherriffe of James Citty County to impannell y^e Grand Juries for y^e tryal of Criminals out of y^e most able and discreet men in Town and y^t y^e Grand Jury is never returned summoned out of any particular County and doe therefore humbly Advise that y^e same method be observed in y^e tryal of y^e present Criminals.

That noe Indians ought to come to Towne, att y^e Countries charges, unlesse sent for or upon some emergent occasion.

That y^e brick wind mill att Green Spring is y^e securest place for y^e Powder and all other his Majesties Stores, to be kept in, & y^t a Court of Guard be built, adjoining to y^e same, for such as shall be employed to take care of y^e same.

Whereas y^e several Collectors, in this Colony, are Sensible, y^t notwithstanding their utmost endeavours and diligence, severall abuses have been committed, by Masters of ships, by false entries, which by reason of y^e excessivenesse of y^e charge in these great rivers, it is impossible for them to prevent otherwise, then by comparing y^e Entries here, with y^e Entries att the Custome house in England, to sue upon their bonds such of y^e said Masters, as shall be found to have defrauded his Majesties duties here. It is hereby ordered and all and every Collector and Collectors in this his Maj^{ties} Colony and Dominion of Virginia are hereby ordered and required to return to his Excellency Thomas Lord Culpeper & c his Majesties Govern^r Generall of Virginia, a particular, full and perfect account of y^e entry and clearing of every ship, Pink, Sloop and Vessell in their respective districts, under their and every of their hands, with coppies of All Entry, Clearing and other bonds, since y^e eight day of June 1680, till y^e time of their making up their accounts, att y^e Audit, in July 1682, by y^e last day of this Instant March, and his Excellency is desired to transmit y^e same to his Majesty, with the humble opinion of this board, y^t y^e sd bonds be put in Execution here or in England, as y^e case may require, as well to have satisfaction for pass'd fraudes, as to prevent y^e like for y^e future, especially in regard Masters have soe fair an encouragement as tenn percent allowed them by y^e Law.

That Proclamations issue for John Haleys, y^e notorious Plant Cutter, his surrendering himselfe, by y^e first day of April Gen^l Court, in order to his tryal, or else that both his real and personal estate be forfeited to his most sacred Majesty.

Att a Councel Att James Citty
March 13th 1682-3

Present

His Excellency Thomas Lord Culpeper Govern ^r & c	
M ^r Secret Spencer	Coll Phillip Ludwell
M ^r Audit ^r Bacon	Coll W ^m Cole
Coll Joseph Bridger	Coll John Page

It is y^e opinion of this Board and y^e Councel doe unanimously offer it to his Excellency, as y^e last result of their frequent consulta-

tions, that in this conjuncture of Affaires, It is most absolutely necessary, for y^e peace and safety of y^e Government, not only that there should be some more soldiers added, to those few already thought fit to be kept up, before his Excellencies Arrival, but more especially, that there should be care taken to preserve y^e Dominion of y^e water, as y^e best, and indeed only meanes, to hinder & prevent all commotions, tumults and disturbances on land, and to secure Trade ag^t Pyrates, that now begin to infest it. They doe therefore humbly desire his Excellency immediately to Add a Corporal and ten men Att least, to those already being, to make the whole a Serjeant, Corporal & Eighteen soldiers, as alsoe to furnish and Equippe, for y^e present a sloop or Vessel of about sixty Tunns and ten Guns well fitted with tackle, rigging & furniture, with Master, mate and Gunner and fifteen able Seamen att least, to cruze about y^e Capes, untill his Majesty shall give directions, for a better ship, which they doubt not, but he will be pleased to doe next year, And in y^e mean time Approve of this, for otherwise y^e Country is not safe, and they cannot be answerable for y^e Government, w^{ch} they humbly begg his Excellency to represent to his Majesty, and y^e Council Att Home the most effectually he can.

Nicho Spencer Secry

Att a Council held at James Citty

Aprill 16th 1683

Present

His Excellency Thomas Lord Culpeper Govern^r & c

M^r Secretary Spencer

Maj^r General Smith

M^r Auditor Bacon

Coll Phillip Ludwell

Coll W^m Cole

M^r Henery Whiting being Summoned to make his personal appearance, before this Board, for uttering and declaring Several words of dangerous consequence, to the disturbance of his Maj^{ties} Peace, in his Governmen^t accordingly made his appearance: And it being evidently made appear, by a Substantial evidence *viva voce*, that he had declared such words, as he was accused to be y^e Author of Viz in y^e Session of y^e Assembly in Aprill 1681, if care were not taken to make a Cessation, Wee must all goe a plundering, with others such like, which being seriously considered, are found (especially in this juncture of time) to be unfitting for any of his Maj^{ties} Subjects to declare (especially one in y^e capacity of a Justice) y^e same tending to y^e subversion of his Maj^{ties} Peace, This Board doe therefore unanimously order, that y^e said M^r Henery Whiting be Suspended from and presume not to exercise any office, either Civil or military in this Governm^t until y^e signification of his Maj^{ties} pleasure shall be further declared herein, to whom y^e said Whitings Accusation will be transmitted, and that he enter into bond, with good and sufficient security, for his good behaviour and abearance towards his Majesty and all his Leige people, until the first day of y^e next General Court

A true Copy

Test

Nicho: Spencer Secrty

Att a Councel held Att James Citty

March 13th 1682-3

Present

His Excellency Thomas Lord Culpeper Govern ^r & c	
Nicho: Spencer Esq Secret	Coll Phillip Ludwell
Natha: Bacon Esq Audit:	Coll W ^m Cole
Coll Joseph Bridger	Coll John Page

Whereas his most sacred Majesty by advice of his most Hon^{tbl}e Privy Council of y^e 24th of May 1678, grounded upon a report of y^e Late Lord High Treasurer, was pleased to give liberty to Thomas Sands of London merch^{ts} to ship out of this Colony, free of y^e impost thereof five hundred and eighty hhds of Tobacco for the Kingdome of England in leiw of that quantity, which after payment of y^e duty, he exported from hence, in y^e year 1665 on y^e William and Sarah, which was taken by y^e Dutch and utterly loss'd, w^{ch} not being complied with, y^e said Sands again petitioned his Majesty in Councell & set forth his hard usage and desired releife, his Majesty thereupon referred y^e same to y^e Lords Commissioners of y^e Treasury, who on y^e seaventeenth day of June 1682 returned their report, that they were of opinion (if y^e same stood with his Majesties good liking) that the petitioner should be allowed and permitted to ship out of this Colony, y^e like quantity of Tobacco being five hundred and eighty hhds of Tobacco in lieu of that formerly loss'd, whereupon his Majesty in Council on y^e said 17th of June 1682 was pleased to authorize and require his Excellency the Lord Culpeper, to issue all necessary orders and directions for allowing y^e said Impost unto y^e said Thomas Sands, which order of his Majesty in Council, his Excellency was pleased this day to present and communicate to y^e Council, requiring their advice therein, to which they humbly & unanimously offer their opinion and beseech his Excellency to represent the same to his Majesty, that y^e Allegations and Affidavits of y^e said M^r Sands of y^e usage of Virginia, as to the reallowance of y^e Country Duty of two shillings per hhd in case of losses by Capture or otherwise are wholly mistaken and y^e matter of fact very wrong represented to his Majesty, for the same was never permitted, but once, many years since by one of y^e Collectors here by mistake, and y^e Constant usage of Virginia was before and hath been ever since, quite contrary, besides which, there are many of his Majesties good subjects both here and in England in the like condition, whose cases will be full as hard and merriits full as great, as wee humbly conceive, when known to his Majesty, as the said M^r Sands, who out of modesty, and for that they would not disturbe his Majesties revenue and Governm^t with unnecessary clamours, have forborne to trouble his Majesty or Council therewith, either here, or in England, who will att least, as reasonably, expect y^e same liberty, which will amount to very great Summes, totally exhaust y^e revenue here, that cannot already bear y^e ordinary charge of y^e Government, and hazard y^e quiet of y^e Country, with which reasons Wee hope his Majesty will be fully satisfied and in y^e interim to prevent all inconveniences and

y° petitions of such, as notwithstanding y° positive orders to y° contrary, will hope for the like favour, and expect y° same Justice, Wee humbly desire and advize his Excellency to suspend the execution thereof, untill his Majesties pleasure in Council be further declared therein.

Nicho: Spencer Secrty

Att A Council Att Green Spring

May 22^d 1683

Present

His Excellency Thomas Lord Culpeper Govern ^r & c	
M ^r Secret Spencer	Coll Phillip Ludwell
M ^r Audit ^r Bacon	Coll W ^m Cole
Coll Joseph Bridger	Coll John Page

His Excellency was pleased this day to communicate to the Council, that since It had pleased God, to blesse his & y° Councells endeavours, with such good Successe, that y° Country was in a peaceable condition, and Soe well settled, that all persons Applied themselves to planting Tobacco again, to that degree, that (y° Season of y° year concurring) there never yet was, since y° first seating of y° Colony, soe great a Crop in hand, w^{ch} great plenty must inevitably y° next year or y° year after, clogge y° market and make y° same to be of low price again, he did think it fit, both for his Majesties & Countries service, to make a stepp immediately into England, and that much better now, then next year, as well to give his Majesty in person y° state of y° Government and an exact account of all his Actings, since his Arrival, as to sollicit y° proposals made by y° Council, and (if possible) to prevent or att least diminish y° future inconveniences of a Cheap market, with full resolution to returne next year again, and sooner, if his Majesty should think fitt or y° state of affaires require, to all which reasons y° Council fully concurred, wishing his Lordship a good voyage, good successe & a speedy return:

It was then alsoe ordered, that his Excellency should issue out a short declaration, to let y° people know, how his Majesty hath thought fit, to settle y° Government, untill his returne, that they may yeild obedience accordingly:

And for y° entire satisfaction of y° Council, as his Excellency hath, on their unanimous advice augmented y° Guard to three files, with a Serjeant and Corporal (in place of a Serjeant & eight men) and equipped out y° sloop with eighteen Seamen and payd y° same out of his salary, ever since y° first day of January last past, till this day, soe he doth resolve to continue y° same for y° future, and doth order y° Auditor to pay y° same, and all charges relating thereunto, out of y° first receipts of his salary, out of y° two shillings per hhd

And lastly to y° intent, that y° payment of y° Horse & men appointed by y° laste Act, to range about y° Falls against y° Indians, may not require y° Sitting of An Assembly sooner then otherwise would be thought fit, His Excellency doth undertake, out of his In-

comes here, to advance them one halfe yeares pay on y^e Credit of y^e said Act, out of this Croppe And pay it by December next, y^e same to be reimbursed again, y^e next year after this.

Nicho: Spencer secr^y

Att A Councill at Green Spring May y^e 22^d 1683

Present

His Excellency Thomas Lord Culpeper Govern ^r & ca	
M ^r Secretary Spencer	Coll Phill Ludwell
M ^r Auditor Bacon	Coll W ^m Cole
Coll Joseph Bridge [r]	Coll Jn ^o Page

It's this day Resolved in Councill & accordingly ordered, y^t after the Govern^r dues, y^e Councells Sallery, Contingent moneys, and M^r Blaythwaite are paid, out of the Publique Revenue, y^t M^r Auditor Bacon make noe payment of any Sum Exceeding five pounds sterl out of y^e overplus (if any such there be) but by y^e Govern^r's warrant with y^e advce of five of y^e Councill att least

There being two of the Councill dead since his Excellencies arrival Viz^t Coll Mathew Kemp and S^r Henry Chicheley, and Coll John Custis being in so languishing a Condicon, that he hath not been able to attend in many moneths, and as is feared will never Recover, and Maj^r Gen^l Smith and Coll Ludwell goeing also for England, His Excellency did this day Call Coll John Lear to be one of the Councill, a person in all kinds duely Qualified thereunto, and approved of by Every one of y^e Councill then present, who haveing taken the oath of allegiance and Supremacy, with y^e oath of a Councillor, and Subscribed the Test took his place accordingly.

It's the opinion of this Board, and accordingly ordered that y^e Clerk of y^e Councill be allowed for his great trouble, Charge, & more then ordinary attendance since his Excellencies Arrivall the Sum of fifteen pounds sterl to be paid by M^r Auditor Bacon, out of Impost of two shill per hhd, and y^t y^e same allowance be for y^e future paid the same way yearly.

Nicho: Spencer Secr^y

By his Excellency

A Proclamation for the Raisinge the Price of Forraigne Coyne.

Whereas his Majesty, upon the address of the Gen^l Assembly, in 1680, for the Advancement of the price of moneys hath beene Graciously pleased to take under his Royall Consideration, the present Condition of this his Collony and Dominion of Virginia and that the management of Trade and Commerce, is much impeded, for want of Coyne, and Cannot be hoped to be otherwise but by prescribing waies and meanes, whereby to Encourage money to be brought into this Collony and afterwards kept here the which the better to accomplish and Effect, his Maj^{ty} hath beene graciously pleased out of his Princely goodness, by his Royall Instructions, beareing date the twenty seventh

day of January 1681 to Direct Authorize and Impower Me Thomas Lord Culpeper, Baron of Thorsway, his Maj^{ties} L^t and Govern^r Gen^l of Virginia, with the advice and Consent of the Councill, to Raise the price of Foraigne Coyne, (Excepting allwaies what shall be given in payment of the Act of two shillings per hhd on tobacco Exported the Quittrents and other Duties payable to his Majesty and the Government, which are all to be satisfied in sterl money according to the same value, as formerly, and not otherwise). I doe therefore pursuant to the said Royall Instruction, with the advice of the Councill, in his Maj^{ties} name, by this Proclamacon Publish declare, and make known, that from and after the five & twentieth day of March next, all and Every french Crown, Rex Dollor, peice & peices of Eight, being good Silver, shall pass, from man to man, by way of payment to y^e full and reall value of six shillings, halfe peices att three shillings quarter peices att one shill Six pence, halfe quarters att ninepence, and that the Coyne Comonly Called New England money shall pass att one shilling, halfe and quarter peices proportionably, untill his Maj^{ty} shall signifie his pleasure, to the Contrary Concerning y^e said New England money, and y^t it shall and may be lawfull for any person or persons w^tsoever, in this his Maj^{ties} Dominions, to make payment of all Debts, w^{ch} shall be Contracted after the twenty fifth day of March next Ensuing, in any of y^e aforenamed Coynes, according to y^e aforementioned rates, (Excepting all waies what shall be given in payment of y^e Act of two shill per hhd, on tobacco Exported, the Quitt rent and other duties payable to his Maj^{ty}, and the Governm^t, w^{ch} are all to be satisfied in sterl money according to the same value, as formerly & not otherwise) also all moneys that shall becom due by Bills of Exchange or Contracts made for Bills of Exchange payable in England or Elsewhere out of the Country, w^{ch} are to be paid in money sterl. and noe Otherwise, And I doe by and with the Advice of the Councill in his Maj^{ties} name hereby Publish and Declare that if any person or persons whatsoever In this his Maj^{ties} Collony and Dominion of Virginia, from and after the five and twentieth day of March selling any Goods, wares, or merchandizes whatsoever, for money shall Refuse to accept the payment thereof, in any of the said Coynes, att the Rates aforesaid, that then such tender shall be held and Deemed a Lawfull tender, in any Court of Record in this Collony, and upon payment of the said moneys, att the Rates aforesaid shall be Discharged of the said Debt. And I doe hereby strictly Charge and Require all his Maj^{ties} Subjects, and all others who now are or hereafter shall be Inhabitants of this his Maj^{ties} Collony, or doe or shall Trade or Traffique or Merchandize in this his Maj^{ties} Collony and Dominion of Virg^a Entirely to observe and fully performe all and Every Clause and Clauses, in this Proclamacon Contained, as they will answer the Contrary, att their uttmost perills, Given under my hand and the Seale of the Collony this 31th day of January 1682-3 *Annoq Regni Regis Caroli Secundi nunc Angliae & c*
35°

Tho Culpeper

God save the King

To the Sherrieff of.....
or his deputy

A True Copy Test

Nicho: Spencer secrty

By his Excellency

A Proclamation Requireing all Justices & Churchwardens to bring or Cause to be Brought to the Secretaries Office under their Respective hands a perfect abstract of the Levies Raised and levied this present yeare, in their Counties and Parishes

Whereas it hath been Represented, to his most Sacred Majesty, that very Considerable Sumes of tobacco, are Annually Raised, on y^e Inhabitants of this his Maj^{ties} Collony and Dominion of Virginia, for the Discharge and payment of Publique County and Parish Charges and Dues of w^{ch} noe particular Account hath beene Rendred his Maj^{ty}, whereby to be satisfied, whether the same hath become justly due, as also whether Rightly Applyed and duely Administred, w^{ch} his Maj^{ty} haveing taken under his Consideracon, and out of the tender Care he hath, of his Subjects welfare, to the Intent nothing be Raised upon the Inhabitants but what is absolutely necessary, for their own good and preservation, hath been pleased, by his Royall Instruction, to Signifie unto Me Thomas Lord Culpeper Baron of Thorisway his Maj^{ties} L^t and Govern^r Gen^l of Virginia that his Will and pleasure is, that I Cause to be transmitted to his Maj^{ty} a particular and full account of the Publique Levy, as also of all and Every Levy and Levies in Every County and Parish in this Dominion. In pursuance to which I doe by this Proclamacon, in his Maj^{ties} name, with the advice of the Councill Require & strictly Comand the Justices of the peace of Every County and Counties, in this Collony, to bring or Cause to be safely brought, to y^e Secretaries office, on the sixth day of next Aprill Gen^l Court, in James Citty, a particular and full account sealed up of their County Levy, this yeare Raised and levied, on the Inhabitants of the same, Expressing Every Article for what due, and that the same be testified under the hand of the first in Commission of the peace, in Every Respective County, in this Colony, And I doe likewise Require and Comand by this Proclamacon in his Maj^{ties} name, by y^e Advice of the Councill all & Every Churchwarden and Churchwardens of every parish and parishes in this Collony, to bring or Cause to be safely brought to the secretaries Office att the time & place aforesaid, a particular full and perfect account of their parish levy Sealed up, this present yeare assessed and levied, with full signification for what Every Article became due, and y^t y^e same be signed, by the hands of the Churchwardens of Every parish and parishes in this Collony, And I doe hereby strictly Charge and Require all and Every Justice and Justices of Every County and Counties, as likewise all and every Churchwarden and Churchwardens, of every parish and parishes in this Collony, to yeild due obedience, by a timely Returne, as by this Proclamation directed and Required, as they will answer the Contrary, att their uttmost perills, Given under my hand and the Seale of the Collony this 31st day of January 1682-3 *Annoq Regni Regis Caroli secundi nunc Angliae & c* 35^o

Tho Culpeper

God save the King

To the Sherriff of.....
or his Deputy

A True Copy Test

Nicho: Spencer secrty

By his Excellency

Whereas by Act of Assembly It is Provided that a Grand Jury be annually Impannelled and Sworne in Every County, to Enquire of the breach of all poenall Lawes, in their Severall Counties, and to make presentment thereof, to the severall Counties Courts twice a yeare (Viz^t) in Aprill Court and December Court, when the Justices are to Receive them, and fine the offenders according to the severall Acts made and Provided, and it being Represented to me that for want of due Execution of the same, severall Lawes are become ineffectuall, in which that I may have a true Informacon, whether the same hath beene through the default of Grand juries not makeing Presentments as by Law Required, or in the Justices in not Directing Grand Juries to be Impannelled or by the Justices Remisse Execution of the Lawes on offenders when Presented, Therefore I Thomas Lord Culpeper Baron of Thorsway his Majesties L^t and Govern^r Gen^l of Virginia, in his Maj^{ties} name, by and with the Advice and Consent of the Councill, doe by this Proclamacon, Require and strictly Comand all and Every County Court of this his Maj^{ties} Collony of Virginia, to give Directions for the Impannelling of Grand Juries, within their Respective Counties, which Grand Juries so Impannelled, are to Enquire and Due Presentment make, of all the offenders ag^t the Lawes of this Collony, but most Expecially, that Strict Enquiry be made by the Grand Juries, after the breach of that most provident and necessary Law, Requireing two Acres of Indian Corne or one Acre of wheate to be planted and tended by each Tythable, in Every Respective County, and that not to faile, but due presentment made of all the offenders therein, And I doe hereby Require and Strictly Comand the Justices of every County and Counties in this Dominion to Returne all such presentments made by the Grand Juries from March 1680, and that shall be made from this time, to the twelveth of Aprill next, under their Respective hands sealed up to the Secretaries Office, on the twelveth day of y^e next Gen^l Court, to y^e Intent noe man may presume to ground his neglect or Contept, upon any former Remissness, and so futuramente to y^e fifth day of Every Gen^l Court, And I doe hereby further Require & Comand all his Maj^{ties} Justices of y^e peace and Grand Juries of Every County and Counties, in this Collony, in their Respective stations and Qualifications to render and pay all due Obedience to this Proclamacon, as they will answeere the Contrary att their uttmost perills, Given under my hand and the Seale of y^e Collony this 13th day of March 1682-3
Annoque Regni Regis Caroli secundi nunc Angliae & c 35^o

Tho Culpeper

God save the King

To the Sheriff
 of.....

A True Copy
 Test Nicho: Spencer Secrty

By his Excellency

A Proclamation

Forasmuch as upon the first Notice Given to y^e L^t Govern^r & Councill of the Riseing and Gathering together, of Disloyall & Mutinous Persons, in Glocester County in a Rebellious manner, forceably Entering y^e Plantacons of many his Maj^{ties} Leige people, of the said County of Glocester Cutting up and Destroying tobacco plants, for timely suppression whereof, y^e L^t Govern^r by and with the Consent of the Councill, in his Maj^{ties} name by Proclamacon strictly Required and Comanded all persons so Risen and Gathered together forthwith to Returne to their allegiance, and to Seperate and peaceably and Quietly to Returne to their homes and habitations, And in Case of their persisting likewise Required & Comanded all his Maj^{ties} Leige people, in this Dominion to be aiding and assisting in Subdueing & Reducing those tumultuous & mutinous Plant Cutters, w^{ch} Clemency not Readily finding its desired Effects, Did by another Proclamacon Declare them to be Traytors and Rebels ag^t our Sovereigne Lord the King his Government and Lawes, and Charged all his Maj^{ties} Subjects not to Correspond, aid, or joyne with any the said Rebellious and Traytorous Plant Cutters, who being (by the Blessing of God) on the forces Sett forth, for that Service, Subdued & Suppressed, And whereas John Haley of Glocester County supposed to have been an Active Contriver and Carrier on of Plant Cutting, stood bound with good security, to have appeared the fourth day of the last November Gen^{ll} Court, before the L^t Govern^r and Councill, and att the same time, Called to Come forth, and make his appearance, but did not appeare and Ever since hath absconded, hid and Concealed himselfe, with intent, to avoid a legall tryall. Therefore I Thomas Lord Culpeper Baron of Thorsway, his Maj^{ties} L^t and Govern^r Gen^{ll} of Virginia, by and with the Advice of y^e Councill in his Maj^{ties} name, strictly Charge and Comand him the said John Haley to render and Deliver himselfe up, into the hands of the High sherriff of one of the Counties of this Collony, or to y^e Secretary of this Collony, w^{ch} Sherriff or Secretary is to bring him with all hast to the Gen^{ll} Court, upon or before the first day of the next Gen^{ll} Court, being the fifteenth day of Aprill next, in order to his legall Tryall, under such penalties, as the Law Directs, for such as avoid Justice, & doe not Come in, upon his Maj^{ties} Proclamacon, and in Case of his faileur then I doe hereby, in his Maj^{ties} name, Strictly Charge & Comand all his Maj^{ties} Subjects, in this his Maj^{ties} Dominions of Virginia, not to harbour hide or Conceale the person of the said John Haley, but y^t they Apprehend, take & Secure him y^e said John Haley, & him being taken, safely to Render and Deliver to one of his Maj^{ties} Councill or to y^e sherriff of the County where he shall be taken, to be by them made forth Comeing to Law, and he or they who shall according apprehend, take and Safely Deliver the person of the said John Haley, to one of his Maj^{ties} Councill or sherriff of y^e County where he y^e said Haley Shall be taken, shall receive for his or their such good & loyall Service, the Reward of fifty pound sterl. to be paid by M^r Auditor Bacon, And I doe in his Maj^{ties} name also

hereby Declare, that he or they of his Maj^{ties} subjects in this Dominion, that shall be found to faile in their Duty herein, he or they shall be Esteemed and punished as favourers of the Rebellion and Treason that the said John Haley stands Charged with, and as persons necessary to and Guilty of the same, and to y^e End all his Maj^{ties} Subjects in this Dominion, may have notice hereof I doe, in His Maj^{ties} name, Require and Comand all Sherriffs, in their Respective Counties, to Publish and make known this Proclamation att, the Court house, and in all other Publique places of y^e said Counties as likewise all Ministers in their Respective parishes, to the Intent none may pretend Ignorance thereof. Given under my hand & the Seale of the Collony this 13th of March 1682-3 *Annoq Regni Regis Caroli Secundi Angliae & c 35^o*

Tho Culpeper

God save the King

To y^e sherriff of.....
or his Deputy

A True Copy

Test Nicho: Spencer Secrty

Att a Councel held att James Citty

June 11th 1683

Present

Nicholas Spencer Esq President

M^r Auditor Bacon

Coll W^m Cole

Coll John Page

Whereas John Haley of Glocester County labourer was lately committed prisoner to y^e Common Goal of James Citty County, for Treason and rebellion ag^t his most sacred Majesty, from w^{ch} Goal having on y^e ninth instant made his escape, not daring to abide a legal tryal; Its therefore ordered, that Proclamations doe issue to every respective County in this Governm^t for y^e apprehending and detecting the aforesaid Haley, positively prohibiting all persons whatever, either to hide, harbour or conceale him y^e said Haley, but him being apprehended, to cause to be forthwith brought and delivered into y^e custody, of y^e Sherriffe of James Citty County, under severe penalties to be inflicted on him or them, that shall prove delinquent therein, or that shall faile to bring y^e said Haley in, knowing y^e place of his residence.

Whereas Cap^t Roger Jones Commander of y^e sloop Katherine, now in his Majesties and Countries service, has represented to this board, that his utmost endeavours, care and diligence has proved unsuccessful in compleating y^e number of men appointed by this board, under his Command, for navigating y^e aforesaid sloop, and having likewise represented, that there are very many dissolute young fellows out of employ, fit only for that service; It's therefore ordered, that soe many lusty Young men, both Seamen and others be forthwith pressed, as will compleat y^e number of men appointed for that service, by this Board.

James Citty August y^e 30th 1683

Present

Nicholas Spencer Esq President

Mr Auditor Bacon

Coll John Page

Coll W^m Cole

Coll John Lear

Whereas Capt: Roger Jones Commander of y^e Sloop Katherine now in his Majesties and Countries service, hath informed this board, that y^e aforesaid sloop Katherine hath by y^e late impetuous storme, riding in York river, suffered great losses in her mast & other damages, w^{ch} being lately repaired by workmen, several summes of money are become due to them, both for their labour and meanes in repairing y^e same; Its therefore ordered, that M^r Auditor Bacon out of his first receipts of y^e Impost of two shillings per hhd satisfye to each particular workman, and others concerned therein such summes, as shall appear justly due to them or any of them, under y^e hand of y^e aforesaid Capt: Roger Jones, either for work or meanes.

Whereas this Colony hath been many times exposed to great hazard and danger by Privateers too frequently restoring hither, and may continue in y^e like, or rather be lyable to greater danger, if some course be not prescribed, whereby to prevent their Coming in, and their knowledge of our rivers and Harbours, This Board have therefore thought fitt, and It is hereby accordingly ordered; that noe person or persons whatever presume to Pylote any ship, sloop, Pinke, or Vessel; that shall in y^e least be suspected to be a Privateer into any river, Harbour or Creek within this Government, upon such fines and penalties, as y^e Govern^r and Councel shall think fitt to impose on him or them, or any of them, that shall dare to Act contrary to y^e true intent and meaning of this order, and provided any such Vessel shall come to An Anchor within any harbour of this Government, y^e Justices of y^e Peace of y^e next Adjacent County, are hereby required to be diligent and careful in discovering who presumed to offend, contrary to y^e true intent and meaning hereof, and when known to bind him or them over with good securities to y^e next General Court, to answer for y^e same.

Whereas this Colony hath been many times, in danger of famine, not only through y^e peoples great neglect of planting Corne, but likewise occasioned by reason of y^e exorbitant desires of lucre, in exporting y^e same, notwithstanding very strict decrees & proclamations in former times commanding y^e one, & prohibiting y^e other and seing that nothing can be more dishonorable to our nation, Then to stand in need of Supplies of our most necessary food from forraigne parts, or y^e base salvages, nor more dangerous, then to have our lives, and y^e life of y^e Country itselfe, to depend upon the uncertaine hope of Trade with either and seing It hath pleased y^e Almighty God, on y^e twelveth day of this instant August to raise up & excite soe great a gust both of wind and raine, that it hath in all probability destroyed y^e greatest part of Indian Corne growing on y^e ground and great quantities of wheat, by y^e unhappy falling of houses, and seeing there is noe likelyhood of a sufficiency of Corne, if a liberty of exportation be permitted to any;

yet notwithstanding many and sundry Couvétoús & insatiable persons, seeking their own luces and gaines, have and daily doe persist to carry & convey innumerable quantities of Indian Corne and wheat out of this Colony, into divers parts beyond y^e seas, if w^h course be yet practised, y^e said Indian Corne, wheat and all other Graine will grow to a wonderful dearth & extream prizes to y^e great detrim^t of this Colony, and his Majesties subjects here inhabiting: for remedy whereof this Board have thought fit, and It's hereby accordingly ordered, that Proclamations be prepared & issue, commanding & requiring, that from and after y^e first day of October next noe wheat, barley, pease, beanes, or Indian Corne or meale of y^e same, shall by any Inhabitant of this Colony, or person or persons herein trading be loaden on board any ship, vessel, sloop or boat with intent of exporting or carrying off y^e same, from this his Majesties Colony and Dominion of Virginia, contrary to y^e expresse words & true intent and meaning of this order, until y^e twentieth day of June next, w^h will be in y^e year 1684 (unlesse by future observations It shall be found fitt by Proclamation to take off this restraint and prohibition of transporting any or all sorts of Corne, graine, pulse or meale, upon y^e penalties hereafter mentioned, that is to say, If any person or persons, that load on board any Vessell, ship or sloop any Corne, Graine, Pulse or meale, y^e same shall be forfeited, y^e one halfe to our Sovereigne Lord y^e King, his heires and successors, y^e other halfe to him or them informing, seizing & suing for y^e same, in any of his Majesties Courts of Record, in this Colony, and to y^e intent y^e said Proclamations may y^e better have due observance and frauds prevented, all his Majesties Collectors and Subcollectors in this Colony, are strictly to be charged, required and commanded, upon the Entry of any ship, sloop or Vessel herein trading, to take bond of five hundred pounds sterl, payable to our sovereigne Lord y^e King, his heires and successors, besides y^e other parts of their bonds of Entry, of Every Master and Masters of Ships, Vessels or sloops, with good & sufficient security, that noe Corne, Graine, Pulse or meale shall be loaden on board such ship, Vessel or sloop, contrary to y^e intent & true meaning of this order, and that Proclamations upon forfeiture of his or their said bonds; and whereas It hath been found, that masters of ships and Vessels have practised frauds & deceipts in privately taking on board Goods after Clearing, y^e aforesaid Proclamations are to direct, that all his Majesties Collectors and Sub-Collectors, upon y^e clearing of any ship, vessel or sloop, take bond of five hundred pounds sterl, with good and sufficient securities, payable to our Sovereigne Lord y^e King; his heires and successors, of every master and masters not to receive or permit to be loaden on board his or their ship, vessel or sloop in this Colony, any sort of Corne, Graine, Pulse or meale, after Clearing, and y^e said bond to remaine and be of force in Law, for one whole year, after y^e date of y^e same; and whereas many ships and Vessels here trading either by a long and tedious passage, or out of y^e knowledge they have formerly had of y^e great plenty It hath pleased God to blesse this Country with, may be necessitated here to revictual their ships, Vessels or sloops, in such cases Its hereby provided, that such Master or Masters of ships, Vessels or sloops making known to y^e Collector, or Sub-Collector, with

whom such masters of Ships, Vessels or sloops made their entrance, their want of Corne, Graine, Pulse or meale, for y^e necessary victualing their ships, Vessels or sloops, such Collector or sub-Coll^r is authorized and impowered to permit such Master or Masters of such ships, Vessels or sloops to receive on board their ships, vessels or sloops such quantities of Corne Graine, Pulse or meale, as he shall Judge necessary for y^e victualing such ships, Vessels or sloops, for y^e present voyage, notwithstanding y^e former restriction.

Hot Waters September 17th 1683

Present

Nicholas Spencer Esq Prsident

Coll Nathaniel Bacon

Coll W^m Cole

Coll John Page

Pursuant to M^r Presidents request this day y^e above Gentlemen of y^e Councel mett, in order for a consultation about some Speedy course for y^e prevention of y^e Seneca Indians future Incursions, and perpatrations of Spoils on y^e stocks and Inhabitants of this Colony, att w^{ch} Time all letters directed to y^e Hon^{ble} M^r President, from the Commanders of Rappa: and other Counties signifying y^e late disasters sustained by y^e Indians barbarity, as likewise M^r Presidents returns & orders thereon grounded, maturely and seriously considered, were approved of by y^e said Board, (being as effectual as possibly could,) who make it their request, that he would continue his care, by forthwith dispatching a messenger to y^e northerne parts for advice, how those parts stand affected, in what posture of defence our Inhabitants are in, wth effects are wrought by y^e said Indians, what number of them, & that he give directions for constant rangings, against whose returne (provided y^e Indians continue their rapines, depra-dations & Spoiles) y^e Councel will convene (ye General Court being att hand) & consult of some meanes to bee Speedily put in execution, both to prevent the Enemies future injuries, and force a satisfaction for all damages already sustained both in our stocks and y^e losse of our fellow Subjects.

James City October 12th 1683

Present

Nicholas Spencer Esq President

Coll Nathaniel Bacon

Coll John Page

Coll W^m Cole

Nicholas Spencer Esq President having this day produced to this Board Coppies of those Orders and Commands he issued out to Coll Joⁿ West, Cap^t Edmund Bacon, Coll John Stone, L^t Coll Cad: Jones & Cap^t: George Brent, in y^e present Indian affaire, w^{ch} being perused, This board have thought y^e same very effectual & necessary for y^e present occasion, and return him their thanks for his care therein.

James Citty November 21th 1683*Present*

Nicholas Spencer Esq President

M^r Auditor Bacon

Coll John Page

Coll Joseph Bridger

Coll W^m ByrdColl W^m ColeColl Joⁿ Lear

M^r President having this day communicated to y^e Council all late occurrences relating to y^e Seneca Indians incursions, how they have perpatrated great Spoiles on y^e stocks of y^e Inhabitants of this Govern^t riffled some houses, and reduced and taken y^e Mattapony Indian Town, and att present beseiged y^e Chickahominy fort, w^{ch} being taken into consideration by this board, and how fatal y^e consequences may be, if not timely Prevented, either by an accomodation or force, being thoroughly debated, This Board have thought fitt, and doe hereby accordingly propose & request that y^e Hon^{ble} Coll W^m Byrd, one of his Majesties Council of this Colony, doe forthwith repaire, either to Chicahominy or Rappa: Indian Fort, one of them being now beseiged by y^e Seneca Indians, there to treat with them, according to such Instructions, as he shall receive from this board; in w^{ch} Coll W^m Byrd readily declared his willingnesse to secure his King & Country, This Board doe therefore most heartily & unanimously returne him their thanks for y^e same, and order y^e Instructions be immediately prepared for his better conduct & guidance therein.

James Citty November 29th 1683*Present*

Nicholas Spencer Esq President

Natha: Bacon Esq

Coll Joⁿ Page

Coll Joseph Bridger

Coll W^m ByrdColl W^m Cole

Coll John Lear

Whereas on y^e 13th of March 1682-3 his Excellency y^e L^d Culpeper & Council to preserve y^e Dominion of y^e water, as y^e best and indeed only meanes to hinder and prevent all Commotions, tumults and disturbances on land, and to secure Trade against Pyrates, which of late commonly infest us, furnished and equipped a sloop mounted with Gunns and men, to Cruize about y^e Capes, which Charge, until his Excellencies returne for England, was satisfied out of his Excellencies sallary, w^{ch} Vessell not answering y^e expectation & designe of this board, and finding that noe certaine wayes can be prescribed for defraying further charges, w^{ch} accrue by reason thereof, which being taken into serious consideration by this Board, and to prevent such needlesse and excessive charges, It is therefore ordered, That y^e aforesaid sloop and men thereto belonging be forthwith discharged, and that all y^e amunition, armes, rigging, and sailes be sent to his majesties stores, att middle Plantation, and y^t M^r Auditor Bacon, after y^e accounts are made up & settled by Capt. Roger Jones Commander of y^e said sloop pay all just dues and charges accruing thereby, att three

moneths day of payment, in money Sterl, or else immediately in goods, with a moderate advance, for w^{ch} charge M^r Auditor is to be repaid either out of y^e first receipts of his Excellencies salary, or his Majesties Dues & Incomes (y^e said sloop being first furnished, equipped and since continued For his Majesties service) and y^e sloop to be laid up in such place, as y^e present Commander shall think fitt.

Whereas y^e Barbarous Seneca Indians have lately made Incursions & Inroads amoungst y^e Inhabitants of this his Majesties Colony of Virginia, perpatrated great spoiles on some stocks & plantations, & as may be feared, designe in all probability to continue & persist in such their outrages; if not timely prevented, that wee may be therefore in all readinesse, not only to defend our selves, but if occasion should require, that we may be likewise in a posture to oppose and debar their further progresse, all and every Collector and Collectors, in this his Majesties Colony and Dominion of Virginia, are requested and ordered by this Board, to use their best care and endeavours to provide att their entry of ships one thousand weight of shot, bullet, Carbine, pistoll, swan and goose, for w^{ch} charge they shall be allowed againe att their making up their accounts of fort Duties att y^e Audit.

This board taking into their serious consideration y^e great dangers our neighbouring Indians (whom by Articles of Peace wee are obliged to defend), are daily exposed to, by y^e incursions of y^e Seneca Indians, and endeavouring to find some expedient for y^e future to defend them from their violence, doe conclude it absolutely necessary, for y^e preservation of our Indians, that either Rappa: & Nanzattico Indians be united & incorporated (y^e Nanzatticos being willing) or that y^e Rappa: Indians remove to their new fort, and that this may be effected, It is ordered that both y^e said Indian nations be made sensible of y^e care of this board for their defence, and likewise freindly admonished, that an union will produce y^e better effects, and that y^e Indians may be safe on their way (if they consent thereto) a party of horse is ordered to be in motion, and to conduct y^e Rappa: to such place for security, as they make choice of, either to their new fort, or y^e Nanzattico Town.

Whereas y^e upper and frontier plantations of this Governm^t have lately been infested by y^e approach of y^e Seneca Indians, who have Committed and still doe continue to commit great injuries and rapines, and their motion being uncertaine, y^e whole Governm^t in a manner is exposed to their merciless fury, that wee may be therefore ready on all occasions, and att all times, not only to defend ourselves and our neighbouring Indians, but if occasion should require, to oppose y^e Senecas further progresse and to curb their insolencies; This board, that they may discharge y^e Trust reposed in them, have thought fit, and doe hereby order, as y^e best expedient, to secure y^e frontier plantations, that Coll W^m Byrd have alwaies in readinesse y^e horse of Henrico County, and that upon y^e Enemies approach or advice of any danger from Coll Byrd, That Coll Edward Hill send such a party of horse from Charles Citty County to his Assistance, as he shall desire, and that upon y^e absence or mortality of Coll W^m Byrd or any other Accident, y^e power of Commanding in Chiefe shall reside in y^e said

Coll Hill, and in case y^e Appamattox Indians shall stand in need of any amunition or provision, Coll W^m Byrd is requested to supply y^e same according to his discretion, which shall be satisfied againe

Att a Councel held in Glocester

February 21th 1683-4

Present

His Excellency Francis Lord Howard Govern^r Gen^{ll} & c.

Coll Natha: Bacon

Ralph Wormeley Esq

Coll W^m Cole

Coll W^m Byrd

Coll Christopher Wormeley.

His Excellencies Commission from his Majesty bearing date att Westminster y^e 28th day of September in y^e 35th year of his majesties reigne, was this day read in Council, after w^{ch} his Excellency took y^e oath of Govern^r as likewise y^e oaths of Allegiance and supremacy and subscribed y^e Test in presence of this board, who took their respective Oaths of Councillours, y^e Oaths of Allegiance, supremacy and subscribed y^e Test.

After which a Proclamation continuing all Civil and Military Magistrates and Officers in y^e execution of their respective powers and authorities, until new Commissions goe forth, was perused, allowed and ordered to be immediately issued forth.

Whereas his Excellency acquainted this board, that by his Majesties Commands he had many matters of great moment to communicate to an Assembly, It is therefore y^e opinion of this board & accordingly ordered, that writts be prepared and issue forth for y^e election of Burgesses who are to convene and meet att James Citty, on y^e sixteenth day of Aprill next, then and there to hold a General Assembly.

James Citty May 9th 1684

The whole Councill

Whereas an Information was presented by his Majesties Attorney General against Maj^r Robert Beverley for high misdemeanours, w^{ch} being found, Judgem^t was respited by y^e Govern^r and Council, that they might better advise, what Judgem^t: was fitt to be passed; and seing his Majesty hath been graciously pleased to extend his favour to actual Plant Cutters and y^e aforesaid Beverley by petition supplicating y^e bench, on his bended knees, in a most submissive manner and publicly acknowledging his error, and begging pardon for y^e same; It is y^e opinion of this board (y^e dignity of y^e Governm^t being righted) that it will be for his Majesties service, to remit y^e aforesaid Beverlies Crime, upon his giving bond, with good and sufficient securities for his future quiet and peaceable comportment towards his Majesty and all his Leige people and paying all charges since his first commitm^t w^{ch} he said Beverley is hereby ordered to doe.

James Citty May 19th 1684

His Excellency Francis Lord Howard Govern^r

M^r Secretary Spencer

Coll Phill Ludwell

M^r Auditor Bacon

Coll W^m Cole

Coll Joseph Bridger

Coll John Page

Coll John Lear

This day M^r Secretary Spencer presented to this board a letter, w^{ch} he received from Capt: Tho: Smith Commander of y^e ship Constant of London, now riding att anchor in Nominy Bay, in Potomacke river, within y^e Governm^t of Virginia, w^{ch} being read, It was therein sett forth, that about y^e latter end of Aprill, he went with a sloop to ye Province of Maryland, for Tobaccos to bring on board his ship, and offered and endeavoured to make Entry of his said sloop, as usual in y^e like cases of Trade, between y^e two Governm^{ts} but was refused and required to make Entry of his ship (as was alledged) riding in the Province of Maryland, and y^t a second time he endeavoured the same, but was likewise denied by y^e Collector, and commanded to make Entry of his ship, notwithstanding, she rid in y^e Government of Virginia neer high water marke, w^{ch} he refusing (having already entred in Virginia) he was soon after taken into custody & compelled to make Entry of his said ship. to his great damage, being constrained to pay double fort Duties, & y^e Charges of two Entries and y^e Lord Baltimore being this day present in this his Majesties Governm^t in James Citty, y^e Complaint in Capt: Smiths letter was shown to him, whose reply was, that what was done, was by his order, in his own right and by virtue of his Pattent from his Majesty, wherefore It was and is hereby ordered, that it be represented to his Majesty how greivous it will be to his Majesties subjects, and destructive to Trade in Potomac river, in his Majesties Governm^t if masters of ships, by that pretence of y^e Lord Baltremores, shall be deterred, from riding with their ships in Potomack river, on y^e south side thereof, in y^e Governm^t of Virg^a w^{ch} hath an immediate dependance on his Majesty.

Poropotanke June 17th 1684

His Excellency Francis Lord Howard & c

M^r Secretary Spencer

Coll W^m Cole

M^r Auditor Bacon

Ralph Wormeley Esq

Coll Joseph Bridger

Coll John Page

Coll Phill Ludwell

Coll Xpher Wormeley

Whereas Cap^t Geo: Cooper Commander of y^e Thirty men appointed by Act of Assembly to range in Rappahanack County, this day appeared att y^e Councel board, and acquainted y^e board, that he has been up Rappa: river, and endeavoured to raise y^e aforesaid number of men, but finds an unwillingnesse in y^e former soldiers to continue y^e service & doubts he cannot raise y^e aforesaid number; It is therefore ordered, that y^e aforesaid Capt: Geo: Cooper return to his Command, to compleat his number of men and horse, w^{ch} if he cannot doe, within one moneth, then he is hereby required to signifye y^e same to y^e

Council, to y^e intent y^e number may be compleated by way of impresse by warrants w^{ch} will issue forth for that purpose. And whereas It is probable, y^e other Commanders may meet with y^e like difficulty, y^e same method is to be observed by them, and for y^e supply of men and horse to compleat y^e number appointed for Rappa: Gloucester, Middlesex and Lancaster Counties are to discharge that part; for Stafford, Westmorland and Northumberland; for Henerico, Charles Citty, and James Citty; and as for new Kent, if y^e full number cannot be there found, York is to make full y^e same; and in case as many men doe not voluntarily offer themselves, as y^e Law directs, then all such single Freemen, as are already listed, are ordered to continue, and y^e full number to be compleated, as aforesaid; and whereas It is probable some matter of difficulty will occur, in providing convenient quarters for y^e aforesaid rangers, Two Justices in each of y^e aforesaid Countys, to wit in Henerico, Coll John Farrar & Capt^l W^m Randolph; in new Kent, Coll John West, and L^t Coll George Lyddal, in Rappa: Coll John Stone, and L^t Coll W^m Loyd and in Stafford Coll George Mason and L^t Coll W^m Fitzhugh are ordered and required to provide in their respective Counties y^e most convenient quarters for y^e aforesaid rangers, and for satisfaction of their respective quarters, each ranger is annually to pay for himselfe and horse twelve hundred pounds of Tobacco & Caske, Ralph Wormeley Esq having voluntarily offered to provide for five att y^e same rate, in Rappa: County.

To his Most Excellent Majesty

May It Please Y^r Most

Excellent Majesty

Y^r Majesty in Council having taken under y^r royal consideration y^e report made by y^e right Hon^{tbl^e} y^e Lords of y^r Majesties most Hon^{tbl^e} Privy Council appointed a Committee of Trade and Forraigne Plantations, upon y^e petition of Mrs Sarah Bland, one of y^e Executors of John Bland of London merch^t praying to be admitted to appeale to Y^r Majesty from divers sentences given against her, in Y^r Majesties Court, in Virginia; Y^r Majesty was pleased by order in Council of y^e 3^d of August 1682, to command, that a copy of Mrs Bland petition, and y^e paper thereunto annexed should be transmitted to y^r Majesties Govern^r and Council in Virginia, with y^e signification of y^r Majesties pleasure, that y^e said S^t Leger Codd and Anna his wife be obliged to appear before y^r Majesty in Council personally, or by their Attorneys sufficiently impowered on their behalves, to receive such Judgem^t upon y^e Appeal, as by y^r Majesty in Council shall be thought most agreeable to Justice, also ordering y^r Majesties Govern^r and Council, to take care, that as well y^e said Sarah Bland, as Coll S^t Leger Codd and Anna his wife, doe give good and sufficient security to make their appearance as afores^d Y^r Majesty was likewise pleased by y^r order in Council of y^e 26th of Aprill 1683, upon y^e petition of y^e said M^{rs} Sarah Bland setting forth, that she had endeavoured all in her lay to comply with y^r Majesties order, in finding security here, but could not, without great difficulty, by reason of y^e prevalency of Coll Codd, and praying to be admitted to give security in England, Y^r Majesty was pleased in

Council to order, that y^e Clerk of y^e Council in Waiting should take security according to y^e said order, both w^{ch} said orders of your Majesty in Council, M^{rs} Sarah Bland in person produced to Y^r Majesties Govern^r and Council, in Y^r Majesties General Court Aprill 20th 1684, of w^{ch} having begg'd leave to make a recitall to y^r Majesty, wee humbly continue our supplication unto Your Majesty, that wee may by y^e order of y^r Majesties General Court of y^e 20th of Aprill 1684 represent unto Y^r Majesty our ready obedience unto y^r Majesties orders, upon y^e petitions of M^{rs} Bland, though y^r Majesties orders, upon y^e petitions of M^{rs} Bland, though she Did not, nor could not produce Certificate, that shee had given security in England, but Y^r Majesties Govern^r and Council in conformity to y^r Majesties order, did take it for granted, that y^e Clerk of the Council in waiting had taken security, y^r Majesty having Commanded it, and thereupon ordered Coll S^t Leger Codd with Anna his wife to give such security, as M^{rs} Bland declared herselfe contented with.

We likewise Conceive It our Duty, humbly to lay before Y^r Majesty, how unfairely y^r Majesties Council here have been used, by y^e many untruths, fallacious Allegations, and pretended Affidavits sett forth by Mrs Bland, both in her petition, and state (as she termes it) of her case thereunto Annexed, w^{ch} though she knew to be most faulty, yet presumed to offer it unto y^r Majesty for truth, in her petition confidently affirming, that y^e most material parts sued for, were judged against her contrary to y^e opinion of y^e Judges of y^r Majesties Court of Common Pleas in England, applied to, and desired by mutual consent, and in y^e like abusive and scandalous manner charges y^r Majesties Council with y^e aggravations, that y^r Majesties Council here should say, that they were not to be directed, nor obliged to give their Judgem^{ts} according to y^e opinion of y^e Judges, nor any other, but according to their own Judgements, for evincing those untruths, and confronting y^e feigned allegations, and firmley proving y^e Assertions in all parts untrue, and the petitioners state of her Case thereunto annexed, not lesse then a Libel against y^r Majesties Council here; wee humbly supplicate, y^r Majesty would be pleased to admit y^e order of y^r Majesties General Court of y^e first of May 1680 (of w^{ch} Mrs: Bland complains) to be considered, whereby, wee hope, It will appear, y^t y^r Majesties General Court, before whom y^e Cause was then depending, did proceed therein exactly according to y^e opinion of y^e Right Hon^{rb}le y^e Judges of y^r Majesties Common Pleas, and accordingly gave Judgem^t: in y^e Cause; all w^{ch} is humbly submitted unto y^r Majesties Princely wisdom, whereunto wee y^r Majesties Council humbly begg leave to appeale for such sentences ag^t y^e said M^{rs} Sarah Bland, as y^r Majesty in y^r great Justice shall find fitt to decree.

June 23^d 1684

To His Most Excellent Majesty

May It Please Y^r Most
Excellent Majesty

Wee humbly begg leave, according to Our Duty, to represent unto Y^r Majesty, that Capt. Tho: Smith master of y^e Ship Constant of London in february last came to Anchor, in y^r Majesties Port of Nominy Bay in Potomack river, in Virginia, and according to An Act of Parliament in that Case made and provided, made due Entry of his ship, with your Majesties Collector of that District, with intent of loading of his ship, in this y^r Majesties Government of Virginia, as for many yeares he hath done, but not finding Tobaccos to answer his loading in this your Majesties Govern^t and being offered Tobaccos on freight in Maryland, went with his sloop belonging unto his said ship, crosse Potomack, into Maryland, and applied to y^e Collector commissioned by y^e R^t Hon^{ble} y^e Lord Baltemore, to give licence of Trade to ships and Vessels desirous to Trade in that port of y^e Lord Baltemores Province, w^{ch} lies on Potomack river, but y^e said Tho: Smith as he hath informed Y^r Majesties Govern^r and Councel, was not admitted to enter his sloop, but required to make Entry of his ship, in y^e right of y^e Lord Baltemore, though then y^e said ship was riding att anchor, in y^r Majesties harbour of Nominy bay, in Potomacke river, in Virginia, in w^{ch} said harbour Capt: Tho: Smith hath for many yeares successively rid and loaden without any interruption or disturbance by pretension of y^e Lord Baltemore, and y^e said Capt: Tho: Smith refusing to make Entry with y^e Lord Baltemores Collector, was by an officer of y^e Lord Baltemores taken into custody, and detained prisoner, until submitted unto an Entry of his said ship, with bonds of a great value, for y^e payment of y^e Port Duties of his said ship, unto y^e Lord Baltemore, as if y^e said ship had really rid within y^e Ports of y^e Lord Baltemore, though in truth y^e said ship Constant did then ride in Nominy bay, not halfe a mile distant from y^e Virginia shore, where y^e river of Potomack is computed to be neer seven miles broad, and such are y^e desires of y^e Lord Baltemore, as to pretend to y^e right of y^r Majesties whole river of Potomack, even to High water marke, on y^e shore of this y^r Majesties Colony of Virginia, to the great discouragement and disquieting of merch^{ts} & Masters of ships desirous to Trade, in that part of y^r Majesties Colony of Virginia, and will be found soe chargeable unto them, paying Port Duties unto y^r Majesty, as is due unto y^r Majesty, for riding in your Majesties Ports as aforesaid; and att y^e same time to be required and compelled to pay Port Duties unto y^e Lord Baltemore, that, if not releived, it will be a lessening of y^r Majesties revenue in this Govern^t and make y^e Trade of that river soe uneasy both to merch^{ts} and masters, who are desirous to Trade with y^r Majesties subjects y^e Inhabitants of three Counties lying along y^e shore of that river, that they will decline that Trade, and thereby soe greatly streighten & necessitate y^e Inhabitants y^r Majesties subjects of that part, as to be a means to cause them to remove themselves into y^e Province of Maryland, in hope of a quick market for their Tobaccos, it being generally found, ships carry Trade along with them, w^{ch} is humbly offered unto y^r Majesties royall con-

sideration, for such redresse against y^e pretensions of y^e Lord Baltemore, as in your Majesties great Justice and wisdom shall be found fitt.

June 17th 1684

To His Most Excellent Majesty

Y^r Majesty having by Y^r Royal Instruction of y^e 3^d of December 1683 Commanded to take under consideration An Act passed att an Assembly held att James Citty November y^e 10th 1682 entitled An Act for disbanding y^e present soldiers in Garrison in y^e Forts, att y^e heads of y^e Several rivers; as alsoe for y^e raising of other forces in their Stead, and repealing y^e said former Act under y^r Majesties good liking; In w^{ch} doe most humbly offer unto y^r Majesty, that y^e forts formerly erected att y^e heads of y^e fouer great rivers, were found to be of greater charge to keep up, then y^e Country could well sustaine; as alsoe that they did not answer y^e ends of preservation hop'd from soe great a charge, and y^e forts being in a ruinous condition and uselesse; Its y^e unanimous opinion of y^e Councel, that its for his Majesties service, and y^e Ease of y^e Charge of y^e Country, those Acts doe stand repealed, as by Act passed, Att An Assembly held y^e 16th of Aprill 1684, by w^{ch} Act a Constant Guard is appointed att y^e heads of y^e great rivers, w^{ch} It is hoped, will be y^e most hopefull meanes of preservation, and lesse chargeable then y^e Forts.

Y^r Majesty is likewise pleased to Command, that An Act passed in y^e said Assembly 1682, repealing an exception in y^e ninth Act of Assembly made in y^e year 1664, concerning Arrests, be taken under consideration, and reported unto y^r Majesty, signifying unto y^r Majesty y^e reasons, for w^{ch} such Inhabitants of James Citty County, as are not called to y^e General Courts, for especial businesse, should be exempted from Arrests; In w^{ch} wee are humbly of opinion, that noe other reason can be offered for y^e repeale of y^e exception in y^e ninth Act 1664, then is expressed in y^e Act of repeale, w^{ch} not being of weight sufficient are humbly of y^e opinion, that Act of Assembly of repeale be by y^r Majesties Command repealed, and y^e exception of y^e ninth Act 1664 to be in force.

To His Most Excellént Majesty

May It Please

Y^r Majesty

Richard Buller of Londer merch^t having by his petition to the Right Hon^{rb^{le}} y^e Lords of Y^r Majesties most Hon^{rb^{le}} Privy Council sett forth, that several Deer Skins, with other Goods, were seized in this y^r Majesties Dominion of Virginia, on board y^e ship Dolphin of London, Benjamin Hall Master, by virtue of An Act of Assembly made in this Colony prohibiting y^e exportation of those Commodities; and y^e petitioner alledging that he never heard of any such Act, before y^e seizure of y^e said Commodities, and did not wilfully offend; Thereupon y^e Right Hon^{rb^{le}} y^e Lords y^e Committee for Trade and Forraigne Plantations, were humbly of opinion, that y^r Majesties Pleasure be

signified to Y^r Govern^r of Virginia, that if y^e forfeiture of y^e goods belong to Y^r Majesty, and that if it shall appear upon further examination of y^e matter, that a resonable time was not allowed, for y^e notification of y^e Law, before y^e seizure of y^e Deer Skins, that then y^e Goods should be restored, in case they remaine in Specie, and in Y^r Majesties power to dispose of; or otherwise that y^e Govern^r of Virginia send a State of y^e Case to Y^r Majesties Council board; In obedience whereunto Its humbly presented unto your Majesty, that the Act upon w^{ch} y^e Deer skins were seized, was made in June 1680, and then promulgated; and y^e seizure of M^r Bullers Deer Skins was in December 1682, and y^e Law well knowne unto M^r Bullers Agent here (who shipped those Deer skins) as he y^e said Agent, by name, John Herbert, before y^e Govern^r & Council acknowledged; and y^e manner of packing y^e Deer skins was taken as a strong presumption of his intention to defeat y^e Law, having packed furr round y^e sides, and att both Heads of y^e hhds y^e better to passe and colour his designe of exporting prohibited Goods; Its therefore humbly conceived, y^e Goods were legally seized, condemned according to Law, and disposed of, as by Act in that case made and provided, and Y^r Majesties part of y^e Deer skins seized, Accounted for by M^r Auditor Bacon unto y^e Right Hon^{ble} y^e Lords of y^r Majesties Treasury.

June 23^d 1684

A True Coppy

Nicho Spencer secty

By his Excellency

A Proclamation Repealing the five foll Acts of Assembly.

Whereas his most Sacred Majesty in Councell, was pleased to take under his Royall Consideration y^e foll: Acts of Assembly of this his Dominion of Virginia (Viz^t)

An Act made att an Assembly held att Green Spring in y^e year 1676-7 Entituled an Act for laying of Parish Leavys-

An Act made in y^e yeare 1677, att an Assembly held att Middle Plantation, Entituled an Act for Signing Executions on Judgments passed by y^e Grand Assembly.-

An Act made att an Assembly held att James Citty in y^e year 1683 Entituled an Act prohibiting y^e Exportation of any Iron, Wool, Woolfells, Skins, Hides, or Leather.

An Act made att an Assembly held att James Citty in y^e year 1683 Repealeing an Exception in y^e ninth Act of Assembly made in y^e year 1664, is by this proclamation Repealed, & y^e Exception in y^e ninth Act made in y^e year 1664, Declareing y^e Inhabitants of James Citty County, to be lyable to Arrests in y^e Generall Court time, Continues and remaines of force.

An Act made att an Assembly held att James Citty in y^e year 1683 Entituled an Act Repealeing y^e sixth Act of Assembly of June 1680 about Attorneys, y^e s^d Act of Repeale, is hereby Repealed, & y^e Sixth Act of Assembly, made att an Ass^{bl} in y^e yeare 1680 about Attorneys, is revived and of full force and Strength as when first Enacted.

All w^{ch} aforesd five Acts of Assembly, his Maj^{ty} in his princely Wisdom, finding not only Inconvenient, but unfit to be longer Continued, hath been pleased by his Royall Instruction, to Direct and Comand me Francis Lord Howard Baron of Effingham his Maj^{ties} Leiut and Govern^r Gen^l of this his Dominion, to Repeale all, & Every y^e aforesd Act & Acts of Assembly pursuant whereunto I Francis Lord Howard Govern^r & c. doe by this proclamation in his Maj^{ties} name, Repeale, and make void, all y^e aforesd Expresst Acts of Assemblies, and Every part and Clause thereof, is from henceforth Repealed, made void and declared Null, to all Intents & purposes as if noe such Act or Acts of Assemblie, or any part thereof had Ever been made or Enacted, and I doe by this proclamacon in his Maj^{ties} name, Strictly Charge, Comand and Require all Judges, Justices of y^e peace, Sherriffs, and other his Maj^{ties} subjects in this his Maj^{ties} Dominion of Virginia, to Observe, keepe, and duely performe, this Proclamacon of Repeale, w^{ch} to y^e Intent it may y^e better be made known and have its due Observance, All his Maj^{ties} Sherriffs in their Respective Counties are Required to make publication hereof, att y^e first publick Convention att their County Court house, as also all Ministers in their parish Churches; And whereas by this proclamacon y^e sixth Act of Assembly made in y^e yeare 1680, Entituled an Act ascertaining Attorneys Fees, is by his Maj^{ties} Especiall Comand Revived, and in the full sence, and strength of an Act of Assembly. And it being thereby Ordered, Directed, & Appointed, that noe person whatsoever, shall be admitted to practice as an Attorney, either in County Court or Gen^l Court, but such as shall be first Lycenced by his Maj^{ties} Govern^r, and forasmuch as there are many Causes now depending in the Gen^l Court, and County Courts, under y^e Managem^t of severall persons, practising as Attorneys, in which to y^e Intent none Concerned in Causes depending, or actions to be brought, may want fitt, and able Attorneys, att Law, to manage their Causes, I have thought fitt by this proclamacon to make known, & declare, that dureing my Intended short time of absence from my Governm^t I have Impowered & Directed M^r Secretary Spencer, to Issue forth Comissions of Attorneys att Law, to fitt and able persons, under such Consideracons as I have given unto him. Given under my hand and the Seale of the Collony June y^e 19th 1684

Annoque Regni Regis Caroli Scdi 36^o

Effingham

God save the King

By his Excellency.

A proclamacon prohibiting his Maj^{ties} Subjects from Trading, Harboursing or Corresponding with Privateers or Pyrates—

Whereas in all his Maj^{ties} Dominions in America, the Enterteining & harboursing of Privateers and Pyrates, hath been found not only dangerous but hazzardous, to y^e peace and welfare of his Maj^{ties} Subjects, but also Dishonorable and Contrary, to y^e good Correspondency, and amity, w^{ch} ought to be held by his Maj^{ties} Subjects with his Allies, And to y^e Intent noe Privateers or Pyrates, may be harboured, Con-

cealed, Traded or Corresponded with by any of his Maj^{ties} Subjects of this Dominion; I Francis Lord Howard Baron of Effingham, his Maj^{ties} Leiu^t and Govern^r Gen^l of Virginia in his Maj^{ties} name, by and with the Consent of y^e Councell have thought fitt by this proclamacon, to Comand and Require, all his Maj^{ties} Subjects of this Dominion, not to Entertaine, harbour, Conceale, Trade, or hold any Correspondency, in any kind, with any Privateers or Pyrates, upon any pretence whatsoever, and for y^e better prevention thereof, all Comission Officers in their severall precincts, within this his Maj^{ties} Collony, are hereby Required and Impowered, upon his or their knowledge, or notice given, y^t any privateers or Pyrates, or other persons, suspected to be upon any unlawfull Designe, within y^e precincts of any the Respective Comission Officers of this Collony, forthwith to Signifie y^e same unto me, or to One of his Maj^{ties} Councell, to y^e Intent Comands may be given, as y^e Occasion shall Require, and y^t noe Advantage may be taken by any Privateers or pyrates in poynt of Time, between y^e Dispatch of Intelligence unto me, or some one of y^e Councell, as is before directed, All Comission Officers, are hereby Required, and Comanded, in their Respective precincts, to raise such a Number of Men well Armed, as they shall find needfull for y^e defence of their parts, from Attempts of any Privateers or Pyrates, untill he, or they can receive fitt Orders from Me and the Councell therein. Further I have found fitt, to publish, sett forth, and Declare, in his Maj^{ties} name, y^t if any person or persons, in this his Maj^{ties} Dominions, shall harbour, Enterteine, Trade, or Correspond with any Privateers, or Pyrates, after y^e publication of this Proclamacon, Contrary to y^e true Intent thereof, they shall be prosecuted as Notorious Offenders, and shall be lyable unto such paines, punishments, and poenalties, as by Law shall be Judged ag^t them. Given under my hand, and the Seale of the Collony this 19th day of June Anno Domi 1684, Annoque Regni Regis Caroli Scdi 36^e Effingham

God save the King

By his Excellency

Whereas frequent Complaints are made both here, & in England, by Divers Merch^{ts}, and Masters of ships, of y^e immoderate, and Excessive size of Tobacco hogsheads, to y^e greate discouragem^t of Trade, as also of y^e intollerable weight of Caske, by y^e over proportioned thickness, both of staves and heading of Tobacco hhds, w^{ch} Carries with it, a plaine designe of fraud, and is so felt by y^e purchaser of y^e Tobacco; which for the future to prevent I have thought fitt, by and with the advice of the Councell, by this proclamacon, in his Maj^{ties} name, Strictly to Charge, Require, and Comand, all Grand-jury men of Every Respective County of this Dominion, to make Inquiry, into y^e work of all Coopers and Makers of Tobacco hh^ds and to take strict notice of y^e size of y^e Same, whether they be agreeable to y^e Gage, appointed by Act of Assembly, being forty three Inches in length & twenty Six Inches Wide in y^e head, with a Boccage [capacity] proportionable to y^e Direction of y^e Act, they are to present the Same to y^e Intent, y^e offenders may be proceeded ag^t according to Law, in

w^{ch} all his Maj^{ties} Justices of peace in their respective Courts, are required to be very strict, as also to receive, and Encourage all Informacons, w^{ch} shall by any of his Maj^{ties} good Subjects be brought ag^t Offend^{rs} of this Act of Ass^{bly}, made & provided on this behalfe, and accordingly to give Damages, as also to proceed ag^t all such persons, who shall make, or Cause to be made, the Staves & heading of Tobacco hh^{ds} of an imoderate thickness, as designers of Frauds, Discouragers of Trade, and Destroyers of y^e Reputation of y^e Country. Given under my hand, & y^e seale of y^e Collony this 17th of June *Anno Domi 1684, Anno Regni Regis Caroli Scdi 36^o*

Effingham

God save the King

By his Excellency.

A Proclamation

Whereas his most Sacred Majesty, by his Royall Letters Pattents, under the Broad Seale of England, beareing date at Westminster September y^e 28th in y^e 35th year of his Reigne, was graciously pleased to make, Comissionate, and Constitute Me Francis Lord Howard Baron of Effingham to be his Maj^{ties} Leiut and Govern^r Gen^l of this his Dominion of Virg^a and in y^e sd Letters pattents to Containe a Comission of Instructions, for y^e better, and more Secure Manageing & Ordering y^e usuall y^e Ordinary Affaires of this his Governm^t and to direct y^e due Execution, of y^e powers, & Authorities therein Given, and amongst other Matters therein Contained, his Maj^{ty} is pleased to declare his will, and pleasure to be, y^t in Case of my Death or Absence from this his Maj^{ties} Governm^t, and there be noe other person appointed by his Maj^{ty} to be Comand^r in Chiefe, that then y^e present Councill of Virginia, doe take upon them, the Administracon of y^e Governm^t, and Execute y^e aforementioned Comission of Instructions, and all the Powers, & Authorities therein Contained, as also, y^t Such Councill^r who by his Maj^{ties} Instructions to Me given, is first Nominated, & Residing in y^e Governm^t to Preside in the Councill, with such powers & preheminencies, as any President hath used, and Enjoyed within this his Maj^{ties} Collony of Virg^a: And whereas by y^e Especiall Grace, favo^r and good leave of his Maj^{ty} in Councill, I am Suddenly Intended, for some short time to pass to New-Yorke, y^e present Quietness of Affaires, together with y^e good provision made, for y^e defence of y^e Frontiers permitting my Absence, and have thereby a hopeful prospect of Setling a firme, and lasting peace, with y^e Seneca Indians, which, if accomplished, will be greatly, for his Maj^{ties} Service, and this Countries Welfare, and, whereas there is noe person in this Governm^t Either in Case of my death, or Absence, Commissionated by his Maj^{ty}, Comand^r in Chiefe, therefore to y^e Intent, it may be Generally known, in whom the Governm^t Resides in my absence, I have thought fitt by this proclamacon, to publish Sett forth, and Declare, and by this proclamacon in his Maj^{ties} name, doe sett forth, and Declare, that dureing my absence from the Governm^t, y^e administracon of y^e Governm^t and the Execution of y^e several Powers, and Authori-

ties of his Maj^{ties} aforementioned Comission of Instructions, is in his Maj^{ties} Present Councill of Virginia; Whom his Maj^{ty} by his Royall Instructions to me given, and Granted, under his privy Seale, hath been pleased to Nominate and Appoint to be Coll: Nathaniel Bacon, Nicholas Spencer Esq^r Secretary, Maj^r Gen^l Robert Smith, Coll Joseph Bridger, Coll W^m Cole, Coll Phillip Ludwell, Coll Richard Lee, Ralph Wormeley Esq^r, Coll John Page, Coll W^m Byrd, Coll Christopher Wormeley, and Coll John Lear. pursuant Whereunto, I Francis Lord Howard Baron of Effingham, his Maj^{ties} Leiu^t and Govern^r Gen^l of Virg^r, doe in his Maj^{ties} name, by this Proclamation, strictly Charge, Require and Comand, all his Maj^{ties} Officers, both Civill, and Military, as also all his Maj^{ties} Subjects, in what Station, and Qualification soever of this Collony, to yeild all due hon^r and perfect Obedience unto his Maj^{ties} aforenamed Councill^{rs} of State, of this his Dominion, in the Administracon of the Powers, and Authorities, of this his Maj^{ties} Governm^t durement My Absence, or until his Maj^{ties} pleasure shall be known therein, as they will answer the Contrary att their uttmost perills; Given under my hand and the Seale of the Collony this 19th day of June, *Anno Domi 1684 Annoq Regni Regis Caroli Scdi 36^o*

Effingham

God Save the King

A True Coppy

Nicho: Spencer secrty

Att a Councel held att James Citty

October 17th 1684

Present

His Excellency Francis Lord Howard Govern^r & c

M^r Secretary Spencer

Ralph Wormeley Esq

M^r Auditor Bacon

Coll John Page

Coll Joseph Bridger

Coll W^m Byrd

Coll William Cole

Coll John Lear

Coll Christopher Wormeley

Whereas frequent occasions doe offer, requiring the Commanders att the heads of the rivers to send Expresses unto his Excellency and the Hon^{ble} Council of State, whereby to give an account of occurrences, that within their several stations, doe of moment occur, & forasmuch as the several Commanders have complained, that they have noe other meanes or wayes of sending an account of what of moment passes, but by dispatching some of their own Troopers, as messengers, bearers of such expresses, w^{ch} is found inconvenient by disabling often either y^e Trooper or horse soe sent, which to provide against, and to the intent, all intelligences may without let or stay be sent unto his Excellency, or any of y^e Councel, as occasion shall require, It's by this board thought fit and accordingly ordered, that y^e respective fouer Commanders of y^e fouer Troops, att the heads of y^e several fouer great rivers, have power upon any emergency to presse or cause to be impressed man and horse, as occasion shall require, for y^e readier and more speedy rend-

ering unto his Excellency or any of the Councill such Intelligences, as the nature of the affair shall require, which accordingly is hereby ordered, to the intent, by a speedy and timely account of affaires suitable remedies may be applied.

His Excellency and Council having seriously considered the unseasonableness of this last year, and what scarcity of Corne is like to be, have thought fitt, and doe hereby order, that Proclamations issue forth, prohibiting the expectation [exportation] of all Indian Corne and meale, after y^e tenth day of November next, until y^e first day of october 1685, unlesse by future observations, It shall be found fitt to take off that restraint.

James Citty October 25th 1684

Present

His Excellency Francis Lord Howard Govern^r & c

M^r Auditor Bacon

Ralph Wormeley Esq^r

M^r Secretary Spencer

Coll John Page

Coll Joseph Bridger

Coll W^m Byrd

Coll W^m Cole

Coll John Lear

Coll Christopher Wormeley

Whereas by Act of Assembly an Imposition of three pence per Gallon is laid upon all Rum, Brandy and Wine imported into this Dominion not having paid Custome in England; and y^e said Act referring y^e manner and wayes of Collecting y^e Duty, which shall arise from those Commodities unto y^e Govern^r for the time being, together with y^e Council, w^{ch} this board taking under serious consideration, they are of opinion, that it will be very difficult, if not impossible, for y^e Merch^{ts} and masters this present year to answer y^e Imposition of three pence per gallon in ready money; and to y^e intent, Trade may not be discouraged, nor his Majesties revenue, for want of trade, lessened or shortned of what it may produce, if it be put into y^e easiest and most possible way of performing; This board have therefore thought fitt to order, impower and appoint the Collectors in their respective Districts to receive the three pence per Gallon laid on rum, in y^e same Commodity Rum, att y^e rate of two shillings and one penny per gallon, for all rum imported, if y^e Importer cannot satisfye y^e same in ready money or bills of Exchange to y^e Collectors good likeing; as alsoe all Brandies att three shillings and three pence per gallon, att which prices M^r Auditor Bacon engages to this board to take and receive to his use all y^e Rum and Brandy, that shall by any or all y^e Collectors be received for y^e aforesaid Custome of three pence per gallon; and whereas the like duty is laid upon all wines imported, not having paid Custome in England and is mostly imported in great Caske, and a sort of liquor, not of general sale, and a perishing Commodity, which if it should be accepted as rum and brandy, for y^e satisfying y^e Custome thereon, it might be a diminution to his Majesties Customes; It's therefore ordered, that y^e Customes laid on wines be paid in ready money or good bills of Exchange, to y^e Collectors likeing.

His Excellency having under consideration the present unsettled

condition of the militia, and being desirous, It may be put into y^e best and most suitable way and meanes for his Majesties service, and y^e Countries safety, with which having moved this board, It's thereupon ordered, that Letters be writt unto the militia officers of every respective County forthwith to render to his Excellency y^e condition of their militia, what number they consist of, both horse and foot, as likewise how furnished with armes, and the names of all the militia officers in each respective County; and whereas a General Muster of all y^e militia forces, in this his Majesties Dominion, hath been appointed to be on y^e sixth day of October annually, w^{ch} being now under consideration, and the inconveniences which may from thence arise; It's therefore the humble desire of this board, that his Excellency will please to order y^e militia officers of each respective County soe to agree on y^e dayes of Muster, that noe two Conjoining Counties doe muster on one and y^e same day, and that this method be futurely observed.

Att a Councel att Pocopotanke

November 20th 1684

Present

His Excellency Francis Lord Howard Govern^r & c

M^r Auditor Bacon

Ralph Wormeley Esq

Coll Phillip Ludwell

Coll John Page

Coll W^m Cole

Coll Christopher Wormeley

Whereas on the last day of October 1684, Coll George Talbot late of Maryland Barbarously and inhumanely stabbed M^r Christopher Rousby y^e Cheife Collector of his majesty in y^e aforesaid Province, on board his Majesties Ketch y^e Quaker, Capt. Thomas Allen Commander, of which wound y^e said Rousby immediately died; and this day y^e said Col Talbot being brought before this board by Cap^t Allen to know how he should be disposed of, y^e said Talbot was thoroughly examined, and by his own petition confessed the fact, which was confirmed by evidences taken *viva voce* but therein desired to be remitted to Maryland for a tryal, having, as he pretended, committed y^e offence within y^e body of Calvert County, where y^e Inquest was taken, and a Jury ought to be summoned for tryal of y^e matter of fact, and y^e same being insisted on by y^e Councel of Maryland, as a Priviledge within y^e Charter of y^e Lord Baltimore, Proprietary of the said Province; and y^e said Talbot urging y^e third Act of Parliament made in the fifteenth year of Richard y^e second, declaring in what places, y^e Admirals Jurisdiction doth lye, and averring that y^e fact was committed two miles above y^e mouth of Potuxon river, which was within y^e Jurisdiction of y^e Lord Baltimore, and not of his Excellency as Vice-Admiral to his Royal Highness y^e Duke of York, being within y^e points of y^e afores^d river, and likewise insisting an y^e last clause of y^e ninth act of Parliament made in y^e thirteenth year of King Charles y^e second, w^{ch} sayes, that the Admirals Jurisdiction doth not lye to trye any man, for any offence whatever, but such persons as are in actual service and pay in his majesties fleet and ships of war, in which he was not,

and alsoe, producing y^e Lord Cook on the Jurisdiction of y^e Court of Admiralty fo: 135- 137- 141. by w^{ch} it appears y^t if such a fact had been committed on board a march^tman, y^e legal tryal had been by Common Law, but y^e case being much different, y^e murther having been committed on y^e body of him, that received y^e honor of his Majesties Commission, and on board his majesties Ketch and y^e offender being brought into this Governm^t and y^e same being seriously & most deliberately considered; and It being y^e first President [precedent] of y^e like nature, and y^t his maj^{ties} authority and regality may be adjusted and maintained, and y^e Rights of the Lord Baltimore not sensibly encroach'd on; this Board have therefore thought fitt, and doe accordingly order, that Coppies of all depositions relating to y^e aforesaid murther, as likewise a true copy of y^e same be most humbly presented to his most Excellent Majesty, for his Command and direction therein, viz whether y^e said Coll George Talbot shall be remitted for Maryland to have his tryal there, according to y^e Common Law, or whether he shall be tried according to y^e Law of Admiralty, and that until y^e returne of such Commands, y^e Sherriffe of Glocester County doe closely and safely in y^e Common Goal of his County, commit and continue y^e body of y^e aforesaid George Talbot with a strict Guard over him.

Att a Councel att Nomeny

March 10th 1684-5

Present

His Excellency y^e Lord Howard Govern^r & c

M^r Secretary Spencer

Coll Richard Lee

Ralph Wormeley Esq

Coll Christopher Wormeley

Whereas the house of Nicholas Smith of y^e Isle of Wight County Gentleman, was late robb'd to a considerable value by Roger Meekeel and other his Complices, who came by water, and are supposed to be roving to and againe in the bay, in expectation of more booties. It is therefore ordered, that, Cap^t Thomas Allen Commander of his Majesties Ketch y^e Quaker doe forthwith with y^e aforesaid Ketch saile into y^e bay and cruze about and serch all parts therein for y^e aforesaid Roger Meekeel and y^e other his Complices; and It is likewise ordered, that noe such notorious offenders may escape Justice, that two sloops be forthwith well mann'd and sent out in quest of y^e aforesaid Privateers; And in case, It shall happen, that it bee discovered, in what place they are, to use all endeavours to bring them into this Governm^t in order to have their legal tryals; and whereas there is some ground to believe, that ye said Privateers are sailed to North Carolina, M^r Secretary Spencer is therefore ordered, to prepare a letter, and send to y^e Govern^r thereof to request his care in making diligent serch, within his Governm^t for y^e aforesaid Privateers, and in case they can be there found, to cause them and every of them to be apprehended and securely conveyed to this Governm^t w^{ch} favour will be gratefully acknowledged upon any y^e like occasion, and all charges accruing thereby faithfully and duely satisfied by this Government.

Att a Councel att James Citty

Aprill 21th 1685

Present

His Excellency Francis Lord Howard Govern^r & c

M ^r Auditor Bacon	Coll Richard Lee
M ^r Secretary Spencer	Coll John Page
Coll Joseph Bridger	Coll Coll W ^m Byrd
Coll Phillip Ludwell	Coll John Lear
Coll W ^m Cole	Coll Xp ^{er} Wormeley
Ralph Wormeley Esq ^r	

Whereas his most Excellent Majesty hath been graciously pleased by his Royal letter, bearing date att Hampton Court, 25th of July 1684, to signifye, y^t out of his Royal care, for y^e good and welfare of this his Colony and Dominion of Virginia, he hath been pleased to take in, from y^e Right Hon^{ble} Thomas Lord Culpeper, a release of the Demise of the Rents, Quitrents, Fines, Escheates and Forfeitures of the Southern part of Virginia; and that his Majesty out of his great goodnesse and royal bounty was pleased to appropriate y^e use and benefit thereof, unto this his Majesties Government, to such use and purposes, as his Majesty should from time to time think fitt, for w^{ch} Grace and favour his Majesties subjects doe want words to expresse their gratefull sence; and as his Majesty hath been pleased thereby to signifye his tender care of his people; This Board are thereby encouraged humbly to begg leave, to represent unto his Majesty, that it would greatly conduce to y^e welfare of this his Majesties Colony and Dominion of Virginia, if his Majesty would be graciously pleased, in some way to compensate the Lord Culpeper, as his Majesty shall think fitt, for the northern Neck, a considerable part of this his Majesties Government of Virginia, and appropriate the benefit accruing from thence to y^e support of this his majesties Governm^t which will greatly alleviate the charge of this Government & infinitely Joy y^e Inhabitants thereof, whose humble desires and hearty prayers are, that they may hold their lands immediately from his most sacred Majesty; and as Y^r Majesties subjects y^e Inhabitants of y^e Northern neck of Virginia are truly sensible of their unhappinesse in being in any sort separated or distinguished in the tenure of their lands, from y^e rest of Y^r Majesties subjects, in this Colony, soe are they likewise greatly discouraged from the seating and planting of that part of y^r Majesties Government of Virginia, for want of y^e like assurances of their lands, as y^e rest of y^r Majesties subjects in this Colony have; noe grants or pattents having issued for lands there surveyed and seated, for y^e last past twelve yeares, whereby that as would be, as flourishing a part, as is in the Government, is but thinly peopled, and thereby exposed, more openly to the attempts and incursions of y^e Indians; and though the lands there are not immediately held of y^r Majesty, nor any profits or advantages accruing from the Quitrents, Escheates & Forfeitures, thereof, are coming to Y^r Majesty, yet this Y^r Majesties Government is equally charged for the preservation and security of that part of the Country, as if the lands there were

immediately held from y^r majesty, which is humbly presented to y^r majesties Gracious consideration; and this board doe humbly offer to y^r majesties royal consideration, that the standing revenue of two shillings per hhd and port duties, doth often fall very short of answering the fix'd and appointed payments, it is annually charged with; and that there is not any fund to be found, to answer any accidents or contingencies, in the government, if occasions be never soe pressing, in which if his majesty shall be graciously pleased to grant leave unto his Excellency or to y^e Govern^r for y^e time being, with y^e advice of y^e Council, to issue warrants, for y^e payment of money out of y^e Quittrents, if in bank, it may upon occasion greatly conduce to y^e safety and security of y^e Government.

Att a Councel att James Citty

May 7th 1685

Present

His Excellency Francis Lord Howard of Effingham Govern ^r & c	
M ^r Auditor Bacon	Coll Richd Lee
M ^r Secretary Spencer	Coll John Page
Coll Joseph Bridger	Coll W ^m Byrd
Coll Phill Ludwell	Coll Jo ⁿ Lear
Coll W ^m Cole	Coll Xpher Wormeley.

Whereas this afternoon his Excellency was pleased to cause to be read a letter from y^e most Hon^{ble} y^e Lords of his Majesties Privy Councel bearing date att Whitehall february y^e sixth 1684, signifying, that it hath pleased Almighty God that day to take to his mercy, out of this troublesome life, our late soveraigne Lord King Charles the second, of most blessed memory; and that thereupon his late Majesties only brother and heir King James the second was in England Proclaimed King; This Board therefore according to their Loyal and humble duty doe order, that his Majesty King James the second be proclaimed in James Citty, according to y^e Proclamation received from Whitehall, with all the solomnity and Ceremoney, our Condition is capable of performing; and that his Maj^{ties} most Gracious Proclamation signifying his Majesties pleasure, that all men being in office or Governm^t at y^e decease of y^e late King, his Majesties most Dear, and most entirely beloved brother, shall soe continue, as during his late Majesties life, until his Majesties pleasure be further known, be likewise proclaimed and published, att James Citty, on y^e Eight Instant; And It is Also ordered, that M^r Secretary Spencer take care, that y^e aforementioned Proclamation be fairely transcribed, and coppies thereof sent into every respective County, with orders to y^e Sherriffe and Justices of y^e Peace thereof, that according to y^e tenor of that Proclamation King James y^e second be Proclaimed, with all y^e solemnity & Ceremoney, they are capable of.

Consideration was this day had of y^e articles of Peace concluded on att Albany, on the thirtieth day of July last between his Excellency Francis Lord Howard Govern^r on y^e behalfe of this Colony, and y^e

Maquas [Mohawk] Coquoges Onnondages and y^e Seneca Indians; and forasmuch, as in one of y^e Articles It is concluded, that some of our neighbouring Indians should this summer att y^e aforesaid place give a meeting to y^e aforesaid Indians; as an entire confirmation of y^e aforesaid Articles of Peace w^{ch} this board conclude to be absolutely necessary, as likewise, that some able and fit persons be appointed to goe with y^e aforesaid Indians, and represent y^e Government, y^e safety and honour of y^e Country depending on y^e parts of those, that shall act in such a Sphere; This Board, doe therefore propose the Hon^{ble} Ralph Wormeley Esq, Coll Richard Lee, Coll W^m Byrd John Lear and Coll Christopher Wormeley, out of w^{ch} number, his Excellency is most humbly requested to make choice of such two or one, as he shall think fit, to proceed on a voyage to New Yorke by water, with an Interpreter, two Indians from Appamattocks, two Indians from Nanzatico, two from Chickahominy, and two from Pomunkey, by the tenth day of July next, to confirme y^e aforesaid Articles; and in re- garde y^e charge is uncertaine, It is impossible by this board to be settled y^e same is therefore humbly referred to his Ex^{cy} and such Gentlemen, as he shall appoint to goe, to order y^e furnishing out such sloop or vessel as shall be appointed, with all other necessary contingent charges, but are of opinion, that it will be for y^e Countries Interest, that Presents be made from this Government, and our Indians, to such Indians, as they goe to treat with, being a Custome amongst all nations of Indians, as y^e tye and pledge for the performance or [of] Articles of Peace

Att a Councel att James Citty

June 12th 1685

Present

His Excellency Francis Lord Howard Govern^r & c

M ^r Auditor Bacon	Coll W ^m Cole
M ^r Secretary Spencer	Coll John Page
Coll Joseph Bridger	Coll W ^m Byrd
Col Phill Ludwell	Coll John Lear

Whereas in all parts of his Majesties Dominions, a seale is particularly appointed and appropriated to y^e use of his majesties Secretaries office. (except in this his majesties Colony and Dominion of Virginia) whereby to give y^e greater dignity and assurance to matters passing y^e office of Secretary, and forasmuch as in past times, a distinct seale was appointed to be used by y^e Secretary of this y^r Majesties Colony, but in y^e times of confusion destroyed; and as wee humbly conceive, for want of a due supplication not renewed; for want whereof many matters issuing from the Secretaries office, want of that weight and regard, as is fit for, and due to y^e dignity of that office; It is therefore proposed by this board, that his Majesty be humbly supplicated, to command and direct, y^t a seale be appointed to be kept and used, by his Secretary, in this his Colony; and whereas in all parts, his Majesties Collectors have their several and distinct seales of office; and

there being none yet appointed in this Colony; It's therefore most humbly proposed, y^e his Majesty will be pleased to Command and direct, that such seales be ordered to his Majesties respective Collectors, as his Majesty shall think fit, his Majesty having six several distinct Districts of Customes in this his Colony viz Potomack river, Rappahanack river, York river, y^e upper and lower Districts of James river, and y^e District of y^e Easterne Shore.

Consultation being had this day about carrying on of his Majesties affaires, in this his Colony and Dominion of Virginia; and It being found fit, that some weighty matters be advised on by an Assembly; It is y^e opinion of this board, that y^e first day of october next, will be a fitt time, for y^e convention of an Assembly, att James City, It is therefore ordered, that M^r Secretary Spencer cause writts to be prepared and issued forth, for y^e Convention of an Assembly, att the aforesaid time and place.

Whereas by y^e Articles of Peace concluded on att Albany between his Ex^{ty} Francis Lord Howard of Effingham Govern^r on y^e behalfe of this Colony, and y^e maquase, Seneca and other Forraigne Indians, It was concluded on, that an agent with some of out neighbouring Indians should some time this summer goe to Albany to ratifye the aforesaid Articles, and it being under consideration, what person is fit to negotiate in soe great an affair; It is resolved, That Coll W^m Byrd, one of his Majesties Council of this Colony, be employed as Agent for this Country, in this negotiation; and It is likewise resolved, that M^r Edmund Jenings, who by reason of his formerly being att New York and Albany, and well acquainted with the Peace his Excellency made with those northern Indians, and y^e nammer of treating with them, be ordered to attend Coll: W^m Byrd, as an assistant in this agency; This being resolved on, and y^e charge being had under consideration by this board; It was proposed to M^r Auditor Bacon to know what fund of money was in his hands to support y^e charge of such an agency, as y^e sending an agent, Vessel and eight Indians of our neighbouring Towns will necessarily require to w^{ch} M^r Auditor Bacon replied, that he had noe money in his hands, upon y^e account of y^e two shillings per hhd and port duties, not soe much as to satisfye y^e Councillors money and other contingent charges, nor could give any Credit, unlesse his Excellency would be pleased to issue a warrant upon what has arisen this year upon y^e account of y^e Quitrents, which if his Excellency shall think fitt, then It is ordered, that y^e measures taken for y^e agency to New York, be forthwth proceeded on.

Whereas Coll George Talbot was committed to his Maj^{ties} Goal of Glocester County, for reasons, as by y^e order of Commitment doth appear, and having from thence, by y^e Corruption of his Guards made his Escape, and fled into Maryland; and this board having some time since by credible persons been informed, that y^e said Coll George Talbot was by y^e Governm^t of Maryland, & most of y^e Inhabitants thereof openly known to be there, and there to have continued some weeks to y^e knowledge of y^e Governm^t of Maryland, before certaine intelligence thereof arrived att this his Majesties Government of Virginia; in which his Excellency did then forthwith by an Expresse signifye unto

y^e Governm^t of Maryland, y^e certaine Intelligence that he and y^e Council had received, that y^e Governm^t of Maryland for some time had y^e knowledge of Coll Talbot being in that Governm^t and did earnestly request and desire, for his Majesties service, y^e care of y^t Governm^t for y^e apprehending and retaking y^e said Coll Talbot; and forasmuch as noe satisfactory answer was thereunto given, and y^e Governm^t of Maryland in some distance of time having signified unto his Excellency, that Coll Talbot had surrendered himselfe unto that Governm^t and that they intended Speedily to proceed to tryal of him; though y^e witnesses, who were to give in their evidences on y^e behalfe of his majesty against y^e said Coll George Talbot were in this Governm^t and his Excellency and y^e Council having represented unto his Majesty y^e full State of the horrid murther committed by y^e said Coll George Talbot, his Excellency by his letter did signifye y^e same to y^e Government of Maryland, and on his Majesties behalfe did demand Coll George Talbot as his prisoner, having made his escape from Gloucester Goal, in this Governm^t to w^{ch} having received by letter, from y^e Governm^t of Maryland, not only a positive denial, of y^e delivery of y^e said Coll Talbot, but as this Board conceives, a returne in most unfit expressions, and contrary to y^e fair correspondency, w^{ch} has alwaies been desired and endeavoured by this his Maj^{ties} Governm^t of Virginia, with that of y^e Propriety of Maryland, and this board duely considering, how fit it is, y^t due right be done to this his Majesties Governm^t by y^e delivery up of Coll George Talbot; and to y^e intent that noe fit meanes be unassaid therein, have thought fit and doe accordingly resolve, that Coll Richd Lee, one of his Majesties Council of this Colony, be appointed to goe unto y^e Governm^t of Maryland, and of them, in his Majesties name, to demand y^e delivery over of y^e person of y^e said Coll Geo: Talbot unto Coll Thomas Pate his Majesties late Sherriffe of Gloucester County from whom y^e said Coll George Talbot made his escape; It is likewise ordered, that Coll Tho: Pate doe attend y^e said Coll Richard Lee to Maryland in order to y^e receiving his late prisoner Coll George Talbot; and the Sherriffe of Westmorland is required to take care, that a good boat with men suitable and other necessities be provided to attend y^e said Coll Lee in his passing and re-passing to and from y^e Government of Maryland.

A True Copy

Nicho: Spencer Secrty

By His Excellency

A Proclamation for a Thanksgiving on the second Sunday in November
for his Majesties great Deliverances out of Danger and Victory
over his Enemies.

Whereas an unlimited Ambition, furious Zeal, Crimes or Want have soe far prevailed with a disaffected Party, for some yeares past, that they have used their utmost Endeavours and Treasonable Courses and Practices, to withdraw others as well, as themselves, from their bounden Loyalty and Allegiance, to their Lawfull King, and thereby not only calumniated his Majesties most just and easy Government,

but apparently by their mischeivous acts soe far spread their wicked designes, as to propose fatal methods, both for y^e taking away y^e life of our late (Glorious). King, and our present most Gracious Sovereigne King James the Second, which inevitably would have involved all his Maj^{ties} Loyal subjects in utter ruine, and subverted y^e fundamental Lawes of England, had it not pleased y^e Almighty God, soe far with a favourable Eye to look upon us, as when things were ripe for Action, by some of y^e Conspirators themselves, to discover y^e Rise, Growth and Progresse of such Hellish Consultations, whereby such measures have been taken, that some of the Principal offenders have been apprehended, arraigned & meritoriously executed, without y^e losse of other blood, than their own; but y^e malice of y^e remaining part being soe implacable to y^e Royal family that this neither put a stop to their further proceedings, nor struck terror in those, whom for want of a detection, Justice had not overtaken; for y^e Accomplishment therefore of such Hellish machinations, James late Duke of Monmouth (who was tyed by y^e strongest bands of Gratitude to prove a faithful subject to his Sovereigne) landed with forces and Armes att Lime from Holland, Claimed a pretended title to y^e Crown, and being followed, but by y^e Rabble only, was soe far emboldened, that he presumed to give Battaille, to his Maj^{ties} forces, but by y^e mercy of Almighty God, y^e Rebels were quickly defeated, and routed, their head James Duke of Monmouth taken, who being before attainted by Parliament, was Executed; The Commotions and Disturbances of Scotland, occasioned by y^e late Earle of Argiles taking up Armes against his sacred Majesty are likewise appeased, his forces altogether overthrown and routed, y^e said late Earle, with some of his Principal Adherents taken and justly Executed; and now y^e Conspirators Both in England and Scotland being so vanquished, his majesties Dominions are soe happy, as to enjoy a thorough and setled Peace, that wee may therefore give a Publick and Lasting testimony of our sincere and unfeigned thankfulnessse to Almighty God for dispersing that dark Cloud, w^{ch} soe long hung over our heads, in destroying such Hellish Conspirators, and in y^e miraculous preservation & deliverance both of his late Majesty and our Gracious Sovereigne King James y^e Second from all danger, and in giving him y^e Victory over his Enemies, and humbling them att his feet, w^{ch} God continually grant, I have by this Proclamation, and doe hereby in his Maj^{ties} name, by and with y^e advice and consent of y^e Councel of State, order and appoint, that y^e Second Sunday in November next be publickly solemnized with Thanksgiving and Prayer in all Churches and Chapels throughout this Governm^t and that notice be accordingly given in all Churches; herein you may not faile, as you will answer y^e Contrary att y^r utmost peril; Given under my hand and y^e seale of y^e Colony this twelveth day of October, in y^e year of our Lord God, one thousand, six hundred, eighty and five, and in y^e first year of his Maj^{ties} reigne.

To y^e Sherriffe of.....
or his Deputy

God save y^e King

Effingham

By His Excellency

A Proclamation

Whereas by observation It appeares that y^e Rise and Growth of Sedition and Faction proceedes and encreases by the over lycentiousnesse of People in their discourses, by relating their own vain imaginations and conceites, w^{ch} being once on foot, though altogether suggested by particular biass'd persons, is esteemed as News, and as such infused into y^e Giddy headed multitude, w^{ch} afterwards becomes y^e Rule and Square of their actions and seldome or never Centers, but in the disturbance of his Majesties Peace and Govern^t for prevention therefore of all inconveniences and abuses, w^{ch} may happen through y^e divulging of false, seditious and factious discourse and rumours, I have thought fitt and doe by this Proclamation, in his Majesties name, by and with y^e advice and consent of y^e Council of State, strictly charge, require and Command all officers both Civil and Military, and all other persons whatever, from y^e day of y^e date hereof, upon y^e hearing of any discourse or rumour, w^{ch} tends to sedition or faction forthwith to acquaint one of his Maj^{ties} Justices of y^e Peace of such County, where y^e same shall be related, with y^e substance of y^e discourse, and y^e author thereof, (upon penalty of being proceded against, as equally guilty) whom y^e said Justice is forthwith to cause to appear before him, and upon examination, if good ground be not given for such his discourse, him to Commit to y^e Common Goal of y^e County, with order for his detainer therein, until he give bond with good security, for his personal appearance on y^e fourth day of y^e succeeding General Court, before y^e Govern^r and Councel, and for his standing to and abiding what judgement shall then be awarded ag^t him, att w^{ch} time such further proceedings shall passe, as are consonant to Law, and to this Proclamation, I Command and Require all persons whatever to yeild all due Honour and Obedience, as they will answer y^e Contrary att their utmost perils. Given under my hand and y^e seale of y^e Colony this twelveth day of October, in y^e year of our Lord God, one thousand, six hundred, eighty and five, and in y^e first year of his Majesties Reigne. To y^e Sherriffe of.....

or his Deputy

God save y^e King

Effingham

By His Excellency

A Proclamation Repealing

An Act Entituled, An Act Limituing times of receipt and payment of Publick Tobaccos made att a Grand Assembly held att Green Spring in y^e year 1676-7

An Act Impowering Counties and Parishes to make Bye-Lawes made att a Grand Assembly held att James City in y^e year 1662.

An Additional and Declaratory Law, Impowering County Courts to make Bye-Lawes made at a Grand Assembly held att James City in y^e year 1679

Whereas his most sacred Majesty hath been graciously pleased to take under his Royal consideration several Lawes passed and made by Grand Assemblies in this his Colony and Dominion of Virginia, & his Majesty in his Princely wisdom finding some of them to be derogatory to his right of sovereignty and disagreeable to y^e powers residing in y^e Governm^t and alsoe not only inconvenient, but prejudicial to y^e Good of his Majesties Subjects y^e Inhabitants of this Colony hath been pleased by his Royal authority to Command & Direst me Francis Lord Howard of Effingham, his Majesties Leiutenant and Govern^r General of Virginia by Proclamation to Repeal an act passed and made att a Grand assembly held att Green Spring in y^e year 1676-7 Entitled an Act Limiting times of Receipt and Paym^t of Publick Tobaccos.

An Act made and passed att a Grand Assembly held att James City in the year 1662, entituled an Act Impowering Counties and Parishes to make Bye-Lawes.

An Act made and passed att a Grand Assembly held att James City in the year 1679, Entituled, An Additional and Declaratory Law, Impowering County Courts to make Bye-Lawes.

All w^{ch} aforementioned Acts, and alsoe all and every part and parts, clause and clauses of y^e same, and [are] distinctly and in y^e whole by virtue of his Majesties Royal authority to me given and granted, and in obedience to his Royal Commands, by this Proclamation, in his Maj^{ties} name, fully, absolutely and entirely made void, null and of none effect, to all intents and purposes whatsoever, as if none, nor any of y^e aforementioned Act and Acts, nor any part therein contained had ever been made, done or Enacted as Lawes of this Colony, and by this Proclamation, in his Maj^{ties} name, are declared to be entirely Void and of none effect, and all Councillors, Judges, Sherriffs, Justices of y^e Peace, and all other his Maj^{ties} Leige People, in this his Majesties Dominion, in his Maj^{ties} name, are required and Commanded to pay all due Honour and Obedience to this Proclamation of Repeal sett forth, published, done & declared by his Maj^{ties} most especial Commands and soveraigne Right. Given under my hand and y^e seale of y^e Colony 22^d Feb: 1685-6

To y^e Sherriffe of.....

or his Deputy God save the King

Effingham

Att a Councel Att James City

April 26th 1686

Present

His Excellency The Lord Howard of Effingham Govern^r

M^r Auditor Bacon

Col John Custis

M^r Secretary Spencer

Col Richd Lee

Col Phillip Ludwell

Col John Page

Col William Cole

Col William Byrd

Col Christopher Wormeley.

His Excellency was pleased this day to read in Councel a Letter signed by y^e Right Hon^{ble} y^e Lord High Treasurer of England, bearing

date y^e twenty first day of December last, signifying, that his Maj^{ty} was graciously pleased to appoint, that y^e summe of five hundred and thirty pounds, fifteen shillings and seven pence sterl, arising from y^e Quitrents of this Colony, be Applied to y^e discharge of a debt remaining on his Majesties Revenue of this Country, and for y^e better support of y^e Govern^t for w^{ch} Gracious favour and Royal Bounty, his Maj^{ties} Council of this Colony doe with all humility most humbly return their hearty & sincere acknowledgements unto his Maj^{ty}.

His Lordship in another part of his Letter is pleased to signifye, that his Maj^{ties} pleasure is, that y^e profits arising from Tribute Beaver and wine Lycences in this Govern^t be futuramente accounted for, in which his Maj^{ties} Council doe humbly beg leave to represent unto his Maj^{ty} that y^e Tribute Beaver hath alwaies been received by all former Govern^{rs} as a Perquisite appended to y^e place and office of Govern^r of this his Maj^{ties} Colony and Dominion, and that by y^e Articles of Peace concluded on by y^e Hon^{ble} his late Majesties Commission^{rs} appointed under y^e great seale of England for y^e Affaires of Virg^a It was concluded and agreed on, that y^e several nations of Tributary Indians should pay to his Maj^{ties} Govern^r for y^e time being their Tribute Beaver, and that likewise they should annually pay unto his Maj^{ty}, for and in leiu of a Quitrent, as an acknowledgement for all lands they held of our soveraigne Lord y^e King, only three Indian Arrowes; and this board doe alsoe begg leave, humbly to represent to his Majesty, that y^e several Towns of Indians are partly by war, partly by mortality soe wasted and decayed, that many Townes now united, doe not make up the number of one Town, whereby y^e value of y^e Tribute Beaver is much lessened, to what in former Govern^{rs} times, It hath been, and is now soe mean, that if it were sold att y^e Common Price Between Man and Man, would not att y^e most produce above fifty pounds ster, and having been a Perquisite alwaies received by former Govern^{rs} when It was of value, It is now humbly hoped, that his Majesty will be graciously pleased to continue y^e like Grace and favour, unto his Majesties present Govern^r His Excellency Francis Lord Howard of Effingham, under whose prudent and watchful Government this his Majesties Colony, doth now (God be thanked) flourish.

And forasmuch as y^e R^t Hon^{ble} y^e Lord Treasurer is pleased to signifye, that his Maj^{ties} pleasure is, that y^e profit of wine Lycences be accounted for, this Council doe humbly beg leave to sett forth unto his Majesty, that it hath never been known, since y^e first seating of this Country, that houses have been peculiarly sett up, for y^e vending of wines, or that any wine Lycences have been granted; and that y^e only houses of Accomodation are ordinaries and Ale houses, w^{ch} are not above two or three in a County, Masters of w^{ch} houses doe annually upon y^e renewing their Lycences, pay to his Maj^{ties} Govern^r for y^e time being, a small consideration, as by Act of Assembly Established.

Col Thomas Ballard having this day moved his Excellency & y^e Council, that his just demand of a debt due from y^e estate of y^e late Rebel Nathaniel Bacon jun^r deced, might be taken under consideration; In which, y^e Council being well knowing, y^t y^e Debt contracted by Bacon, was for y^e Plantation, stock and servants, whereon y^e said Bacon, in his life time lived, and thereof died possessed, and y^e said

Col Ballard having been a great sufferer by y^e late Rebellion in Virginia, of w^{ch} y^e said Bacon was y^e principal Actor, y^e Council therefore doe humbly request his Excellency, that he will be pleased to represent y^e Case of y^e said Col Ballard, unto his most sacred Majesty, for his Royal Grace and Favour.

Att A Council held Att y^e house

of Col Nathaniel Bacon

July 1st 1686

Present

His Excellency Francis Lord Howard Govern^r

M^r Auditor Bacon

Col W^m Cole

M^r Secretary Spencer

Col John Page

Col Phillip Ludwel

Col W^m Byrd

Col Christopher Wormeley

It is this day ordered in Council, that According to y^e usual proceedings upon Prorogations And Adjournments of Assemblies, that M^r Secretary Spencer does issue from his office, new writs directed to every County in y^e Colony, ordering and requiring the meeting of the former elected Burgesses, Att James Citty, on the twentieth day of October next; And in case of any of their mortalities or absence out of y^e Countrey, that then It be expressed in y^e writs, that the Counties are required to make new Elections to supply y^e place of those, that are either dead or absent out of y^e Governm^t and that y^e said writs be issued att least forty dayes before y^e day of their return.

Whereas It has been found, that Masters of ships and seamen coming in to Trade in this Governm^t from Europe and his Maj^{ties} Plantations in America, have contrary to their duty and allegiance, presumed to declare and report various false and seditious Reports, endangering y^e Peace and well being of this his Maj^{ties} Governm^t w^{ch} in y^e late unhappy distractions (had not y^e prudence and care of his Ex^{cy} timely prevented) did threaten y^e quiet and welfare thereof, for prevention of such Evils, w^{ch} may happen from y^e like practices, It is this day ordered in Council, that all Collectors upon any masters of ship or Vessels coming into this Countrey to Trade, doe strictly charge and require them y^e said Masters to be cautious in divulging any News or Reports, and that y^e sd Masters give y^e same directions to their seamen, for if y^e said News or Reports shall prove false and seditious, they shall be proceeded against according to the severity of y^e Law.

His Excellency was this day pleased to cause M^r Meins Instructions to y^e Collectors to be read, and a copy thereof to be delivered to each respective Collector

M^r Matthew Hubberd in y^e behalfe of M^r Goddard having moved his Excellency and Council, that he having lately bought a Vessel built in this Countrey, and that he being y^e sole owner thereof, might have y^e benefit of y^e Law given to Virginia Owners, w^{ch} being taken under consideration, and y^e Act of Assembly inspected; It is found, that y^e Act only extends the benefit thereof to Inhabitants of Virginia; and

It not being made appear, that M^r Goddard is an Inhabitant thereof, It is therefore y^e opinion of y^e Board, that he ought not to have y^e benefit of y^t Law.

It was this day ordered in Councel, that Proclamations issue forth requiring all Ministers in each respective Parish, in this Colony, to keep an exact Register of all Christnings and Burials in their respective Parishes, and that they return an account thereof annually to y^e secretaries office, on y^e sixth day of April General Court, and that in those Parishes, where are are noe ministers, that then Readers performe y^e same; and It is likewise ordered, that all Masters of families doe give annually to y^e Minister or Reader of their Parishes an account of all those, that depart this life in their families, that y^e ministers and Readers may be enabled to performe their parts.

George Smith Interpreter to y^e Pomunkey Indians having this day informed his Excellency and Councel, that y^e Pomunkey Indian Queen, soe called, was lately dead, and that y^e Pomunkey Indians did desire, that y^e late Queenes neice—upon whom y^e right of Governm^t of that Indian nation does devolve, might succeed in y^e Governm^t whereupon It is ordered, that y^e said Geo. Smith doe acquaint y^e said late Queens neice and y^e Great men of Pomunkey Town to attend his Excellency, att James Citty, on y^e third day of y^e next General Court, in order to her being confirmed in y^e Governm^t of those Indians; It is likewise ordered, that Indian Harries wife, being a Pomunkey Indian, doe attend his Excellency and Councel, Att y^e same time, to y^e intent she may be examined, what she knows or Imagins is become of her husband, and y^e other Indians loss'd from Col Byrds; And It is likewise ordered, that y^e said Geo: smith doe by all private & subtile meanes endeavour to discover, how and by what meanes those Indians were losst.

Whereas by long experience It has been found, that y^e Trade and Trafficke of this his Maj^{ties} Governm^t and Dominion of Virginia is but slow paced, and that little Trade and Merchandize, that is carried on, mannaged with extream care, trouble & difficulty, for want of money passing from man to man, y^e hinge upon w^{ch} most Trade moves; And This Board being humbly of opinion that if pieces of eight french Crowns, with other forraigne Princes Coine had an Advancement put upon y^e real value, It might be a ready meanes and way of causing considerable quantities of money to be brought in hither by merch^{ts} and Traders, according to other his Maj^{ties} Plantations in America; This Board doe therefore most humbly beg leave to offer unto Y^r Maj^{ties} most Gracious and Royal consideration, how conducing It will be to y^e enriching of his Maj^{ties} subjects of this Colony, if his Maj^{ty} shal be graciously pleased to give leave to his Gen^l Assembly to make and passe a Law, that peices of eight, being good silver and of due weight and french Crowns, be advanced and [made] of real value with six shillings sterl, and lesser peices of y^e same Coine proportionably, alwaies having especial regard, that his Maj^{ties} revenue be in noe part lessened or diminished, but that y^e rwo shillings per hhd, fort duties, Quitrents, and all other his Maj^{ties} Dues be Advanced proportionably with y^e advance upon peices of eight, french Crowns & c to make them of y^e real value,

that now they are; and that such an Act soe made and passed be humbly presented to his Maj^{ties} Royal consideration for his gracious approbation or disallowance.

His Excellency was pleased to cause to be read this day in Council his Maj^{ties} Letter, bearing date y^e fifteenth day of December 1685, signed by his Maj^{ties} Command, by y^e Right Hon^{ble} y^e Earle of Rochester, Lord High Treasurer of England, signyfying, that his Maj^{ties} Royal will and Pleasure was, that Thomas Sands of London merch^t should have liberty to ship out of Virginia, eight hundred hhds of Tobacco, for England, for and in consideration of five hundred and eighty hhds of Tobacco exported from Virginia, in y^e William and Sarah, John Rudds Commander, in y^e year 1665, for w^{ch} by his petition, he y^e said Sands said, he had paid y^e Virginia Duties, and that y^e same was taken by y^e Dutch, and utterly lost; To w^{ch} y^r Maj^{ties} Govern^r and Council doe most humbly beg leave to reply, that in y^e year M^r Sands pretends his said five hundred and eighty hhds of Tobacco was taken and losst passing for England, many ships both in that year and since have been lost by misfortunes att sea, their Enemies, and other fatal accidents, for w^{ch} noe allowance ever was or could be made by y^e revenue of this Y^r Majesties Governm^t w^{ch} being soe low and mean, with all y^e frugal management, that can Bee, will not bear nor support y^e necessary charges thereof without bringing y^e Revenue annuall in Arrear, as by the Publick Accountts annuall transmitted to y^e R^t Hon^{ble} y^e Ld. High Treasurer is made forth, and y^r Maj^{ties} Govern^r and Council doe most humbly beg leave to lay before y^r Maj^{ties} Royal consideration how impossible It will be, for y^r Maj^{ties} Revenue to bear and answer y^e charge that may be brought upon it by pretensions of this like nature, if y^r Majesty shall futurely think fitt to Command, that M^r Thomas Sands shall have liberty to ship eight hundred hhds of Tobacco for England, free of Duty, from this Colony, It will be taken as a President to encourage all others, who have received losses att sea of y^e like nature, to expect y^e like Grace and favour, w^{ch} will soe draw from y^r Maj^{ties} Revenue, in this Colony, that there will not be where-with in any sort to answer y^e most necessary charges of this Governm^t from w^{ch} consequences, It is humbly hoped, that y^r Majesty out of y^r Royal Grace and favour will be pleased to free y^e Revenue of this y^r Maj^{ties} Colony.

July y^e second 1686

A true Coppy:

Nicho: Spencer secty

Att A Councell held att James Citty Aprill y^e 21st 1687

Present

His Excellency

Nathaniel Bacon Esq^r
M^r Secretary Spencer
Coll W^m Cole
Coll: Rich^d Lee

Coll John Page
Coll John Custis
Coll John Lear
Coll Christopher Wormeley
Coll: Isaac Allerton

This day Coll: Isaac Allerton was Sworne one of his Majesties Councell of this Collony of Virginia.

Whereas the Records of the Assembly, have been usually Comitted to the Care, Custody, and keeping of the Clerk of the Assembly, and forasmuch as Maj^r Robert Beverley late Clerke of the Assembly, is lately Departed this life, in whose Custody, and keeping the Records of y^e Assembly in his life time were, and this Board takeing under Consideration, of how great Weight, and Concern it is, to the Publique Good of the Country, that the Records be Safely and Securely preserved, and that y^e feare of all Imbeizllments of the Same, be timely prevented. I have therefore Ordered that Ralph Wormeley Esq^r and Coll: Christopher Wormeley doe with y^e first Conveniency Comand from, and Require of M^{rs} Katherine Beverley the Relict and Executive of the sd Maj^r Rob^t Beverley, late Clerk of the Assembly, or in whose Custody else they are, all the Records of the Assembly, or Papers thereunto Relating, formerly Comitted to y^e Care, Custody, and Keeping of the s^d Maj^r Robert Beverley, as Clerk to y^e Assembly, which being produced unto them, the s^d Ralph Wormeley Esq^r and Coll^o Christopher Wormeley, they are Desired, and Ordered to take Care that a particular account of the same be taken, and a Schedule thereof being soe taken, they are to Cause The sd Books and Papers to be Safely putt up into the Hampers, which the sd Maj^r Robert Beverley when Clerke of y^e Assembly, for the better Secure Carriage of them, did usually transport them in, from his own house, to y^e Gen^l Assembly at James Town, and the Books and Papers being Soe Safely putt up into the sd Hampers, the sd Ralph Wormeley Esq^r and Coll Christopher Wormeley for y^e more Intire preserving of them, are to Cause y^e Hampers to be Sealed up, w^{ch} being accordingly done, The sd Ralph Wormeley Esq^r and Coll Christopher Wormeley are Desired, Impowered, and Ordered by Warrant, or Order, under their hands & States [statements] to Comitt the sd Records, and papers, with the Hampers into the Custody of the Sherriff of Middlesex; with Order, that they be forthwith by y^e sd Sherriff, with a good Guard, Safely Conveyed to James Town, and then and there to Deliver the sd Hampers, with the Records and papers of the Assembly, unto William Edwards Clerk of the Councell, who is Required to give a particular Receipt for what Records Delivered unto him, to the Intent they may be safely and Securely preserved, by the sd William Edwards untill his Excellency shall think fitt, to Dispose them into the Care and Custody of a person fitt for soe Weighty a Concerne.

Att a Councell held att James Citty April 25th 1687

Present

His Excellency

Nathaniel Bacon Esq^r
M^r Secretary Spencer
Coll: W^m Cole
Coll: Richard Lee

Coll: John Custis
Coll: John Page
Coll: John Lear
Coll Christopher Wormeley
Coll Isaac Allerton

His Excellency was pleased this day in Councill, to acquaint the Councill, that Complaints had been formerly made unto his Excellency, by M^r William Martin Merchant of Plymouth and M^r William Ginnis Master of M^r Martins Ship, the Daniell and Elizabeth of Plymouth, ag^t Cap^t John Crofts Comand^r of his Maj^{ties} Ketch the Deptford, his Excellency was likewise pleased to acquaint the Councill, that upon the Complaints soe made unto him, his Excellency Caused an Order to be Directed unto Cap^t Crafts, to Attend his Excellency att James Town, the Eight and Twentieth day of Aprill, and att the Same time Ordered the sd M^r W^m Ginnis personally to appeare att James Town before his Excellency to make out (according to his petition) his Grievous Complaint ag^t Cap^t Crofts, which Information of M^r Martins, and M^r Ginnis's Complaining petition, as also his Excellencies Order unto Cap^t Crofts for his Attendance Directed to y^esherriff of Westmorland, to be by his Officer Delivered unto Cap^t Crofts, then in Potomock River, with his Maj^{ties} Ketch the deptford, his Excellency Comanded to be Read to y^e Councill, as also his Order for Cap^t Crofts answering the Complaint of his Boatswaine, Gunner, and Carpenter, and also the Returne made by the Sherriff of Westmorland's Deputy of Cap^t Crofts his answer, upon his acquainting him, with his Excellencies Comands, his Excellency was also pleased to acquaint the Councill, that upon the Returne of Cap^t Crofts his Contemptuous answere, his Excellency thought fitt, Imediately to Dispatch an Order to Cap^t Allen Comand^r of his Maj^{ties} Ketch y^e Quaker then att Anchor in James River, with all Convenient hast To Attend his Excellency att James Town, in Order to an Affaire of Weight of his Maj^{ties}, which Order of his Excellency's unto Cap^t Allen, and Cap^t Allen's Answer thereunto, his Excellency was pleased to Comand to be Read to the Councill, his Excellency was also pleased to Signifye to y^e Councill, that he had taken y^e faire Course of heareing the Complaints Exhibited ag^t Cap^t Crofts, and that with all due Regard had to his Maj^{ties} Service, w^{ch} Cap^t Crofts had not only avoided to appeare, and Answer unto, but had threatned the Officer Comanded to Deliver his Excellencies Order, and also made most Contemptuous Reply, as y^e Officer made returne of, all which his Excellency was then pleased to acquaint the Councill, he Intended by the first opportunity humbly to Represent to his most Sacred Maj^{ty}, for his Royal Consideration thereof, and for such Remedy as in his Princely Wisdome should find fitt, for that he was unwilling att present to putt y^e matter any Otherwise upon Cap^t Crofts, tho his Offence was most Notorious, lest he should rest that, as an Occasion to pretend, that his Maj^{ties} Affaires, w^{ch} he ought to be upon, should want of their due Inspection. And as this was a matter of great Moment in this his Majesties Governm^t soe his Excellency was pleased to say he Comunicated it to y^e Councill, to have their Opinions in it, the whole Body of the Councill being there present; Are all of the Opinion it most absolutely necessary for the peace, safety and Welfare of his Maj^{ties} Governm^t that the matter be humbly Represented to his Maj^{ty} for y^t Such were the Daily Complaints, of y^e Wrongs and Injuries Sustained by y^e Merch^{ts} Shippes and Vessells, in this Nature, that the Ruine of Trade, (the only Support of the Country was threatened by it) and his Maj^{ties}

Authority placed in his Maj^{ties} Leiu^t and Gov^r Gen^l of this his Maj^{ties} Dominion, Soe Contemptuously, and Slightly Spoke of, by Cap^t Crofts, and Others Comanding in that Nature, that it's to be feared, it may Influence very ill Effects in y^e unruly Spiritts on Land, if marks of Royall Displeasure be not Sett on the Offenders.

Edmund Jenings Esq^r his Maj^{ties} Attorney Gen^l of this Collony by his Petition to this Board, Setts forth that Since the Arrivall of his Excellency the Lord Howard of Effingham his Maj^{ties} present Leiu^t and Gov^r Gen^l of this Collony, by reason of y^e Strict Enquiry after, and Inspection into the Breach of all Poenall Lawes, and Due proceedings according to y^e Course of Law thereon had, the Services of him y^e sd Edmund Jenings Esq^r as his Maj^{ties} Attorney Gen^l of this Collony are more Difficult, laborious, and Expensive unto him, then in former years, of which noe Consideration hath hitherto been had, and that the meanness of the Sallary formerly appointed but Twenty pounds per Annum, did not neer answer his Expence, in a Constant Attendance, as now Required att the Gen^l Courts, and praying that the Same may be Considered, and humbly Represented to his Sacred Maj^{ty} for his Royal Consideration, for a further Allowance thereon, w^{ch} this Board finding to be Reasonable, by y^e Assurance they have, that the Weight of his Services, are now far greater then in former yeares: Doe therefore humbly Represent the Same to his Maj^{ties} Royal Consideration, and humbly Supplicate his Maj^{ty} will be pleased to Grant the Allowance of Forty pounds per Annum be Annually paid unto his Maj^{ties} Attorney Gen^l for his Services, by his Maj^{ties} Audit^r for the time being, out of his Maj^{ties} Revenues of this Country, of two Shillings per hhd. Tobacco Virginia Impost. and that the same be Annually paid next in Course after the payments by his Maj^{ties} former Directions appointed to be made out of the two shillings per hhd tobacco Impost, and Port Duties.

Att A Councell held att James Citty April 29th 1687

Present

His Excellency

Nathaniel Bacon Esq ^r	Coll John Custis
M ^r Secretary Spencer	Coll John Page
Coll W ^m Cole	Coll: John Lear
Ralph Wormeley Esq ^r	Coll Christopher Wormeley
Coll: Richard Lee	Coll: Isaac Allerton.

The Hon^{ble} Coll John Lear having acquainted this Board, that the Nation of Indians Called y^e Meherins hath Deserted their former place of Residence, or Habitation, and hath lately Seated themselves on the North Side of the Blackwater, Contrary to y^e Limitts, and Bounds in former yeares Sett unto the Indians, and to which the Meherins never made any pretention unto, and being Come upon the Skirts, and Borders of the English Plantacons they are Injurious to them in their Stocks, by private Killing, and destroying of them, and not only soe, but by their Insolent Carriadge, terrifye, and affright the Inhabitants,

w^{ch} this Board takeing into their serious Consideration, and the ill Effects, w^{ch} from such ungoverned Neighbours may be, if not timely prevented, have therefore upon due Consideration had of y^e same, Desired and Ordered the Hon^{ble} Coll: W^m Cole, and Coll John Lear two of his Maj^{ties} Councill, to meet at the House of Coll John Lear, Sometime, towards the latter End of May next, to Cause to Come before them the Warowance, or Chiefe Man of the Meherins, and some of his Great Men, as also y^e Warrowance of Nanzemond, and some of his Great Men, and to know the Reason why y^e Meherins come to Seate soe neer upon the Skirts of Our Inhabitants, and on Lands they have noe pretensions unto, and therefore they are not to think soe to Continue, to make a fixed Being. But if they have for this present yeare there planted Corne, that they may Continue to Tend that Corne, and when Ripe, to Remove y^e Corne together with themselves to y^e Southside of the Blackwater, where they may be Suffered to Sett down, and make Seatment for themselves, not Injuring, Molesting, nor Destroying y^e Englishmens Stocks; It is also further Ordered, that what Effect this Treaty appointed hath, with those Meherins, Coll W^m Cole, and Coll John Lear are to Report to his Excellency and Councill, att y^e next meeting of the Councill, at M^r Audit^r Bacon's, on y^e Sixteenth day of June that accordingly Such Measures may be taken as shall be found fitt.

Att A Councill held att James Citty Aprill 30th 1687.

Preseni

His Excellency

M^r Secretary Spencer

Coll John Page

Coll W^m Cole

Coll John Lear

Coll Richard Lee

Coll Christopher Wormeley

Coll John Custis

Coll Isaac Allerton

Whereas by Divers good Lawes of this Country, the Justices of Peace of Every County are Directed & Appointed to Fine Persons Offending, as by y^e poenall Lawes doth appeare, and forasmuch as many persons Delinquent in the performance of their Duties, And Otherwise Offending, have by the Orders of Severall County Courts been Fined according to y^e Severall Lawes, in those Cases made and provided, which for want of being duely Leavyed, have brought a Slight upon the Severall good poenall Lawes, and Stubborne and Disorderly people, heightened in their Disorders and Neglects, which this Board takeing under Consideration, have thought fitt to Order, and Direct, that twice Every yeare, (Viz^t) on y^e Sixth day of Octob^r and Aprill Gen^l Courts, Returne be made by y^e Clerke of Every County Court to Edmund Jenings Esq^r his Maj^{ties} Attorney Gen^l for the time being, of all Fines Ordered to be Leavyed on Offenders, by Justices of the Peace of the Severall Courts, not appropriated to particular uses, by Severall Lawes, to the Intent further Proceedings may be had thereon, and the Same Duely Collected, and Received, as they shall become Due, by y^e Sherriff of Each Respective County, and by them to be accounted for y^e Seventh

day of Aprill Gen^{ll} Court Annually, unto M^r Auditor Bacon, for his Maj^{ties} use.

A true Coppy.

Test(Nicho: Spencer secrty

Att a Councell held at James Citty October 21th 1687

Present

His Excellency

M^r Auditor Bacon

Coll Richard Lee

Coll W^m Cole

Coll Jn^o Lear

Ralph Wormeley Esq^r

Coll X^{to} Wormeley

Coll Isaac Allerton

His Excellency was this day in Councell pleased to Acquaint the Councell that he had reced his Maj^{ties} most Gracious Declaracon for Liberty of Conscience, which he is pleased to Order to be published in James Citty on tuesday next, with the beat of Drum, and the firing of the Great Gunns, and with all the Joyfullness that this Collony is Capable to Express, and that it be Entered in the Councell Booke, and published in every County in this Collony at their next Courts, and recorded amongst the Records of every County.

The Remissness of the Justices of the Severall County Courts in this Collony, in not causing the Comicon of the Peace to be published after the opening of the Court, and that it is absolutely Necessary it should be done, they not knowing what Alterations his Excellency is pleased to make from time to time, being Considered, It is Ordered that for the future Imediatly after the opening of the Court, the Justices cause their Comicon to be published, and that they Constantly give their Attendance at Courts as by Law is Enjoyned, and that a Coppy of this Order be forthwith Sent to each respective Court in this Collony.

October 24th 1687

Present

His Excellency

M^r Auditor Bacon

Coll Jn^o Custis

Coll W^m Cole

Coll^o Jn^o Lear

Ralph Wormeley Esq^r

Coll X^{to} Wormeley

Coll Rich: Lee

Coll Isaac Allerton

His Excellency acquainting the Councell of the unsetled state of his Maj^{ties} Militia of this Collony, and that for the future the same may be brought into a better Method, moved that it might be, and it is hereby Ordered, that the Collonells & Justices of every County in this Collony doe at their next County Court take an acc^t of all the ablest Freeholders and Inhabitants in their respective Counties that are Qualified either in Estate or person to finde and Maintaine a Man & Horse to be listed in a Troope for that County, or goe themselves when Occasion shall require, & likewise an account of all other Freeholders and Inhabitants that are fitt to be Listed for foot, and returne the Same to

his Excellency with all Convenient Speede that he may take Such Measures as to him shall be thought Convenient to put the Militia of this Collony into a beter Method then at present it is, and that those Countyes which are Divided by Rivers give a perticular account of the Severall persons on each side of the said Rivers

This Board takeing into Consideracon the Severall Different Formes of Comicons of Administracons and Probates returned to the Secretaries Office, Doe Order for the future, that the respective County Court Clerkes of this Colony doe draw all the Comicons of Admistracons and Probates of Wills according to the Formes herewith Sent them, and that they make due returne to the Clerke of the Secretaries office of all Comicons of Administracons & Probates of Wills that shall be granted in their respective Courts ready drawne by the Second day of Aprill and October Gen^l Court Annually, to the End they may be signed and Sealed as by Law they Aught, and that the severall County Court Clerks who have failed to make returne of their Comicons of Administracons and Probates of Wills, granted this yeare last past, doe also by the Second day of Aprill Court next returne the same, that they may be signed and have the Seale affixed

His Excellency was pleased this day in Councell to acquaint the Councell that he had even then reced from M^r Secretary Spencer Intelligence of the Discovery of a Negro Plott, formed in the Northern Neck for the Destroying and killing his Maj^{ties} Subjects the Inhabitants thereof, with a designe of Carrying it through the whole Collony of Virg^a which being by Gods Providence timely discovered before any part of the designs were put in Execution, and thereby their whole Evill purposes for the present defeated, and M^r Secretary Spencer haveing by his Care Secured some of the Principall Actors & Contrivers, and the Evill & fatall Consequences that might have hapned, being by this Board Seriously considered, Have found fit to Order that the Negro Conspirators now in Custody be either safely Secured/until the next Gen^l Court, to the Intent they may then be proceeded against according to Law, or if it be found more Necessary for the present Safety of the Country that they be brought to a Speedy Tryall, that then his Excell^{cy} will be pleased to direct a Commission to M^r Secretary Spencer, Coll Rich: Lee, and Coll: Isaac Allerton three of his Maj^{ties} Councell Inhabitants in the Northern Neck to Sitt heare and try according to Law the Negro Conspirato^rs, and to proceed to Sentence of Condemnacion & Execucon, or to Such other punishm^{ts} as according to Law they shall be found Guilty off, by such examples of Justice to deterr other Negroes from plotting or Contriveing either the Death wrongs or Injuries of any of his Maj^{ties} Subjects. And this Board haveing Considered that the great freedome and Liberty that has beene by many Masters given to their Negro Slaves for Walking on broad on Saterdays and Sundays and permitting them to meete in great Numbers in making and holding of Funeralls for Dead Negroes gives them the Opportunities under pretention of such publique meetings to Consult and advise for the Carrying on of their Evill & wicked purposes & Contrivances, for prevention whereof for the future, It is by this Board thought fitt that a Proclamacon doe forthwith Issue, requiring a Strickt

observance of the Severall Laws of this Collony relating to Negroes, and to require and Comand all Masters of families haveing any Negro Slaves, not to permitt them to hold or make any Solemnity or Funeralls for any deced Negroes.

His Excellency was pleased this day to acquaint the Councell that whereas his Maj^{tie} has been graciously pleased to Comand that the Laws of this Collony then in being, should be revised by His Maj^{ties} Councell of this Collony, and in due and humble Obediance thereunto, M^r Secretary Spencer Coll: Phill: Ludwell and Coll^o Jn^o Page three of his Maj^{ties} Councell being by a former Ord^r of Councell Nominated and Elected a Celect Committee for the revising the Laws of Virg^a with such annotations thereon as they should in their Judgments finde fitt and Convenient, and to make a returne thereof to his Excellency, and the Councell, which they haveing accordingly performed and humbly presented the same unto his Excell^y for his Excellencies and Councells Consideracon thereof, It is by this Board thought fitt, that the Consideracon thereof, be refferred untill another meeting of the Councell, because M^r Secret. Spencer and Coll^o Jn^o Page are at present under the affliction of the Gout, and disabled to give their Attendance at the Councell table, who it is thought fitt should be present, when the revisall they have made of the Laws be under Consideracon to the Intent they may answer unto such questions as shall be put unto them in the observations and annotations they have made on the Laws.

Whereas by a former Order of Councell the Clerks of the Severall County Courts, were Commanded and Required to make due returne to Edmond Jenings Esq^{re} his Maj^{ties} Attorney Gen^l the Sixth day of Aprill and Octob^r Gen^l Court yearely of all fines imposed on the Severall Offenders by the Severall County Courts, and Edmond Jenings Esq^{re} his Maj^{ties} Attorney haveing this day presented to this Board an acco^t of the Same made unto him, It is Ordered that the sherriffs of every respective County doe take Strickt Care for the Collecting of the Same, and for the due payment thereof to M^r Auditor Bacon for his Maj^{ties} use.

Whereas it hath been made appeare to this Board, that Severall persons for divers Services for his Maj^{tie} and this Country, have beene required to make Severall Disbursements of Mony's and Tobacco's, and there being noe other Fund at present to be found for the present Satisfyeing of Such Necessary disbursements for the Country's Service, nor Cannot be without An Assembly, but by what is raised by the Duty of three pence per Gallon Custome Imposed on Rum, Appoynted to be assessed for the discharging of the Necessary Services of the Country, And to the Intent that persons Comanded for the Necessary Services of His Maj^{tie} and the Country and disbursements made thereon may not be discouraged for want of their due payments and rewards for Such Services and disbursements, It is thought fitt and Necessary by this Board, that all Such Necessary disburse^{nts} and Services as shall by His Excellency and Councell be Ordered, be at present paid and Satisfied by M^r Auditor Bacon out of the Severall Sums of Moneys of the Collections of the three pence per Gallon, and be by him accordingly accounted for.

Nicho: Spencer

Att a Councell held at the House of William Cole Esq^{re}
Feb^{ry} y^e 2^d 1687-8

Present

His Excellency

Coll Nath^l Bacon

Coll Jn^o Page

Coll W^m Cole

Coll Jn^o Lear

Ralph Wormeley Esq^{re}

Coll X^{to} Wormeley

Whereas his Majestie hath been most Graciously pleased, out of his Princely Care and Goodness soe far to Consider the humble petition of Severall Merchants, Owners, Adventur^{rs} and Planters of Virginia and Mary-Land, Setting forth how Detrimentall & Ruinous to the Trade of Virginia and Mary-Land, the Exporting Bulk tobacco hath been, and is Still like to Continue, for prevention whereof His Maj^{tie} out of his Royall Goodness, hath been pleased to Comand, that his Maj^{ties} Governor and Councell of this his Maj^{ties} Colony and Dominion of Virginia, doe in Conjunction with the Lord Proprietor of his Maj^{ties} Province of Mary-Land, take care that a Law be passed in the respective Assemblies of Virg^a, and Mary-Land, prohibiting the Exportation of Bulk tobacco, from this his Maj^{ties} Plantation of Virg^a, and that of Mary-Land, In Obedience to which Gracious Comand of his Maj^{ties}, His Excellency was pleased to Comand, that this present Councell Considered [consider] what time would be most Convenient for the Conveineing of an Assembly, in order to the haveing a Law passed pursuant to his Maj^{ties} Royall Comands, and for the Consulting to Carry on other affaires, of this his Maj^{ties} Government, as might most Conduce to his Maj^{ties} Service, and the Wellfaire of this Collony, and it being Considered that Aprill is the most Convenient Season of the year, for the Conveineing of an Assembly, It is Ordered that M^r Secretary Spencer doe forthwith prepare Writts, to be Signed by his Excellency, for the Calling an Assembly to begin at James Citty the 19th day of Aprill next, and to the Intent that the Lord Proprietor of Mary-Land, or in his absence that the Comanders in Cheife of that Province, may be advised, how Early his Maj^{ties} Governo^r and Councell of this Colony, have taken measures for the Conveineing of an Assembly, In Obedience to his Maj^{ties} Comands, Have thought fitt to Order, that a Letter be forthwith prepared, and directly Sent to the Comanders in Cheife of Mary-Land, Expressing the time when the Assembly of Virginia is to Conveine, not doubting but they will beleive it Convenient, that soe Advantagious a Law be Early past, to the Intent Masters and Merchants, tradeing into the Colony of Virg^a and Province of Mary-Land, may have timely Notice thereof.

His Excellency was pleased this day in Councell to produce the Signification, of his Maj^{ties} Will and pleasure, for the displacing Coll Phillip Ludwell, from being one of the Members of the Councell of this his Maj^{ties} Colony of Virg^a, and likewise that his Maj^{tie} was graciously pleased, to Comand that Isaac Allerton Esq^{re} should forthwith be Sworne, one of his Maj^{ties} Councell in this Colony, which Royall Comand, of his Maj^{ties}, His Excellency was pleased to command to be forthwith Registered in the Councell Booke.

His Excellency was pleased this day to move in Councill, that this being the first Meeting of the Councill after the Publication of his Maj^{ties} Royall, and most Gracious Declaration of Liberty of Conscience, that his Excellency and Councill by an humble Address unto his most Sacred Maj^{tie} Ought to Express their most hearty and Sincere Thanks for his Maj^{ties} most Gracious and tender Declaration of Indulgence, which Motion of his Excellencie the Councill then present, with one heart and Voice most Loyally and Dutifully Said Amen unto, It's thereupon Ordered that an humble Address be forthwith prepared for his Excellency's, and the Councills Signeing, and it being Considered, that some of the Members of the Councill by reason of Infirmities, and other unavoidable letts, are hindered from giving their Attendance at the meeting of this present Councill, but being well Assured of their Hearty Concurrence, It is Ordered that William Edwards Clerke of the Councill, doe waite upon those Gentlemen of the Councill not present, at this Councill, with the humble Address to be presented unto his Majestie, for their Signeing the Same.

His Excellency and Councill takeing under Consideration, the Great Distance that Severall of the Councill of this His Maj^{ties} Colony, lives from his Excellency's Seate of Residence, and the great Difficulty, of passing Severall Rivers in the Winter Season, often times rend^rs it, not onely very difficult, but Impossible to Attend soe frequent Meetings of the Councill as is Necessary, as also that some are frequently incapacitated by Infirmities of body, of paying their Attendance at the Meeting of the Councill, by which meanes oftentimes the Great and weighty affaires, which should be advised and Consulted of by the Councill, doe not receive so timely Determination as is fitt they should doe and Coll Joseph Bridger one of his Maj^{ties} Councill of this Collony, haveing for some time been dead, and his Maj^{tie} not haveing as yet Signified his will and pleasure, to cause any other person to be Sworne of the Councill, to Supply that Vacancy, The Councill doe Supplicate his Excellency, that he will please humbly to present Coll Jn^o Armestead to his Most Sacred Majestie, that he will be pleased to Signifye his Royall Will and pleasure, to have the said Coll Jn^o Armestead Sworne of his Maj^{ties} Councill of this Colony, as being a Gentleman of Great Loyalty, Good abilities, & known Integrity, who living neare his Excellency will be Convenient and ready to attend all Councills.

His Excellency was pleased this day to acquaint the Councill, that he had received his Maj^{ties} Royall Comand, for the takeing Care to Secure for his Maj^{ties} use one full Moyety of all Treashure, and riches taken upon, out, or of, any Wreck, Shipp or Vessel, which hath lately been brought in, or shall be brought into his Maj^{ties} Plantacon, which Order of his Maj^{ties} his Excellency was pleased to cause to be read in Councill, and to Stricktly Charge and Comand every particular Member of the Councill, to be very Carefull and Vigilant, in makeing Discovery in their respective Scittuations of any Plate, Silver, Gold or treashure of any kinde, soe brought into this Country, and that his Excellency have Speedy Notice of any Such discovery, that the Same may be recovered and received for his Majesties use.

His Excellency was pleased this day to Communicate to the Coun-

cell, his Maj^{ties} Comands, that all possible Care, and due meanes be used, to Seize, and Apprehend all Pirats, and Sea Rovers, their Confederates and Accomplices, with their Shippes, Goods & plunder, and Cause them to be Streightly Imprisoned, and in Safe Custody kept, untill his Maj^{ties} Royall pleasure shall be knowne, Concerning their being respectively prosecuted, and his Maj^{tye} haveing been pleased, soe to Signifye his Will and pleashure, his Excellency Caused that his Maj^{ties} Order, with all humble Duty to be read to this Board, and was pleased to give Strickt Charge, that all possible Care be used, for the Apprehending Such Pirats, and Privateers, and the due observance of all the respective parts thereof, and to the Intent that his Maj^{ties} Comands may be Generally knowne, and duely obeyed, It is thought fitt and accordingly Ordered, that a Proclamation doe forthwith Issue, requiringe all his Maj^{ties} Officers and Subjects, Inhabitants of this Government, to Seize, Apprehend and Secure, all Pirats, Sea Rovers and Privateers, their Confederates & accomplices, with their Shippes, Goods and plunder, which shall att any time be soe found within this his Majesties Government; His Excellency was also pleased to Comand that his Maj^{ties} Royall Comand herein, should be Registered in the Councill Booke.

Whereas Patrick Meyn Esq^{re} Survey^r Gen^{ll} of his Maj^{ties} American Customes, presented to this Board, a Copy of a Letter writt by Cap^t Symon Row Comander of his Maj^{ties} Frigott the Dunbarton, to M^r Secretary Pepy's, Setting forth what he had done, in the takeing of a Pyrat in Accomack, in this his Maj^{ties} Government of Virginia, and also complaineing of the Ill management of Coll^o Custis the Collector of that Districkt, in that affaire, And Cap^t Thomas Allen Comander of his Maj^{ties} Ketch the Quaker, being present at the Reading Cap^t Row's Letter to M^r Secretary Pepys, affirmed it was falce to his knowledge, and the said Coll Custis not being present to answeare, It is therefore Ordered, that Coll Jn^o Custis Collecto^r of Accomack Districkt, Doe give to Patrick Meyn Esq^{re}, a full and perfect accounte under his hand, of the whole proceedings in the Discovery, and takeing of the said Pirat, to the Intent that the Hono^{ble} Commissioners of his Maj^{ties} Customes may receive from the said Patrick Meyn Esq^{re}, full Information of the whole matter.

His Excellency was pleased to Declare in Councill, that William Blaithwaite Esq^{re} one of the Clerks of his Maj^{ties} most Hono^{ble} Privy Councill, had by late Letters advised him that Cap^t Jn^o Crofts Comander of his Maj^{ties} Ketch the Deptford, by Severall of his Letters the last shipping to M^r Secretary Pepys, had most unfairely Charged him with great untruths, in saying that his Excellency Discouraged the Comanders of his Maj^{ties} Shippes of Warr heere in Virginia, in the performance of his Maj^{ties} Service, and Incouraged unfree, and unfaire Traders, His Excellency was pleased further to say, that understanding Cap^t Crofts was Comanded home, was desirous to heare what Cap^t Crofts Could face to face say, as to the Maintaineing his false Imputations in his Letters, and therefore Sent to Cap^t Thomas Allen Comander of His Maj^{ties} Ketch the Quaker, an Order, to Comand the said Cap^t Crofts to attend his Excellency this day, at the House of Coll W^m Cole,

where his Excellency had appoynted the Councell to Meete, to the Intent he might have soe Good Testimonies to the trueth of what then should be discoursed, and as also appoynted Patrick Meyn Esq^r Surveyer Gen^l of his Maj^{ties} Customes, and Edmond Jenings Esq^r his Maj^{ties} Attorney Generall, that they might be present at the said Meeting, where Patrick Meyne Esq^r, M^r Attorney Gen^l, and Cap^t Allen all attended, but not Cap^t Crofts, to whom Cap^t Allen affirmed he had sent a possitive Order there to Attend, which the said Cap^t Crofts refused to doe, as the said Cap^t Allen sayd, he had done twice before, His Excellency then asked of Cap^t Thomas Allen, the aforesaid Gentlemen being present, whether ever Since his Arrivall in this his Maj^{ties} Government, he had discouraged or discountinanced him or any other of the Comanders of his Maj^{ties} Shippes, to which Cap^t Allen replied he had never been discouraged, or discountinanced by his Excellency; nor any others that he knew of, his Excellency also further asked of Cap^t Allen whether at all times he had not given to him the said Cap^t Allen, as also all others the Comanders of his Maj^{ties} Men of Warr all possible Incouragement, in the performance of his Maj^{ties} Service, or that, if he knew his Excellency had Incouraged unfree and unfair Traders, to which the said Cap^t Allen Answered that his Excellency had given all possible Incouragement to his Maj^{ties} Comanders, and that he never knew or heard that his Excellency had Incouraged falce or Indirect Trade or Traders, His Excellency also desired of Patrick Meyn Esq^r, to declare whether at all times, his Excellency had not been most ready to give him all possible assistance, for the full Execution of his Office of Surveyer Gen^l of his Maj^{ties} Customes, as also that he would declare, whether he had ever heard or understood, that his Excellency had discouraged the Cap^{ts} of his Maj^{ties} Shippes of Warr, or Incouraged unfare or unfree Trade, or Traders, to which Patrick Meyn Esq^r Replyed, that he had alwaies received most ready & full Incouragement from His Excellency, upon all Occations for the Carry-on his Maj^{ties} Service, in this Government, nor never understood that his Excellency had in the least, discountinanced the Captains of his Maj^{ties} Shippes of Warr, or that he had in any respect Incouraged falce or unfree Trade, but affirmed that he had heard of Divers and Severall Complaints of Injuries Offered to Masters and Merchants of Shippes Traders into Virginia, by Cap^t Crofts, and that he had Severall times acquainted his Excellency with what Complaints he had mett with against the said Cap^t Crofts, to which relation of his, of the Injuries Offered by Cap^t Crofts M^r Meyn said His Excellency answered him, that he had heard of a Great Deale to purpose, and beleived they might be true, but unless they came Regularly before him, he could not take any Notice of them, if they did, he would be Shure to doe every one Justice, M^r Meyn also declares, that at another time, acquainting his Excellency of the fresh Complaints he had mett with against Cap^t Crofts, to which he said his Lordship replied, Lord S^r what will you have me to doe, why doe they not come and lay their Complaints before me, I am not to Send and Pick up Complaints against the Kings Captaines, If I did they would then say, I had noe Minde they should be heere.

Att a Councell held at James Citty April y^e 22th 1688

Present

His Excellency

Nath ^l Bacon Esq ^{re}	Coll Jn ^o Page
Nich ^o Spencer Esq ^{re} Secret.	Coll W ^m Byrd
Coll W ^m Cole	Coll Jn ^o Lear
Coll Rich: Lee	Coll X ^{to} Wormeley
Coll Jno Custis	Coll Isaac Allerton

His Excellency was pleased this day to Acquaint the Councell that his Maj^{ties} had been Graciously pleased out of his Royall bounty and Goodness to bestow upon his subjects the Inhabitants of this Colony and Dominion of Virg^a a most Glorious Seale, engravened with his Maj^{ties} Royall Effigies, as it is a marke of his Maj^{ties} most Gracious favour and Goodness to his Subjects here Inhabiting, to bestow upon them soe Glorious a Seale for the making good and Confirming Patents & Publiq Instruments to which the Seale shall be affixed, soe yo^r Maj^{ties} Gov^r and Councell of this yo^r Maj^{ties} Colony and Dominion doe with Loyall, and Gratefull hearts, most truely, humbly and Sincerely acknowledge that they Can never Sufficiently Express their Joy that yo^r Maj^{ties} has been pleased in soe remarkeable a manner to favour the Subjects of this yo^r Maj^{ties} poore Country with soe inestimable an Hono^r and Manifestation of Care and Goodness as is the Dignity of that Seale, for which please Great S^r to Accept the tender of the lives and fortunes of yo^r Maj^{ties} most loyall Subjects, as being the all they can tender, and which they shall be alwaies ready to offer up to yo^r Maj^{ties} Service.

Coll W^m Byrd presented to his Excellency and Councell, a Warrant from the R^t Hono^{ble} Lords of the Treasury, Signifying that he was apoynted and Authorized Audito^r of this Colony and Dominion of Virg^a upon the Surrender of the present Auditor Coll^o Nath^l Bacon, which Warrant is by this Board Ordered to be Registered in the Councell Booke

May y^e 1st 1688

Present

His Excellency

Nath ^l Bacon Esq ^{re}	Coll Jn ^o Page
Nich ^o Spencer Esq ^{re} Secret:	Coll W ^m Byrd
Coll W ^m Cole	Coll Jn ^o Lear
Coll Rich: Lee	Coll X ^{to} Wormeley
Coll Jn ^o Custis	Coll Isaac Allerton

Whereas the R^t Hono^{ble} Coll Thomas Dongon His Maj^{ties} Gov^r Gen^l of New-Yorke by his Letter of the 30th of march 1688 unto his Excellency Francis Lord Howard, which his Excellency was pleased this day to Cause to be read in Councell, Sett forth the Extraordinary Great Charge that his Maj^{ties} Province of New Yorke had bourne and undergon for some Considerable time in the Maintaining of a Warr for

the defence of five Nations or Cantons of Indiyans, (viz^t) the Maquas, Sineca's, Cajoungnes, Oneydes, and Onondagnes Subjects of his Maj^{tye} of Great Brittain against the Indiyans Assisted and Countinanced by the Gov^r of Canady, and Craved and desired the Assistance of this his Maj^{ties} Colony and Dominion of Virg^a a supply of mony for the Carrying on of the said Warr too heavy and Chargeable for that Government any time to hold out or beare, Likewise his Maj^{ties} Order to Coll^o Thomas Dongon to defend and preserve those Nations of Indians against the Incursian and Invasion of the Governor of Canada and the Canada Indiyans, and this board takeing the whole matter under Consideration & observing that his Maj^{tye} in his Order to Coll Dongon was pleased to Comand and direct him that in case he wanted aid and Assistance for the Carrying on of the said Warr to give Notice to the Severall Gov^{rs} and Proprieto^{rs} in his Maj^{ties} Plantacons upon the Continent of America to the end they might Assist him with Such help as the Exegency required, in which this Board are of the Opinion that out of Duty to his Maj^{ties} Comands & out of Comisseration to their Fellow Subjects Inhabitants of New Yorke Oppressed by Warr, and out of Consideration of the Kinde and Great Assistance have reced from that Governm^t in assisting His Excellency Francis Lord Howard in making a happy peace with those Seneca Indiyans, ought to assist his Maj^{ties} Government of New Yorke ag^t the Attempts of the French Kings Subjects and Indiyans, and thereupon resolved, that the present Assembly should be moved to Contribute what this Country Could doe, by way of Supply of mony, to aid and Assist his Maj^{ties} Government of New Yorke, in the defence of his Maj^{ties} English and Indyan Subjects there Inhabiting, In which his Maj^{ties} Assembly of Virginia declareing, that they were incapable of affording any Supply of Mony, by reason of their present Necessities, they lye under from the meane and low vallue of their onely Comodity tobacco is of at present, And his Maj^{ties} Gov^r and Councell finding, that noe Supplyes could be Expected from the Assembly, and well knowing of what great Moment, and Concerne it is to the future peace, and Wellfaire, of this his Maj^{ties} Government of Virg^a, to have the Seneca Indiyans, protected and preserved, from the Attempts and Incursions of the French, and Indian Inhabitants of Canada, under whose Subjection should the Seneca's be reduced, his Maj^{ties} Subjects of this Colony must Expect to be perpetually disturbed and disquieted and brought under an Insupportable Charge, if not ruined, Therefore his Maj^{ties} Councell are Unanimously of the Opinion, that it is not onely fitt, but absolutely Necessary, that a Supply be made unto the Government of New Yorke, for the better Carrying on the Warr they are Engaged in, and having noe Publiq Fund of present Mony, nor waies, nor meanes to raise it, but by an Assembly, who have positively declined any Assistance, Therefore doe humbly Supplicate his Excellency to Concur with them in Opinion that five hundred pounds Sterl, be raised out of his Maj^{ties} Quitrents of this Country, and by bills of Exchange Ordered unto his Maj^{ties} Gov^r of New Yorke, as a Supply to defend them, in the Warr, they are Engaged in. And doe humbly beseech his Majestie, that he will be Graciously pleased soe favourably to accept of this Councell to his Excel-

lency, for the Issuing of a Warrant to M^r Auditor for the Ordering five hundred pounds, out of his Maj^{ties} Quitrents heere unto Coll Dongon as onely Intended an Act of Service to His Maj^{ties} Government of New Yorke, and not out of any presumption of his Maj^{ties} most Loyall and Dutifull Subjects, and Servants, his Maj^{ties} Gov^r and Councill of this Collony.

His Majesties Governor and Councill of this his Maj^{ties} Colony, with all Humility begg leave to represent unto his Maj^{tie}, that many yeares since, in some of the Extreame parts of this his Maj^{ties} Colony, Considerable Quantities of Land, were appoynted and layd out for the use and benefitt of the Indiyans, as namely the Pomunky Neck, and the Southside of blackwater, where there was then Inhabiting, very Considerable Nations of Indiyans, Consisting of great Numbers, but are now wasted and dwined away, however doe hold and possess all those Considerable Tracts of Lands, which when they were a Numerous People, was Allotted for them, and being of large Extent, makes little or noe use of, by which meanes those parts the Country, lyes Open as an Inroade to the Foreigne Indiyans, who have made frequent Attempts upon those poore, and weake Townes of Indiyans, and being Sencible how unable they are to defend themselves, against any Such Attempts, and finding that Such large Tracts of Land, are of noe benefitt nor use unto them, Have therefore humbly petitioned his Excellency, that his Excellency would be pleased to admitt, his Maj^{ties} Subjects of this Country, who were desirous to remove themselves into those parts, to Survey and Seale Pomunky Neck, and the Southside of blackwater, from whose Neighbourhood, the Indiyans Exspect to have protection, and likewise reliefe in their now most Indigent way of Liveing therefore this Board are humbly of the Opinion, that as it will be a meanes of safety to those poore Remnant of Indiyans, soe it will be as great Satisfaction, to yo^r Maj^{ties} Subjects, to be admitted to Survey and Seate, those uninhabited parts of yo^r Maj^{ties} Country, alwaies reserveing and Continueing to the Indiyans, Such Quantities of Land as they shall declare themselves Satisfied with, both in Pomunky Neck, and the Southside of the black-Water, by which meanes Lands lyeing in those parts of the Country, from which yo^r Maj^{tie} now receives noe benefitt of Quit rents, will if Seated and Inhabited make a good Addition to the Revenue of Quitrents, of this yo^r Maj^{ties} Colony and Dominion of Virg^a.

Upon the Consideration of the Complaints, of some of the Inhabitants of Curratuck, Setting forth that the Government of North Carolina had distrained upon parte of their household Goods, under prentence that the Land that they Inhabited, was within the Governm^t of North Carolina, and that therefore they ought to pay proportionable for the discharge of the Government, with other the Inhabitants thereof; tho Indee they were alwaies Esteemed to be part of the Inhabitants of the Government of Virg^a, and held their Lands by Pattents granted by the Gov^r of Virginia, all which this Board takeing under their Serious Consideration, are of the Opinion that the whole matter be humbly represented unto his Maj^{tie}, for his Royall Consideration, and that a Letter be forthwith writt for his Excellencies Signeing, directed to y^e

Governor and Government of North Carolina, Signifying that this Government, have humbly represented unto his Maj^{ties} the pretensions that that Government makes unto the Lands lyeing on Curratuck and blackwater, And that it is desired that noe disturbance or Violence be Offered to the Inhabitants thereof, untill his Majestie, shall Signifye his pleasure therein.

His Majesties Govern^r and Councell of this Colony, knowing themselves in Duty bound faithfully to represent unto his Maj^{ties}, all Occurrences of Moment relateing unto the Same, Doe Therefore humbly beg leave to lay before his Maj^{ties} Royall Consideration, a Matter whereby not onely his Subjects at present are disturbed, and disquieted in their possessions, neare adjoyneing unto the Government of North Carolina, but also the Publique Peace of the Country threatned, by the Violent Actings of some Officers of that Government, under pretence Extending the bounds thereof, far within the anciently reputed, Knowne Southerne bounds of this yo^r Maj^{ties} Colony of Virg^a, for the Southern bounds of this yo^r Maj^{ties} Colony of Virg^a, have alwaies been reputed to Extend unto the Latitude of 36, unto that Latitude Lands hath been Granted unto Adventurers and purchasers for more then forty yeares past by former Governo^{rs} and Councells of this yo^r Maj^{ties} Colony of Virg^a, and the Lands soe Granted have been by Patents from yo^r Maj^{ties} Secretaries Office of this Colony, and the Inhabitants thereon Seated have been taken to be the Inhabitants of Virg^a, and accordingly formerly have paid all Scott and Lott of publique and County dues of this Colony, and Quietly and Peaceably Enjoyed their Lands held from this Government untill the yeare 1680, that some pretence was made to some small parte of Lands lyeing neare uppon Curratuck, and blackwater, upon which pretentions, the Inhabitants thereof applyed themselves unto the R^t Hono^{ble} Thomas Lord Culpeper the then Govern^r of Virg^a and also to the Councell thereof, who by Letter then to the Govern^r and Government of North Carolina, soe Satisfied them in the justness of the Clame of the bounds of this Country to 36: that the Inhabitants thereof, were not in the least vexed or disturbed in their possessions by any pretence of the Gov^{ment} of North Carolina, untill this present year 1688, who now without makeing any further Clame, have Levied upon Many the Inhabitants of Curratuck and the blackwater, who hold their Lands by Pattents from this yo^r Maj^{ties} Government, and for the said Levies have distrained, and forceably Carried away, divers Goods out of the Houses of the said Inhabitants, which force upon them from the Government of Carolina, if not timely prevented, will prove Ruinous to the poore people, if not usher in greater Mischiefs, therefore his Maj^{ties} Gov^r and Councell doe humbly Supplicate his Maj^{ties} to take under his Royall Consideration, the presures those poore Inhabitants lye under from the pretence that those Lands, are part of the bounds of North Carolina, and that his Maj^{ties} will be pleased not to narrow the bounds of his long Seated Colony of Virg^a And his Maj^{ties} Gov^r and Councell, doe humbly further begg leave to Offer to his Maj^{ties} Consideration, how prejudiciall it may be to his Maj^{ties} Revenue, ariseing upon tobacco, if those Lands now in Question should be taken to be under the

Government of Carolina, lyeing soe neare unto the Opening of Curra-tuck, that small Vessells may pass in and out, undiscovered and Carry off, what tobacco's they finde fitt, without paying any dues for the Same, for the Inhabitants of North Carolina being but few in Number, and far remote from that parte of Curratuck, Cannot make discovery of any Such Cheats if Intended, which whilst it's under the Govern-ment of Virg^a is provided against by the prudent Care of M^r Meyne, his Maj^{ties} Survey^r Gen^l of Virg^a, by a Person an Inhabitant of Virg^a being appoynted a Collector to Inspect according to Law, all matters of Trade in that parte, And for the Quieting yo^r Maj^{ties} Subjects in a peaceable possession of their Lands, and Stopping the force by Dis-tresses put upon them, yo^r Maj^{ties} Gov^r and Councell, doe humbly begg leave to Supplicate yo^r Maj^{tie}, that you will be pleased to give Direction, for the Ascertainng of the bounds betweene Yo^r Maj^{ties} Governments, of Virg^a and North Carolina, as in yo^r Princely Wis-dome shall finde fitt.

May the 12th 1688

Present

His Excellency

Nath^l Bacon Esq^{re}

Nich^o Spencer Esq^{re} Secret.

Coll W^m Cole

Coll Rich^d Lee

Coll John Custis

Coll Jn^o Page

Coll W^m Byrd

Coll Jn^o Lear

Coll X^{to} Wormeley

Coll Isaac Allerton

His Excellency did this day propose to this Board, whether a Con-ference should be held with the House of Burgesses, concerning the Repealeing an Act of Assembly made in Octob^r 1686, restraining Planting tobacco after the last of June, in which this Board are of the Opinion, Since the House of Burgesses in their Severall answers, were very firme in the not repealeing of it, and haveing for some dayes Slighted an answer to an Offer made by his Excellency for a Confer-ence, Wee are therefore of Opinion that a Conference would produce noe advantage, His Excellency likewise proposed whether the Con-tinueing that Law at present, would not be a disadvantage to his Maj-esties Revenue of tobacco; and if not Repealed, whether the Assembly should be dissolved or not. In which the Councell are of Opinion that if Seasonable weather hapned in any time for planting, then that Law would have noe Effect to Lessen Cropps, and if the Drought Continued noe plants would be left to plant, Therefore in this unseasonable time, it was Indifferent to his Majesties Interest, wheather Repealed or not, and the House of Burgesses haveing Spent the greatest parte of the time of the Sitting this Assembly, in heats and Jarrs, and like to In-crease to a Greater height if Continued, having refused to Concurr in makeing a Law, prohibiting Exportation of Bulk Tobacco, and re-pealeing the Act restraining Planting Tobacco, the principall matters recomended unto them, the Councell are of Opinion, that it will be for

his Maj^{ties} Service, and Countryes Ease, that the Assembly be dissolved.

Vera cop Test

Nicho: Spencer

Att a Councell held at the house of Ralph Wormeley Esq^r
June the 20th 1688

Present

His Excellency

Nathaniell Bacon Esq^r

Ralph Wormeley Esq^{re}

Nicho: Spencer Esq^r Secret.

Coll Jn^o Custis

Coll W^m Cole

Coll W^m Byrd

Coll Christopher Wormeley

This Board having taken under Consideracon, the great Paines, Care and trouble, now lyes upon the Clerke of the Councell, more then in former yeares, by reason of the frequent Councells, and the good Methods and Rules observed for the faire Regestering of all Polliticall Matters, & Orders of Councell, with all other Transactions of Moment of the Government requiring Constant Attendance, for which the present Established Salary of Clerke of the Councell being but fiftene pounds per yeare, is soe Low and Meane, that it doth not near answere his trouble and Charge, This Board doe therefore humbly begg leave to propose that Thirty pounds per Annum may be yearely paid to the Clerke of the Councell out of his Maj^{ties} Revenue, towards a reward of his Carefull and faithfull Services, as Clerke of the Councell.

William Byrd Esq^r was this day upon the Surrender of Nathaniell Bacon Esq^r late Auditor of Virg^a, by His Maj^{ties} Command Sworne Auditor of Virginia, and at the Same time gave bond, in the Sume of Five thousand pounds Sterl, to his Maj^{tie}, for the Just and faithfull discharge of the Office of Auditor, with whom Coll John Custis, Cap^t W^m Randolph and Cap^t Peter Perry became bound for the Same.

Whereas His Majestie hath been Graciously pleased, for the benefit and good of his Subjects the Inhabitants of this Collony, to bestow upon them a Seale, for the Authenticating and makeing good in the Law, Comissions, Pattents and other Publique Instruments, to which it shall be affixed, and hath also by Comission been pleased to Direct and Impower, His Excellency Francis Lord Howard to keepe and use that Seale, as the Seale of this His Maj^{ties} Collony and Dominion of Virg^a, and whereas it is well knowne unto this Board, that a Fee is ascertained for the Seale, Suitable to the Dignity thereof in all His Majesties Plantations and Dominions, which His Maj^{ties} Gov^r and Councell haveing under their present Consideration, Doe with all humble Duty, begg leave to Supplicate his Maj^{tie}, That His Maj^{tie} out of his Royall pleasure will direct and Say, what shall be the fee to be demanded and taken, for the affixing the Seale unto any Pattent, Publique Instrument or writeing, which being by His Maj^{ties} Royall Authority soe Ascertained, will take of [off] all Disputes or Questions, what is or ought to be the Fee to be demanded, for the Seale soe sffixed, unto any Pattent, Publique Instrument or Writeing.

Vera cop Test

Nicho: Spencer

Att a Councell held at James Citty Octob^r 18th A^o Dom: 1688 Annoque
Regni Regis Jacobi Secdi Quarto.

Present

His Excellency Francis Lord Howard Gov^r & c.

Nath^l Bacon Esq^r

Coll Jn^o Page

Coll W^m Cole

Coll W^m Byrd

Ralph Wormeley Esq^r

Coll Jn^o Lear

Coll Rich^d Lee

Coll X^{to} Wormeley

Coll Jn^o Custis

Coll Isaac Allerton

In Obedience to His most Sacred Maj^{ties} Comand dated the 30th day of Aprill 1688, Coll Jn^o Armestead was this day Sworne one of His Majesties Councell of State of this Dominion, having first taken the Oaths of Allegiance and Supremacy, and Ordered that His Majesties Order, for the Swearing the said Coll Jn^o Armestead be Registered in the Councell Booke

Coll Jn^o Armestead added.

His Excellency acquainting this Board that being in Accomack this last Somer, Majo^r Charles Scarburgh amongst other discourse to his Excellency sayd, that his Majestie would weare out the Church of England, and upon his Excellency's saying how M^r Scarburgh, weare out the Church of England, he replyed, yes, for where there are any Vacancies, the King Supplies the places with Men of other perswasions, with other discourses of the like Nature, for which his Excellency then reproved him, and hath Since Suspended him from the Comission of the Peace, and the said Words being by this Board lookt on, as highly tending to the disquiett of this his Majesties Government, and Contrary and Derigatory to his Majesties most Gracious Declaration of Liberty of Conscience, Doe order that the said Major Charles Scarburgh make his personall appearance at James Citty before his Excellency and Councell in Councell on the Second day of the next Gen^l Court, then and there to answere what shall be objected against him

The Sherriffe of Accomack County is hereby
Ordered to Serve Majo^r Charles Scarburgh
with this ord^r and to make return to the Clerke
of the Councell

Whereas the Justices of Rappahanock County by their humble petition to his Excellency, which His Excellency was pleased to Cause to be read to this Board, have Set forth that by an Order of his Excellency in Councell dated the 26th of Aprill 1686, It is amongst other things Comanded, that noe Distinction or Separation as formerly, be had or made, of the Monthly Courts held for Rapp^r County on the North and Southside the River, but that all actions Comenced on the one side, be determinable on the other, the Contrary being represented Vexatious to the Inhabitants thro delay of business, upon the receipt of which they had applyed themselves to an Exact observance thereof, and after a two yeares Tryall did finde the Alteration of their former Practice, hath rather caused delay, then dispatch in business, thro the

many referrences ariseing out of the Mass of accons, with other Hindrances, whereas formerly when accons of each side the River were determinable on the Same side they were Comenced, business was dispatched with much Chearfullness and Ease, and poore Suitors not put to the great Inconveniency of Crossing the River, who many times whilest in Eager pursuit of a passage, yet in vain, have their business dismist, and by that meanes notwithstanding their painfull Endeavours, are left as far [as] at first from recovering of their just Right, whereof Complaint hath been made to them, And therefore they humbly prayed that their Former Method of hearing and determining accons, on the Same side the County whereon they are brought might be revived, all which having been duely Considered by this Board It is by His Excellency by and with the advice and Consent of the Councell Ordered that all accons Comenced on the Southside of the River, shall be onely heard and Determined on the Southside, and that all accons Comenced on the Northside of the River, be there onely heard and determined, as if the afores^d Order of the 26th of Aprill 1686 had never been made notwithstanding anything to the Contrary thereof therein Contained.

Whereas the Justices of New kent County by their humble petition to his Excellency, which His Excellency was pleased to Cause to be read to this Board, have Set forth that by an Order of his Ex^{oy} in Councell dated the 26th of Aprill 1686, It is among other things Comanded, that noe Distinction or Separation as formerly be had or made of the Monthly Courts held for New Kent County, on the North and South side the River, but that all accons Comenced on the one side be determinable on the other, the Contrary being represented vexatious to the Inhabitants thro the delay of business, after the receipt of which they applyed themselves to a due observance thereof, and doe find the alteration of their former practice hath rather Caused delay then dispatch in business, for that formerly when accons of each side the River were determinable on the same side they were Comenced, business was dispatched with much Ease, poore Suitors, not being put to the great Inconveniency of Crossing the River, who many times whilest in Eager pursuit of a passage, yet in vain, have their business dismist, and by that meanes, notwithstanding their painful endeavours, are left as far as at first, from recovering of their just right, and therefore humbly prayed that their former Method of hearing and determining accons, on the Same side the River whereon they are brought might be revived, all which having been duely Considered by this Board, It is by His Excellency, by and with the advice and Consent of the Councell Ordered, That all accons Comenced on the Southside the River, shall be onely heard & determined on the Southside, and that all accons Comenced on the Northside be there onely heard & Determined, as if the aforesaid Ord^r of the 26th of Aprill 1686 had never been made, notwithstanding any thing to the Contrary thereof therein Contained.

Whereas it appeares to this Board there hath been many great Neglects in the Dispatch of Messengers Sent on his Majesties & this his Countries Service Occationed by Severall persons keepeing Ferry's,

who have refused to transport such Messengers and their Horses without ready pay, and the Same being taken into Serious Consideracon, as also of how Dangerous Consequence to the Safety and well being of this Country Such Neglects may be, Have thought fitt for the prevention thereof for the future to Order, And it is hereby Ordered that noe person whatsoever keepinge Ferry, or which hereafter shall keepe Ferry, demand or take pay of any person (for transportacon of himsele and Horse over any River in this Country) that shall be Sent by His Excellency the Gov^r to any of the Councell or others for His Majesties, or this his Countryes Service, or from any person to His Excellency the Gov^r, the respective persons Sending the said Messengers, Subscribing his Name on the back of Such Letter or Pacquett as they Send by them, And whereas it is represented to this Board that Several Counties in this Country, take pay of the respective persons they admitt to keepe Ferry's in the said Counties, It is thought fitt and accordingly Ordered (in regard all persons keepinge Ferry are obliged to Transport all Messengers that shall be Sent on his Majesties or Countreys Service without pay) that noe County for the future, demand or take pay of any person for being admitted to keep Ferry.

To the Sherriffe of.....County
who is hereby Ord^d to make publication hereof
at the next Court to be held for the afores^d
County.

Att a Councell held at His Excellencies House at Rosegill Decemb^r 13th
Ao Dom: 1688 Annoque R Rs Jacobi Secdi Quarto.

Present

His Excellency Francis Lord Howard Gov^r & c
Ralph Wormeley Esq^r Coll X^{to} Wormeley
Coll John Armestead

It is by this Board Ordered with hearty and humble Obedience to His Majesties Royall Order in Councell, for the Proclaimeing his Royall Highness Prince of Wales, and for a publique Thanksgiving to Almighty God, for soe Great a blessing to his Majestie, His Kingdomes and Dominions, that accordingly Proclamations be forthwith prepared for his Excell^{ty}s Signeing, to be Sent forth to all the respective Countys of this his Maj^{ties} Colony of Virg^a for the due Proclaimeing of his Royall Highness Prince of Wales, and ascertaining the Day of Thanksgiveing.

Febr^y 27th *Ao Dom: 1688 [1688-9]*

Present

His Ex^{cy} Francis Lord Howard Gov^r & c
Nathaniell Bacon Esq^r Ralph Wormeley Esq^r
Coll William Cole Coll W^m Byrd
Coll Jn^o Custis Coll X^{to} Wormeley
Coll Richard Lee Coll Jn^o Lear
Coll John Armestead

The Order of Councill for the Proclaimeing his Royall Highness Prince of Wales, and for the Ordering and appointing a day of Thanksgiving was this day in Councill read, and being now a full Councill, Wee doe most Unanimously Concur with His Excellency and the then Councill, for Expressing Our Joy by Proclamation for the Birth of his Royall Highness, and day of Thanksgiveing to almighty God for that blessing, It is also Ordered that his Majesties Royall Order of Councill for Proclaimeing the Prince of Wales, as also his Majesties Order in Councill to his Excellency for putting this his Majesties Colony and Dominion of Virg^a into the best posture of Defence it's at present Capable of, to resist any invasion that shall be made upon this his Majesties Collony by any of his Majesties Enemy's, be Registered in the Councill Booke of this Colony.

Whereas his Majestie was Graciously pleased, to bestow upon his Subjects the Inhabitants of this his Colony, and Dominion of Virg^a, a new Seale, for the better Authenticating of Pattents, Comissions of the Peace, and other Publique Instruments of the like nature, and the Seale being very large and to be Imprest upon Wax, and affixed to Instruments drawn in Parchment, and the same arriveing late the last yeare, and his Majesties Office here being unprovided, with Parchment & was, fitt for drawing Pattents and Comissions of the Peace for the new Seale to be affixed to, And forasmuch as the former Seale was but a Small one, and made use of onely with large wayfers, and thick large paper fitt for the same, It is therefore the Opinion of the Board that the former Seale be Continued & used, untill his Majesties Office here can be furnished with Parchment and wax fitt for the new one, and that the Same be most humbly represented to His Majestie, for allowance thereof.

This Day was read in Councill his Majesties Royall Order in Councill of Aprill 27th 1688 Signifying his Royall Will and pleasure to be, that None of His Maj^{ties} Gov^{rs} in any of his Plantations, should upon any pretence whatsoever leave his Government, without his Maj^{ties} Leave in Councill for the Same, His Excellency also produced to this Board His Majesties Gracious Leave in Councill for his Excellencies Liberty of takeing a voyage for England, which his Excellency said God willing he Intended forthwith to doe, and proposed that Proclamacons might be prepared, Signifying in whom the Government rests during his Excellency's absence, or untill his Majesties Royall pleasure shall be therein further known, which was accordingly Ordrd to be done.

His Excellency intending forthwith to Imbarque on a Voyage for England, delivered in Councill under his hand and Seale, Such and soe many of his Majesties Royall Instructions to him, for the Management of the Government, as his Excellency Judged Necessary to be Communicated and left for the present Carrying on of this his Majesties Government, during his Excellencies absence or his Majesties pleasure be further known, which are accordingly Ordrd to be registered in the Councill Booke.

Whereas His Majestie by his Royall Comand, hath Signified to his Excellency and Councill of this his Dominion of Virginia, that his

pleasure was to have all the Laws of this his Colony and Dominion revised by his Councell of this Colony, and the Same being revised to be humbly presented to his Majestie for his Royall & Gracious Consideration thereof, which being accordingly revised, It is humbly requested by this Board (His Excellency Intending Suddenly for England) that he will present the revised Law's unto his Sacred Majestie, for his Royall Consideration thereof.

Upon His Excellency's declaring his Intentions suddenly to take a Voyage for England, haveing his Maj^{ties} Gracious Leave soe to doe, it was under the Consideration of this Board, how his Majestie hath been pleased to direct and appoint in whome the powers by his Majesties Royall Comission to his Excellency, resided, dureing His Excellencies Absence from his Govern^t, And it being by His Majesties Royall Comission to his Excellency declared, that in case of the Death or absence of the Gov^r from his Government, His Majesties present Councell should take upon them the Exercise of the Government, and that the person first Nominated, in his Majesties Instructions then residing in the Government should precide, and his Majestie having been pleased to Nominate Coll: Nath^l Bacon President of his Councell of this his Maj^{ties} Colony, who being present declared, that he had a most Loyall and hearty Zeale to Serve his Majestie with his Life and Fortune, as he had most diligently in a long Series of Yeares faithfully and Loyally performed, but now being by the blessing of God arrived at a great length of yeares, and thereby rendered unable of performing those Royall Services his Majestie by the present state of him in the Comission had been pleased to place upon him, and being desirous to Spend the remainder of those few days, he hoped God will add to him, in a retired Service to God Almighty, and as a meanes thereunto having layd downe those Offices of advantage and proffitt, his Majestie was Graciously pleased to Confer upon him, moved his Ex^{cy} & this Board that it might be represented unto his Maj^{tie}, that he most humbly begged his Maj^{ties} most Gracious favour to be discharged of all publique Services, which is accordingly by this Board most humbly represented to His Majestie, for His Majesties Royall Will and pleasure therein.

Upon his Excellencies passing under his hand & Seale the Names of his Majesties Councell of this Colony, in his Maj^{ties} Instructions to his Excellency Nominated, and in the places and Stations they were therein nominated and Stated, the Gentlemen whose names are hereafter mentioned moved that they humbly Supposed, that by Mistake or misinformation, they were not Stated or ranked in that Seniorship of Councell, as they had been admitted by his Majesties former Orders, as Namely Ralph Wormeley Esq^r, Coll Richard Lee, and Coll Jn^o Lear, and the same Seeming to Lessen that high honour (tho undeserved) his Majestie had been pleased Graciously to Confer on them, they humbly moved that his Excellency would be pleased to represent the same unto his Majestie, in which Just and deserved motion the whole body of his Majesties Councell of this Colony, doe most heartily Joyne with the said Ralph Wormeley Esq^r Rich^d Lee and Coll Jn^o Lear, that his Ex^{cy} will be pleased to represent the same unto his Maj^{tie}

for his Majesties Royall Consideracon thereof, and if it shall seeme fitt to his Majesties Will & pleasure, that the Mistake in the placing the aforesaid Gentlemen may be altered, that then they may receive his Majesties Royall Stamp of Favour as in their former Stations they were Ranked in, being as hereafter is sayd viz^t

Nath ^l Bacon Esq ^r	Coll Jn ^o Page
Ni: Spencer Esq ^r Secret.	Coll W ^m Byrd
Coll W ^m Cole	Coll Jn ^o Lear
Ralph Wormeley Esq ^r	Coll X ^{to} Wormeley
Coll Richard Lee	Coll Isaac Allerton
Coll Jn ^o Custis	Coll Jn ^o Armestead.

His Majesties Order signifying his pleasure of his Man of War the Deptford Ketch, whereof Cap^t Thomas Berry is Comander, being by his Excellency Ordered to be read in Councell, It is Ordered that the Same be Registered in the Councell Booke

Att a Councell held at James Citty Aprill 19th 1689

Present

Nath ^l Bacon Esq ^r President
Nich ^o Spencer Esq ^r Sec.
Coll William Cole
Coll Jn ^o Custis
Coll Jn ^o Page
Coll W ^m Byrd
Coll X ^{to} Wormeley
Coll Jn ^o Lear
Coll Isaac Allerton
Coll Jn ^o Armestead

Whereas his Excellency with the advice of the Councell, persuant to his Majesties Comands during the time of War, requiring the Shippes in this Government trading, to be Ordered home in Fleets, for the better preservacon of them, Ordered that noe Shippes bound for Europe should depart this Colony till the tenth day of May, unless to the number of Twenty sayle of Shippes could be in readiness to sayle before that time and forasmuch as a Considerable Fleete are now in readiness, and desirous that they may be permitted to sayle, which being duely Considered, It is Judged fitt that the Imbargo be taken of and the Shippes permitted to sayle on the Second day of May, and accordingly Ordered that all Collectors doe soe timely Cleare the Shippes in their respective districts, that they may be in readiness to Sayle from Point Comfort the aforesaid Second of May, It is also Ordered that those few Shippes which shall be remaining be permitted to sayle as soone as they are in readiness to put to Sea.

Aprill 24th 1689

Whereas there is a difference betweene Surry County & Charles Citty County, in relation to the bounds of Land dividing the said Countys, and haveing moved this Board that the bounds of the two Countys might be ascertained, which humble motion, this Board having Considered have reff^d the hearing of the matter to the Hono^{ble} Coll W^m Byrd, Coll Jn^o Lear & Coll Isaac Allerton, who are desired and Im-

powered to Call before them Such Gentlemen of Charles City County and of Surry County as are appointed to manage the difference for the two Counties, and the said Gentlemen haveing heard the Same, and reported that a line run from the plantacon of Richard Williamson (leaving the said plantacon in Charles City County) South fivety degrees West to y^e black Water Swamp, will be an Equall dividing line betweene the said two Counties, which this Board haveing Considered and findeing it to give satisfaction to the Inhabitants of both Counties, Have Ordered that the aforesaid line be run by M^r James Minge & Majo^r Samuel Swann Survey^{rs} in the presence of Such of the Inhabitants of both Counties as the Court of each County shall appoint, to be performed by the first of Octob^r next, and Such a line being soe Run to be & remain the fixt dividing line between the Counties of Charles City & Surry.

Aprill 26th 1689

Coll Rich: Lee added.

Whereas divers wicked and ill disposed persons of the Counties of Stafford and Rapp^a laying hold of some falce and Extravigant reports of the unsettledness of affaires, Contrived and designed to make use thereof to the advantage of their mischevious purposes, having by a pretended Examination of an Indyan saying that the Papists had hired the Indyans to assist them to Cutt of all the Protestants of this His Majesties Colony and Dominion of Virg^a, as also of Maryland, and having noised it abroad that tenn thousand Seneca Indyans together with Nine thousand Nanticoaks, were all Landed & Joyning their Forces with an Imediat purpose of distroying all the Protestant Inhabitants of Virg^a and Mary Land, and haveing by their falce Al-larums terrified and affrighted the Inhabitants with their mischevious Contrivances and Imaginations, even to the forceing divers families to the deserting of their Houses, and having endeavoured to possess many of the Inhabitants of this Colony that all his Majesties Councell of this Colony, & most of the Cheife Magestrates of each County were Papists, (tho certainly knowne to be none Such) and that they conspired in the designe of Joyneing with the Indians, to Cutt of the Protestants, which reports & rumors tooke soe great possession of many the Inhabitants of this Country, that with the greatest Care and diligence that could be used the Peace of the Country & welfare thereof was with great difficulty preserved, many in Stafford County, as also in Rapp^a County, having drawn themselves into parties with force of Armes to Rob, Plunder and pillage many the good & Loyall Subjects the Inhabitants of Virginia and Maryland, and to Stirr up and Carry on a Rebellion in both Colony's, and forasmuch as John Waugh Clarke is reported to have been very Instrumentall, in possessing the People with those Imaginary Fears and to Stir up the Inhabitants against the Peace & quiett of the Government, and Bur Harrison and John West being Suspected to be the first Contrivers & designers of all those falce and Evill reports, and having dispersed abroad the pretended Examination of the Indyan, and that before the Examination was sayd to be taken, with aggravation of Fearfull Events if not timely prevented,

and endeavoured what in them lay to stir up a Rebellion in unsettled times, all which being duely Considered, as also the ruinous Consequencies that Such evill and Wicked practices & Contrivancies might have brought upon this poore Country, if by Prudent Care and good Conduct it had not been timely prevented, It is therefore the Opinion of this Councell, and accordingly Ordered, that Jn^o Waugh Clk Bur Harrison and Jn^o West be by an Order of this Board taken into Custody of the Sherriffe of Stafford County, in order to their being Carried on board his Majesties Ketch the Deptford, whereof Cap^t Thomas Berry is Comander, that with the better Security they may be removed to Nominy, there to be Examined by the Hono^{ble} Nicholas Spencer Esq^r his Majesties Secretary of this Colony, the Hono^{ble} Coll Rich: Lee and Coll Isaac Allerton three of his Majesties Councell, & if they shall finde that the Notoriousness of the Offences, and the Necessity of the affair Requires, that they be kept in Close Custody, and for their better Security removed from Stafford, that then by his Majesties Ketch the Deptford Cap^t Tho: Berry Comander, they be transported to Northampton County and Comitted to the sherriffe of the said County, to be by him brought forth on the fourth day of the next Gen^l Court, that they may be proceeded against, but if upon the Examination of the said Waugh Harrison & West, it be found that with safety they may be Comitted to the Goal of Stafford, or let at Liberty with good Security for their good behaviour and appearance before the President and Councell the fourth day of the next Gen^l Court, that then the aforesaid Ni: Spencer Esq^r & c. Coll Rich^d Lee and Coll Isaac Allerton, doe admitt the aforesaid Waugh Harrison and West to bayle, or Comitt them to Prison, and soe to provide that they may be brought to appeare on the fourth day of the next Gen^l Court at James City before the President & Councell; And forasmuch as it is vehemently Suspected that Cap^t George Mason, Countinanced and encouraged those Factious Mutinous dangerous reports, and violent agitations Contrary to his Allegiance, and the trust reposed in him, which being by this Board Considered, It is Ordered and resolved that he be removed from being a Justice of the Peace, and discharged from his Comand in the Militia, and that he give good Security to the Sherriffe of Stafford County for his future good behaviour.

Whereas many mutinous and Seditious persons were gathered together in the upper parts of Rapp^a, about the beginning of Aprill, and drawing themselves into Armes under the pretence of defending themselves against Papists, and Indyans, and proceeded soe far in their Mutinous and Factious disord^rs, as to beat up Drums for Vollunteers, saying their was neither King, Laws nor Government, when as it is rather to be beleived, as it did Manifestly appeare, the pretence of the feares was onely a Gloss to their Rebellious purposes, and forasmuch as W^m Gannock, W^m Heather, Timothy Davis, & Geo: Lambert four forward and Notorious Actors in those Rebellious and Outragious Actings, who that they may not escape their rewards due for Such mutinous & Rebellious proceedings, It is Ordered that the Hon^{ble} Ralph Wormeley Esq^r, Coll Christopher Wormeley and Coll Jn^o Armestead three of his Majesties Councell doe Cause the said Gannock

Heather Davis and Lambart to be taken into Custody, and in Such time and place as they shall finde Fitt to cause them to be brought before them, to take their Examinations, as also Such persons as can Evidance against them, and after Examinacon either to Comitt them to Goal, or admitt them to bonds with good Securitieys for their appeareance at James Citty the fourth day of the next Gen^l Court, that soe they may be proceeded against

Whereas upon the veiw of his Majesties Magazine of Powder Shott for this Colony, it is found to be very Short in proportion to what may be thought fitt, for the Necessary Safety of the Colony, and this Board takeing under Consideration, how the Governm^t will be distressed for want of Powder and Ball, if any intestine disord^r should be, or Indyan incursion which wee are often Subject to, or Foreign Invasion which may be feared, It is thought fitt & accordingly resolved & Ordered, that M^r Audit^r Byrd doe take Care to Send to England, for fourty barrells of Powder with Musquett Bulletts, Carbine and Pistoll Bullets, proportionable (to be and remain as the Standing Magazine of this Colony) and the Same be accompted for and paid out of the Mony arising from Port Duty's.

Att a Councell held at James Citty Aprill 26th 1689

Present

Nath^l Bacon Esq^r President

Ni: Spencer Esq^r Sec.

Coll W^m Byrd

Coll W^m Cole

Coll X^{to} Wormeley

Coll Jn^o Custis

Coll Jn^o Lear

Coll Rich: Lee

Coll Isaac Allerton

Coll Jn^o Page

Coll Jn^o Armestead

Whereas the Right Hono^{ble} the Lords of their Majesties most Hono^{ble} Privy Councell, have been pleased to Signifye that W^m and Mary Prince and Princess of Orange, have with the Consent & at the desire of the Lords Spirituall and Temporall and Comons Assembled at Westminster, beene Proclaimed King & Queen of England, France and Ireland, and of the Territories and Dominions thereunto appertaining, And forasmuch as their Lordships hath thought fitt to Command, that the Gov^r and Councell with the Assistance of the Principall Inhabitants of this Colony of Virg^a, doe Proclaime their most Sacred Maj^{ties} King and Queene of England, France Ireland and of the Territories and Dominions thereunto appertaining, with the Solemnities and Ceremonies requisite on the like occasion, It is therefore in Most humble Duty resolved and Ordered, that tomorrow their most Sacred Majesties, by Eleven of the Clock in the Morning, before the Court house Doore in James Citty, be Proclaimed King and Queen of England, France and Ireland & of the Territories and Dominions thereunto appertaining, according to the Form of Proclamacon by their Lordships direction Sent to this their Maj^{ties} Government, and that the Sherriffe Sumons the best appeareance that can be had at that time, for the Testifyeing the due Honour & Obedience, and acclamations

of Joy, by firing Great Guns, Sounding of Trumpetts and beating of Drums, It is also Ordered and appointed that the 23^d day of May next, their most Sacred Majesties be Proclaimed in every respective County in this Colony, at the usuall place for holding Courts, with the greatest Solemnities and Ceremony's they are Capable of performing on that great Occasion

Aprill 30th 1689

Present

Nath^l Bacon Esq^r Presid^t

Ni: Spencer Esq^r Sec.

Coll Jn^o Page

Coll William Cole

Coll W^m Byrd

Coll Rich^d Lee

Coll Jn^o Lear

Coll Isaac Allerton

Whereas Edward Davis Lionell Delawayfer & Jn^o Hinson, were by Cap^t Simon Rowe Comander of His Majesties Frigott the Dunbarton, Stopped Seized & Secured at the mouth of James River, upon the Suspicion of Pirats, haveing a Considerable quantity of Plate and Mony, with some other things according to an Inventory thereof taken, and forasmuch as they were brought before his Excellency, some of the Councell being then present, who upon Examination declaired that they had been a broad a Trading, and had come from Burmudos to Pensilvania, from Pensilvania to Mary Land, and from Mary Land in a Shallop down the bay, with intention to goe to Lynhaven there to set themselves downe, and for their passing thorow Pensilvania and Maryland, produced Certificates under the hands of two Justices of the Peace, and forasmuch as the Mony plate and Goods that was taken with them, were Supposed to be Pirattically taken, His Excellency thought fitt to have the Mony Plate and Goods Secured, and Comitted the aforesaid Edw^d Davis, Lionell Delawafer and John Hinson, to James Citty County Goal, there to remain till the Same could be represented to his Majestie, and his Maj^{ties} Pleasure knowne therein, And forasmuch as the 16th day of August, the said Edward Davis, Lionell Delawafer and John Hinson, petitioned his Excellency, that they might be admitted, to the benefitt of his Majesties Gracious Proclamation, Intituled A Proclamation for the most Effectuall Reduceing and Suppressing of Pirats and Privateers in America, upon which they affirmed they came in, And the Proclamation being published the 6th day of August, they apprehended themselves to be within the Gracious mercy of that Proclamation, to which his Excellency then replied, that the matter lay before the King, and that he could not proceede untill his Majestie had signified his pleasure, And forasmuch as the said Edward Davis, Lionell Delawafer and John Hinson, by their humble peticon on the 18th of this Instant Aprill, Set forth their whole case as by their petition at large will appeare, and humbly prayed that they might be enlarged, and their Mony plate and Goods delivered unto them, upon which the Court advised and for answere returned that his Majestie by the Lord Sunderlands Letter was pleased to signifye that Edward Davis, Lionell Delawafer and John Hinson, or any other

persons who have, or shall be apprehended for Piracy, be prosecuted according to Law, at Such time and in such manner as S^r Robert Holmes or his Agent shall desire, And forasmuch as Cap^t Thomas Berry Commander of his Majesties Ketch the Deptford, Agent or Deputy of S^r Robert Holmes was to be acquainted with the petitioners petition, before any proceedings could therein be had, and the said Edward Davis, Lionell Delawafer, and John Hinson by their Second petition on the 23^d Instant, reiterated their first petition, and moved that they might have a hearing, and the benefitt of his Majesties Gracious Proclamacon, according as is by their petition at large Set forth, to which the Court replied that Capt Berry was Suddenly to come to Towne, and it was Necessary it should be knowne what ord^s he had received from S^r Robert Holmes therein, And the said Cap^t Berry personally Comeing before the Councell at James Citty, was made acquainted with the petitions of the said Edward Davis, Lionell Delawafer and John Hinson, who answered that according to his Direction from S^r Robert Holmes untill the Plate, Mony, and other things, taken and Seized with the said Edward Davis, Lionell Delawafer and John Hinson was delivered unto him, he could not proseed to Tryall, which being by the Councell Considered, and how that the Mony was by his Excellencies Order, and direction safely Secured and ready to be produced when the matter should be adjudged, were of the Opinion that it was not Consistant with the present case, the said Edw^d Davis, Lionell Delawafer and Jn^o Hinson alleadging they Volluntarily came in, and were not brought in, in hopes of the benefitt of his Majesties Gracious Proclamation, that the Mony plate and Goods should be removed untill the Case was fully heard and Determined, upon which resolve Cap^t Berry declineing to Prosecute the said Edward Davis, Lionell Delawafer and John Hinson, And the said Edward Davis Lionell Delawafer and John Hinson on the 29th of this Instant againe humbly moveing that they might be heard, and their Plate Mony and Goods delivered unto them, by receiveing the benefitt of his Majesties Gracious Proclamation And that their bodyes might not be kept in Custody, without hearing, after tenn Months Imprisonment, Which the Councell having fully Considered, and it appearing they the said Edward Davis, Lionell Delawafer and John Hinson were not brought into this Colony, but Volluntarily came in, and that Since Cap^t Berry the Agent of S^r Robert Holmes, refuses to proceede to Tryall of the aforesaid Edward Davis Lionell Delawafer and John Hinson, unless the Mony Plate and Goods be first delivered into his Custody, which the Court for the Reason aforesaid thought not fitt to be delivered till after Tryall, And that the said Edward Davis, Lionell Delawafer and John Hinson may according to Law be admitted to Tryall, or receive the benefitt of his Majesties most gracious Proclamation of Pardon, Have resolved and Ordered, the Mony plate and Goods remain as in manner placed by his Excellency, and that they the said Edward Davis, Lionell Delawafer and John Hinson giveing bond of good behaviour, with good Security of Five hundred pounds Sterl, be permitted to take a voyage for England in order to their either receiveing his Majesties Gracious Pardon, or according to Law to be proceeded against, And

forasmuch as they have Set forth that they are in great Necessity, and have not wherewith to pay their passage, nor anything to answere their meane & Ordinary Occasions, It is therefore Ordered that there be delivered to Edward Davis, Lionell Delawafer and John Hinson, each Man thirty pds, out of their Monys in Custody and that the acco^t of their Charges of Imprisonment, dyet and fees, be adjusted & Setled & paid out of their said Mony in Custody as aforesaid, And it is further Ordered that William Edwards Clerke of the Councell deliver unto the said Edward Davis, Lionell Delawafer and John Hinson, the Mony's Ordered unto them, as by an Order of the Councell Ordering and Impowering him soe to doe.

Vera cop Test

Nicho. Spencer

Att a Coucill held at James Citty Jan^{ry} 16th 1689 [1689-90]

Present

Nathaniell Bacon Esq^{re} President

William Cole Esq^{re} Secret

Coll John Lear

Ralph Wormeley Esq^{re}

Coll C^r Wormeley

Coll John Armestead

This Board having received Information that M^r John Paine, one of their Majesties Collectors of Maryland, was killed by a Gunn Shott from on Board a Yacht, lyeing in Potuxent River in Maryland, belonging to Major Nicholas Sewell, about the latter End of X^{br} or beginning of Jan^{ry} last, and that the said Yacht and Men that were then in her, are now in this their Maj^{ties} Government of Virginia, and M^r John Woodcock one of the persons, that was in the said Yacht at the time aforesaid, being by Virtue of M^r Presidents Warrant, brought before this Board (haveing yesterday volluntarily Surrendered himselfe to M^r President) upon his Examination Confessing, that two Boates with Armed Men, about three of the Clock in the Morning, the third day of this Instant Janry, comeing very near the said Yacht, were by him, and the rest of the Company on board the said Yacht, forewarned comeing any nearer, at that unseasonable time of the night upon their perrills, and that the Men in the said Boates then replyed, they were come to take them prisoners, and to Seize the Yacht, upon which their Company in the said Yacht answered, that they would not be taken, nor they should not take the said Yacht, and that after many more words on both sides, Severall Gunns were fired by the Men in the said Boates, and by them, that then the Boates left them, and they came to Virginia, as also that he understood the said Pain was killed in the afores^d Skirmish, Now to the End all due Care may be had and taken by this Board, and the Murderers Secured to abide a Legall Tryall, It is resolved and accordingly Ordered, that the aforesaid M^r John Woodcock, be by M^r Presid^s Warrant, Comitted into the Custody of the Sherriffe of James Citty County, there to remain till further Order, and that M^r Presid^t doe forthwith issue forth his Warrant for the Seizeing William Aylward, George Mason, Brother William, and the other two

Men that were in the Yacht, and Committing them into the Custody of the aforesaid Sherriffe of James Citty County, there to remain till further Order.

Att a Councill held at the House of Nath^l Bacon Esq^r
March the 10th 1689

Present

Nathaniell Bacon Esq^r Presid^t

William Cole Esq^r Secret

Coll John Page

Ralph Wormeley Esq^r

Coll William Byrd

Coll C^h Wormeley

M^r John Woodcock, George Mason, William Burley, and William Aylward, who were in the Yacht of Major Sewell, when M^r John Pain was killed in Potuxent River, being according to the Order of this Board of the 16th of Jan^r, apprehended, and being now brought before the Board, were Examined Severally, and one John Reeveley who was in one of the Boates with M^r Pain, being also this day Examined, This Board upon Consideration of the whole matter, doe thinke fitt, and Order, that the said John Woodcock, George Mason, William Burley and William Aylward doe remain in the Custody of the Sherriffe of James Citty County untill further Order, and that the said John Reeveley shall remain in the Custody of the Sherriffe of Yorke County, until further Order, and M^r Presid^t is desired to represent the whole matter, and transmitt Copies of the Several Examinations to the R^t Hono^{ble} the Lords Comittee for Plantations, and the R^t Hono^{ble} the Earle of Shrewsbury their Majesties Principall Secretary of State and His Ex^{cy} the Gov^r Humbly desireing their Lordships to acquaint his Majestie with the proceedings of this Board, that soe this Board may receive His Majesties Comands what shall be done therein.

Vera c^o pia Test

William Cole Secr.

Att a Councill held at James Citty Aprill 28th 1690

Present

Nath^l Bacon Esq^r Presid^t

William Cole Esq^r Sec.

Coll William Byrd

Ralph Wormeley Esq^r

Coll John Lear

Coll Richard Lee

Coll C^r Wormeley

Coll John Custis

Coll Isaac Allerton

Coll John Page

Coll John Armestead

Forasmuch as it appeares to this Board, by acco^{ts} Examined and found just, that there was disbursed for Provisions, for the Seamen belonging to their Majesties Ketch Deptford, after shee was cast away in Potomack River, whilst they remained doing their Duty, in Endeavouring to raise her, and Saveing what could be gott of her Sayles, and other furniture, Seventy pounds five shillings Sterl, also that the

said Seamen, were furnished with Cloathing, to the value of Sixty Six pds, Sixteene shillings and three pence Sterl, (having lost all their owne in the Ketch) and that there was due to Carpenters, for Worke done on board their Majesties Shipp Dunbarton, by M^r Presid^{ts} direction, in Order to her Speedy dispatch to Endeavour the raising the aforesaid Ketch, and for a Sloop hired, to Endeavour the same (after Cap^t Rowe affirmed he could not Send the Dunbarton) the Just Summe of thirty three pds one shilling and tenn pence Sterl, in all one hundred & Seventy pounds three shillings & one penny Sterl, It is Ordered that M^r Audit^r Byrd, pay the said Mony, and draw bills of Exchange on the R^t Hono^{ble} the Commission^{rs} of their Majesties Navy, for payment thereof, which they are humbly desired to pay, and to the End that a just account may be rendered, to the said R^t Hono^{ble} their Majesties Com^{rs} of the Navy, what Cloathes each man belonging to the aforesaid Ketch had, that the same may be abated out of their Wages, It is Ord^d, that Copies of the accounts be drawn out, Attested by M^r Secretary Cole, and delivered M^r Audit^r Byrd, to be by him sent unto them.

May 1st 1690

Present as before

Ralph Wormeley Esq^{re} & Coll Jn^o Custis absent

This Board having received advice from New Yorke, and Maryland, that divers barbarous Murthers, have lately been perpetrated, by the French, and Indyans near Fort Albany, in the Government of New Yorke, and it being much feared that the French, and Canada Indyans, will make some Attempts on the head of Potomack River, or other Frontiers of this their Majesties Country; Now to the End the Inhabitants may stand upon their Guards, and be in a readiness to resist, and repell any Attempts, that may be made, by their Majesties and Our Enemies. It is by this Board Ord^d, that the respective Comand^{rs} in Cheife, within this their Majesties Country, doe forthwith issue their Ord^{rs}, to all the Officers under their Comand, to cause their Souldiers to be in a readiness upon all Occasions, and have their Armes well fixed, and perticularly that the Comand^{rs} in Cheife of all the Frontier Counties, doe forthwith issue their Ord^{rs} to the Severall Comanders under them, forthwith to give Notice to all the Inhabitants, to stand on their Guards, and be very Vigilant, that they be not Surprized, by Our barbarous Enemyes, and that upon the least Notice, of the Approach of any Forraigne Indyans, or French, they Imediately Send to the next adjacent Militia Officer, who is forthwith to raise the Militia under his Comand, and to give Notice to the other Offic^{rs} of that County, who are alsoe to raise the Souldiers under them, to resist or repell, any of Our said Enemies, and the said Offic^r or Offic^{rs} and [are] to give Speedy notice to the Comand^r in Cheife of that County, and to follow such Ord^{rs}, and Comands as they shall receive from him, and in case there be occasion for any Assistance the Comander in Cheife, is to raise soe many of the Militia of the Adjacent Counties, as he shall

think fitt, and cause them to march to the assistance, where occasion shall be, and the said Comander in Cheife of the said Counties forthwith to give an account of the same, to the Gov^r or Comander in Cheife of the Country for the time being, and observe Such Ord^{rs} and Comands as he shall receive from him. And the like Order and Methods are to be taken and observed by the Comand^{rs} and Offic^{rs}, lying at the Mouths of the Rivers, in case any Enemye shall come by Sea, and that M^r Presid^t accordingly issue forth Warrants, to the Respective Comand^{rs} in Cheife;

Vera cop Test

William Cole Sec

At a Gen^l Court held at James Citty Aprill 30th 1690:

Present

Nath Bacon Esq^r Presid^t

W^m Cole Esq^r Sec

Coll Jn^o Lear

Coll Rich^d Lee

Coll C^r Wormeley

Coll Jn^o Page

Coll Is: Allerton

Coll W^m Byrd

Coll Jn^o Armestead

Edward Davies Lionel Delawafer and John Hindson by humble peticon Set forth that by his Exc^y y^e Lord Howard of Effingham's *mittimus* dated y^e 9th day of July 1688, they were committed to James Citty County Goal for suspicion of pyracry where notwithstanding they peticon'd Severall times for their releasment, and their money plate and other goods to be deliver'd them, or brought to tryal they continued full ten months in prison, in which were two Severall Gen^l Courts and Goal deliveries, and yet no prosecution by y^e attorney Gen^l or any other; in less then which time every English born Subject and Such are they ought to be prosecuted or acquitted, and whereas on y^e 30th of Aprill 1689: they were permitted to take a Voyage for England or Stay here, and ordered Severally to receive thirty pds Sterl for their necessary occasions and were discharged from imprisonment and have given bond and Security for their good behavior, which they have punctually observed, and forasmuch as their Case is directly and immediately lodged before this Court who are y^e sole Judges thereof, and seeing that delays are odious in Law for by *Magna Charta* cap.29. It is ordain'd that no freeman shall be imprison'd or disseised of his freehold or liberties, or Justice denied or differred, also by y^e Law its provided that it shall not be comanded by y^e Great Seal & c nor by Letters or any other cause to delay Right, and albeit such Comand come from y^e King himself also that no Justice shall stay Justice for any writt, letter, or other Comandm^t against y^e Laws of y^e Realm, all which good laws are back't by Severall late laws and authorities, and forasmuch as they have brought their Several actions against Cap^t Simon Row for wrongfully forcing their Estates from them, who in contempt of y^e Court appears not, neither will permitt severall of their witnesses to appear before this Court, tho' Suppoened: and for that their Estates are wrongfully and illegally detained from them, and

those that keep it have no lawfull cause so to do, it being their proper Estates, and ought long since to have been deliver'd to them, they therefore humbly demand their money plate, and other goods, and Estates be deliver'd to them, and that they be not further delayed;— All which having been duely consider'd by this Court, and it appearing that Cap^t Simon Row did receive a Sumon from M^r President Bacon, giving him notice that Edward Davies Lionel Delawafer, and John Hindson, have each of them enter'd an accon of debt for four thous^d pds Sterl, and an accon of y^e Case for two thousand pds Sterl against him; in y^e Secretaries Office to y^e fifth day of this Gen^l Court which said Sumon y^e Said Rowe having reced, but not making any appearance it is y^e opinion of this Court, that Summon's issue out of M^r Secretaries office Sign'd by y^e Clerk of that Office against y^e said Cap^t Simon Row, directed to y^e Sherriff of Eliz^a Citty County, to be served by y^e said Sherriff and accordingly return'd, and whereas it is set forth by them the said Edward Davies Lionel Delawafer and John Hindson, that y^e said Cap^t Simon Row detaines their Evidences, and refuses to let them appear, altho they were lawfully Suppoened by y^e Sherriff of Eliz^a Citty County and it not being thought convenient to cause y^e men belonging to their Maj^{ties} Ship to be brought from her; but to y^e End y^e Said Davies Delawafer and Hindson may not be impeded, in taking such evidences as they shall find necessary, It is Ordered that a *Dedimus potestatem*, issue directed to Cap^t Anth^o Armestead M^r W^m Wilson M^r Bertram Servant and Cap^t Thomas Allamby impowering and requiring them or any two or three of them to take y^e deposicons of all such persons as they shall be desired by y^e said Edward Davies, Lion^l Delawafer and John Hindson to cause to appear before them, and whereas, they y^e said Edward Davies Lionel Delawafer and Jn^o Hindson complain, that they were ten months imprisoned, in which time, every freeborn subject ought to be brought to tryal or acquitted, and therefore moved they might be discharged and have their money plate and good delivered unto them, and it appearing that they y^e said Edward Davies Lionel Delawafer and John Hindson were imprison'd, by a warrant from his Ex^{cy} Francis Lord Howard of Effingham their Maj^{ties} Lieu^t and Govern^r Gen^l of Virginia upon suspicion of pyracý they denying that they were privateers, or pyrates, and y^e same being represented by his Excell^y to his Maj^{tie} in Aprill Gen^l Court last, their came a Comand from his Maj^{tie} Sign'd by y^e Right hon^{ble} y^e Earl of Sunderland that they y^e said Edward Davies Lionel Delawafer and John Hindson should be brought to tryal, as to S^r Robert Holmes his Maj^{ties} sole agent concerning privateers and pyrates, or to his Deputy should be thought fitt, the Court then being made acquainted that Cap^t Thomas Berry was by y^e said S^r Robert Holmes, appointed his Deputy in that affair and Cap^t Berry appearing at y^e Councill board produced his power from y^e said S^r Robert Holmes, but refused to proceed against y^e Said Edward Davies Lionel Delawafer and John Hindson unless their money plate and goods were first deliver'd unto him, which y^e said Edward Davies Lionell Delawafer and John Hindson humbly moved might not, and it appearing to y^e Councill that they y^e said

Edward Davies Lionel Delawafer & John Hindson, had after ye publication of his Maj^{ties} proclamation, concerning privateers and pyrates dated Jan^{ry} y^e 20th 1687-8 humbly prayed y^e benefitt thereof, and that they came into this Colony and were not taken and brought in, It was their opinion that y^e money should remain where it was lodged by his Ex^{ty} and they y^e said Edward Davies Lionel Delawafer & John Hindson giveing Security for their good behaviour, admitted to go for England humbly to lay y^e whole matter before his Maj^{tie}, and money accordingly allotted them to defray their necessary charges, and a true state of y^e whole proceedings made by y^e Councill, but they not going for England, nor procuring from thence any orders relateing to their affairs, it can be imputed to nothing but their own neglect that they have not a final determinacon, but this board considering that a Lieu^t Govern^r is dayly expected by whom it is hoped some measures are taken in order to y^e bringing to tryal y^e said Edward Davies Lion^l Delawafer & Jn^o Hindson, or delivery of their money plate and goods, It is ordered that if y^e Said Lieu^t Govern^r shall not arrive by y^e last of may next, and they y^e said Edward Davies Lionel Delawafer and John Hindson or any of them, are desirous to go for England, that M^r President issue his warrant for delivery of one hundred pds out of y^e money taken in their possession to each of them that shall desire to goe, and fifty pds to each of them that shall stay here, for their necessary Support and maintainance, till such time as their Maj^{ties} pleasure shall be known.

Vera cop Test

W Edwards Cl Genll Cu .

Att a Councill held at James Citty June 3^d 1690

Present

The Rt Hono ^{ble} Francis Nicholson Esq ^{re} their Ma ^{ties} L ^t Gov ^r	
Nath ^l Bacon Esq ^{re}	Coll John Page
William Cole Esq ^{re} Sec	Coll William Byrd
Ralph Wormeley Esq ^{re}	Coll C ^r Wormeley
Coll Richard Lee	Coll Isaac Allerton
Coll John Custis	Coll John Armestead

The Right Hono^{ble} Francis Nicholson Esq^{re} their Majesties Lieutenant Governor, of this their Majesties Colony and Dominion of Virg^a, his Commission from their Majesties bearing date at Westminster the 14th day of Novemb^r 1689, in the first yeare of their Majesties Reign, was this day read in Councill, after which his Hono^r with the President and the Councill, went to the Court House, and the Comission there being again read, He took the oath of Lieutenant Governor.

A Proclamation Continuing, all Civill and Military Majestrates, and Offic^{rs} in the Execution of their Respective powers and Authorities, was perused, allowed, and Ordered to be Imediatly Issued forth.

Coll William Byrd their Majesties Audit^r acquainting this Board, that his account of the payment of the Publique dues of this Colony, out of their Majesties Revenue for the yeare 1688, was not passed in England, for that he had not the Councill^{rs} receipts, for their allowance

of three hundred and fifty pounds for that yeare. Now to the End that M^r Audit^{rs} acco^t may be allowed, and trouble avoided, in takeing every of the Councill^{rs} receipts, for their parte of the aforesaid sune, the whole whereof is duely paid, both for the aforesaid yeare 1688, as also for the yeare 1689, M^r Secretary Cole is requested and appointed, for and on behalfe of the whole Councill, to Signe a receipt to M^r Audit^r Byrd, for the Councills allowance of three hundred and fifty pds per Ann: for the aforesaid yeares of 1688 and 1689.

Edward Davis, Lionell Delawafer and John Hinson, having petitioned the R^t Hono^{ble} the L^t Gov^r that their Mony, plate and Goods might be delivered unto them, which was taken from them, by Cap^t Symon Rowe, Comand^r of their Majesties Shipp the Dunbarton, His Hono^r was pleased to Communicate the said petition to this Board, as also a Coppie of a petition preferred by M^r Micajah Perry, on behalfe of the said Edward Davis, Lionell Delawafer and John Hinson, to their most Sacred Majesties in Councill, and His Ex^{cie} Francis Lord Howard of Effingham, their Majesties Lieu^t and Governor Generall, of this their Colony and Dominion of Virg^a, his answere thereto; and His Ex^{cie} ord^r to M^r Presid^t Bacon, and another to himselfe, for Sending home the said Mony, Plate and Goods, in ord^r to its being delivered to S^r Robert Holmes, their Majesties Sole Commissioner in that affair, and desired their Opinions what was requisite and Necessary to be done therein, and the said Davis, Delawafer and Hinson having been Examined, what return they had from the Councill Board in England, to the petition presented by M^r Micajah Perry (who they owned their Agent) answered, that they had noe answere thereto, but that it still lay before the Councill, which having been duely Considered by this Board, It is thought fitt, and accordingly Ordered, that the Mony, Plate and Goods, taken in the possession of the said Edw^d Davis, Lionell Delawafer and John Hinson, and left in this Colony by His Ex^{cy} the Governor be according to his Ord^r, Sent home to His Ex^{cy}, Except three hundred pounds of the said Mony, which it is thought fitt and accordingly Ordered, shall be put into the possession of Ralph Wormeley Esq^{re}, for payment of the Just debts due from the said Davis, Delawafer and Hinson in this Colony, (Severall Claimes being Entered) and that after the said debts are paid, if any shall remain, the same be Sent to England by the first Conveniency to His Ex^{cy}; and to the End that a true and Just acco^t be taken of the said Mony Plate and Goods and the said Mony Plate and Goods Shipt on board the Effingham John Purvis Master which said Shipp, is a Shipp of good Force, and very Convenient to the place where the Mony, Plate and Goods lyeth, It is Ordered that William Edwards Clerke of the Councill, doe in the presence of Ralph Wormeley Esq^{re}, Coll C^r Wormeley, and Coll John Armestead, three of their Majesties Councill of this Colony, or any two of them, take the acco^t as aforesaid, and deliver the same to M^r Secretary Cole, that Copies thereof may be Sent to His Ex^{cy}, and the said Ralph Wormeley Esq^{re}, Coll C^r Wormeley and Coll John Armestead, or any two of them, are requested and appointed, to cause the said Mony, plate and Goods, (Except as before Excepted)

to be put on board the Shipp Effingham and take the Masters bills of Lading for the Delivery thereof, to His Ex^{ty} in London.

Cap^t Symon Rowe Comand^r of their Majesties Shipp Dunbarton, by His Letter to the R^t Hono^{ble} their Majesties L^t Gov^r of this Colony and Dominion of Virginia, as likewise a Letter to M^r Presid^t Bacon, both which His Hono^r was pleased to cause to be read in Councill, givinge an acco^t that he had Severall things of value in his possession, which were taken in the Custody of Edward Davis, Lionell Delawafer and John Hinson, which having been Considered by this Board, as also the best Method of Securing the same, It is thought fitt, and accordingly Ordered, that the said Cap^t Rowe forthwith give an account under his hand of the Severall perticulers in his Custody, taken as aforesaid in the possession of the said Edward Davis, Lionell Delawafer and John Hinson, and deliver the said particul^{rs} and the acco^t thereof to M^r Secretary Cole, who is desired to take the same into his possession, (and give the said Rowe a receipt for them which shall be his discharge for what he delivers) and Secure the said things, till direction be given, what shall be done with them.

June 4th 1690

Present as before

A Commission from the R^t Reverend Father in God the Bishop of London, appointing M^r James Blair Clerke to be his Comissary in Virg^a was by the R^t Hono^{ble} the Lieutenant Gov^r caused to [be] read in Councill, after which the Same was delivered to the said Blair, who acquainting this Board that there would be some charge and Expence, in discharging what was thereby required of him, but noe way how the same should be defrayed, on Consideration whereof, the R^t Hono^{ble} the L^t Gov^r is by this Board requested, to acquaint the R^t Reverend Father in God, the Bishop of London therewith; as also returne his Lords^p the humble thanks of this Board, for his pious Care in this affaire, and the reposeing the trust in one soe well deserveing thereof as the said M^r Blair is.

Phillip Ludwell Esq^{re} presenting to this Board, a Report of the Lords Committee for Trade and Plantations, to his Majestie in Councill, and His Majesties Ord^r thereon, It is Ordered that the same be Registered in the Councill Booke, and in Obedience thereto, that a Proclamation be forthwith prepared for His Hono^r the L^t Gov^r^s Signeing, declaring the Act of 1680 about Attorneys to be void.

His Honor the L^t Gov^r proposing to this Board, that the Duty upon Liq^{rs} Expires the 29th of Septemb^r next, and Offering it to the Consideration of the Board whether an Assembly should be Called before the same Expired, or not, In which it being the Opinion of this Board, that in a Short time some Ord^{rs} may be received from England, relateing to the Government, which may require the Calling of an Assembly, and there being noe Comands from their Majesties requiringe the Same, It is thought fitt and accordingly Ordered, that the Consideration of this Proposall, be referred to the meeting of the L^t Gov^r and Councill at the Audite, the 24th day of July next at James Citty.

The R^t Hono^{ble} the Lieu^t Gov^r proposing to this Board, that an acco^t be taken of the Severall Great Gunns, Amunition and other Armes, and Stores belonging to the respective Forts in this their Majesties Gov^rment, to the End it may appeare in what Condition they are, It is Ordered that Coll Jn^o Lear with two or three of the Militia Offic^{rs} to be appointed by him, doe cause an Exact account to be taken of the Great Gunns, other Armes and Amunicon belonging to the Fort of Nansimond, and returne the same to M^r Secretaries Office, and that Coll John Page doe the like in James City Fort, Coll Jn^o Armestead in Yorke Fort, Ralph Wormeley Esq^{re} in Rapp^a Fort, and Coll Isaac Allerton in Potomack Fort.

This Board having received Information from New Yorke, that Divers barbarous Murd^{rs} and Spoyles, have been Committed by the French, and Canada Indjans within that Government, and that the five nations of Northern Indjans, have or doe intend to Send to Our Neighbour Indjans, to perswade them away with them, which will be of Dangerous Consequence, to the Peace of this their Majesties Dominion, for prevention whereof, It is Ordered by this Board, that the Severall Interpret^{rs} doe forthwith goe to the Severall Nations of Neighbouring Indjans, and acquaint them, that if any Forreigne Indjans come to them, and require them to goe with them, they informe them, they are under the Protection of this Gov^rnm^t, and that they can do nothing therein, but repaire with the said Indjans, to the next Militia Officer, who is to acquaint those Forreign Indjans, that the said Indjans, are under the Protection of this Government, and that they are not to goe, without the L^t Gov^{rs} leave, and it is also Ordered, that the Indjans be by the Interpret^{rs} Ordrd, to be very Vigilant, to finde out the Approach of any Forreigne Indjans and if they shall discover any, that they forthwith give Notice thereof, to the next Militia Officer, and that the Interpret^{rs} also acquaint the Indjans, that if any Forreigne Indjans shall make any Attempt upon them, and they apprehend any Danger, that they may Send in their Women & Children to the English, who will take care of them, and that the English will Joyne with them, to Protect them from their Enemies.

The L^t Gov^r desiring the Opinion of this Board, whether it would be for their Maj^{ties} Service, if he should goe to the heads of the Great Rivers, to See in what Condition the Inhabitants thereof are, for the defence of this their Majesties Colony, In which the Councill Considering, the Severall Murd^{rs} and Spoyles, lately Committed by the French, and Canada Indjans, upon the Inhabitants of New England, and New Yorke, as appeares by Letters from thence, and not knowing but they may Attempt some Mischeife, on the heads of the Rivers of this Government, are of Opinion, that if his Hono^r doe the Same, It will be for their Majesties Service, and the Great Satisfaction, and Encouragement of the Inhabitants of this their Dominion

The Lieu^t Gov^r desiring to have an account of all the Captaines of Horse and Foot Souldiers, in this their Majesties Dominion, and the Number of Troopers and foot Soldiers und^r every of their Comands, and how furnished with Armes and Amunition, It is Ord^d that the Respective Comand^{rs} in Cheife, doe as soone as Conveniently they

can, return an account to the Secretaries Office, of the Severall Capitaines of Horse and Foot, and the Number of Souldi^{rs} under every of their Comands, and how furnished that His Honor the Lieu^t Gov^r may have an account thereof.

June 5th 1690

Present as before all but Co^{ll} Custis

Some of their Majesties Collectors of the one penny per pound Duty on tobacco, acquainting this Board, that they have some small parcell^s of Tobacco by them, for which they cannot get Freight, and proposeing, whether it would not be for their Majesties Interest, to have the same Sent to England, in their Majesties Friggotts now here, and this Board being of Opinion, it would be for their Majesties Interest, if it were not injurious to the Friggotts in their Sayleing, or otherwise, and the Comodore being made acquainted with the same, affirmed it might without prejudice be done, It is therefore Ordered, that those Collectors, who have any of the aforesaid Tobacco by them, putt the same on board the said Friggott forthwith, for which the respective Capitaine of the Friggott on which the said Tobacco shall be Laden, is to give the Collector that Ladeth it, three receipts for the Delivery thereof, to the Right Hono^{ble} their Majesties Commission^{rs} of their Majesties Customes in London, or their Order.

The Lieutenant Governor acquainting this Board, that he had received, Intelligence of Severall Murthers, Committed by the French, and Canada Indiyans, on the Inhabitants of New England, and New Yorke, desired their Opinions, whether it would not be for their Majesties Service, and the Greater Security of this Country, that a person of good Intelligence and understanding, should be Sent to New England, and New Yorke, to Carry Such Letters as he shall think fitt to Send to those Governments, and to make diligent Enquiry what Murthers or Depredations, the French, or Indiyans, had done in New England or New Yorke, on due Consideration whereof, It is the Opinion of this Board, that it is of absolute Necessity, and for their Majesties Immediate Service, that this Government be acquainted, of the truth of what is alleadged, that thereby due care may be taken for the preservation of this Colony, and Coll Cuthbert Potter being proposed as a fitt person, to performe this Service, Ralph Wormeley Esq^{re} and Coll C^r Wormeley are desired to agree with the said Potter, if he will undertake it, for fifty or Sixty pounds Sterl, and if he will undertake it, that he apply himselfe to the R^t Hono^{ble} the Lieutenant Governor, for his Letter and Instructions, but if the said Potter shall refuse to goe, that then Such other person, as the Lieutenant Governor shall appoint, performe the Same.

Cap^t Thomas Arnoll master of the Jeffryes, and Severall other Masters of Shipp^s, and Marchants, petitioning this Board, that their Shipp^s were now Laden, and ready to Sayle, and therefore humbly prayed that they might be permitted to goe, being in all about twenty Sayle of good Warlike Shipp^s, and alleadged they would be all ready, and sayle by the 18th day of this Instant, and this Board having re-

ceived Commands from their Majesties, that noe Shippes be permitted to sayle for Europe during the time of Warr, but in Fleets, are of Opinion that if Cap^t Arnoll give bond with Security, that the Severall Shippes by him Named, shall Sayle the 18th day of this Instant at Farthest, that they be permitted to goe, which being proposed to the said Arnoll, and by him denyed to be performed, and the Comodore of their Majesties Shippes, Sent to Convoy the Virginia, and Maryland Fleete of Marchants Shippes hither, and back, acquainting this Board, that by the third day of August, he should be ready, and Intended to Sayle, with all Such Marchants Shippes, as should then be fitt, and this Board taking into their Considerations, that it was upon the petition of the Marchants and Owners of the Shippes, that the Convoys were Sent by their Majesties, and that a Fleete could be ready but a Small time before the Friggotts time of Stay appointed them Expired, It is the Opinion of this Board, that noe Shippes be permitted to sayle, but under the Convoy of the said Men of Warr.

It is Ordered that the Severall Collecto^{rs} in this Colony, doe not Cleare any Shipp or Vessell bound for Europe, before the 10th day of July next, and that at the Clearing any Shipp or Vessell, they take bond of five hundred pds Sterl that they Sayle to Point Comfort in James River, und^r the Protection of their Majesties Friggotts, and there to remain till the Fleete with the said Friggotts sayle,

Whereas the Lord Culpeper, and divers others obtained a Grant from King Charles the Second of the Quitrents, and other profits of the Northern Neck in this Colony, and it being found very inconvenient to their Majesties Government, and Oppressive to the Inhabitants of that Neck, the same hath been humbly presented to their late Majesties King Charles the Second, and King James the Second, humbly praying their Majesties to purchase the Lord Culpeper, and other pretensions, that soe the Inhabitants might be Tenants onely to the Crowne, upon which their said Majesties were upon treaty with the Lord Culpeper, but noething having been done therein, This Board doth therefore desire the R^t Hono^{ble} the L^t Gov^r and appoint M^r Secretary Cole to write to the R^t Hono^{ble} the Lords Comittee for Plantations, their Majesties Principall Secretary of State, and His Ex^{cy} Francis Lord Howard Baron of Effingham, their Majesties L^t and Gov^r Gen^l of Virg^a acquainting their Lordships, of the Same, and humbly requesting their Lordships, on the behalfe of this their Majesties Dominion, that their Majesties will be pleased, to purchase the Right of the heir, or heires of the Lord Culpeper, in the said Northern Neck, which will be much for the Dignity of the Government, and Great Satisfaction to the Inhabitants.

Att a Meeting of the Councell July 5th 1690

Present

The R^t Hono^{ble} the L^t Gov^r

Nathan^{ll} Bacon Esq^{re}

Ralph Wormeley Esq^{re}

W^m Cole Esq^{re} Sec.

Coll John Page

Coll John Armestead

It is Ordered that the two Shippes that Came into James River from Jamaica bound for England one of them Called the Anne and

Mary of Bristoll whereof one Jn^o Burrowes is Master, and the other Called the James and John of London whereof George Clarke is Master, shall not depart this Port untill the Fleete under the Convoy of their Majesties Men of Warr Sayle, His Maj^{ties} having been pleased to Comand that noe Shipp should Sayle from hence to England but in Fleets, and the Comodore of the Fleete Cap^t Dilks having acquainted this Board that he was Ordrd perticularly to take into his Care Such Jamaica Shipp as should come here

Vera cop Test

William Cole Sec.

Att a Councill held at James Citty July 24th 1690

Present

The R ^t Hono ^{ble} Fra: Nicholson Esq ^{re} their Maj ^{ties} L ^t Gov ^r	
Nath ^l Bacon Esq ^{re}	Coll William Byrd
W ^m Cole Esq ^{re} Sec:	Coll Jn ^o Lear
Coll John Page	Coll C ^r Wormeley
Coll John Armestead	

In Obedience to an Ord^r of his Maj^{ties} in Councill a Proclamation Repealeing the Act of Assembly of June 1680 about Attorneys was perused allowed, and Ordrd to be Imediatly issued forth

This Board takeing into their Serious Consideracons that there are divers Good Laws made in England and this their Majesties Dominion of Virginia, restraining the Prophaining the Sabbath day, and against the wicked Sins of Curseing, Swearing, Drunkenness & other Debauchery, and for the Good Gov^{nm}^t of this Country, & amongst the rest of the good and wholesome Laws, there are Severall Acts made for the well Ordering of Negroes, and whereas there is an Act made that Enjoynes the having Grand-juries in every County, that offend^{rs} may be presented and punished, to deter the like offences for the future, and to the End that the Sabbath day may be kept Holy, all prophainness and Debaucheries of what sort soever discouraged and Deterred, that the Judgments of God Almighty be not drawn upon Our heads, and that all the Good Laws made for the well Gov^{nm}^t of the Inhabitants of this Colony be put in Effectuall Execution, It is Ordered that a Proclamation be forthwith prepared requireing and Comanding the Same, and a Proclamation being accordingly prepared, was perused, allowed and Ord^d to be Imediatly Issued forth.

Ralph Wormeley Esq^r & Coll Jn^o Custis added.

His Hono^r the L^t Gov^r acquainting this Board that in his travell thro the Country, he observed the Militia was not in Such Condicon as it ought, and therefore moved that care might be had therein, and this Board takeing into their Considerations that the Law, made at an Assembly begun Aprill 16th 1684, Entituled an Act for the better Supply of Armes and Amunition doth fully provide for the Same, Doe Order that the Respective Comand^{rs} in Cheife in this Government, doe take care to put the said Act in Effectual Execution

Their Majesties haveing been Graciously pleased upon the humble Request of this Board, to send a supply of Powder and Bullets to the

Inhabitants of their Ma^{ties} Colony and Dominion, This Board doe in all humble Duty acknowledge their Majesties, Grace and favour therein, and beseech their Majesties to Accept their most hearty and humble thanks for the Same, & appoint M^r Sec^{ry} Cole to write to the Lords Committee for Trade and Plantations, their Majesties Principall Sec^{ry} of State, and His Ex^{ty} the Gov^r to Signifye the humble thankfullness of this Board to their Majesties

Cap^t Symon Rowe by a Letter to His Hono^r the L^t Gov^r, acquainting his Hono^r of the perticuler things he had saved, belonging to their Majesties Ketch Deptford, and what now remaines, the rest being Converted to the use of their Maj^{ties} Shipp Dunbarton, with which his Boatswain stands charged; and proposing it, as a better way to have what remaines appraised, and Sold here, rather then put their Majesties to the Charge of the Freight home, His Hono^r desired the Opinion of this Board what was best to be done therein, which being Considered, It is the Opinion of this Board, that to Sell the Same at an Outcry some few days before the Fleete now bound for Europe Sail is the likeliest way to advance the Price thereof, and doe therefore Order that Cap^t Anthony Armestead, M^r William Wilson, and M^r Henry Jenkins or any two of them doe on the 5th day of August next, cause the same to be sold at an Outcry, for ready Mony or good bills of Exchange, which they are forthwith to return to M^r Audit^r Byrd, with an account of the Severall particul^s Sold, to whom, and for how much.

Gawen Dunbar Gunner of their Majesties Fort in Yorke River, produceing to this Board an acco^t of Charge for building a house on the Land belonging to the said Fort, desired to be paid the Same, and this Board being made acquainted that the said House is not finished, Doe Ord^r that the said Dunbar doe proceede and finish the Same, and Coll John Armestead is requested and appointed when the said House shall be finish^t to veiw it, (and Report what the Same in his Judgment may be worth) at the next meeting of the Councill after viewing thereof.

His Hono^r the L^t Gov^r acquainted this Board, that according to the Ord^r of Councill in June last, he had dispatched away Coll Cuthbert Potter, (who would not goe under Sixty pds) and that his Hono^r had Writt to the Govⁿments of New England and New Yorke, and to Severall Gentlemen in both Govⁿments, desireing to have an acco^t of the affaires of those Govⁿm^{ts}, and how far they had proceeded against the French, and Canada Indyans, and had given the said Potter such directions and Instructions, that he doubted not but in a short time he should receive a retorne from those Govⁿments.

July 25th 1690

Present as before

His Hon^r the L^t Gov^r acquainting this Board, that it is requisite and convenient for the forwarding and Carrying on the good Designe of having a free School & Colledge in this Governm^t (a thing already proposed by some pious Men) that persons be appointed & Impowred to take the Subscriptions of such as are willing to Contribute towards

soe good a designe, which by the blessing of God Almighty may be for his Glory, the Hono^r of their Majesties, and the Good of this Country, and the whole Board agreeing herewith, Severall persons being Named, His Hono^r is requested to Authorize and Impower them soe to doe.

Whereas by an Ord^r of Councill dated May 3^d 1688 It was humbly represented to his late Maj^{ty} King James the Second, that as it would be a Meanes of safety to the Remnant of Indiyans now left, soe it would be great Satisfaction to his Majesties Subjects, and make a good addition to the Revenue of Quitrents of this Colony, to be admitted to Survey and Seate the uninhabited parts of this Country, alwaies reserveing and Continueing to the Indiyans such Quantities of Land as they shall declare themselves Satisfied with, both in Pomunky Neck and the Southside of the blackwater, and this Board never having received any answer, doe appoint M^r Secretary Cole to Signifye the Same to His Ex^{cy} Francis Lord Howard Baron of Effingham their Maj^{ties} L^t & Gov^r Gen^l of this Colony, and that it is the request of this Board, that His Ex^{cy} will humbly Supplicate their Majesties to give Liberty to take up and Seate the said Lands, reserveing to the Remnant of Indiyans now left, such Lands as shall be Convenient for them

Coll W^m Byrd absent

His Hono^r the L^t Gov^{rs} proposall at the Meeting of the Councill in June last, whether an Assembly should be called or not, the Duty upon Liq^{rs} Expiring in Sept. next, being referred to be Considered at this Meeting, which being now taken into Consideration, and it being Expected that in a Short time Comands may be received from their Majesties relateing to the Government, which may require the Calling of an Assembly, and that if an Assembly should now be appointed, before the receiveing the Same, it will be a very great Charge, and burthensome to the Inhabitants of this Colony, to have two Assemblies one Just after another, are therefore of an unanimous Opinion, that it is not Convenient at this time to appoynt an Assembly.

The time appoynted (viz^t the third day of August) for the Fleet bound for Europes Sayling being near, and His Hono^r the L^t Gov^r proposing what measures shall be taken with those Shippes which shall not be ready to sayle with this Fleete, It is Resolved and Ordered, that all those Shippes which shall be Cleared and ready to Sayl with this Fleete, and get to them before they depart the Country, be permitted to goe, and that after this Fleete is gone noe Shipp bound for Europe be Cleared unless the Jamaca Fleete, or some Friggott arrive here bound for Europe, upon either of which his Hono^r the L^t Gov^r is desired to give Liberty, and appoint the time for Clearing and Sayling of all such Shippes as shall then be ready.

William Edwards Clerke of the Councill moveing that great paines Care and trouble now lies upon him, more then in former yeares, by reason of the Frequent Councils, and the good Methods & Rules observed for the Registering all Polliticall Matt^{rs} and Ord^{rs} of Councill, with all other Transactions of Moment of the Government, requireing Constant Attendance, for which the present Established Salary was

to [too] Small, and did not answer his trouble and Charge, therefore humbly prayed some Addition might be made to the present Salary Forty pds per Ann.; the Consid^ration whereof is referred to the Meeting of the Councill in Octob^r next.

July 26th 1690

Present as before and Coll Wm Byrd

The R^t Hono^{ble} the L^t Gov^r proposeing to this Board that it is fitt and Convenient, that the persons who manage the Government of Maryland, be made acquainted of the Measures taken by this Board about the Sayleing of the Shipp^s bound for Europe, which being adjudged very requisite and Necessary to be done, His Hono^r is requested to doe the same, also to signifye to them that in a Letter received from M^r Jn^o Coode, in answer to one Sent by His Hono^r, directed to those who take upon them the Management of the Gov^rnm^t in their Majesties Province of Maryland, the said Coode Informed that the said persons were all to meete the begining of this Instant July, and that then His Hono^r should have a full account of the affaires of that Gov^rnm^t, which was dayly Expected.

This Board takeing into their Serious Considerations that it would greatly tend to their Maj^{ties} Service, and the Good and well being of this Country, if all Such persons as their Most Sacred Majesties shall please to favour with Comissions for Holding and Enjoying places and Offices, in this their Majesties Government, were Enjoyed to make this Colony their Cheife place of Residence, dureing the time they hold Such place or Office, unless otherwise Lycenced by their Majesties, It is therefore the humble Request of this Board that their Most Gracious Majesties would please to Comand and Ord^r that all Such persons on whom they shall Confirme any places or offices in this Governm^t, doe with the first and best Convenience after the obtaining such Commission, repair into this Government, and here Continue, that soe the places and offices they hold may be faithfully and punctually performed, which will be to the Hono^r of their Majesties, and the Great Encouragement and Satisfaccon of the Inhabitants of this their Dominions and for the better Effecting hereof, M^r Secretary Cole is apoynted to Signifye the humble desire of this Board to the R^t Hono^{ble} the Lords Comittee for Trade and Plantations, their Majesties Principall Secretary of State and His Ex^{cy} Francis Lord Howard Baron of Effingham their Majesties L^t Gov^r Genll of this Colony, humbly praying their Lordships on behalfe of this Gov^rnm^t to Supplicate their Majesties to take the Same into their Princely Considerations

Whereas M^r Secret. Spencer deced in Aprill Gen^{ll} Court 1689, and Severall other times Carried from James Citty, and had in his possession Severall pap^{rs} relating to the Government of this their Majesties Colony and Dominion, and it being of absolute Necessity, and for their Majesties Imediate Service that all pap^{rs} whatsoever of that Nature should be Registered in the Secretaries Office, and there kept, It was Ordered in Octob^r Gen^{ll} Court 1689, that M^{rs} Francis Spencer the Relict and Ex^{tr} of the said M^r Secretary Spencer should deliver all

the said papers to Coll Isaac Allerton, wherein she faileing, the 17th of Jan^{ry} 1689, It was Ord^d that she should permitt Coll Richard Lee and Coll Isaac Allerton to have the perusall of all the pap^{rs} belonging to M^r Secretary Spencer deced, and to take into their Care all Such as should Concern the Governm^t, wherein she also faileing, and this Board understanding that one M^r Scringer hath very frequently had the perusall of M^r Secretary Spencers pap^{rs}, doe Ord^r that the said M^{rs} Frances Spencer, and the said M^r Scringer on Oath deliver all the pap^{rs} belonging or anyway relating to this Govⁿment, that ever came to their, or either of their possessions to Coll Richard Lee and Coll Isaac Allerton or either of them, as also that they on Oath declare, whether they know, or have heard in whose Custody the said pap^{rs} or any of them are, all or any of which if the said Spencer or Scringer shall refuse, It is Ord^d that shee or hee soe refuseing, doe appeare at James City before the R^t Hono^{ble} their Majesties L^t Gov^r and Council on the 5th day of the next Gen^l Court, then and there to answere what shall be objected against her or him faileing as aforesaid, and the said Coll Rich^d Lee and Coll Isaac Allerton or either of them, are requested and appoynted to Administer the Oaths to the s^d persons, and to take into their Custody, all such papers as they or either of them shall Deliver, and them Safely to Secure, and Cause to be brought to James City the next Gen^l Court.

Upon Consideration of a Difference betweene North Carolina and this Govⁿment, about the bounds betweene the two Governments, This Board doe humbly begg leave to pray their Majesties, that noe Grant be made, or Confirmed to the Proprietors of North Carolina, beyond the Latitude of thirty Six, till this their Majesties Government be heard therein, This Government alwaies having had Liberty of Granting Land to that Latitude, and if a Grant should now be made or Confirmed to the aforesaid Propriet^{rs} it is presumed they would Endeavour to Come beyond the aforesaid Latitude, which will be a great Lessning of their Majesties Revenue of Quitrents of this Colony, and to the great dissatisfaction and discouragement of those Inhabitants who have many yeares since obtained the Grants of those Lands, and Lived, and Inhabited thereon.

Lionell Delawafer and John Hinson by their petition Set forth, that being at the House of Ralph Wormeley Esq^{re} they saw their Mony Plate and Goods put into a boate belonging to Cap^t Jn^o Purvis, in Order to it's being Sent for England as they were Informed, and being Indebted to Severall persons in this Colony, for Necessary Provisions and Cloths, dureing the time they had been detained here, and not having wherewith to defray their passages for England, to Endeavour the Recovery of their Mony, Plate and Goods, humbly prayed that they might be allowed Mony to pay their said debts and passages, on Consideration whereof, if the said Delawafer and Hinson can agree with their Credit^{rs} soe that one hundred pounds shall Cleare their debts and pay their passages, (officers fees & c. Excepted) that they may be permitted to goe for England, It is Ordered that when they be on board Shipp, and signifie to whom the Mony shall be paid, the same be paid out of the Mony now in the possession of Ralph Wormeley Esq^{re} by M^r President Bacon.

Whereas at a Councill held at Ja: Citty Aprill 28th 1690, It was Ord^d that Edwd Ross who had beate the Drum three yeares, w^{ch} were then Expired, should be paid for the same twenty two pds tenn Shillings Sterl out of their Maj^{ties} Revenue of two shillings per hhd and Port Dutyes, and warrants being accordingly signed, It is Ordered that M^r Audit^r Byrd pay them, and the said Ross is for the future discharged from that Service

Ralph Wormeley Esq^r, Coll C^r Wormeley, and Coll Jn^o Armistead producing to this Board an acco^t of the Mony Plate and Goods, taken in the possession of Edward Davis, Lionell Delawafer and Jn^o Hinson, It is Ordered that it remain in the Secretaries Office, Coppies thereof being Sent to His Ex^{ty}, as by Ord^r of Councill in June last they were requested, and that according to the aforesaid Ord^r, the aforesaid Gentlemen cause the Same to be Shipt and Consigned, takeing bills of Lading for Delivery thereof to his Ex^{ty} Fra: Lord Howard Baron of Effingham their Majesties L^t & Gov^r Gen^l of Virg^a or his assignes, he or they paying Freight for the same, after the rate of two per Cent., being informed they usually have the like Freight from Cales to London.

An Acco^t of Contingent Charges of the Governm^t amounting to Seven pds five shillings and Six pence Sterl, being Examined and found Just, His Hono^r the L^t Gov^r is requested to Signe warrants for the paym^t thereof, to W^m Edwards Clerk of the Councill, he having paid the same to the severall persons to whom it was due.

M^r Presid^t Bacon having paid fourty shillings for the Care and Dyet of John Holmewood, a Seaman belonging to the Deptford Ketch, It is Ordered that the same be paid M^r President, out of the Mony that shall arrise upon Sayle of the goods which were saved, belonging to the Deptford Ketch aforesaid.

John Minson petitioning this Board for pay for Pilotage of their Majesties Friggotts now here, It is the Opinion of this Board, that the Comodore of their Majesties said Friggotts pay the said Minson for the Same, Severall Men of Warr, who have formerly been here, having done the like

Whereas at a Councill held at James Citty in June last, It was Ordered, that the Respective Comand^{rs} in Cheife, should as soone as Conveniently they Could, return an acco^t to the Sec^{rs} office, of the Severall Cap^{ts} of Horse and Foot, and the numb^r of Soldiers under every of their Comands, and how furnished, that His Hono^r the L^t Gov^r might have an acco^t thereof, which not being performed by reason of the Season of the yeare, It is Ordered that the Respective Comand^{rs} in Cheife, returne to the Sec^{rs} office in October Gen^l Court a List of the Cap^{ts} of Horse and Foot, and the Severall Soldiers names under every of their Comands, and how furnished, also what Fortifications, Great Gunns, small Armes, Amunition and Stores are in their Several Districts, and how disposed of, and in what Condition the Severall Fortifications are

His Hono^r the L^t Gov^r having received a Letter from M^r John Coode, Caused the same to be read in Councill, and desired the Opinion of the Board, whether he should return an answere, and the said

Coode in his Letter Signifyeing that a Meeting of the persons appoynted to manage the Govⁿment of Maryland, was appointed to be in July, and that His Hono^r should receive a full acco^t from them of the affaires of that Governm^t. It is the Opinion of this Board that noe answere be sent M^r Coode, till after His Hono^r should receive the promised acco^t

His Hono^r the L^t Gov^r produceing to this Board a Letter from Phillip Ludwell Esq^{re} Gov^r of North Carolina, directed to him, which having been read, It is Ordered that the same be Registered in the Secret^s Office.

Coll Phill Ludwell this day owned himselfe, Gov^r of North Carolina for the Propriet^{rs} thereof, and Agent for the heir of the Lord Culpeper to manage the Concern of the Northern Neck.

This Board upon the Motion of His Hono^r the L^t Gov^r takeing into their Considerations, that it was Requ[isite &] Necessary the Inhabitants of this Colony should know who to apply themselves too, to Survey any Land they should be desirous to take up, Doe therefore Ord^r that Coll Phillip Ludwell the Survey^r Generalls Deputy, doe returne to the Secretaries Office, a List of all the Survey^{rs} appoynted by him in this Colony, and the Limitts allotted each of them, And that for the future he Grant noe Comission to any person, to Survey in any precinct, in whcih there shall be another appoynted, the Same being found Inconvenient and prejudiciall, Also that he make Diligent Enquiry what Survey^{rs} have Contrary to Law or Ord^{rs} of Councill Surveyed Lands in Pomunky Neck, or the Southside of the Main black-water Swamp.

It being proposed to this Board, whether his Ex^{ty} the Gov^r and the L^t Gov^{rs} Salry shall be paid to this time, or the twenty fourth day of June last, It is their Opinions that in Regard the Instructions says to be paid in quarterly payments, that they be paid to the twenty fourth day of June last.

The R^t Hono^{ble} the L^t Gov^r acquainting this Board that he Intended to be at Poynt Comfort and See the Fleete of Shipps now bound for Europe Sayle, and after that Resolved to goe to Accomack and See in what Condition the Inhabitants of the two Counties on that side the Bay are for their Majesties Service, and that time permitting would Vissit the Inhabitants of this Colony, adjoyning to the bounds of North Carolina, On Consideration whereof, it is the Opinion of this Board that it will be for their Majesties Service, and the Encouragement of the Inhabitants of this their Colony and Dominion. And it is Ordered that if dureing His Hono^rs absence any thing Extraordinary in the Govⁿmt^t shall happen, that Expresses be Sent to M^r Sec: Cole, who is to forward the same to His Hono^r

Vera copia Test.

William Cole Secr.

Att a Councill held the 16th day of Aug^t 1690

Present

The R^t Hono^{ble} Francis Nicholson Esq^e
their Ma^y Lieu^t Gov^r of Virg^a

William Cole Esq^e Sec.

Coll John Custis

Coll Jn^o Lear.

The Lieu^t Gov^r acquainting this Board that he had received Information that one Nicho: Welsh now in this Government, with diverse other persons all Irishmen, had formerly made their Escape from the Island of Barbados to Martinico in a Boate, and that it was Suspected they went to give the French some Intelligence that they might Surprise the Barbados, or the Shippes that Traded there, and the said Welsh being Examined did acknowledge that he & one Patrick Henly and Seven other Irishmen went in a Boate from the Barbados, but pretended it was for that they were in debt there, and that they intended for Antegua, but could not fetch it, & soe went to Martinico, but on noe designe of Mischeife, but this Board finding by the Information of Joshua Broadbent and Jn^o King, that the said Welsh and Henly were both Seized at New Yorke, and Shipped on board a Vessell for the Barbados, and got on Shore at West Jersey, and that there was Letters Sent from the Government of Barbados (for the Apprehending them) to New Yorke and Pensilvania, Doe think fitt & Order that the said Nicho: Welsh be Secured, till the truth of the matter be heard from the Barbados, unless he give good Security not to depart this Country, and to appeare whenever he shall be Sent for, and the L^t Gov^r is desired to acquaint the Gov^r of Barbados with the same, And it appearing that Patrick Henly was in the Government of North Carolina the L^t Gov^r is desired to acquaint Coll Phillip Ludwell the Gov^r thereof for the Lord Propriet^{rs} that the said Henly was there, and to desire him that he may be Secured there.

It being proposed to this Board what Place would be most Convenient for their Ma^s Service for their Ma^s Shipp to Ryde when the Fleete was Sayled, this Board Considering that there were Scarse any Shippes left, but three Considerable Shippes in Yorke River, are of Opinion that it will be most for their Ma^s Service for Cap^t Rowe with the said Shipp to Ryde in the Bay over against the Mouth of Yorke River, and to Examine all Shippes and Vessells that shall Come in or goe out, & to Stopp all Shippes or Vessells that are bounde for Europe, that may all that are bound there, goe in a Fleet according to his Ma^s Comand, And this Board having received Information that there were some French Shippes on the Coast of New England and New Yorke, which had Comittd Great Outrages on the Land, and taken some Vessells, doe think fitt that Cap^t Rowe be very diligent in looking out, and if it shall happen any Shippes that he is not able to deale with should come in, he should Imediatly Sayle with their Ma^s Shipp Dunbarton up Yorke River under the Comand of the Fort, and Joyne with the Shippes there for their defence

The L^t Gov^r acquainting this Board that he had received a Letter from the Gentlemen that at present take on them to preserve the

Peace and Execute the Laws in their Ma^s Province of Maryland, wherein they Informed him that one Cap^t Rich: Hill an Inhabitant in that Province who was now on board one of the Shipp^s in the Fleete goeing for England, had uttered diverse Treasonable words against their Maj^s and had raised Forces to oppose their Ma^s Interest in the said Province, This Board takeing the same into their Considerations doe think fitt and accordingly desire the L^t Gov^r to Send for the said Cap^t Hill, and to cause him to give Security for his tendering himselfe as soone as he arrives in England to the R^t Hono^{ble} the Earle of Shrewsbury their Ma^s Principall Secretary of State, or the other Principall Secret. of State, to answer such things as shall be objected against him on their Ma^s behalf

The L^t Gov^r informeing this Board that one Geo: Lindsey who was formerly a Souldier in New Yorke in their Ma^s Service, who was lately come into this Country from thence, and had given him an account of the Great dissatisfactions and disturbances in that place, and he much doubted if some Speedy measures were not taken his Maj^s Interest in those parts might receive Great detriment, On Consideration whereof it is thought fitt that the L^t Gov^r shall send the said George Lindsey to England in one of their Ma^s Shipp^s, to the End he there may give true relacon of the Condition of the Place, and that there be some small sume of Mony laid out by his Hono^r the L^t Gov^r to furnish him with Necessaries for the Voyage, which is to be paid out of their Ma^s Revenue here

Sept the 18th 1690

Present

The R^t Hono^{ble} the L^t Gov^r

Nath^l Bacon Esq^{re}

William Cole Esq^{re} Sec:

Coll John Lear

The L^t Gov^r being informed that the three Shipp^s in Yorke River will be ready to sayle by the midle of Octob^r, It is thought fitt that the Shipp^s that are then ready may Sayle, And his Hono^r the L^t Gov^r is desired to give Notice to the Province of Maryland, and to all the Collecto^{rs} of this their Ma^s Dominion, that all Shipp^s that are ready by that time to sayle for England by the 20th of Octob^r come into Yorke River to make up as good a Fleete as can

Att a Councill held at James Citty 8^{br} y^e 17th 1690

Present

The R^t Hono^{ble} the L^t Gov^r

Nathaniell Bacon Esq^{re}

Coll Jn^o Lear

William Cole Esq^{re} Sec.

Coll X^{to} Wormeley

Coll John Page

Coll Isaac Allerton

Coll John Armistead

It being ordered by this Board that the Shipp^s that were to goe for England, should Come into Yorke River to goe in Company according

to his Ma^s Comands there being three Shipp^s of good Force in that River, and that the s^d Shipp^s should have Liberty to sayle the 20th day of this Instant, and accordingly the L^t Gov^r had written to their Ma^s Province of Maryland, and to the respective Collecto^r^s of this Colony to Order all Shipp^s that should be ready by that time to come into York River accordingly, and Cap^t W^m Norrington Comand^r of the Shippe Bayly petitioning this Board that he being longer detained in their Ma^s Service in the West Indyes then he Expected could not possible be ready to Sayle till the last of this Month, and being a Shipp of Countenance, and the other Shipp^s that are ready in the other parts of the Country, not being as yet come into Yorke River, It is thought fitt and Ordrd, that the said Shipp^s shall not depart untill the 6th day of Novemb^r and the Collectors are to Cleare the Shipp^s accordingly.

Octob^r the 21th 1690

Present

The R^t Hono^{ble} the L^t Gov^r

Nathaniell Bacon Esq^r^e

Coll John Page

W^m Cole Esq^r^e Sec:

Coll W^m Byrd

Ralph Wormeley Esq^r^e

Coll Jn^o Lear

Coll Rich: Lee

Coll X^{to} Wormeley

Coll Jn^o Custis

Coll Isaac Allerton

Coll John Armistead

The L^t Gov^r acquainting this Board of the Returne of Coll Potter from New Yorke and New Engl^d and with the account he brings, and of the acco^t his Hono^r had received by Severall Lett^r^s of the Great troubles and dangers the Inhabitants of New York and New England had, and were in by the many depredations and Murthers Comitted by Our Barbarous Enemies the French and Indians, and having also received Informacon from M^r Nehemiah Blackstone who Calls himselfe Presid^t of the Comittee for their Ma^s Province of Maryland, that there were diverse strange Indians at the head of Potomack, and that there were some of the Piscattaway Indians killed, and Cap^t Peale and Cap^t Mason being Ordered to Range at the head of Potomack to make discovery of the same, and not findeing that there were any Indians or tract [track] of Indians to be found they went to Piscataway Indian Towne, and discourseing with the Emperor of the Indyan^s, he declared he knew of noe strange Indyan^s, nor had any of his Indians [been] killed, this Board Notwithstanding to prevent any Surprize or Attempts that may be endeavoured to be made by Our Barbarous Enemies on the Frontiers of this their Ma^s Dominion, It is thought fitt & Ordered that the Comand^r^s in Cheife of the Forces at the heads of all the Rivers, Doe Order the Inhabitants to Continue their Dilligence in being very watchfull that they be not Surprized by any of our Enemies, and that they Cause the Former Ord^r^s of this Board for the Securing the Frontiers to be Carefully pursued and as they See Occasion to Order the Inhabitants to Range to make discovery if there be any Tracts of Indians, and to ord^r all their Officers to acquaint the Inhabitants and

the Interpret^{rs} to acquaint the Indians, that if they bring any Intelligence of Our Indian Enemies and it prove true they shall be well rewarded for their Intelligence, but if any person shall publish any false News to Allarum the Country and it shall soe appeare they shall be punished according to Law, & Coll Lee and Coll Allerton or either of them are desired to Open any publike Letters that shall come from the Northward, and if they see occasion to Send them to the L^t Gov^r

This Board takeing into Consideration that und^r pretence of goeing for New England and other their Ma^s Plantations with tobacco, some Vessells have gon to England Contrary to his Ma^s Express Comand, It is thought fitt and Ordered that the Collectors of their Ma^s duties doe not for the future Cleare any Shippes or Vessells other than such as the greatest part of their Loding is provision or Lumber, but at such times as shall be appointed for the Clearing of the Shippes that shall be bound for England.

The L^t Gov^r acquainting this Board that he hath received Information that their Ma^s are very much defrauded of their Customes in the carrying of great quantities of tob^o out of the Province of Maryland (without paying their Ma^s duties) to New England and other the Plantations, and also to Scotland and other places in Europe without goeing to England, and that those that for the time being take upon the Governm^t there, have put in one Andrew Abbington an Ordinary keeper and a very Inconsiderable man to be Collector of their Ma^s duties in Potuxent River, which is the greatest Collection in that Province, now to the End that all Endeavours that possible can, may be taken to prevent the defrauding their Ma^s It is Ord^d that his Hono^r the L^t Gov^r be desired, and he is hereby desired to Ord^r Cap^t Rowe Comander of their Ma^s Shipp Dunbarton to be very Carefull Strictly to Examine all Shippes & Vessells that Come from their Majesties Province of Maryland, and that he take an Exact account of all Such Shippes and Vessells as have not Certificates of having Given bond in England, the Masters Names and the Contents of their Lading and whether bound, and what Collector hath taken bond and Cleared them, & return the account to his Hono^r to the End he may acquaint the Com^{rs} of their Ma^s Customes of the same, that if there be any Fraude, the parties may be detected

This Board having received Information that notwithstanding the good Laws made for restraining Planting Tobacco after the last day of June, and against the makeing Seconds and Slipps, that soe the makeing of Trash Tobacco (whereby their Ma^s not onely receive great damage in their Customes, but this Country by lessning the Price of Tobacco) may be prevented, divers of the Inhabitants of this their Ma^s Dominion have planted after the time prescribed by Law, and others made many Seconds and Slipps, to The End soe Great Evills which will not onely lessen their Ma^s Customes, but be a great Mischeife to this Country and the Inhabitants thereof, may be prevented, It is by this Board Ord^d that the Justices of Peace in the Severall Counties of this their Maj^s Dominion doe cause perticular Charge to be Given to the Grand-juries to make Strict enquiry into the Same, and to present to the respective County Courts all Such persons as

shall have planted any Tobacco after the last day of June, and also Such as have made Seconds or Slippes, and to proceed and give Judgement against all Offend^{rs} according to Law, and it is also Ord^d that the Justices cause this Ord^r to be read in all their respective County Courts, and the Churches in their Countyes, and cause an account to be Sent of their Proceedings into the Sec^{rs} office by the third day of the next Gen^l Court. And it is also Ordered that M^r Secretary Cause Proclamations to be prepared for his Hono^r the L^t Gov^{rs} Signeing, requiring all the Laws to be put in Execution.

Octob^r the 23^d 1690

Present as before

The L^t Gov^r acquainting this Board that he hath been Informed that Phill Ludwell Esq^{re} hath Caused diverse pap^{rs} to be published and Recorded in the Severall County Courts of the Northern Neck between Rapp^a and Potomack, some of them Impowering persons to Execute strange unheard of offices under him, as he pretendeth to be Attorney or Agent of the heires of the late Lord Culpeper which proceedings of the said Phillip Ludwell Esq^{re} or those Acting under him may give Great disturbance to the Inhabitants of the said Neck, and by that meanes hazard the Peace of this their Ma^s Dominion. This Board takeing the whole matter into their Considerations, and that the said Ludwell never produced any Authority or Power he had from the heires of the Lord Culpeper to this Government, or any directions or ord^{rs} he had from England, nor ever acquainted the L^t Govern^r or Councill with any his Intentions or desired any Leave from the Governm^t to publish any papers whatsoever, Doe think fitt and Ord^r that None of their Ma^s Offic^{rs} Justices of Peace Sheriffs or any other Offic^{rs} doe Intermedle to Execute any ord^{rs} Precepts, or any other pap^{rs} that shall Come from the said Phillip Ludwell Esq^{re} or any person or persons authorized by him, nor any waies Intermedle with any Matters relating to the heires of the Lord Culpeper without Ord^{rs} & directions from the Government for soe doing.

This Board having desired the L^t Gov^r and Ord^d M^r Secretary Cole to acquaint the R^t Hono^{ble} the Lords Committee for Plantations, the R^t Hono^{ble} the Earle of Shrewsbury their Ma^s Principall Secret. of State & his Ex^{cy} the Lord Effingham & c that they understood Phillip Ludwell Esq^{re} was appointed by the heires of the late Lord Culpeper their Agent to manage the Interest of the said heires & c in the Northern Neck betweene Rapp^a and Potomack in this their Ma^s Dominion, and to represent the Great dissatisfaction the Inhabitants of the said Neck were in by reason of the said Grant, humbly desiring their Lords^{ps} to acquaint his Sacred Ma^{ty} of the whole Matter, and humbly Implore his Ma^{ty} to take the same into his Princely Consideration, and to take Such measures for the releife and Satisfaction of his poore Subjects here as his Gracious Ma^{ty} should think fitt, And this Board since understanding that the said Phillip Ludwell Esq^{re} altho he never produced to this Government any power or Authority to himi made by the heires or others Claimeing under the Lord Culpeper,

or ever desire any Leave or Lycence from the Government to publish any papers or to make use of their Ma^s Office^s or soe much as acquainted the L^t Gov^r that he designed to Erect any Offices in the said Neck, Yet are informed that the said Ludwell hath made many Office^s and Erected Offices and published the same in Severall County Courts, one of which Officers he Calls Ranger Generall who he Impowers to make Deputyes with diverse unusuall powers to take up Horses Cattle & c which should it be put in Execution would soe disturb the Inhabitants, and Indeede take from them their Horses Cattle & c that it would hazard the Peace of this their Ma^s Country; And as this Board is informed they take on them to dispose of Lands quietly enjoyed by persons, under pretence that the same are Escheated to the Lord Culpeper altho the same were never found soe to doe by their Ma^s Escheator or any other Office, nor is there any Court Baron of the heires of the Lord Culpeper Erected, whereby it can be found to Escheate to them, soe as if these Methods should be taken what Lands they please may be granted as Escheate, and great troubles and Law Suites ensue to the Ruine of the poore Inhabitants which this Board apprehends may breede great dissatisfactions, and therefore doe humbly desire the R^t Hono^{ble} the L^t Gov^r and Ord^r M^r Secretary humbly to Acquaint the R^t Hono^{ble} the Lords Committee for Plantations the R^t Hono^{ble} the Earle of Shrewsbury their Ma^s Principal Secretary of State and his Ex^{cy} the Lord Effingham their Ma^s L^t and Gov^r Gen^l & c of the same, and to transmitt copies of the power given by Coll Ludwell, to their Lordships, and humbly beseech their Lords^{p^s} most humbly to implore his most Sacred Ma^{ties} to take the matter into his Gracious Consideration and to take Such Measures for the releife of the Indhabitants from there Great Oppressions that they Justly feare may happen to them, as his Ma^{ties} in his Princely Clemency and Wisdome shall think Fitt.

The L^t Gov^r acquainting this Board that he had been at all the heads of the Rivers, at the Eastern Shore, and all the Counties in this their Ma^s Dominion, and had Seene almost all the Militia in Armes, and had Lists returned him according to his ord^r of the Militia of the Country, and found that all of the Soldiers were much Wanting of Swords and Amunition in case they should be Attack't by an Enemy; and alsoe that in the places appointed for Forts, there were in some of them noe Gunns att all mounted, onely at James Citty, Yorke, Nansimond and Rapp^a there were some Platformes made and great Guns mounted by the Ord^r of his Ex^{cy} the Lord Effingham, but that his Hono^r thought those Platformes without a great deale more Mony laide out upon them were not at all defensible, and that he found there were noe Bullets nor Gun^s Stores at all belonging to them, without which they were altogether useless, all which this Board knowing to be true and that the Revenue of Port Duties will not put the said Forts into repair and furnish them with all Necessaries for defence, if they had beene, or were all Employed to that purpose but the greatest part of them have been, and are by ord^r employed in defraying of the Charge of the Government, and accounted for by the Audit^r in the Publiq accounts of their Ma^s Revenue y^{ely}. And as to the Militia the Comand^rs in Cheife thereof by ord^r of his Ex^{cy} the Lord Effingham,

& Since, have used all their Endeavours to have the Soldiers armed pursuant to An Act of Assembly made at James Citty in A^o 1684, which Inflicts fines on those that did not furnish themselves with Armes and a Certain quantity of Amunition, but that many of the Foot Soldiers were soe Indigent by reason of the Low price of their onely Comodity Tob^o and now these times the same lyeing by some of them unsold for want of Shippes to Carry it away, that it was impossible for the Foot Sold^{rs} all Compleately to furnish themselves with Swords and Amunition by reason of their Indigency and those that were able could not have it for pay, it not being in the Country, And it appearing to this Board that the offic^{rs} of the Militia have all along pressed the Soldiers to Equipe themselves according to Law, but for the reasons aforesaid could not accomplish it, and being Sensible that had not his Ma^{tie} out of his Benigne Grace & favour to his Subjects in this their Ma^s Dominion been Graciously pleased to Send in the one hundred barrells of powder, and the Shott that was Sent for, and paid out of their Ma^s Revenue; this their Ma^s Country had been in a most Naked and denceless Condicon, & a prey to any Enemy that would have Attempted it either by Land or Water, And Considring the State and Indigency of the Country, & that wee know not but that their Ma^s and our barbarous Enemies may make some Attempts against this [his] Ma^s Country, as they have upon Our Neighbouring Plantations (which wee would heartily Wish & pray were well Settled with Gov^{rs} appointed by their Sacred Ma^s which would be a great Strengthening as well to us as them, This Board doe request and desire the R^t Hono^{ble} the L^t Gov^r most humbly to prsent the State of y^e Country to the R^t Hono^{ble} the Lords Comittee for Plantations the R^t Hono^{ble} the Earle of Shrewsbury their Ma^s Principall Sec: of State & his Ex^{ty} Fra: Lord Howard & c and humbly pray them to beseech his Ma^{tie} to take the same into his most Gracious Consideration, and to Ord^r such measures to be taken concerning the Forts, and Furnishing them with all Gun^{rs} Stores, and to give Such ord^{rs} and Comands concerning the same as his Ma^{tie} in his Great Wisdome shall thing [think] most fitt for the Security of this their Ma^s Country and the Shippes Trading hither, and also humbly to Implore his Sacred Ma^{tie} that he would be graciously pleased to Ord^r some Armes, Swords, Biggonetts [Baggonetts, Bayonets] & Amunition to be Sent into this Colony that those persons that are really Indigent may upon all Occasions be furnished, that they may all Joyne in the defence of this their Ma^s Country and the Inhabitants thereof, and to Assure their Ma^s from us their Ma^s Councill here, that wee will, as we have, use the utmost of Our Endeavours to Secure this their Ma^s Country against all their Ma^s and Our Enemies and to keepe the Same in Peace

This Board takeing into Consideration the Revenue that is Settled for the Support of this their Ma^s Government, that the whole depends upon the Duty of two shillings per hhd upon the Tobacco Exported out of this Country, and the Port Duties of Shippes and Vessells Trading here, and Considering that there is at least four thousand hlds of Sweetcented Tobacco, and as much Arronoko Tob^o of the last yeares Groweth now remaining in this Country, besides a pretty good Cropp

of both Sorts made this yre, and if Shippes Come not from England to Carry the same away, great part of the Tob^o will be worth noething, soe as their Ma^s Revenue in England will receive Great Detriment, & the onely Revenue for their Ma^s for the Support of this Government Cease, And without a yearely Supply of Cloths and Necessaryes from England this Country can noe way Subsist, This Board takeing the same into Serious Consideration doe humbly desire His Hono^r the L^t Gov^r humbly to represent the Same to the R^t Hono^{ble} the Lords Committee for Plantations, the R^t Hono^{ble} the Earle of Shrewsbury their Ma^s Principall Secretary of State, and his Ex^{cy} the Gov^r & c. and to pray them humbly to beseech his Ma^{tie} to take the same into his most Princely Consideration, and to take Such Measures as in his Great Prudence and Goodness his Ma^{tie} shall think fitt.

It is Ord^d that the Comand^{rs} in Cheife of the Militia of this their Ma^s Dominion, Doe Cause the Acts for Settlement of the Militia and for Providing of Armes to be twice a yre read at the head of every Troope & Company and use their utmost endeavours to put the same in Execution against all Such as are of ability to Comply with the performance of the same, and that all fines of Delinquents be Employed for the buying of Drums, Armes and Amunition and that the Comand^{rs} in Cheife with the advice of the Justices of Peace and Militia Offic^{rs} in their respective precincts shall dispose of the said fines, and that the Offic^{rs} at the heads of their Companies acquaint the Soldiers that all fines shall be Employed as before is Expressed.

Octobr^r 24th 1690

Present as before

The L^t Gov^r acquainting this Board, that before the Fleete went out, his Hono^r enquired of Cap^t Symon Rowe Comand^r of their Ma^s Shipp Dunbarton, whether the s^d Shipp was in a Condition to Ryde in the Bay, and doe Such other Service as the Governm^t should appoynt for their Ma^s service, and Cap^t Rowe informed him shee was in a very good Condition, onely he wanted Gun^{rs} Stores for the said Shipp, a particular of which he gave his Hono^r, and he was furnished with the Same out of their Ma^s Shippes then here, & Cap^t Rowe being Ord^d by the L^t Gov^r and Councill to Ryde with the s^d Shipp in the Bay near the Mouth of Yorke River, then & there to Examine all Shippes and Vessells, but in a Short time Cap^t Rowe wrott a Letter to y^e L^t Gov^r much Complaineing of the Insufficiency of their Ma^s Shipp to Ryde out, And his Hono^r proposeing to this Board what was most for their Ma^s Service to be done in this Matter, It is their Opinion, And this Board doth ord^r and appoint the said Cap^t Symon Rowe together with Cap^t W^m Norrington Cap^t Dan^l Bradly & Cap^t Mathew Trim Comand^{rs} of three Shippes now Rydeing in York River, with the Cheife Mates Gun^{rs} and Carpenters of the said Severall Shippes to make a diligent Survey of their Ma^s Shipp Dunbarton and of all her Guns Tackle Apparrell & furniture and also of her Stores, and what men belong to her, and the said persons or the Major part of them are to return und^r their hands in what Condition the said Shippes [ship is] and whether shee be in a

Condition to performe their Ma^s Service here, or what is wanting to make her fitt, also a true acco^t of all the aforesd Matter to the R^t Hono^{ble} the L^t Gov^r with all Speede, that the same if Occasion be may be represented by His Hono^r to his Ma^{tie} and the L^t Gov^r is desired to write to Cap^t Rowe to Come forthwith with their Ma^s Shipp Dunbarton into Yorke River, that this Ord^r may be performed.

The L^t Gov^r proposeing to this Board what Station will be most Convenient for their Ma^s Shipp Dunbarton to keepe, after the Shipp out of Yorke River be Sayled, It is the Opinion of this Board, that if shee be in a Condicon for Service, or as soone as shee is fitt, It will be most for their Ma^s Service for the s^d Cap^t Rowe in the said Shipp to keepe Cruseing in the Bay, and Sometimes towards Maryland as the weather will permitt, and if fowle weather happen to goe into the next River and soe into the Bay again in faire weather, that soe he may Examine all Shippes and Vessells coming in and going out.

The L^t Gov^r proposeing to this Board that there is three or four Shippes in the Country that will not be ready to sayle to England with the Shippes now going at what time the Shippes be permitted to goe, This Board Considering that altho Notice hath been Given to their Ma^s Province of Maryland of the time these Shippes were to Sayle and that what Shippes were ready might be sent to make up the best Fleete that Could be, but noe Shippes or Vessells being Come from thence and noe answer being Sent hither to the Said Letter, soe as it will be Impossible to make up any Number of Shippes to goe in Company, This Board Doth think fitt that the said Shippes that are now in the Country may be permitted to Sayle as they are ready, if noe other Comands come from his Ma^{tie} in the Interim, and the Shippes now ready to Sayle not being Sufficient to make a Fleete, His Hono^r the L^t Gov^r is desired to Ord^r them to be Assistant One to another if Neede shall require, and to give them noe other Ord^{rs}

This Board having received information that Severall persons have purchased and taken Leave of the Chickohominy Indians of the Land appointed them to live on in Pamunky Neck by Ord^r of Assembly in A^o 1660 Contrary to the true Intent and meaneing of the said Ord^r of Assembly and have, and are building thereon, which unless a timely Stoppe be put thereto, may in a Short time prove of Dangerous Consequence to the Peace and quiet of this Country, And it being Contrary to Law that the said Chichominy Indians (or any others) should Sell Leave or Exchange their Lands, all the said Leases, Sales and Exchanges made by the said Indians with any person whatsoever are hereby declared void, and to deter any person or persons who have built on the s^d Land or any part thereof, It is Ordrd that they forthwith remove their Stocks & what Else they have on the said Land, and Cause all the Houses built within three yeares or now a building to be burnt by the last day of Jan^{ry} next, which if any person shall faile to performe, It is Ordrd that the Sherriffe of New Kent County Caused [cause] the said Houses to be Imediatly burnt after Such failure, and that the person faileing pay the Charge thereof, And it is Ordrd that this Order be published at the next Court to be held for New Kent County, and in the Respective Churches of the said County.

Cap^t Mathew Page with others his Neighbours having according to an Ord^r of Councill dated July 26th 1690 Examined what quantity of Land George Pargitor had bought of the Pamunky Indians in Pamunky Neck, and what Houses he had built thereon, and making report that the said Pargitor held about twelve hundred acres of Land, which he purchased of the Pamunky Indyans (as it is said) and that he had built a forty foot tob^o house on the Same, and kept two hands there, all which being Contrary to Law it is Ord^d that the said Pargitor forthwith Cause the said House to be burnt, and his purchase is hereby declared void, and it is further Ordered that the Sherriffe of New Kent County Serve the said Pargitor with this Ord^r, and that the Court of the said County of New Kent doe make Enquiry what persons are Seated on any Land in their County Contrary to Act of Assembly or Order of this Board, how long they have been Seated on the Same, and the Number of Tithables in every of their Families, and return a report of their Proceedings to M^r Secretaries Office.

This Board being made acquainted that diverse persons Contrary to Law have obtained Pattents for Land on the Southside of the Main black Water Swamp (the bounds betweene the English and Indians) by Subtile and Crafty Contrivances and devices used with some Survey^{rs}, and that others have taken Leases of the Indians for Severall Quantities of Land, and are dayly building, & Seating the Same, all which being Contrary to Act of Assembly, and tending to the Endangering the Peace and quiet of this their Ma^s Country, and the lives of those persons who soe unadvisedly Run themselves into Great Danger by Seating at Great distance one from another, and are thereby at the Mercy of the Indians, a people of noe Faith nor Credit, who at their Pleasure may Cutt of a Family, and pretend it to be done by Strange Indians, which may mightily Allarum the Inhabitants of this Country, and put them to great Charge in Endeavouring to finde out the Murderers who parhapps at the same time may be with them in serch unsuspected, and Expect to be paid for their Service. Now to the End that all due Care may be had of the lives of their Ma^s Subjects, and the Peace and Quiett of this their Ma^s Country and that the Indians may not have Just reason to Complaine of being Cheated of their Lands Contrary to the Articles of Peace Agreed & Concluded with them, All the Pattents for Lands, Surveys, or Leases taken of the Indians for Lands on the Southside the Main black Water Swamp, are hereby declared Void to all Intents and purposes whatsoever as if Such Pattent had never been obtained, Survey made, or Lease taken And it is Ord^d that none of the Inhabitants of this Colony, or Others their Majesties Subjects comeing hither doe presume to goe over the Main black Water Swamp to live, And to the End that those already there may not Continue, but endeavour to provide themselves with places to live in within the bounds ascertained to the English, It is also Ord^d that they Neither build any house, nor repair nor Finish those already built or a building, and that they Continue noe longer there, then they shall be permitted by further Ord^r of this Board, or the next Gen^l Assembly, And to the End this Order may not faile of being performed, all their Ma^s Justices of the Peace, Sheriffs & other

Officers, in the Counties of Charles Citty, Surry, Isle of wight and Nan-simond are hereby Charged and required to take Especiall Care that noe person whatsoever Act or doe anything Contrary to the true Intent & meaneing hereof, or of any part of this Ord^r. And that this Order may be publicquely known that soe noe person may presume to Act Contrary thereto It is Ord^rd that a Coppy hereof be sent to each of the Courts of the aforesaid Counties, who are to cause the same to be published at their next Courts as also at the Severall parish Churches in y^e said Counties, And it is further Ord^rd that the aforesaid Courts doe make Enquiry what persons are Seated on any Land adjoyneing to their Respective Counties Contrary to Act of Assembly or ord^r of this Board, how long they have been Seated on the Same, and the Number of tithables in every of their Families, and return a report of their Proceedings to M^r Secretaries Office

The R^t Hono^{ble} the L^t Gov^r proposeing how the Quitrents should be disposed of, It is resolved that it is the best way to sell them for good bills of Exchange, and Six Shillings per Cent for Sweetsented, and four shillings per Cent for Arronoko, being thought a Moderate price, It is Ord^rd that the same be Sold at those prices

Whereas at a Councill held at James Citty July 26th 1690 It was Ord^rd that if Lionell Delawafer and John Hinson Could agree with their Credit^{rs}, soe that one hundred pds would Cleare their debts and pay their passages for England (officers fees & c Excepted) they should be permitted to goe, and that When they were on board Shipp and Signified to whom the same should be paid, that M^r Presid^t Bacon should pay the Same out of the Mony left in the possession of Ralph Wormeley Esq^r, and the said Delawafer & Hinson being gone, It is Ord^rd that the said Ralph Wormeley Esq^r deliver one hundred pds of the said Mony to the sd Nath^l Bacon Esq^r, that he may make payment thereof, to the Severall persons to whom it is Ordered

Coll Cuthbert Potter who was Sent for New Yorke New England & c by Ord^r of Councill, for which he was to have Sixty pds Sterl paid him out of their Ma^s Revenue as by the said Order appeares, having performed the same, It is Ordered that M^r Presid^t Bacon be paid forty pds Sterl part thereof he having advanc^t soe much for the said Potter in Ord^r to his performeing what was enjoyned him and that the said Potter be paid the other twenty pds Sterl, out of their Ma^s Revenue

The L^t Gov^r acquainting this Board that Coll Potter who was Sent to New England and New Yorke by Ord^r of Councill for their Ma^s Service, that this Government might understand the true State of the Condition of those Countryes in these dangerous times, Having heard of the Great Spoyles & depredacons Comitted by our bloody Enemies the French and Indians, that soe this Government might be the better able to take measures for the Security of this their Ma^s Country according to their Duties, and Coll Potter now attending this Board with a full acco^t of all the passages of his Journey, by which it appeares that a little before he came from Boston, some men who pretended to be Offic^{rs} belonging to the Gov^{nm^t} there, Seized upon his Port Mantua & Carried the same before M^r Symon Broadstreete & others who Called themselves the Gov^r & Councill there, who not-

withstanding the said Potter produced a pass from the L^t Gov^r Signifying that he was Sent for their Ma^s Service, Caused the said Potters Port Mantua to be broake Open, and tooke and broake up all the Lett^rs directed to the L^t Gov^r and kept and detained some of them, Which Proceedings this Board Cannot but Resent as a Great affront put upon this their Maj^s Government, of which they think fitt a Letter be wrott to New Engl^d directed to those that for the time being take Care to Preserve the Peace and Execute the Laws in their Ma^s Colony of the Mathasutes Bay in New England to know the Reasons of Such un-presidentiall proceedings.

The L^t Gov^r acquainting this Board that he had received Certain Informacon from New England and New Yorke that divers Shippes and Vessells Traded from thence to severall parts of Europe, and brought European Goods directly from Spain, Scotland and other Places, Contrary to Act of Parliament and there being noe Collector appointed by the Com^{rs} of their Ma^s Customes either at New England or New York, whereby it can be Certified to this Government, whether European Goods brought from thence, Were bona fide Imported from England, but on the Contrary thereof, may be really Suspected, It is by this Board Ordrd that Notice be Given to New England and New Yorke, that noe Certificate will be allowed in this Government for any European Goods without producing the Originall Cocquetts out of England according to Act of Parliament, untill offic^{rs} be Setled in those parts out of England, but this not to Extend to any Goods of the Groweth of those places, or of any their Ma^s American Plantacons or Wines of the Groweth of the Western Islands

Octob^r y^e 28th 1690

Present

The R^t Hono^{ble} the L^t Gov^r

W^m Cole Esq^r Sec.

Coll William Byrd

Ralph Wormeley Esq^r

Coll Jn^o Lear

Coll John Armistead

This Board not having reced Orders from England for the Calling of an Assembly but being in daily Expectation of heareing from thence, Doe refer the Consideration thereof to the next Meeting of the Councill, there being at present noe urgent Occasion here requiring the Calling one

Cop Vera

Test

William Cole Secr

Att a Councill held at Middle plantation Decemb^r 9th 1690

Present

The R^t Hono^{ble} Francis Nicholson Esq^r

their Ma^s Lieu^t Gov^r

Nath^l Bacon Esq^r

William Cole Esq^r Sec^{ry}

Coll John Page

His Hono^r the Lieu^t Gov^r acquainting this Board, that he had received an account by Letters from New England that the French at Caniday had beate the Forces sent against them from New England and forced them to return, and the same being Confirmed by a Master of a New England Vessell now present, It is thought fitt and accordingly Ordered that the Councill meete at James Citty the 12th day of Jan'y next to Consult and advise the best and most securest way to preserve this their Ma^s Colony and Dominion of Virg^a and the Inhabitants thereof from any Attempts that may be made either by the French (or Indians) which in all likelyhood they will indeavour being couraged by their success against the New England Men, And his Hono^r the Lieu^t Gov^r is desired to write to all the Gentⁿ of the Councill who are not now present, not to faile meeting at the time aforesaid, it being for their Ma^s Especial Service, and the preservation of this their Ma^s Dominion, but on Consid^acon of the Great distance betweene James Citty and Potomack, His Hono^r is desired to write to Coll Allerton not to come to the Councill, it being for their Ma^s Service one of the Comand^{rs} in Cheife of their Ma^s Forces in Potomack should remain there to take care for the safety and security of that part of this Colony in these times of danger, but that his Opinion of the best way for preservation of this their Ma^s Dominion may not be wanting, his Hono^r is also requested to desire the same also his Opinion whether it be for their Ma^s Service to call an Assembly or not, and the time when.

This Board takeing into Consideration that it may prove of Dangerous Consequence to the Peace and quiett of this their Ma^s Dominion, if many Irishmen should be sent into this Colony and disposed of in one River, Doe therefore Order that the Collect^{rs} of this their Ma^s Colony doe not give permitt for above twenty Irishmen to be sold in one River, till after further direction from the Councill at their next Meeting, And it is also Ordered that they doe not permitt any powder or Shott to be exported out of this Colony, Except by Such persons who bring the same in and Carry it out for their Necessary defence and that upon the arrivall of every Shipp they inquire what powder and Shott is brought in, and for whom, and Order that the same be not disposed of till further Order.

This Board takeing into Consideration that it is for their Ma^s Service, and the Preservation of the Peace of this their Ma^s Dominion, that this Government be acquainted with what News shall be brought from England into this their Ma^s Colony of Virg^a or their Ma^s Province of Maryland during these times of great danger, Doe therefore request His Hono^r the Lieu^t Gov^r to Order Cap^t Symon Rowe Commander of their Ma^s Shipp Dunbarton to be very vigilant and dilligent in Speakeing with all Shippes that shall be seene in the Bay, And if a Shipp from London bound to Maryland shall arrive before one from London to this Colony, that he cause the said Shipp to be brought into the nearest Harbour to the place where he shall meete with her, and there to remaine till the Master waits on his Hono^r and give him an account of the English news.

This Board takeing into their Consideration, that Since they understand by Lett^{rs} from Severall persons in New England to his Hono^r

the Lieu^t Gov^r as also a Master of a New England Vessel now present that the French at Caniday have forced the New England Forces sent against them to return, It is very likely the French either by themselves or Confederate Indians will indeavour to disturb kill and distroy the Inhabitants of this their Ma^s Dominion, and this Board also Considering the small quantity of powder and Shott in this Colony, and that there is noe likelihood at present to receive a Supply, and to the End, that, now in the Country, may not be Imbezelled nor Sold to the Indians, Doe Order that the Sheriffs of Henrico, Charles Citty, James Citty, Surry, Isle of wight, Nansimond, New Kent, Rapp^a and Stafford Counties do each in his County make diligent inquiry what Powder Shott and Armes is [in] the possession of any Indian Traders, Merchants or others in the said County on the oaths of the persons supposed to have any, and safely to secure the same till further Order therein, and return an account of their proceedings to M^r Secretaries Office forthwith.

Att a Councill held at James Citty
Jan^y 15th 1690 [1690-91]

Present

The R ^t Hono ^{ble} Francis Nicholson Esq ^r L ^t Gov ^r
Nathaniell Bacon Esq ^{re} Coll Rich ^d Lee
William Cole Esq ^{re} Sec ^{ry} Coll John Page

The Lieu^t Gov^r acquainting this Board that by Severall Lett^{rs} from Gentlemen in New England, and by the Examinacons of Severall Masters of Vessells comeing from thence, and some persons that were actually in the Expedition made by the New England Men to Caniday, His Hono^r understood that the Shippes and Force Sent thither were returned having not taken the Place or done any damage there, some of the Shippes and Vessells wanting and Many of the Men Dead in the Voyage. This Board takeing the same into their Serious Considerations and that the Forces that were rayased from Connecticutt and New Yorke to goe against Caniday had likewise returned without doing anything of Moment on Our Enemies the French or Indians and having taken the Examinacon and depositions of severall persons that came from New England, some of which were at Caniday, and having also an account that it was much feared the French and Indians would make an Attempt upon Fort Albany in their Ma^s Province of New Yorke, and that by the distractions amongst them there, they not being in a Condition to Assist the Severall Nations of Indians who have been all along at Peace with them, and Indeeeds are one of the Great Bulwarks betweene their Majesties subjects in New Yorke and in these parts, and the French, to whom (by reason of the distractions at New Yorke) this Government cannot Send to Encourage their opposing the French and Indian Enemies, and Continueing the Peace with us made by His Ex^{ty} Francis Lord Howard of Effingham their Ma^s L^t and Gov^r Gen^l of Virg^a, the said Nations may be perswaded or inforced to Joyne with the French and their Indians, which would prove

of very fatall Consequence to the Peace and Security of this their Ma^s Dominion, and Indee all these parts of America, And takeing into Consideration that all the Neighbouring Colonies of New England New Yorke and Maryland are in Confusion and have noe Gov^{rs} appointed by their Sacred Ma^s nor can this Government procure from them a Just or true account how affaires stand with them, nor what Methods they Intend to take to Secure their Ma^s Country against the Enemies, that soe wee might be the better Capable to take Measures to Secure this Country, And having alsoe been informed that the Inhabitants of Pensilvania have given out that if the French or Indians come against them they would goe out and Meet them without Armes, and acquaint them they had no quarrell with them, nor would not fight which if any Such thing should happen would be of dangerous Consequence, for that thereby they may be furnished with provisions and a place of Retreate after Mischeif done, It is therefore Ordered that true Copies of the Examinations and depositions here taken Concerning the State of New England New Yorke, Pensilvania, and the Caniday Expedition be Sent to the R^t Hono^{ble} the Lords Comittee for Plantations, the R^t Hono^{ble} their Ma^s Principall Secretary of State, and His Ex^{cy} the Lord Effingham their Ma^s Lieu^t & Gov^r Gen^l of this Country, and doe most humbly beseech their Lordships to move his most Sacred Ma^{ty} with the same, and wee are in great hopes and Expectation that his Ma^{ty} out of his Grace and favour to the Inhabitants of those our Neighbouring Countrys that they may have a Settlement and be under some Security will settle Gov^{rs} there as in his Princely Wisdome he shall think fitt, which will be a Great Satisfaction and Security to their Ma^s Subjects here, that soe all the Gov^{nm}^{ts} may Joyne together to Secure these their Ma^s Countryes against their Ma^s and our Enemyes.

And we humbly propose that when his Ma^{ty} shall be pleased to settle Gov^{rs} in Our Neighbouring Plantations it will very much conduce to their Ma^s Service that a Post or Posts be Setled to goe from one Government to another, that soe wee may have a Continuall and Speedy Correspondence of anything that may happen for their Ma^s Service, which may be done with far less Expence of time & Money, then by any other Method whatsoever.

And Now taking into Serious Consideration the Great dangers and hazards this their Ma^s Country and the Inhabitants thereof are lyeable to in case any Attempt should be made on them by their Enemies, there being noe manner of Fortifications or standing force at the heads of any of Our Great Rivers so much as to give Notice of the approach of any Enemies that may Attack Our Frontiers soe as the Inhabitants on the heads of the Rivers may be Surprized before they have any Notice to defend themselves, and by reason of the Extremity of the Weather most of their Ma^s Councill (some of them being sick) are inevitably hindred from attendance at this Board where they had Notice to be that soe a full resolve might be made about the Calling of an Assembly to take such Ord^{rs} as shall be thought most fitt for rayseing of Soldiers to secure this their Ma^s Country, and Ordering pay for them, their Ma^s revenue in this Country not being Sufficient

to defray the other Charges of the Government, but Considering that by reason of the unseasonableness of the time of yeare, It is not possible for an Assembly now to meete, nor Indeede to have provisions for them till Aprill,

This Board according to their Duty to their Ma^s for the Security and preservation of this Country and the Inhabitants thereof untill an Assembly may be Convened doe think fitt and Ord^r that the Comand^{rs} in Cheif of the Forces at the heads of the four Great Rivers do appoint Eleven Soldiers who under the Comand of a Lieu^t to be Comissionated by the R^t Hono^{ble} their Ma^s Lieu^t Gov^r are to Range from River to River once a Weeke, or oftener if occasion shall require in the same manner as hath been formely used, and that they Continue soe to do unless other Methods shall be taken therein either by an Assembly or further Ord^r of this Board, which said Lieu^t and Soldiers shall be paid at the rates set down in an Act of Assembly made at James City A^o 1684 Entituled An Act for the better defence of the Country, and that Powder and Bulletts be allowed to the persons appointed to Range, out of the Powder and Bulletts Sent by their Ma^s

An it is further Ord^d that upon the least notice of the approach of any Forreign Indians, or French they Imediatly send to the next Militia Officer, who is forthwith to rayse the Militia under his Comand, and to give Notice to the other Offic^{rs} of that County who are all to rayse the Soldiers under them to resist or repell any of Our said Enemies, and the said Offic^r or Officers are to give Speedy Notice to the Comander in Cheif of that County and to follow such Ord^{rs} and Comands as they shall receive from him, and in case there be occasion for any Assistance the Comand^r in Cheif is to rayse soe many of the Militia of the Adjacent Counties as he shall think fitt and cause them to march to the assistance where Occasion shall be, and the said Comander in Cheif of the said Counties forthwith to give an account of the same to the Gov^r or Command^r in Cheif of the Country for the time being, and observe such Ord^{rs} and Comands as he shall receive from him, And to the End that upon Notice of an Enemy the Country may not be unprovided of Men to Joyne with the Rangers by this Ord^r appointed to be raised, It is Ord^d that the Comand^{rs} in Cheif of the Frontier Counties doe forthwith appoint Such a Number of the Soldiers in the Severall Counties under their Comand as they shall think fitt, and give them Order to be at all times in readiness to Joyn with the said Rangers when occasion shall require, and the said Comand^{rs} in Cheif are also Impowered and Ordered to appoint two of the Neighbouring Indians at all times to goe with the Rangers, and that by the 15th day of Feb^{ry} next the Rangers begin to Range, and that the L^{ts} have the same Comissions and Instructions as was given by His Ex^{cy} the Lord Howard & c

This Board having most humbly represented the Matter of the Claime and pretence of the heires of the late Lord Culpeper about the Northern Neck betweene the Rivers of Potomack & Rappahanock with the Great dissatisfaction of the Inhabitants by reason of the said Grant most humbly Imploeing his Most Sacred Ma^{ty} to take the same into his Gracious Consideration, And that they may not faile of their

Duty in humbly representing what shall Come to their knowledge which they Conceive may be for their Ma^s Service, humbly take leave to represent, that by a Pattent bearing date the 8th day of May 1669 His late Ma^{ty} King Charles the Second did Grant all that Neck of Land betweene the said two Rivers to Henry Earle of S^t Albans, John Lord Berkeley and others, with this proviso therein Contained, that for soe much of the Land therein Granted as within the time and Space of Twenty one yeares from the date of the Pattent should not be possessed, Inhabited or Planted at or by the Meanes or procurem^t of the said Earle of S^t Albans & c. the Grant thereof should cease and be void, and that his Ma^{ty} his heires and success^{rs} might dispose thereof to any other person or persons whatsoever, And his said late Ma^{ty} King Charles the Second by his Royall Charter bearing date the 10th day of Octob^r 1676 was Graciously pleased amongst other things to Grant to their Ma^s Subjects of this their Dominion of Virginia that there should be Granted or Assigned out of the Lands (not already appropriated) to every person comeing to dwell in Virg^a fifty acres of Land as hath been used and allowed since the first planting thereof to be held of their Ma^s as of their Manner of East Greenwich, upon Comparing of which wee humbly Conceive that soe much of the said Land within the afores^d Neck as was not Seated within the one and twenty y^{rs} according to the said Grant made in 1669 by the said Gracious Charter dated in 1676 is to be given and Granted unto Such persons as shall come into this their Ma^s Country, and they understand that the late Lord Culpeper haveing procured the R^t of the s^d Earle of S^t Albans & c to the s^d Grant in 1669 His Lords^p procured a Pattent from the late King James dated the 27th 7^{br} 1688 therein reciting the Grant made to the Earle of S^t Albans & c and the Lord Culpep^{rs} having the right thereof, and therein the s^d Provisoe about seating the s^d Land in the Neck is discharged, and the Lord Culpeper to hold the Land as well what was unseated as what was Seated, and there being many thousand Acres of Land unseated in the said Neck at this time which many Planters are willing and ready to take up and Seate according to the Condition in the Charter, and to pay their Ma^s Quit-rents for the same, which will be a Considerable addition to their Ma^s Revenue.

This Board do most humbly beseech the R^t Hono^{ble} the Lords Comittee for Plantations, the R^t Hono^{ble} their Ma^s Principall Secretary of State and His Ex^{cy} the Lord Effingham their Ma^s L^t and Gov^r Gen^l of this Country to acquaint his Sacred Ma^{ty} with the whole natter, as also what hath been before humbly represented about the said Neck, & humbly begg His Ma^{ty} to take the same into his most Princely Consideration.

This Board as they have formerly soe humbly begg leave to represent the true State of this their Ma^s Country, that in case they should be attacked by their Ma^s and Our Enemyes the French and Indians, there will be great want of Amunition and Armes, especially Swords Carabines, and Granadere Armes, and in case any Enemy should happen to attack this Country by Sea, there are noe Forts of any strength to resist them, and those that are have noe Shott or other Gun^{rs} Stores,

and their Ma^s Shipp the Dunbarton is altogether unserviceable, soe as shee is forced to be layd up in a Creeke, soe as their Ma^s Country and the Shippes tradeing here lye Open to the Surprize of any Enemye, The Rt Hono^{ble} the Lords Comittee for Plantations, their Ma^s Principall Secretary of State, and His Ex^{ty} the Lord Howard of Effingham their Ma^s L^t and Gov^r Gen^l of Virg^a are therefore most humbly desired to lay the same before his most sacred Ma^{ty} and Implore his Maj^{ty} that some Measures may be taken for the better Security thereof, which is humbly Conceived will be by some Shipp or Shippes of Warr, and a Fireship, which will much incourage the Inhabitants, and be not onely a Great Security to this their Ma^s Country but to their Ma^s Province of Maryland, and the Shippes Tradeing to both places, and their Ma^s Duty on Tobacco transported to the Plantations thereby Secured, and this Board beggs leave humbly to represent that the sole dependence of the Inhabitants of this Country as well for all Cloaths and Necessaries, as for Amunition to defend the Country is an yearly supply from England, and if that should faile they must inevitably be in Great Want and be inforced to leave of [off] planting Tobacco, and indeavour to make Cloths to Sustain the Wants of themselves and Families, which may be Easily done and is much discoursed, and will be a Great Diminution to their Ma^s Revenue in England, and the Sole Revenue appointed by their Ma^s for the Support of the Government here Cease, all which this Board according to their Bounden Duty humbly Submitt to his Ma^s most Gracious Consideration.

This Board takeing into their Consideration that it will be of Great use to this Country, and the Shipp and Vessells here that Men be appointed to look out and discover what Shippes are Comeing in that thereby Care may be taken to prevent any Mischeif that may happen by the suddain arrivall of an Enemye from Sea, And do therefore Ord^r that a person to be appointed by Coll John Lear doe keepe Watch and looke out on the Seaboard side of Lower Norfolk County and one to be appointed by Coll Jn^o Custis doe the like on the seaboardside of the Eastern shore, and that they begin the first of March next, proceeding therein as formerly hath been used in giving Notice and otherwise.

The Collect^{rs} of their Ma^s Dutyes of one penny per pound humbly desiring the Rt Hono^{ble} the L^t Gov^r according to the Instructions from England, that His Hono^r would be pleased to Appoint at what rate Tobacco shall be taken for the said Duty of one penny per pound of Tobacco that shall be transported out of this Country to their Ma^s Plantations, where the party hath not Money to pay the said Duty, And His Hono^r desiring the Opinion of this Board therein, It is Ordered that the Several Collect^{rs} where Money is not to be procured to pay the said Duty, Doe accept of Tobacco in Cask for the same at the rate of one penny per pound, according to the rate sett by his Ex^{ty} the Lord Effingham

A Proclamation ascertaining certain Places for the Shippes to Ryde in during this time of Warr for their Greater Security, also prohibiting all persons from goeing on board any Shippes & c that shall arrive here untill the said Shippes & c have sent on shoare that it may be knowne from whence they come, likewise (the Act for the free Trade with the

Indians being Expired) forbidding all persons from goeing without the Inhabitants to Trade with Indians & c was Examined, approved off, and Ord^d to be Imediatly issued forth.

This Board on Consideration of the Several Powers and Authorities Granted to Persons for Places in this Country, finding that Cap^t Alexander Culpeper was by his late Ma^{ty} King James the Second Commissionated and appointed Survey^r Gen^l of this Colony dureing pleasure with power to appoint Deputy or Deputyes to Survey y^e Lands of this Country, and it appearing to this Board that the said Cap^t Culpeper hath appointed by Comission under his hand and Seale Coll Phillip Ludwell to be his Deputy Survey^r Gen^l who accordingly Grants Comissions to diverse persons here, some of which are Executed by Deputyes under them, without giving any account of any persons by any of them appointed to this Government, And Considering that Complaints are often made against Severall of the Survey^{rs} appointed as aforesaid, and Great differences happen among the Inhabitants thereby And that the appointing a Survey^r Gen^l to Comissionate the Survey^{rs} of this Country may be of dangerous Consequence to the Good and well being of this Dominion, the Survey^{rs} being Generally Men of the best parts, and usually Elected Burgesses, and wee doubt by those meanes Severall persons have been formerly Influenced in Assemblies, for Remedy whereof for the future, Wee humbly propose that it is for their Ma^s Interest and the Good of this their Dominion that the Survey^{rs} be appointed by the Government here; And it being Our Judgment the said Cap^t Culpepers Comission doth not give him power to appoint a Deputy Survey^r Gen^l are of Opinion there are noe Surveyers in this Country duely Authorized and Impowered to Survey Lands, Doe therefore make representation thereof to their most Sacred Ma^s and beseech their Ma^s to take the same into their Gracious Consideration, as also the former Supplication of this Board that noe persons be permitted to hold places in this their Ma^s Dominion, but such as shall make this Country their Place of Residence.

There being some Great Guns at the Forts at Tindalls Point, and Nansimond which if an Enemy should come in, are in their Power of being Carried away by them, there being noe Men appointed to Man the said Guns, for prevention whereof, It is Ordered that dureing these times of danger Coll John Armstead Comander in Chief of Gloucester County appoint Such Number of Men as he shall think fitt to be alwaies in a readiness upon any occasion to goe to the Assistance of the Fort at Tindalls point, and Imediatly on Notice from the Gunner of the said Fort to repair with their Armes thither, and there to remain soe long as Occasion shall require, and that Coll John Lear Comander in Chief of Nansimond County appoint Such Number of Men as he shall think fitt to doe the like at Nansimond Fort.

The R^t Hono^{ble} the Lieu^t Gov^r having Writt to those who for the time being take upon them to preserve the Peace of their Ma^s Province of Maryland to know whether M^r Blackistone were President of the Committee of that Province, and other Matters for their Ma^s Service, and they not returning Satisfactory answers, His Hono^r proposed whether he should write any more to them or not, It is the Opinion of

this Board that Since they refuse to send satisfactory answers it is to noe purpose to send any more to them as yet, but His Hono^r is desired to Continue his writeing to the Gentlemen of his acquaintance in New England and New Yorke wee having no other way to be informed of the truth of affaires in those parts

There being but one Shipp in this Gov^{nm}^t bound for London, and some few other Shippes bound for some other places in England, and none of them of any Force, soe that a Fleet cannot be made to goe together, It is resolved that they be permitted to Sayle as they severally get ready, for tho' wee heare that Severall Shippes have arrived in Maryland this present Shipping, yet for want of a good Correspondence with that Province wee cannot have an account when they will be ready to sayle, some of them as wee heare are already gon.

M^r Secretary Cole is desired to Send a copy of the Proclamation now Ordered to be issued forth to the Government of North Carolina and also to give them an account of the Methods used here for Ranging, And Coll Richard Lee is desired to doe the like to the Gentⁿ who for the time being take upon them to preserve the Peace of their Ma^s Province of Maryland, and also to Send to Maryland and know how affaires are managed there for their Ma^s Service, and return an account thereof to the R^t Hono^{ble} the Lieu^t Gov^r the Charge whereof to be repaid him.

The Proclamation and Order Sent out by the R^t Hono^{ble} the Lieu^t Gov^r dated Decemb^r the 2^d 1690, and the Ord^{rs} of Councill made at a Councill held at Midleplantation Decemb^r the 9th 1690, Examined and approved of.

Ordered that the respective Collect^{rs} of each River in this Colony, if any salt shall arrive in their precincts provide twenty five bushells a Man, at as Cheape a rate as possible, and Secure the same for the use of the Country when occasion shall require.

Many of the Gentlemen of the Councill not being present some of them being hindered by Sickness, and others by the Extremity of Weather, It is Ord^d that the Councill meete at James City the 18th day of Feb^{ry} next, and his Hono^r the Lieu^t Gov^r is desired to write to the Gentⁿ of the Councill not present, that they faile not to meete at the time afores^d it being for their Ma^s Especiall Service, and the preservation of this their Ma^s Dominion, and if by Sickness or otherwise any of them should be hindered, that he or they faileing send their Opinion of the best way for the preservation of this their Ma^s Dominion, and whether it be for their Ma^s Service to call an Assembly or not, and the time when.

Att a Councill held at Yorke Court house
Jan^y 26th 1690 [1690-91]

Present

The R^t Hono^{ble} Francis Nicholson Esq^r
their Ma^s Lieu^t Gov^r

Nath^l Bacon Esq^r

William Cole Esq^r Sec:

Coll John Page

M^r William Duckingfield an Inhabitant of North Carolina acquainting this Board that about the beginning of this Month Eight or ten of the Kings and Great Men of the Tuskaroro Indians Complained to him that two of their Indians were wanting, and they Imagined the English had killed them, but a Maherin Indian being present told them that Dan^{ll} Pugh of Nansimond County in this Government had Sent them to Barbados, on which they threatned Revenge, but on his the said Duckingfeilds informing them, that would Cause the English to make Warr against them, and it would be better for them to goe to the Gov^r of this Place and he would inquire into it and doe them Justice, they Seemed Satisfied therewith and said they would goe to the Gov^r when the Weather was Warmer, and the said Duckingfield further declaring that being at Nansimond he was Credibly Informed the said Pugh had Sent four of the Tuskaroro Indians out of this Country, two in one Prout to Barbados, and two in one Tyler to one of the other Islands on Consideration whereof Coll John Lear is desired to inquire into the same, and take the Examinations and depositions of Such persons as are knowing therein, and return them to the Councill at James City the 18th Feb^y next, and that he ord^r the said Pugh to make his personall appearance at the said Councill

Cap^t Symon Rowe Comand^r of their Ma^s Shipp Dunbarton by his Letter to His Hono^r the Lieu^t Gov^r which His Hono^r caused to be read Complaineing of the Insufficiency of the said Shipp, and having Sent his Carpenter to give an account thereof, On Consideration whereof, and the badness of the Weather for Men to Worke on the said Shipp, as also that the Carpenter Seemes not to know as yet whether shee can be made Serviceable or not, His Hono^r the Lieu^t Gov^r is desired to write to Cap^t Rowe and Order him to cause his Carpent^s fully to informe themselves of the Condition of the said Shipp, and that he and his Carpenters attend at the Councill at James City the 18th day of Feb^y next to give an account thereof, and receive Such Ord^{rs} therein as shall be found for their Ma^s Service, and that till the Meeting of the Councill if the Carpenters of the said Shipp or any others belonging to her can doe anything towards her repair, they proceede to doe the same

Copa Vera

Test

William Cole Secr

By y^e R^t hon^{ble} their Maj^{ties} L^t Gov^r

Whereas there are many good Laws in this their Maj^{ties} Dominion for y^e good Governm^t thereof in Church and State which if put in due Execution wou^d be very much for the peace and tranquility of this Country.

Now to y^e End that all y^e said Laws may be put in Execution as they ought to be for y^e Service of God almighty, & y^e peace and prosperity of y^e Inhabitants of this their Maj^{ties} Country I Francis Nicholson Esq^r their Maj^{ties} Lieu^t Govern^r of this Country by and with y^e advice and consent of their Maj^{ties} Councill do hereby order and require all and every their Maj^{ties} Justices of Peace in their Respective

Counties, all y^e Militia officers and all other inferio^r officers whatsoever in their Several Stations to take especial care that all y^e Laws both poenall and others be put in effectual execution, according to y^e true intent and meaning of them, And that y^e Justices of Peace do take care, that there be Survey^{rs} of y^e Highways and Constables duely appointed, and prisons pillories and Stocks Set up for y^e punishing offenders, and y^t grand Juries be duely elected and Sworn of y^e best & most Substantial of y^e Inhabitants of their Counties, and have in charge to inquire into and present all parishes (that are without ministers) that do not provide readers and that have not Legal vestries & Churchwardens & y^t keep not their Churches and Church yards in repair all vestries that do not take care to put y^e Act for processioning in due Execution, and all ministers readers & Clerks that keep not a Register of all births burials and marriages and all ministers that shall presume to marry any persons that are not Legally published in Church without License, also all nuisances in y^e high wayes Rivers and Creeks, all such as Retail Liquors without License, and ordinary keepers that sell at rates and prices exceeding y^e Law, and such also as keep ordinaries and have not entertainm^t for man and horse as y^e Law provides, also all persons that plant less corn then y^e Law appoints, and all such as plant tobac^o after y^e last day of June or shall make Seconds, Slips, ground leaves, trash tob^o all such as shall make or cause to be made tob^o hhd^s of a greater size then y^e Law appo^{ts} all officers that shall charge Exorbitant fees all sherrives that take levies of any persons not listed and not acco^t for y^e Same to y^e County Court, all persons concealing titheable[s] all millers takeing excessive toll all divulg^{ers} of false news to disturb their Maj^{ties} Peace, all breakers of y^e Law or that are Guilty of Riotts or treasonable or illegall associations, all Such as are guilty of entertaining Negroes & c contrary to Law, and all that are guilty of y^e breach of any other Law of this Country or shall Speak contemptuously of y^e Laws of Virginia.

And to y^e End that all offenders ag^t y^e Laws may be discover'd and punisht in Such manner as is provided, I do hereby declare & make known that all person & persons who shall make any informacon or informacons ag^t any person or persons, for breach of any y^e Laws of this Country shall have Such part and proportion of y^e fines paid to him or them as by y^e Law is provided to be paid to those that make informacon, and y^e Justices in y^e County Courts are upon any presentm^t or informacon made to them to proceed with all diligence in y^e bringing to Judgement delinquents and fineing them according to Law, and y^e Cap^{ts} of y^e militia are hereby required to cause y^e Severall Laws about y^e Militia to be read twice every year at y^e head of their troop or Company and to return to y^e Comanders in Cheif all Such Soldiers as shall not be provided with armes and amunicon according to Law, and all Such as shall not appear at their Muster with armes, and y^e Comanders in Cheif are to cause Such delinquents to be fined as y^e Law provides, and to cause y^e fines to be imployed for y^e buying armes amunicon & c as y^e Law directs and y^e Sherrives of y^e Severall Counties are hereby Strictly required to Collect all Such fines as shall be turn'd to him and on refusall to distrain for them as y^e Law provides.

And whereas Negroe Slaves and other Servants often times run from their masters, and lie in y^e woods & comitt divers felonies and outrages by robbing of houses killing of hogs and other offences, and cannot be taken by the Masters or any Single person they have robbed, To y^e End such run aways may be Speedily apprehended I do hereby require the Sherrives of y^e Severall Counties that upon notice given them or any of them of any Slave or Slaves or other servants that are run from their masters and ly out and cannot be apprehended, that to whom such notice shall be given imediately, without any further order or warrant from me, cause so many of his Com [commitatus] as he shall think fitt, to Search for and apprehend Such runawayes, and in case of resistance to take them by force, & having apprehended y^e s^d Slaves or Servants if they are charged with any capitall offence to keep them in Safe custody in Irons untill they are deliver'd by Law, but if no Such crime be laid to their Charge, then to cause them to be well whipp'd and deliver'd or Sent to their masters, but y^e owners of Such Servants are to pay for y^e taking up of Such Servants according to Law, but if any runawayes shall not be apprehended and it cannot be understood whom he belongs to; that y^e Sheriff that apprehends him return an acco^t thereof to y^e Sec^t's Office. Given under my hand and y^e Seal of y^e Colony y^e Second day of December, in y^e Second year of y^e Reign of o^r Sovereign Lord & Lady William and Mary by y^e Grace of God King & Queen of England Scotland France & Ireland & c Defenders of y^e faith *Annoque Dom* 1690.

To y^e Sheriff of.....County
or his Dep:

Fra: Nicholson

God save y^e King & Queen

Copa Vera

Test

William Cole Secr

John Swindall aged about 24 y^{rs} declareth:

That about y^e beginning of Aug^t last, your depo^t was shipt a Soldier for Canada, on board y^e Bark Union of Salem in New England John Brown master and y^e said Barke forthwith, with thirty other ships Vessells & c Set Sail in order to go to Canada, and take y^e places there belonging to the French, In all which Ships and Vessells your Depo^t heard there were about 14: or 15 hundred men, but whether y^e Seamen were therein number'd or not your depo^t Knoweth not, And your depo^t also Saith that this Fleet who were under y^e Comand of Sr W^m Fips Admirall, Cap^t Gilbert Vice Admirall And Cap^t Joseph Eldredge Rear Admir^l who all wore y^e like Coulers as were used at y^e Fort in Salem but not so bigg took three Barks belonging to y^e French; in Canada River the Admiralls Hoysed y^e said Flags about 12 leag: before they came to Cubeck, which was about y^e beginning of October, and wore them all the time they continued against Cubeck, and also Saith that y^e Same Fleet came to an Anchor about two miles below Cubeck, and rid there three dayes before any men were landed, the first day being spent in treaty with them, and y^e other days being hindered by y^e weather, and y^t upon Landing were fired at by Some

ambushes whom it was reported killed about 40: English, but upon y^e English Firing at them run away, the English Forces then marched along y^e water side about a mile, and went into Some houses y^t Stood on y^e waterside y^e Inhabitants being all gone and y^e best of their household goods carried away, One Wally being Maj^r Gen^{ll} or cheif Comander of y^e English, and your depo^t heard y^t some of y^e English who were Sent after a party of french, that were discover'd makeing of workes through a marsh, Fought with y^e said French near two hours but recd no hurt, being about half a mile a Sunder: Also yo^r depo^t declareth y^t Some Small time after y^e Soldiers were Landed, who landed Six great guns with them, the three Flag ships one [and] one more great ship Sailed up to y^e Town, and there Fought y^e Town Still continueing Sailing till late in y^e night, and y^e next day did y^e Like till they all Fell down y^e River to y^e other Ships, After which your depo^t heard y^t Admir^{ll} Fipps comanded all y^e land Forces aboard, who accordingly went leaving five of y^e great guns behind, and y^e dead men unburied, and then y^e fleet sailed down y^e River till being Stopt with y^e tide they came to an Anchor From whence they were Forced by a great Storm and lost many anchors and Cables, and yo^r dep^t saith y^t dureing y^e time of y^e English Fleets Stay in y^e River an old woman was Sent ashore to know if they would exchange y^e prisoners that they had taken in Cascoe Bey in y^e Sumer for them now taken, which said woman return'd y^e next day and Severall were exchanged, and after that having all orders to make y^e best way back y^e Vessell your depo^t was in arrived in New England about y^e beginning of November last, and when your depo^t came from New England which was about y^e 12th of December, he understood there were five Vessells not arrived, but what was become of them he knoweth not, he also Saith he heard there were about five hundred men dead of those that went, a great part whereof he Supposeth was occasion'd through want of Victuals, & Cloths, both being very much wanting, and y^e weather extreme Cold. The depo^t also Saith that there were three Small barks in Canada River above Cubeck, and y^t he understood y^e reason y^e Fleet left Cubeck was want of amunicon and y^t neither y^e Land Forces or Seamen had recd any pay when he came from New England, w^{ch} occasioned great murmuring among them, and many of them Said they would not go again, unless they were paid, but if they were paid, and might have liberty to choose their Officers, they would go again no purchase no pay, being afore comanded not to plunder break open a door lock or nail upon pain of death. Sign'd

Jan'y 14th 1690

Sworn in Councill

Jn^o Swyndals m^r^k

Copa Vera

Test William Cole Sec^r

Test William Cole Sec^r

John Callaford aged abo^t 35 years Saith

That what is above declared he heard reported in New England, as also y^t one of y^e Ketches belonging to y^e Fleet had taken a Small Vessell with Provisions bound to Canada from France, and that by

her they heard there were four or five Vessells more going to Canada with provisions and amunicon from France, Sign'd

John Callaford

Jan 14th 1690 [1690-91]

Sworn in Councill

Test William Cole Sec^r.

Copa Vera

Test William Cole sec^r

I Bartholomew Green being arrived from New England, do here testifie all y^e news I do remember both from new England & Old England this 9th day of Jan^y 1690 [1690-91]

1st I do know y^t there was a fleet of Ships & vessells fitted for Canada, and as I did hear abo^t 31, or, 2, Sail, which went away y^e 9th or 10th day of Aug^t 1690, from Nantaskell being Saturday in y^e Evening & had a long passage to Quebeck, and as I did hear put ashore Severall times as they went up y^e River of Canada with their boats, but what they did I know not, and when they came ag^t Quebeck they Sent ashore young Cap^t Savage, with a Sumons to demand y^e French to Surrender y^e Town with what they had which was refused with this Answer, that they would answer them onely with y^e mussle of their guns, and So returned y^e messenger aboard blindfold as he went ashore and after this they lay five dayes before they could land their Soldiers, & in y^e mean while y^e Govern^r Sumon'd all y^e men far and near into y^e Town, and y^e 6th day they Landed, about a mile and half below y^e Town with a Creek between them and y^e Town and when they were Landing y^e French ambushes Fired very thick upon them so that what were killed and wounded were mostly at their wadeing ashore, and when they came there they had an order not to burn any house nor kill any thing, nor break open any chest or any other thing upon pain of death. And as concerning what were dead, It was reported about 4 or 5: hundred men that they might lose in all, There are also about 4 or 5 Vessells yet not arrived y^e 24th of December 1690. But those y^t were arrived as y^e Seamen told me Were to be paid first, y^e Seamen to begin w^t [with] about y^e middle of December, and to pay of [off] one ships men every week, onely beginning at y^e Admir^l & so till they be all paid off.

From Canada our Ships came with y^e loss of many cables and anchors, w^{ch} they lost by Stress of weather, which caused their Sundering and comeing home so disorderly and also with y^e loss of one Ketch and S^r W^ms own Ship, and also one of y^e fire ships they burnt being so leaky they could not keep her free they took Severall Small vessells going up y^e River which they plunder'd and burn't, to y^e number of 4 or 5, and one they took as they came down laden with provision, which was after lost at y^e Isle of Sholes as I heard y^t she gave intelligence that there were 4 or 5 more come out of France in Comp^a with her which had a considerable quantity of Amunicon on board for Canada, One of our Canada Fleet came in about 4 or 5 dayes before we came away w^{ch} had been at Cascoe Bey and had trapan'd about 16 enemy Indians and brought them away for Boston. We hear further

y^t y^e ship Sent home for powder is at Spitt head with about three hundred Barrells in her, and others all being ready to sail onely want men, which I understand by Report New England New York & Albany are all in want of Said powder, Albany desireing men also as was reported in Boston, and fearing least y^e French & Indians should come upon them this winter and further it was said y^t y^e Enemy Indians were Sueing for peace with y^e Monhacks, and that there was a quarrell between Leisler at New York, and some men at Long Island and that there was one man killed in y^e Fray, and that a great many of y^e men of Boston and Charles Town, had drawn a peticon to Send home for England for a Govern^r, and many more would have sign'd than have, but are loth to be disturb'd by y^e present power. We had a Ketch came out y^e 24th day of December bound for England with y^e French Gevern^r of Port Royall in her, and there are two more at Boston ready to Sail for England, one whereof Sr W^m Fips is going with, one I did hear also at Point Comfort y^t y^e French did expect 20 sail of men of Warr into y^e West Indies; I also do not remember y^t ever I heard any discourse, what Coulers Sr W^m Fipps wore in his ship when he was on y^e Canada expedition, nor any other except It was Gilbert w^{ch} at a distance I saw a flagg at his foretopmast head, but w^t it was I know not, and as concerning y^e Army by Land, I heard y^t they went to y^e Lake, and when they came there or near they were taken very Sickly and finding no Canoes ready, they onely transported over about a hundred English and Indians y^e rest returning back then Leisler put Maj^r Winthrop into Prison till y^e Indians came and threatened to kill Leisler if he did not put him out, upon which he was freed, those Hundred which went over y^e Lake brought back Some Prison^{rs} and buried Some Feild peices y^t they found in y^e Earth, and burnt Some houses and return'd with some booty. I also did hear that there were two Letters from England, one to M^r Usher, from her husband and y^t he did write that things did not go So well as he did expect; M^r Marther also Sent a letter that he was Still in hopes of y^e Charter.

As I have heard reported in Bostown that there was a fast kept in Some of y^e meeting houses in England for y^e prosperity of y^e Canada Fleet, and that they prayed for it, and that Port Royall buisness was very well taken and that they were in hopes Canada might be taken also. And as to y^e particulars of M^r Mathers Letter they discours'd very little of it in Boston as I heard, I did hear also y^t there was a Londoner of 20 guns taken at Newfoundld by some French Privatiers lying at St. Peters. When I came from Boston I heard reported that there were eleven rates and half levied and some of them paid and that there were thirty rates more coming out, w^{ch} y^e people much grumbled at, and I believe will not be paid, And y^t I believe Leisler and y^e power of Boston, are at difference having as I heard little Correspondence together.

Sign'd Barth Greene

Jan^{ry} 15th 1690 [1690-91]

Sworn in Councill

Test William Cole Sec^r

Copa Vera

Test William Cole secr

Phillip White master of y^e Ketch Gabriel of Piscataway declareth That he came out of New England abo^t y^e middle of 9b^r last, and did hear all or y^e most part of what is declared by y^e within named M^r Barth Greene to be reported in New England so far as y^e s^d Green declares was reported to y^e afores^d middle of November last, and also declares, y^t before he came from New-England John Jackson master of y^e George of Piscataway was arrived from Virg^a and it was reported that they intended to refit y^e said Ketch George (being made not fit for her Voyage to London at Sea) and then to go to London, & y^t he saw her lying at Jn^o Shipwells wharf, at Strawberry bank, very light, seeming to be unloded. Sign'd Phill White.
Jan^y 15: 1690 [1690-91]

Sworn in Councill

Test

William Cole Secr

Copa Vera

Test William Cole Secr.

By y^e R^t Hon^{ble} y^e L^t Govern^r

A Proclamacon

Whereas y^e Act of Assembly made y^e 8th of June 1680, which Licenses a free trade with y^e Indians is expired and y^e former Laws prohibiting y^e Same are in Force, and my self and y^e Councill takeing into Serious consideracon that y^e going forth of persons to trade with y^e Indians in these times of warr, may prove of very dangerous consequence and be a means of Involving this their Maj^{ties} Country in great trouble.

Now Know^e yee that I Francis Nicholson Esq^r their Maj^{ties} Govern^r of this their Maj^{ties} Dominion by and with y^e advice of y^e Councill of State in their Maj^{ties} names Strictly charge and Comand that no person or persons shall from henceforth Send or go without y^e Inhabitants to trade a [or] truck with any Indian or Indians Nor shall any person or persons whatsoever furnish or Sell to any Indian or Indians any guns powder or shott except onely such quantity of powder and shot to our neighb^rg Indians as by Law is provided, under y^e paines and penalties by Law imposed, and of being taken and prosecuted as contemnners of their Maj^{ties} Authority, and promoters of y^e indangering y^e peace of this their Maj^{ties} Country, and y^e Inhabitants thereof Nor shall any person or persons from henceforth presume to go without y^e Inhabitants to hunt till further ord^r.

And whereas by an Act of Assembly made y^e 23^d 7^{br} 1667. It is provided that in time of war all ships and vessells shall ride as y^e Govern^r shall think most convenient for their Sec^{ty} [security] and preservacon from our enemies. I do therefore (for y^e greater Sec^{ty} of Ships & Vessells tradeing hither in this time of warr) with y^e Consent of y^e Councill in their Maj^{ties} names hereby order and appoint that all ships and vessells that after publication hereof shall come into this Country shall ride in Such harbours and places as hereafter is appointed.

Viz^t All ships and vessells in y^e upper precincts of James River shill ride above Sandy Point, and in y^e Lower precincts of James River, in Eliz^a River above y^e Town, in Nansimond River above y^e Fort; in Pagan Creek as far as they can conveniently go up y^e Creek, and in warwick River above Sandy Point. And y^e Ships & c in York River as high as Coll Nathan^l Bacons or higher, and in y^e Rivers in Mockjack Bey as high as they can conveniently go, In Rapp^a River, above y^e Fort in Corotomon River, or up Rapp^a River, as high as they can conveniently ride, and in Pianketank River as high as they can conveniently go. In Patowmeck River, in Yoaumoco [Wicomocco] and Lower machodox [Matchodic] as high as they can ride, and as high as appamattox Creek. At y^e Eastern Shore in y^e usual places as high as possible.

And whereas also by an act of Assembly made 24th 7^{br} 1672. It is provided that in time of Warr, no person or persons shall go on board any ship or Vessell coming into this their Maj^{ties} Country either in Sloop boat or Canoe, before y^e s^d Ship or vessell have sent ashore and thereby are known what they are, upon certain penalties and forfeitures in y^e said Act prescribed, I do therefore hereby strictly charge and comand y^e pilots and all and every other person and persons w^{ts}soever that from henceforth they do not presume to go on board any ship or Vessell whatsoever coming into this Country untill such Ship or Vessell shall have Sent her boat ashore y^t so it may be known from whence she cometh and to what place belongeth, under y^e penalties by Law imposed on Such offenders as being contemnners of their Maj^{ties} Authority.

And whereas there are Severall matters that y^e Sherrives of y^e Severall Counties and other persons are ordered to make return of to y^e Sec^{ts} Office about armes amunicon and divers other things for their Maj^{ties} Service, I do hereby will and require y^t y^e respective Sherrives and other persons do make due inquiry into all matters ordered them, and return a full account of y^e same unto y^e Sec^{ts} office, at or before y^e 18th day of Feb^y next. Given under my hand and y^e seal of y^e Colony this 16th day of Jan^y in y^e Second y^r of y^e Reign of our Sov^r-eign Lord and Lady William and Mary by y^e grace of God of England Scotland France & Ireland & c King and Queen defend^{rs} of y^e Faith *Annoque Dom* 1690.

To y^e Sherriff of.....
County or his Deputy

Sign'd Fr Nicholson

God save y^e King & Queen

Copa Vera

Test

William Cole Secr

[Communication of the Governor to the Sheriffs of the Colony.]

I have spoke with y^e Reverend M^r James Blair, who is appointed by y^e R^t Reverend Father in God Henry Lord Bishop of London Comissary of this their Maj^{ties} Territory and Dominion of Virg^a who intends God willing in y^e Spring to make a Gen^l Visitacon, and hope

your County will be found in Such order y^t he will have no reason to punish any

And to that End I have herein sent you their Maj^{ties} Lere [letter] to y^e R^t Reverend Father in God y^e B^p of London, and do order that you cause y^e Same to be published at every other Court and once in two months in each Church in your County, that all people encouraged by so good Example may demean themselves accordingly.

Having reced informacon from M^r Auditor Byrd that Severall persons hold more land then they pay their Maj^{ties} Quitrents for, for prevencon whereof for y^e future, and to y^e end y^t a true perfect and full rent roll of all Lands held of their Maj^{ties} be return'd M^r Audit^r I do hereby order that you demand of y^e Inhabitants of Your County y^e patents and other evidences of y^e Land they hold, that thereby y^e true and certain quantity may be known, of which you are to keep a Just and perfect Roll, and when you acco^t with M^r Audit^r for their Maj^{ties} Quitrents deliver him y^e same upon Oath

Having observed in my being at Severall exercises of some of y^e Militia of this Colony that divers persons are resident in Severall Counties who for that they are neither free holders nor houskeepers, are not listed in y^e troops or foot Companies of y^e s^d Counties; and thereby want being exercised which should make them fit and Serviceable both to their Maj^{ties} and this Country: when occasion should require they being full as proper as any. I do therefore Order and Comand you that at y^e next Court to be held for your County, you publickly make known that it is my express comand, and I do hereby comand, that all tithables within your said County, (slaves and two other Servants in a family onely excepted) and all others without exception who have been resident in your s^d County one moneth, and are not listed, do within one moneth after y^e said Court list themselves either in y^e Troops or foot Compa^s of your said County, and provide themselves with armes and amunicon according to Law; And that you acquaint y^e Cap^{ts} of y^e Militia that they are by me ordered to return to y^e Comanders in Cheif, y^e names of all y^e Soldiers under their respective Comands, and that they take care none escape being listed.

I design God willing early in y^e Spring to see y^e Militia of your County exercise and muster and hope to find them provided with armes & c. according to Law (w^{ch} I order them to bring into y^e Feild at that time to prevent being fined as y^e Law directs) & well disciplined. And that you acquaint y^e Officers who have y^e Care of y^e powder and shot lately Sent to your County, that they do not dispose of any of it unles for their Maj^{ties} especial Service ag^t an enemy.

And I do order that y^e Justices of your County, do at their next Court take an acco^t of all y^e publick Stores as amunicon & c in your County in what condicon y^e Same is and in whose Custody, and return an account thereof to y^e Sec^{rs} Office and to y^e Comand^r in Cheif: And that no person presume to conceal any at their perill, And for that It is for y^e publick good of y^e Country that no person conceal any of y^e Publick Stores, all persons are desired to inform y^e Justices of any person they know that hath any of y^e Said Stores and do not give an acco^t thereof.

Understanding that Severall persons in their drinking Frolicks do comitt severall disorders in cutting hats clothes & c do order that y^e Justices of y^e Peace You and all other their Maj^{ties} Officers do take care for y^e future to prevent y^e like, and punish such offenders according to Law.

And if any person or persons now are or hereafter shall come into your County, that canot give a good acco^t from whence he or they came, and do not take Some honest and lawfull way for a livelyhood; or if any suspected person or persons buy any quantity of armes or amunicon more than usual or may be Judged convenient for them that they be proceeded ag^t according to Law.

I do order y^t you cause y^e Clerk of Your County to give you copies of y^e Lists of titheables of your Com. which you are forthwith to return to M^r Secret^{rs} Office.

Also that you return to M^r Sec^{rs} Office y^e names of y^e Coroners of your County.

And that you acquaint y^e Survey^r of your Com. that I expect He forthwith return to M^r Sec^{rs} Office a copie of his Comicon and Instrucons attested under his hand.

Give me an account who are y^e great promoters or discouragers in your County of y^e good design of a Free school & Colledge, and what lands there are in your County that have been given to either of those uses.

Acquaint y^e Ministers of your County I expect they observe y^e Severall fast and feast dayes

And to y^e End that all herein contain'd may be publickly known you are to publish y^e same at your next Court and in each Church in yo^r County: and give a cop hereof to each of y^e hon^{ble} Councill in Your county.

Given under my hand at James Citty Decemb^r y^e 2^d *Ano Dom* 1690: and in y^e Second year of their Maj^{ties} Reign.

Directed to y^e Sherriff
off.....County

or his Deputy

and Sign'd Fr: Nicholson.

Copa Vera
Test

William Cole Secr

Att a Councill held at James Citty Feb^{ry} 18th 1690 [1690-91]

Present

The R ^t Hono ^{ble} Francis Nicholson Esq ^{re} ,	their Ma ^s Lieu ^t Gov ^r
Nath ^l Bacon Esq ^{re}	Coll William Byrd
William Cole Esq ^{re} Sec ^r	Coll Jn ^o Lear
Coll John Page	Coll C ^r Wormeley
Coll John Armistead	

All the orders made at a Councill hel'd at Middle plantation December 9th 1690, and the Orders of Councill made at a Councill held at James Citty Jan^{ry} 15th 1690, Examined and approved off.

This Board being Credibly informed that the Slooppe Friendship

belonging to Cap^t Roger Jones and others which in July last was Cleared to goe for New England (all the Shippes and Vessells then bound for Europe lying under an Imbargo by their Ma^s Express Commands In Contempt of the said Imbargo was by her Owners caused to go for England, which had shee been taken by the French might have been of dangerous Consequence to the whole Fleete here bound out, in giving an account of the time of their sayleing and otherwise, for prevention of the like danger for the future, It is Ordered that during the time of an Imbargo in this Colony noe Shipp or Vessell whatsoever be permitted to sayle to any of their Ma^s Plantations, unless the Master of Such Shippes or Vessells give bond with good Security of Five hundred pds Ster^l not to goe for Europe, nor shall any Shipp or Vessell be cleared to any of the Plantations unless they shall sayle at least one Month before the time appointed for the Imbargoed Shippes sayleing to prevent the like danger as afores^d And it is Ordered that it be Entered in the Condition of the bonds to be given by Mast^{rs} of Shippes that they carry noe seamen nor others out of this Country, more then they brought, without Lycence soe to doe.

Whereas thirty Nine hundred weight of Cast lead, and twenty two hundred and a halfe weight of Gunpowder sent to M^r Jn^o Herbert in the Shipp Tryall Nichols Smith Master was by Coll John Page one of their Ma^s Collect^{rs} Secured on Board the said Shipp for their Ma^s and this Country's Service untill further Ord^r on Consideracon whereof, It is Ordered that if the said Herbert shall enter into bond to their Ma^s to have the said Powder and Lead forthcoming when required for their Ma^s and this Countrys Service, which bond the Sherriffe of Charles City County is Ord^d to take, if offered, that the said Herbert be permitted to take the said Powder and Lead into his Custody

John Stephens Master of the Shipp Bristoll Merch^t now in Mock-jack Bay, giving an account that in this present Voyage to this Country on the 15th December last he mett with a small French Barque belonging to Rochell in France, and came then from Keyou, who had an English Man Prisoner aboard, who they took from the said Barke but having but few Men and None of them willing to goe either for England or Virginia in the said Barque onely tooke from her two Petteraroes, [Pedreroes (small guns)] three Musquetts, about seven hundred pds of Shugar, some Parretts and Parraketoos some Oranges, and about seven hundred Sows [sous] and soe lett her goe, On Consideration whereof It is Ord^d that the said Stephens putt the Patteraroes and Musquetts on Shore for their Ma^s use at M^r Sands Knowle's Plantation in Glocester County, and the rest being of small value, most of the Shugar being spent at Sea, to take for the Incouragement of the Men belonging to the aforesaid Shipp.

Feb^{ry} 19th 1690 [1690-91]

Present as before

Thomas Tyler Master of the Brigantine Swallow of Barbados having been Sumoned to give an account how he came by two Indians he carried out of this Country, this last yeare, and now produceing a

bill of Lading Signed to Dan^{ll} Pugh of Nansimond County for the said Indians, and the said Pughs Instructions for the disposall of them, and the said Pugh having absconded himselfe that he could not be Sumoned to appeare at this Board according to the Ord^r of the last Councill, and the Sherriffe of Nansimond County having left a Sumons at the said Pughs House requireing his appearance, but he not appearing It is Ord^d that the Sherriffe of Nansimond County take the said Pugh into his Custody and there keepe him till he Enter into bond with good Security for his appearance at James Citty before the R^t Hono^{ble} the L^t Gov^r and Councill the fourth day of the next Gen^{ll} Court, then and there to answere what shall be objected against him on their Ma^s behalf.

This Board having been Informed that M^r James Minge is appointed Deputy Surveyer Gen^{ll} of this Colony by Coll Phill Ludwell, Deputy Survey^r Gen^{ll} under Alex. Culpeper Esq^{re} Survey^r Generall of this Country, and not findeing that the said Culpepers Comission giveth power for the doeing thereof, and also being Informed that the said Minge is appointed Presid^t of the Society of Survey^{rs} with power to take fifty pds of tob^o for every Survey (by him Examined and Recorded) of the Survey^r that makes the said Survey which the said Surveyer is to take from the person for whom the Survey is made which being irregular and Contrary to Law, It is Ord^d that the said Minge with two or three other Survey^{rs} such as he shall think fitt appeare at James Citty the 6th day of the next Gen^{ll} Court before this Board, and that till that time the said Minge make noe alteration in the Survey^{rs} appointed by Coll Philip Ludwell before his goeing last out of this Country either by putting out any person, or giving a New Comission to any other, nor that he administer any Oath to any of them already appointed as aforesaid

Cap^t Oswald Cary Sherriffe of Middlesex County being lately dead, His Hono^r the Lieu^t Gov^r desired the Gentlemen of the Councill who live in that part of the Country to Nominate a fitt person to be appointed Sherriffe of the afores^d County, and they recomending M^r Robert Dudley, His Hono^r with the Advce of the Councill is pleased to Order that a Comission be accordingly prepared for him for the remaining part of this yeare.

Feb^{ry} 20th 1690 [1690-91]

Present as before

His Hono^r the Lieu^t Gov^r Considering that the time for appointing Sherriffs is now at hand, desired the Councill to Consider against their Next meeting who are fit persons to be appointed Sherriffs for the ensuing yeare in the respective Counties, also it being the Opinion of this Board that it is for their Ma^s Service to have Coron^{rs} who are persons duely quallified for that Office; and Severall Justices being dead since the last Comissions issued out who are persons of Integrity and ability to be added to the Comissions of the Peace where occasion shall require

The Sherriffe of.....County having

failed to performe what was directed him by the R^t Hono^{ble} the Lieu^t Gov^r^s Ord^r dated December 2^d 1690, It is Ordered that he appeare at James Citty before this Board on the third day of the next Gen^l Court to answere the same

.....Surveyor of.....

having failed to performe what was directed him by the R^t Hono^{ble} the Lieu^t Gov^r^s Order dated December the 2^d 1690, It is Ordered that he appeare at James Citty before this Board on the 3^d day of the next Gen^l Court to answere the same

The R^t Hono^{ble} the Lieu^t Gov^r acquainting this Board that he is Informed the Masters of the Shippes comeing to this Country do not give a full account of the hhd^s of tobacco, and bulk taken on Board their Shippes, whereby their Ma^s and this Countrys Revenue are greatly damnified, and therefore proposed what Method should be used for prevention of the like abuse for the future, On Consideration whereof it being the Opinion of this Board that the Charge of having Men appointed to looke after the same will be greater then the Revenue can beare, It is resolved and Ord^d that the Collect^{rs} besides takeing the Oath of the Master of the Shipp take the Oaths of all Such persons as keepe any account of the Loding of the said Shipp, which persons the Master is to give an account off on Oath.

His Hono^r the Lieu^t Gov^r acquainting this Board that he understood there was great abuse in their Ma^s and this Country revenue in the Coopers makeing hhd^s of a greater size then the Law prescribes, and proposeing what Methods should be used for prevention thereof for the future, On Consideration whereof it is the Opinion of this Board, that the Charge of having Men appointed to looke after the same will be greater then the revenue can beare, and that the onely way at present for prevention thereof is the Care of the respective Grand juries whose Duty It is to looke after the same.

His Hono^r the Lieu^t Gov^r caused to be read a Letter he Intended to Send to the Churchwardens of the Severall parishes in this Colony, relating to their takeing the Church wardens Oath, and other due performance of their Duty in their places, which was approved of as fitt and proper to be sent.

A Proclamation Entituled a Proclamation to prevent seamen and Marin^{rs} belonging to the Shippes comeing from England, from Runing away from the Shippes they belong to, and an additional Clause thereto, was Examined, approved off, and Ord^d to be Imediatly Issued forth.

Cap^t Symon Rowe Comand^r of their Ma^s Shipp Dunbarton Complaining of the Insufficiency of the said Shipp and it appeareing by a Survey lately made that shee is in a very sad Condition, and to the End it may more fully appeare in what Condition the said Shipp is, His Hono^r the Lieu^t Gov^r is desired as soone as Conveniency will offer after arrivall of the Cap^t^s of the Friggotts now coming hither, to appoint the said Cap^t^s and Such others as he shall think fitt, to Survey the said Shipp and make report of their proceedings under their hands and seals, and return the same to the Secretaries office, to the End such further proceedings may be had therein as shall be for their Ma^s Service.

His Hono^r the Lieu^t Gov^r having proposed whether it be Convenient to appoint an Assembly to Consult and advise of some way to secure this their Ma^s Colony and the Inhabitants thereof from the Attempts of any Indian or other Enemies, It is the Unanimous Opinion of this Board, that it is of absolute Necessity and for their Ma^s Immediate Service to call an Assembly, but in regard there is a present Expectation of the Freggotts arrivall by whom Comands are Expected out of Engl^d, It is Ord^d that Witts be delayed till the 4th day of March next, but if the Friggotts arrive not by that time, that then they Issue appointing the Meeting of the Burgesses at James City the 16th day of Aprill next.

Whereas at a Councill held at James Citty Jan^{ry} 15th 1690 in an Ord^r appointing Rangers & c. It is Ord^d that upon the least notice of the Approach of any Forreign Indians or French, the Rangers Immediately send to the next Militia Officer, who is forthwith to raise the Militia under his Comand, and to give Notice to the other Offic^{rs} of that County, who are all to rase the Soldiers under them to resist or repell any of Our said Enemies, and the said Officer or Officers are to give Speedy Notice to the Comander in Chief of that County and to follow such Ord^{rs} and Comands as they shall receive from him and in case there be occasion for any assistance the Comander in Cheife is to raise soe many of the Militia of the Adjacent Counties as he shall think fitt, and cause them to March to the assistance where occasion shall be, and the said Comand^r in Cheife of the said Counties forthwith to give an account of the same to the Gov^r or Comand^r in Cheif of the Country for the time being, and observe such Ord^{rs} and Comands as he shall receive from him, And to the End that upon Notice of an Enemy the Country may not be unprovided of Men to Joyne with the Rangers by this Order appointed to be raised, It is Ord^d that the Comand^{rs} in Cheife of the Frontier Counties doe forthwith appoint such a Number of the Soldiers in the Severall Counties under their Comand as they shall think fitt, and give them Ord^r to be at all times in a readiness to Joyne with the said Rangers when occasion shall require, And Ralfe Wormeley Esq^{re} Comander in Cheife of Rappahanock County by his Letter to the R^t Hono^{ble} the Lieu^t Gov^r which his Hono^r caused to be read, having signified the Great distance betweene the place where the Rangers Range and him, and that there is not a Militia Officer in Rapp^a County but at great distance also from the Rangers, and therefore proposed that Coll Stone or Coll Loyd might be appointed to doe what is before mentioned to be done by the Militia Officer, and the same being approved the s^d Coll Stone and Coll Loyd or either of them are hereby Authorized and Impowered to do the same, and all persons Concerned are required to observe & obey such Ord^{rs} and Comands as shall be Given by the said Stone & Loyd or either of them, till further Ord^r either from this Board, the R^t Hono^{ble} the Lieu^t Gov^r or Ralph Wormeley Esq^{re} Comander^r in Cheife as aforesaid

This Board having been Informed that the Inhabitants of Pennsylvania declare that if the French or Indians come against them, they will acquaint them they have noe Quarrell with them nor will not

fight, whereby if either of those Enemies shall goe thither, they will not onely be supplied with provisions, but a place of retreat after Mischeif done, which may prove of dangerous Consequence to the Peace and safety of this and all other their Ma^s Plantations in these Parts, And it being Considered that at the frequent Meeting of the Quakers in severall places in this Colony of their own appointing, without ever acquainting the Government of the same, or doeing what is required by an Act of Parliam^t made in the first yeare of the Reign of Our Sovereign Lord & Lady William and Mary by the Grace of God King and Queen of England Scotland France and Ireland & c Entituled An Act Exempting their Ma^s Protestant Subjects dissenting from the Church of England from the penalties of Certain Laws, not onely the Inhabitants of this Colony, but those of Maryland Pensilvania and other places are usuall [usually] present, by meanes whereof the French or Indians if possesse of Pensilvania have fitt opportunityes of knowing the affaires of this their Ma^s Government, and Ord^ring themselves to do Mischeif accordingly, for prevention whereof for the future, and to the End the aforesaid Act of Parliament may be put in Effectuall Execution, It is Ord^d that after publication hereof (which all their Ma^s Justices of the Peace in the respective Countyes in this Colony are required to cause to be done at the next Co^rt to be held for their said Countyes) that none of the persons usually Called Quakers doe presume to meete at any place whatsoever without doeing and performing what by the before recited Act of Parliament is required and Comanded, upon penalty of being prosecuted, and suffering such paines and penalties as by the said Act are to be Inflicted on those who doe not Comply there with

And to the End the said Act may be duely performed all their Ma^s Subjects within this Colony, especially Justices of the Peace, Sherriffs and other their Majesties Officers whatsoever, are hereby required and Comanded to take Care that noe person or persons whatsoever presume to doe or Act anything Contrary to the true Intent and meaneing thereof.

And it is further Ord^d that if, (after the said persons called Quakers have performed what is required by the aforesaid Act of Parliament) any Strangers from any other Governm^t shall come among them, they give an account of every such person to the next Justice of the Peace, who is hereby Ord^d to cause the said person or persons to appear before him, and to take his or their Examinations under his or their hands to what place he or they belong, whether goeing, when, and of all things Else which may be for their Ma^s Service, and forthwith return the same (if he finde fitt) to the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r that such further Order may be had therein as shall be agreeable to Law, And It is also Ord^d that if any person whatsoever shall receive by Letters, or heare any strange News which may tend to the disturbance of the Peace of this Government, that they doe not presume to publish the same, but with the first Conveniency repaire to the next Justice of the Peace, and acquaint him therewith who is to Act therein according to Law.

Their Ma^s Justices of the Peace for James Citty County by their

petition presented by M^r Henry Hartwell and William Edwards by Ord^r of the said Justices dated Feb^ry 7th 1690 setting forth that formerly the said Justices of the said County did sitt and hold Court in the Gen^l Court house, but in the late unhappy troubles that House being burnt a Court house was built at the Costs and Charges of the aforesaid County, in which for some yeares the R^t Hono^{ble} the Gov^r and Council did Sitt, but the same being now very ruinous it will be Great Charge to repair it, and therefore prayed they might have leave to hold Court for the future in the Gen^l Court house, the same being sometime since rebuilt, On Consideration whereof as also of the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^{rs} proposall, that if the aforesaid Justices will by a Sufficient Deede in Law Convey the R^{ts} of the aforesaid ruinous House to him, he will repair the same and give it for a Schoole house for the Advantage of the Inhabitants of the aforesaid County of James Citty and others who shall send their Children there to be Educated, It is Ordered that if the aforesaid Justices Comply with his Hono^rs proposall and oblige their County to keepe the Windows and plaistering of the Roome (in the Generall Court house) where the Court is held in repair, the same being first made soe, that they be permitted to hold Court there, and they are hereby permitted and Impowered forever hereafter (soe long as the House shall remain fitt) to Sitt & hold Court in the said Roome provided whenever it shall happen that their Court shall fall out to be dureing the Sitting of the Gen^l Court, or Councill in Assembly time, that they adorne to some time after the Ending of the said Gen^l Court or Assembly.

Att a Councill held at Yorke Court house
Feb^ry 27th 1690 [1690-91]

Present

The R^t Hono^{ble} Francis Nicholson Esq^{re} L^t Gov^r
Nathaniel Bacon Esq^{re} William Cole Esq^r Sec^r
Coll John Page

His Hono^r the Lieu^t Gov^r acquainted this Board that he had received a Comission from their Most Sacred Ma^s appointing his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Generall of this Country, with Instructions for the Management of the Government, And an Order to himselfe to Execute the Severall powers and authorities Contained in the said Comission, and observe the Instructions dureing his Ex^{cy}s absence, and the first Instruction which his Hono^r caused to be read requiring the Calling the Councill together Imediatly after the receipt thereof, His Hono^r proposed what time might be thought most Convenient for the Councills meeting On Consideration whereof thursday the fifth of March being judged as soone as it can be possible for the Gentlemen of the Councill to have Notice and to meete, It is Ord^d that they on that day meet at James Citty, and his Hono^r is desired to write to them not to faile

Having received an Ord^r from their most Sacred Ma^s that John

Woodcock, William Aylward Will Burley and George Mason should be sent to Maryland there to be tryed for the Murder of M^r John Paine late Collect^r of Potuxent River in that Province, the Fact being Comitted in that Government, His Hono^r the Lieu^t Gov^r is desired to write to Richard Lee Esq^{re} to issue his Warrant for the Ordering George Mason to be brought to James Citty by the 5th of March next, and that His Hono^r issue his Warrant to L^t Edward Ross to take the other three persons into his Custody, and deliver them to the Sherriffe of James Citty County at or before the aforesaid 5th day of March, that then Such further Order may be made as shall be agreeable to their Ma^s Comands.

His Hono^r the Lieu^t Gov^r pursuant to an Order of this Board dated Feb^{ry} 20th 1690 delivered his Warrant to Cap^t John Jenings Comodore of the Virg^a and Maryland Shipp, appointing him with Such others of his Offic^{rs} and others as he should think fitt to veiw their Ma^s Shipp Dunbarton, and make return of their report to M^r Secretaries Office under their hands and Seales as is directed by the aforesaid Order, that such further care may be taken therein as shall be for their Ma^s Service.

His Hono^r the Lieu^t Gov^r is desired to Send a Copy of the Proclamation about Seamen, and the Ord^{rs} of Councill about Shipp to Richard Lee Esq^{re} to be by him Sent to Such as for the time being take Care for preserveing the Peace and Adminstring the Laws in their Ma^s Province of Maryland, and M^r Sec^{ry} Cole is desired to Send Copies of the same to the Deputy Gov^r of North Carolina that both those Gov^{rn}ments may know the Methods used here for his Ma^s Service.

Att a Councill held at James Citty
March the 7th 1690 [1690-91]

Present

The R^t Hono^{ble} Francis Nicholson Esq^{re}
Lieu^t Gov^r

William Cole Esq^{re} Sec^{ry} William Byrd Esq^{re}
C^r Wormeley Esq^{re}

His Ma^s Letter Authorizing and Impowering the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r to Execute all the Powers and Authorities Contained in their Ma^s Commission and Instructions to his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of this Country, dureing his Ex^{cy}s absence was this day read.

This day Edward Hill and Henry Whiteing Esq^{rs} were Sworne of their Ma^s Councill of this their Colony and Dominion of Virg^a, but there being very few of the Gentlemen of the Councill present, some of them being prevented by Sickness, and others by the Extremity of the Weather, It is Ord^d that his Ma^s Comission Constituteing and appointing his Ex^{cy} Francis Lord Howard of Effingham to be their Ma^s Lieu^t and Gov^r Gen^l of this Country be published the first day of the next Gen^l Court, and that at the first Meeting of the Councill

the R^t Hono^{ble} Francis Nicholson Esq^r Lieu^t Gov^r, and the Councill take the Oaths appointed and directed by their Ma^s Instructions

Edward Hill Esq^r
Hen: Whiteing Esq^r } added

His Ma^s Comission appointing his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t Gov^r Gen^l of this Country read, also their Ma^s Instructions, And the Consideration of the Instruction about appointing a Court of Exchequer referred to be Considered off by a full Councill, at the next Meeting of the Councill.

His Most Sacred Ma^{ty} having been Graciously pleased by his Instructions to direct that there be a Free Trade with the Native Indians, His Hono^r the Lieu^t Gov^r proposed whether the Proclamation relateing to the Indian Trade lately sett forth by Order of Councill should be declared Void or Not, On Consideration whereof, It is the Opinion of this Board that the same and Severall other things in their Ma^s Instructions relateing to the Assembly be referred to the Consideration of a full Councill at the next Meeting of the Councill.

On Consideration of the Great want of Powder and Shott in this Country for the defence thereof, as also that by late Proclamation all persons are forbidden selling any to the Indians, unless small quantities to our Neighbouring Indians. And to the End the Inhabitants of this Country may (if possible) provide themselves with some, for the preservation of this their Ma^s Country and Inhabitants, It is Ord^d that the Collect^{rs} demand and take an account (of the Severall Masters of Shippes and Vessells they shall Enter) of all Powder Shott and Armes brought into this Colony, and permitt them to deliver it to the Severall persons to whom it belongs, of whom an account thereof will be required when occasion shall offer, for their Ma^s and this Countrys Service.

His Hono^r the Lieu^t Gov^rs proposall what Measures shall be taken with the publique Armes for their better Security is referred to the next Meeting of the Councill.

A Letter from his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Generall of Virginia, directed to the R^t Hono^{ble} the Lieu^t Gov^r and Councill, also two Ord^{rs} about his Ex^{cy}s Salary, and two Ord^{rs} about Sending home the Mony Plate and Goods taken in the possession of Edw^d Davis, Lyonell Delawafer and John Hinson and still remaining in this Country to his Ex^{cy}, in Ord^r to his delivering it to S^r Robert Homes were read, and the Consideration thereof referred to the next Meeting of the Councill.

The Warrants for Election of Burgesses a Letter to the Sherriiffs about their due Election, and also to acquaint them and all other their Ma^s Offic^{rs} & c that by their Ma^s Instructions it is required they take the Oaths prescribed by Act of Parliament, Instead of the Oaths of Allegiance and Supremacy read and approved off.

His Hono^r the Lieu^t Gov^rs Proposall who was a fitt person to be appointed Clerke of the House of Burgesses this next Assembly, referred to the next meeting of the Councill

On Consideration that Severall things of Great Moment, some of them relateing to the Assembly, which is to begin the 16th day of

Aprill next are referred to the Consideration of a full Councill at their Next Meeting, It is Ordered that the Councill meete at James Citty the 14th day of Aprill next where all the Gentlemen of the Councill are desired to give their Attendance, that soe those weighty matters referred to the next meeting of the Councill may be dispatched, most of which might have been done now had the Gentlemen of the Councill mett, And to the End that such disappointments may not hereafter happen, which may be greatly to the prejudice of their Ma^s Service, the Consideration of some Method to be used for the prevention thereof for the future is referred to the next meeting of the Councill.

Cap^t John Jenings Comodore of the Virginia and Maryland Fleete, and Comander of their Ma^s Friggott the Experiment now being present and appointing to be at Point Comfort in James River by the 10th of May next in Ord^r to sayle with the Shipp that shall be ready bound to Europe, and their Ma^s having Comanded that noe Shipp bound to Europe from hence be permitted to sayle butt in Fleets, It is Ord^d that the respective Collect^{rs} of this Colony do not Cleare any Shipp or Vessell for Europe but in Convenient time for them to be at Point Comfort ready to sayle at the time aforesaid, and that at the Clearing any Shipp or Vessell they take bond of the Master thereof to sayle to Point Comfort under the Comand of Cap^t John Jenings Comodore as aforesaid, and there to remain till he with the Fleete sayle, and it is Ord^d that after the 10th day of Aprill next, no Collect^r Cleare any Shipp or Vessell bound to any of their Ma^s Plantations till after the sayleing of the Fleete for Europe, as is directed in a former Ord^r of this Board, nor any Shipp or Vessell for Europe, after the sayleing of the Fleete in May, till further Order.

Ralph Wormeley Esq^{re} having by Letter signified that a Ketch from Belfast, who had her Clearing from Duke Schomberge, after a long and tedious Stay here, has at last got her lading in, & was ready to Sayle, had not an Ord^r come to Imbargoe all European Shipp, which has almost broake the Master and Mens hearts, they being very bare of Cloths, no Creditt, nor Goods of their Owne, all being upon Freight, soe that if they stay for the Fleete their provisions will be all Spent, the Master says he must leave the Ketch, and every one take their Tob^o on Shore unless he might be permitted to sayle which he humbly begged, On Consideration whereof Cap^t John Jenings Comodore of the Virginia and Maryland Fleete who had Stopt a Vessell in James River which was Cleared being inquired off and affirming that if any Shipp or Vessell should be permitted to sayle for Europe, and fall into the hands of the French, it might prove of dangerous Consequence to the whole Fleete bound from these parts, And this Board having formerly in the like case been of the same Opinion and now also, Do Ord^r that the aforesaid Ketch, nor any other whatsoever be permitted to sayle before the Fleete in May next, It being reasonable that perticular Interests submitt to the publique Good

Cap^t John Jenings Comodore of the Virg^a and Maryland Fleete, and Comander of their Ma^s Friggott the Experiment having in Obedience to an Order of the Right Hono^{ble} the Lieu^t Gov^r who issued the same pursuant to an Order of Councill in their behalfe, made return of

the Carpenters report of thier Ma^s Shipp Dunbarton and his Opinion thereon, viz^t that shee is not fitt for the Sea, nor for any repair in this Country without a Dock, And to the End that noe meanes may be Omitted to discover the Condition of the said Shipp, And Cap^t Symon Rowe Comand^r of her having received their Ma^s Ord^s to goe for England with her, It is Ord^d that the said Cap^t Rowe issue his Warrant, requiringe the Comand^s and Carpenters of all the Shippes in Yorke River, and such others as he shall think fitt, forthwith to veiw the said shipp and make a report under their hands and Seales whether the s^d Shipp Dunbarton be fitt to goe for England, whether shee can be repair^d in this Country or not, and if shee cannot be repaired here, what is best to be done with her for their Ma^s Service and return the same to the Secretaries Office, that such further proceedings may be had therein, as shall be judged for their Ma^s Service at the next meeting of the Council.

This Board takeing into their Consideracon what may be the likeliest way to preserve and Secure the Virg^a and Maryland Fleete bound for Europe, (who are to sayle the 10th day of May next) from danger in their passage thither, and Considering that if the French can have Intelligence of the time appointed for the Fleets sayleing from hence it may be of dangerous Consequence, and therefore of Opinion that the prevention thereof will greatly tend to the Security of the Fleete in their return, Doe therefore Ord^r that Cap^t Symon Rowe Comander of their Ma^s Shipp Dunbarton cause the two Sloopes now in their Ma^s Service under his Comand to keepe in the Bay, and be very Carefull that they speake with all Shippes and Vessells comeing from Maryland, and Stop all bound for Europe, and Carry them under the Comand of Cap^t John Jenings Comander of their Ma^s Friggott the Experiment, also to be very Carefull that none under pretence of goeing to the Plantations, who have any Quantity of Tobacco on board Escape, but that they be brought into some River in this Colony there to remain till the truth shall appeare, and it is further Ord^d that after the 10th day of Aprill next they suffer noe Shipp or Vessell whatsoever to goe to any of their Ma^s Plantations, but that they be all brought into some River in this Colony, there to remain till the Fleete bound for Europe sayle,

In Obedience to his Most Sacred Ma^s Comands dated at their Ma^s Court at Kinsington the 26th day of Aprill 1690 in the 2^d yeare of their Ma^s Reign, requiringe the sending those persons who are apprehended in the Government for the Murd^r of M^r John Paine their Ma^s late Collect^r of Potuxent River in Maryland, into their Ma^s Province of Maryland to be brought to tryall for the same, the Fact being Comitted within the Government of that Province, And Cap^t Symon Rowe Comander of their Ma^s Shipp Dunbarton being inquired of, offering to Send the said persons with Sufficent Men to Guard them, It is Ord^d that the Sherriffe of James City County on Thursday the 12th of this Instant safely Convey M^r John Woodcock, M^r William Aylward and M^r William Burley (three of the persons that were apprehended for the aforesaid Murder) to Yorke River, and their [there] deliver them to Cap^t Symon Rowe or his Order, to be by him sent in

one of the Sloopes under his Comand with Sufficient Men to Secure them to S^t Maries in their Ma^s Province of Maryland and there delivered, as also their Ma^s Letter to Such as for the time being take Care for preserving the Peace and Administring the Laws in their Ma^s Province of Maryland and take a receipt from at least four of them for delivery of the said Letter and persons, and return the same unto the R^t Hono^{ble} Francis Nicholson Esq^r their Ma^s Lieu^t Gov^r of this Country, And it is further Ord^d that if George Mason the other person Seized in this Government for the aforesaid Murder be brought to James Citty before the others are Carried away, that he be sent and delivered with them, but if he be not brought before they are gon, His Hono^r the Lieu^t Gov^r is desired to issue his Warrant to cause him to be sent to Rich^d Lee Esq^{re}, and to write to him to cause the said Mason to be Sent to S^t Maries and there delivered and receipt taken as is herein directed for the other three persons.

His Hono^r the Lieu^t Gov^r caused to be read in Councill a Letter by him written to Coll Slaughter their Ma^s Gov^r of New Yorke, another to M^r Thomas Loyd President of Pensilvania, one to those as for the time being take care for preserving the Peace and Administring the Laws in their Ma^s Colony of the Massathusetts Bay in New England, and another to those as for the time being take Care for preserving the Peace, and Administring the Laws in their Ma^s Province of Maryland, all which are approved off, and the same being for their Ma^s Service His Hono^r is desired to agree with a fitt person to Cary them and bring back the answers [which] shall be Sent by any of the aforesaid persons, and that the sume agreed for be paid out of their Ma^s Revenue of this Country.

M^r Secretary Coles Comission from his Ma^{ty} appointing him Secretary of this their Ma^s Colony & Dominion of Virg^a was this day read in Councill.

An Ord^r restraining the Meeting of the Quakers unless they Comply with the direction of an Act of Parliament made in the first yeare of the Reign of Our Sovereign Lord & Lady William and Mary by the Grace of God, King and Queene of England Scotland France & Ireland & c Entituled An Act for Exempting their Protestant Subjects, dissenting from the Church of England from the penalties of Certain Laws, was read & approved of.

His Hono^r the Lieu^t Gov^r acquainting this Board that the Roome where the Gen^l Court is kept wants repaireing, It is Ord^d that the Sherriffe of James Citty County forthwith cause the Windows of the said Roome to be Glased, the Plaistering mended, and the Walls whitewasht, and on Consideration of the Ill conveniency of the Bar in the said Roome, It is Ordered that the Sherriffe cause the same to be altered according to the direction of his Hono^r the Lieu^t Gov^r, and his Hono^r is desired to give direction therein.

His Hono^r the Lieu^t Gov^r caused the Comissions and Instructions given to the Lieu^{ts} of the Rangers appointed to be raised by former Ord^r of this Board to be read, and they are approved off.

His Hono^r the Lieu^t Gov^r this day caused to be read a Letter from Isaac Allerton Esq^{re} to his Hono^r one from Cap^t Peale and Cap^t Mason

to Richard Lee and Isaac Allerton Esq^{rs} wherein they have Nominated David Straughan to be Lieu^t of the Rangers in Stafford County, and from the Character they have given of him, he being a fitt person it is Ord^d that he have a Comission accordingly, and His Hono^r also caused to be read a Letter from Coll John Stone Cap^t William Taylor and Cap^t George Tayler of Rapp^a County to Richard Lee and Isaac Allerton Esq^{rs}, wherein they signifye that they shall provide the Men appointed them to raise for Rangers, but know not where to furnish them with Pistolls and Carabines, On Consideration whereof it is Ordered that if Richard Lee and Isaac Allerton Esq^{rs} cannot otherwise provide the said persons with Carabines that they Send to Ralph Wormeley Esq^{re} for as many of those at his House belonging to their Ma^s as will supply their Wants, which he is desired to deliver to their Ord^r taking receipt for them.

This Board takeing into their Consideration that there are soe many Young Lusty Men in this County, which noe doubt will offer themselves Voluntiers for Rang^{rs} that none Neede be Imprest, Doe therefore Order that none be Imprest, and that the likeliest of those that Offer themselves to doe their Ma^s Service be taken

Copa Vera

Test William Cole Secr.

[This proclamation is found in Vol. 1306 of C. O. 5 of the Public Record Office—not Vol. 1405. It is No. 13.]

Virg^a SS

Locq
Sigill
Colon

By the R^t Hon^{ble} y^e Lieu^t Govern^r A proclama-
lamacon to prevent Seamen and Marin^s be-
longing to Ships Coming from England from
Runing away from y^e Ships they belong to

Whereas his most Sacred Maj^{ty} out of his tend [tender] care of y^e inhabitants of this their Ma^{ty} Dominion hath been graciously pleased to permitt a Certaine number of merchants Ships to come to this Country to y^e end their Ma^{ty} subjects here may be Supplied with necessaries: and great care hath been taken that y^e Seamen and Marin^{rs} belonging to y^e Ships, should return in y^e Same Ships to England by taking bonds of y^e Respective masters and their owners of one thous- and pds penalty to return y^e said Seamen and Marin^{rs} to England in y^e Severall Ships they came forth in, that they may be ready to Serve their Ma^{ty} if occation should be, and it being doubted many Idle and dissolute fellows belonging to y^e S^d Ships (as some have already done) may indeavor to make their Escapes from y^e s^d Ships, either by getting on board Some Ships or Vessells bound to some of their Ma^{ty} other plantacons or by Lurking about in y^e Country which will be a great prejudice to y^e m^{rs} of y^e Ships to which they belong for want of their Service in y^e dispatch of y^e Ships in y^e Country, and in goeing for England and in Complying with their bonds also may be of a great detriment to their Ma^s Service, For prevention where of I Francis Nicholson Esq^r their Ma^{ty} Lieu^t Govern^r of This their Ma^s Dominion by and with the advice and Consent of the Councill of State do hereby strictly charge and Comand all and every y^e Seamen and Marin^{rs} be-

longing to any of the Ships that are or shall come into this Colony from England that none of them presume to Leave or run away from y^e Ships they belong to, but Carry themselves obediently to their Comand^{rs} and Follow y^e Ships business, and y^e masters of the Ships are hereby required to use their men well, and in Case any master of a Ship or any other officer shall abuse any man, or not allow him Sufficient dyet as is usuall Such Seaman soe aggrieved is to make his Complaint to y^e next Justice of the peace, who is to take Care to do all Right and Justice as well to y^e men as y^e master, and the masters of all Ships or Vessells bound out of this Country to any of their Maj^{ties} plantacons are hereby Strictly Charged and Comanded not to entertaine on board their Ship or Vessell, or Carry out of y^e Country any of the Said Seamen or marin^{rs} or any others but y^e Seamen and marin^{rs} that Came in y^e s^d Ship without License so to do, and all their Ma^{ts} officers and other y^e inhabitants of this Country are hereby Strictly Charged and Comanded not to Conceale or entertain in their houses any Seaman or Seamen belonging to any of the Said Ships unless they Come about their masters business, nor any ferryman to Set any of them over a ferry without y^e Comand^{rs} note, and all persons are also hereby required to take and Apprehend all vagrant Seamen or y^e Like that Cannot give a good account of their travelling, and Carry him or them before y^e next Justice of the peace, who is hereby required to Send him or them if he see Cause to y^e next Goal, there to be Secured untill the master Send for him or them and pay his or their Fees, Given under my hand and y^e Seale of y^e Colony this 21st day of Febr^y in y^e Second year of y^e Reign of our Sov^{reign} Lord and Lady W^m & Mary by the Grace of God King and Queen of England Scotland France and Ireland & c deffenders of y^e Faith *Anoque Dom 1690 [1690-91]*

To y^e Sherr of.....

County or his deputy

Francis Nicholson

I Francis Nicholson Esq^r their Ma^t Lieu^t Govern^r & c do hereby with y^e advice and Consent of y^e Councill as within menconed require and order that y^e respective Sherriues in this Colony in whose precincts any Ships or Vessells shall ride do draw out a Copie of the within menconed proclamacon & Attest y^e Same under his hand to be a true Copie, & deliver one to every master of Such ship or Vessell who is to pay two Shill^s & six pence for y^e Same, & after receipt thereof to Cause it to be affixt in Some publick place in y^e S^d Ship or Vessells. Also that he give y^e Sherrieff a receipt for y^e S^d Copie Given under my hand the day & year within menconed

Francis Nicholson

Copa Vera
Test

William Cole Secr

[C. O. 5, Vol. 1405, continued.]

Att a Councill held at James Citty
Aprill the 15th 1691

Present

The R^t Hono^{ble} Francis Nicholson Esq^r
their Ma^s Lieu^t Gov^r

William Cole Esq^r Sec.

John Lear Esq^r

Ralph Wormeley Esq^r

C^r Wormeley Esq^r

William Byrd Esq^r

Edw^r Hill Esq^r

Henry Whiteing Esq^r

William Cole Esq^r William Byrd Esq^r Ralph Wormeley Esq^r John Lear Esq^r and Christopher Wormeley Esq^r were this day Sworne of their Ma^s Councill of this Colony.

This day Cap^t Francis Page Clerk to the late House of Burgesses surrendered his Comission, and declared he was ready to deliver all the Journalls Books and Papers belonging to the Assembly to such person as should be appointed to receive the same, Whereupon his Hono^r the Lieu^t Gov^r Proposed who was a fitt person to be appointed Clerk in his stead, and M^r Peter Beverley having petitioned that he might be admitted and Impowered Clerke to the House of Burgesses It is the Opinion of this Board that he be discoursed with to finde whether he be a fitt and proper person for the Managem^t of the said place, and the performance of their Ma^s Service therein, and according to his Duty give an account of the proceedings of the House of Burgesses when thereto required.

Whereas at the last Meeting of the Councill Severall things were refferred to be Considered at the first meeting of the Councill, and the Gentⁿ of the Councill not being yet all mett, they are refferred till tomorrow, when it is hoped there will be a full Councill.

Aprill y^e 16th 1691

Present as before, & Jn^o Custis Esq^r

Upon the Complaints of Cap^t Symon Rowe Comander of their Ma^s Ship Dunbarton, of the Insufficiency of this said Ship, and to the End she might be repaired if possible, Severall Surveys have been made of her, and it appeareing by the reports returned under the hands and Seales of the Mast^{rs} and Carpenters of the Ships in Yorke River, that she is not in a condition for the Sea, nor to be repaired in this Country and Cap^t John Jenings Comander of their Ma^s Friggott the Experiment being of the same Judgment, also Cap^t Rowe by his Letter to the Lieu^t Gov^r which his Hono^r caused to be read agreeing therewith, and that in his Judgment it will be most for their Ma^s Service to have her broake up, that all her Tackle, Furniture and Rigging which is anything worne be Sold for good bills of Exchange the New Sent for England in one of the Friggotts now here, and the Great Guns left in this Country till their Ma^s pleasure be knowne, Now to the End that all

due care may be taken of what belongs to the said Ship, It is Ordered that Cap^t Symon Rowe give all the Warrant Offic^{rs} of their Ma^s three Ships in this Country notice to meete on board of her, the 28th day of this Instant, then and there to Survey all the Stores belonging to her, and take a perticular account of the same, and that the said Rowe put such part of her Rigging Sailes & c, on board their Ma^s Ships Experiment and Wolfe (Cap^t John Jenings being willing hereto) as he shall See fitt, that the Great Guns, Shott, Ladles, Springes and hand Granadoes be put a Shore for their Ma^s Service in this Country till their Ma^s pleasure be knowne therein, also that Major Lewis Burwell, M^r John Man, and M^r Max Robinson or any two of them doe on y^e 7th of May next (in presence of Cap^t John Jenings and Cap^t Symon Rowe who are desired to See the same performed) sell all that shall not be thought Convenient to be Shipt for England, for good and acceptable bills of Exchange, and return the same to M^r Audit^r Byrd to be by him Sent home, And Cap^t Rowe is hereby Ordered to cause the said ship Dunbarton to be laid on Shore where she may be out of the way of Injuring Sloopes or Boates

Cap^t Symon Rowe Comander of their Ma^s Ship Dunbarton having formerly borrowed of Nathaniell Bacon Esq^r tenn barrells of their Ma^s Powder Sent in for the use of this Country, It is Ordered that he forthwth return the said Powder to the said Nath^l Bacon Esq^r

M^r Peter Beverley having been discoursed with, and it appeareing that he is a person fitly quallified to be appointed Clerke to the House of Burgesses, and hath promised to render an account of their Proceedings when demanded, It is Ordered that the Clerke of the Councill prepare a Comission for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing appointing the said M^r Peter Beverley Clerke as aforesaid, It being the Opinion of this Board that the Clerke of the House of Burgesses be appointed by the Lieu^t Gov^r and Councill as was directed by his late Ma^{ty} King James the Second

In Consideration of their Ma^s Instructions, It is thought fitt that it be onely proposed to this Assembly to take into Consideration the Security of the Country the Easeing the Levy per poll, and the building a house for the Gov^r

The R^t Hono^{ble} the Lieu^t Gov^r causing the Speech he Intended to make to the House of Burgesses at their first Meeting to be read, the same is approved of;

Cap^t Francis Page late Clerke of the House of Burgesses haveing Surrendered his Comission for the said Place, and M^r Peter Beverley appointed Clerke of the said House, It is Ordered that the said Cap^t Fra: Page deliver to the said Beverley all the Journalls, Books and papers belonging to the house of Burgesses, and take his receipt for them, and the same shall be his discharge

Aprill the 20th 1691

Present as before

The Councill takeing into Consideration their Sacred Ma^s Commission to his Ex^{cy} the Lord Howard of Effingham, are of an Unani-

mous Opinion that his Hono^r the Lieu^t Gov^r upon any urgent Occasion may issue a Comission of Oyer and Terminer for Trayll of any Criminals and it appearing to this Board that there hath been lately a Horrid Murther Comitted by one Jn^o Devoll upon one Robert Peachy of Rappahanock County, and it was perpetrated soe lately that it was Impossible to bring him to be tryed the fourth day of this Gen^l Court, and it would be great Charge to the Country, and very hazardous to keepe the said Devoll least he should escape It is therefore thought fitt by this Board that his Hono^r issue a Comission of Oyer and Terminer for Tryall of the said John Devoll

Aprill the 21th 1691

Present as before

M^r James Minge attending this Board by Virtue of an Order of Councill was required not to doe anything Contrary to the said Order, but performe the same, and that he should not take the fifty pds of tob^o therein mentioned for Examining Surveys.

Richard Lee Esq^r Isaac Allerton Esq^r and John Armistead Esq^r three of their Ma^s Councill of this Colony, thro Scruple of Conscience haveing refused to take the Oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Supremacy, whereby they are incapacitated to Act as their Ma^s Councill of this Colony, and the Councill thereby reduced to Eight in Number, And their Most Gracious Ma^s by their Instructions having been pleased to direct y^t if at any time their Councill should be reduced to fewer then Nine Persons, their Ma^s Gov^r Gen^l or Comand^r in Cheife for the time being with the advice of the Councill, should call to the Councill Such and soe many of the best and Most Substantialest of their Ma^s Subjects Inhabitants of this Colony, as should make up the aforesaid Number of Nine persons, In pursuance therefore of the said Instruction, And Edmund Jenings Esq^r their Ma^s present Attorney Gen^l being a person of good Integrity and ability and Judged in every respect a fitt person to be added, His Hono^r the Lieu^t Gov^r is desired to give him notice to attend at the Councill appointed to be held in James City the 4th day of June next, then and there to be Sworne of their Ma^s Councill of this Colony.

In Obedience to his Ex^{cy} the Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of this Colony his Ord^r dated the 10th day of November 1690 requireing the sending home the Goods, Plate Money, Jewells & c. Seized from Edward Davis, Lyonell Delawafer and John Hinson and remaineing in the Custody of Cap^t Symon Rowe, It is Ord^d that M^r Sec^{ry} Cole in whose possession those few things that could be discovered in Cap^t Rowes Custody, were put by an Order of this Board doe Ship them in their Ma^s Friggot Experiment, or some other good ship and Consigne them to his Ex^{cy} the Lord Howard & c taking a receipt for the particulars delivered, And it is also Ordered that M^r Secretary be Satisfied for his trouble and Charge out of the Money remaineing in this Country, Seized from the afores^d Davis, Delawafer and Hinson.

His Ex^{ty} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of this Country having by his Ord^r dated y^e 10th day of Novemb^r 1690 required the sending home to him the three hundred pds of Spanish Money and ten pds of Plate left in the Custody of Ralph Wormeley Esq^r which was seized from Edw^d Davis, Lyonell Delawafer and John Hinson, and it appeareing that one hundred pds of the said Money was by Ord^r of Councill dated July y^e 26th 1690, delivered for the payment of the debts due from Lionell Delawafer and John Hinson for Victualls and other Necessarys, and to pay their Passages to England, and that the Officers & c ought to be paid their Just Claimes out of the other two hundred pds, to which End by an Ord^r of Councill dated June 3^d 1690, it appeares it was left in this Country, It is therefore Ordered that the plate in the Custody of the said Ralph Wormeley Esq^r be by him put on board their Ma^s Ship Wolfe or some other good ship, and Consigned to his Ex^{ty}, and thatt after the offic^{rs} & c their Just fees and Claimes are settled and paid, that the remainder of the said two hundred pds be sent for Englanf the next Shipping

Whereas at a Councill held 8b^r 24th 1690 It was Ordered that M^{rs} Frances Spencer Ex^{tx} of M^r Sec. Spencer should permitt Coll Richard Lee and Coll Isaac Allerton to Examine the said M^r Sec^s bookes of accounts of their Ma^s dues, and that she paid [pay] the ballance which should be found due, to them, which they were requested to pay to M^r Audit^r Byrd this present Aprill, and noe parte of the said Ord^r being Complied with, It is Ord^d that the s^d M^{rs} Spencer permitt Christopher Wormeley Esq^r to Examine the afores^d books of acco^{ts} and that shee pay the ballance due to their Ma^s to him, w^{ch} he is desired to pay to M^r Audit^r Byrd in Octob^r Gen^l Co^{rt} Next.

Upon the petition of Coll Phillip Lightfoot Comptroller and Survey^r Gen^l of their Ma^s Duty of one penny per pound on tob^o It is Ordered that M^{rs} Frances Spencer Ex^{tx} of Ni: Spencer Esq^r late Collect^r of their Ma: Duties in Potomack deliver all the bonds and certificates that remain in her possession belonging to the said Duty, also that shee Suffer the said Lightfoot or such person as he shall appoint to Examine all the bookes & accounts relateing to the aforesaid Duty.

[From C. O. 5, Vol. 1306. No. 17 or fo. 101.]

Att a Gen^l Court held at James Citty Aprill y^e 29th 1691.

Present

	William Cole Esq ^r Sec ^t P ^t [President]
Ralph Wormley Esq ^r	Ch ^r Wormley Esq ^r
W ^m Byrd Esq ^r	Edw ^d Hill: Esq ^r
	Henry Whiteing Esq ^r

Simon Row Comander of their ma^s Ship Dunbarton as well on behalf of their Ma^s and y^e Govern^r of this plantacon of Virg^a as himself informes, that whereas by an Act of Parliament made in y^e 12th year of y^e Reign of o^r Late Sov^eign Lord King Charles y^e Second entitled an Act for y^e encouraging and increasing of Shipping and Navigation, It is among other things therein contain'd Enacted that from

and after y^e first day of December 1660, and from thence forward no goods or Comodities whatsoever shall be imported into or exported out of any Lands, Islands, plantacons, or Territories to his maⁱ^e belonging or in his possession, or which may hereafter, belong unto or be in y^e possession of his Ma^e his heirs or Success^{rs} in Asia Africa or America, in any other Ship or Ships Vessell or Vessells whatsoever but in Such Ship or Vessell as do truly & without fraud belong onely to y^e people of England, Ireland, Dominion of Wales or Town of Berwick upon Tweed, or are of y^e built [build] of, and belonging to any y^e said Lands, Islands, Plantacons, or territories, as y^e Proprietors and right Owners thereof, and whereof y^e master and three fourths of y^e mariners at least are English, under y^e penalty of y^e forfeiture and loss of all y^e goods and Comodities which shall be imported into, or exported out of any y^e aforesd places, in any other Ship or Vessell, as also of y^e Ship or Vessell with all its guns, Furniture, Tackle, Ammunition and apparell & c One third part to his Ma^e his heirs and Success^{rs}, one third part to y^e Govern^r of Such lands, Island, plantacon & c and one third part to him or them that will sue for y^e same & c as by y^e aforesd Act may at large appear. Now this inform^t Saith that contrary to y^e aforesd Act, that on or about y^e 10th day of Feb^{ry} 1690: there was imported in y^e Ship or Vessell called y^e Anne & Catherine, whereof John Cruchee is master in this their Ma^s plantacon of Virginia, Rum, Sugar, & divers other goods, and Comodities, and that y^e said Ship or Vessell exported out of their Ma^s plantacons tobacco and other Comodities, and that y^e master and three fourths of y^e mariners at least are not English, and therefore he Sayth y^e Said Ship or Vessell called y^e Anne and Catherine with all her guns furniture tackle and apparell with all y^e goods and Comodities imported and exported are forfeited & c for which he prayed Judgem^t to which y^e aforesd John Cruchee master of y^e aforesd Ship or Vessell appear'd and pleaded not guilty and for tryal put himself upon his Country, So likewise y^e pl^t who, viz^t M^r Malachy Thruston, M^r Tho: Walk, M^r Jn^o Lightfoot, Cap^t Hugh Campbell, Cap^t W^m Archer, Cap^t Jn^o Stith, M^r John Walker, M^r Joseph Goodrich, M^r Edward Moseley, M^r W^m Haslett, M^r Tho: Welborne & M^r Rich^d Gibson return for verdict we y^e Juro^{rs} having duely considered and well weighed y^e whole matter to us given in Charge do find there was John Cruchee master with eight men and one boy belonging to y^e Barke Anne & Catherine, two of y^e men and y^e boy being French, but whether y^e Franch boy be a Mariner within y^e Statute of y^e 12th year of y^e Reign of our late Sov^{er}ign Lord King Charles y^e Second, entituled an Act for y^e encouragem^t and increasing of Shipping and Navigation wee most humbly submit to Y^e Judgem^t of this hono^{bl}^e Court, which if it be that y^e French boy be within y^e S^d Statute we find y^e said Barque & appurts forfeited but if not then we find not guilty, and it being insisted on by y^e Counsell for y^e def^t that y^e boy is a passenger, It appearing by y^e Evidence, he was onely to work for his passage, and therefore not within y^e Act of Parliament; on Consideracon whereof and of All pleas on both sides, It is Judgem^t of this Court and accordingly ordered, that y^e said Jn^o Cruchee master as aforesd give bond with good Sec^y of one thousand

pds Sterl to Edm^d Jening Esq^r Collecto^r of their Ma^s dutys in York River to Sail with y^e said Bark and men belonging to her directly for London and there abide y^e determination of their ma^s Court of Admiralty, to which Court y^e same is humbly Submitted, and M^r Sec^{ry} Cole is ordered to transmitt a copy hereof to their Lord^{ps}:

Copa Vera

Test W. Edwards *Cl Genll Cur.*

[C. O. 5, Vol. 1405, continued.]

May the 12th 1691^{*}

Present as before

The Burgesses of Severall Countyes in the Colony, on behalfe of some of the Inhabitants of their Counties Complaineing that Cap^t George Purvis Comander of their Ma^s Ship Wolfe had not paid them for the time they were Employed in saveing the said Ship when shee was in great danger of being lost, and the said Purvis being present alleadged he was ready to pay them for the time they were on board the said Ship after the rate of Eighteene Shillings per Moneth, On Consideration whereof, and it appeareing that some of the Men were Impresst at Such distance from the Ship that it was a day before they could get to the River where shee lay, and then for want of a Conveniency could not get aboard in some time after It is the Opinion of this Board that the Men ought to be paid for one day in going to and getting aboard the said Ship, as well as for the time they were actually on board, And to the End all due Care may be taken to know how many dayes the severall persons ought to be paid for, It is Ord^d that they forthwith apply themselves to the next Justice of the Peace in the County where they dwell, who is Strictly to inquire into the same on their Oaths, and all other prooffe that can be made, and give them Certificates thereof, for which said time upon their producing their Certificates to the Sec^{ts} office, and an acco^t given the said Purvis, It is Ord^d that he pay them after the rate of twenty three Shillings per Moneth, they having performed as good and as hard Service as any Seaman could on that Occasion, and this is Conceived to be as well for their Ma^s Service, as agreeable to Justice for if these Men should not be paid, and ever the like Occasion hereafter happen (which God forbid), Men would not be forced to Worke, and their Ma^s thereby loose their Ship

May the 13th 1691

Present as before

On Consideration of the time Cap^t John Jenings Comand^r of their Ma^s Ship Experiment and Comodore of the Fleete that came from England, hath appointed to Sayle for England with the Ships that shall be ready viz^t the 25th of this Instant May, and being Certainly Informed very many if not halfe the Ships that came with the Fleete cannot be ready till the 10th day of June next, and that by that time

all or most of them will be ready, It is the Opinion of this Board, that it is for their Ma^s Service that the Fleete doe not Sayle till that time, on which the s^d Cap^t Jenings declared he would stay soe long for them, It is therefore Ord^d that the Severall Collect^{rs} of this Collony forthwith give notice hereof to the Severall Mast^{rs} of Ships in their districts, that soe they may take care to get ready accordingly, and that they Cleare all the Ships that shall be ready by the Second day of June next, to the End they may have time to goe to Point Comfort und^r the Comand of their Ma^s Ships Experiment or Wolfe and be ready to Sayle with the Fleete, also that they give Notice to the said Mast^{rs} that if they doe not Cleare by the Second day of June aforesaid, the tenth day of September next is appointed, and the same is hereby appointed for the next Fleetes sayleing, their Ma^s having Comanded that noe Ships be permitted to Sayle for Europe in time of Warr, but in Fleetes and it will be Impossible (if the Ships w^{ould} be ready Sooner) for them before that time to Ryde in the Salts to make up a Fleete without great hazard and danger to them, the Wormes in the Hott Season of the yeare biteing very violently, And it is Ord^d that the Collect^{rs} at the Cleareing of the Shipps to Sayle the 10th of Septemb^r next, take bond of the Mast^{rs} to Sayle to Poynt Comfort in James River, and there remain till they receive Ord^{rs} to Sayle.

May the 15th 1691

Present as before

Edw^d Hill Esq^r absent.

This Board being informed that some Vestryes in this Colony entertain Minist^{rs} in their parishes who doe not Conforme to the Doctrine and Rules of the Church of England, and that some parishes have not Vestryes according to Law, nor Read^{rs} where Minist^{rs} are wanting, Doe Order that for the future noe Vestry presume to entertain any Minist^r in their parish who doth not in all things Comply with the Canons of the Church of England, nor suffer any Such Minister to Preach in their Church, and that the parishion^{rs} of every parish w^{ch} hath not a Legall Vestry doe forthwith Elect and make Choice of persons for a Vestry as the Law in that case directs, also that the Vestry of every parish that is not provided with a Minister, doe Imediatly make Choice of a Reader as is provided by Law

A List of the Names of the persons to be Continued, and others to be added to the Comissions of the Peace in the Severall Counties in this Colony were read, and the persons approved off, and Ord^d that Comissions be accordingly forthwith prepared, and a List of Sherriffs for the insueing yeare approved off;

On Consideration that Severall Sherriffs in this Colony have been Negligent and very remiss in the performance and Execution of such things as have been Comanded them by Warrants and Proclamations for prevention whereof for the future It is Ord^d that the Justices in the Severall Counties in this Colony doe Enter a Clause in the Conditions of the bonds to be given by Sherriffs for the due Execution and

performance of their places, well and truly to Execute all Warrants, Proclamations or Precepts which have or shall come to them from the R^t Hono^{ble} the Lieu^t Gov^r and Councill, the Lieu^t Gov^r or Comand^r in Cheife, or any of the Councills also for the More Exacter discovery of the Lands held of their Ma^s by the Severall Inhabitants of this Colony, and the Certaine payment of their Ma^s Quitrents for the same, It is Ord^d that another Clause be Entered in the Condition of the aforesaid bond, that they diligently inquire and finde out the true Quantity of Land held in their County by any person or persons whatsoever, and return a true and perfect List or Rent Roll of the same to their Ma^s Audit^r of this Country upon oath at Such time and place as he shall appoint

A Forme of a Comission of the Peace to be Issued to the Severall Counties in this Colony, and Dedimuse's for Swearing the Severall persons Nominated in the said Comissions to be Justices of the Peace were read & approved off

Upon Considering the Instruction directing that a Co^t of Exchequer be appointed, It is the Opinion of this Board that a Co^t of Exchequer and a Co^t of Admiralty are of absolute Necessity for their Ma^s Service, and that one Judge, a Register and Marshall may be Sufficient for both Co^{ts}, The R^t Hono^{ble} the Lords Committee for Trade and Plantations are therefore desired humbly to Supplicate their Ma^s that Rules and Methods for the proceedings in the said Co^{ts} may be given, there never having been either of these Courts in this Country, and to direct what allowance shall be made the person to be appointed Judge for his trouble Charge and Service in performing of his Duty in the said Courts also what fees or Reward shall be allowed and paid to the Register and Marshall for their Severall Services.

A List of the Severall persons appointed for Coron^{rs} was read, the persons approved off, and Comissions Ord^d to be Imediatly prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signing.

The Severall Collect^{rs} of their Ma^s Duties of two shillings per hhd of tob^o are Continued; Except Rich^d Lee Esq^r Collect^r of Potomack River, who thro' Scruple of Conscience refused to take the Oaths prescribed by Law to be taken; C^r Wormeley Esq^r is appointed Collect^r in his District and his Hono^r the Lieu^t Gov^r is desired to give him a Comission accordingly, as also to write to the R^t Hono^{ble} their Ma^s Comission^{rs} of their Customes to Send him a Comission to be Collect^r of their Ma^s duty of one penny per pound on Tobacco in the said District, if they shall see fitt.

[From C. O. 5, Vol. 1306, No. 20 or fo. 108.]

The Deposition of Thomas Solley being
Examined & Sworne Saith

Being at a Called Court 7th May 1691 in a difference betweene Christopher Thruston plt and Jn^o Porter Jun^r defd^t at Lower Norfolk Court the business being in debate aboute an houer, came in one Cap^t John Jenings into the Courthouse where both parties were speakeing to their business at the Barr, & tooke the said Porter by the hair of

his head and hawled him to the Ground, and some of the Company came to assist the said Porter, with that the said Cap^t Jenings lay'd his hand on his Sword & drew it partly out, and presently rusht in a parcell of Seamen & with great Clubbs and Ax or Axes & tooke y^e s^d Porter and Carried him on board the boate, and presently came Cap^t W^m Craford & perswaded the said Cap^t Jenings to be pacified & let y^e s^d Porter come on Shore, and that he would be bound body for body for the s^d Porters appearance before the R^t Hono^{ble} Gov^r then the s^d Cap^t Jenings layd his hand on his Sword & Swore a great Oath that they were all a parcell of Rogues, and that they were all doing injustice, & the s^d Cap^t Jenings carried the said Porter away in his Boate, but not knowing where, & further saith not

May y^e 8th 1691 Sworn to before y^e

R^t Hono^{ble} the Lieu^t Gov^r & Councill

Test W Edwards *Cl Con.*

Tho: Solley

Copa Vera

Test William Cole secr

Rich^d Harris of Lower Norfolk County Saith That yo^r depon^t on the 7th of May being present at the Court Called for the decideing the difference betwixt M^r C^r Thruston and M^r John Porter of the abovementioned County, he saw Cap^t Jn^o Jenings, the Comodore (who came guarded with six or seven Seamen) goe into the Court-house who Immediately returned with the said Porter before him led by violence betwixt two of his Men, who not onely held him by the Armes but locked their hands in his hair, and in that manner hawled him down to the waterside, & Clapt him on board the boate, M^r Craford Immediately followed the Comodore & told him, he would be bound body for body for the appeareance of the said Porter, but the Comodore refused telling Cap^t Craford they were all a Company of Rogues, at which they put of [off] their boates & rowed away, and further saith not

May y^e 8th 1691

Sworne to before the R^t Hono^{ble} the

Lieu^t Gov^r & Councill

Test W Edwards *Cl Con*

his marke

Richard H Harris

Copa Vera

Test William Cole Secr

Antho: Jackson Subsherriffe of Lower Norfolk Saith That at a Co^{rt} on purpose called on the 7th of May to adjust the difference depending betwixt M^r C^r Thruston Master of a Ship in Eliz^a River, & M^r Jn^o Porter Jun^r of the County afores^d yo^r depon^t was present, but while the business was eagerly debateing Cap^t Jn^o Jenings Comander of their Ma^s Ship Experiment & Comodore of the Fleete came to the County Co^{rt}house guarded with Severall of his Seamen who were variously Armed with Gunns, Swords, Clubbs and Baggonetts, and without one Word speakeing violently Seized the aforesaid John Porter, who in that Action was defd^t & then pleading his own Cause at the Barr, takeing him by the hair of the head, and having thrown him down kickt at him, upon which yo^r depon^t (as an Officer attending the Court) and one More comeing upp to the Comodore designeing to Speake to him, he layd his hand to his Sword and halfe drew it, at which we both

retreated; but the aforesaid John Porter being upon the ground, the Seamen (yo^r depon^t thinks about Seven in Number) boldly entered and the said Porter forcibly Seized & Carried away and Imediatly put him on board the Pinace and the Comodore goeing along with them, Cap^t Craford followed him to the waterside, & told him he hoped he would answere it, yes says the Comodore that I will before Gov^r and Councill, & Curseing himselfe added they were all Rogues.

Cap^t Craford then desired the Comodore to put Porter on Shore, and say'd he would be bound for him body for body, but Cap^t Jenings refusing, the Boate Rowed away, and further saith not

May y^e 8th 1691

Anthony Jackson

Sworne to before the R^t Hono^{ble} y^e Lieut Gov^r & Councill

Test

W Edwards *Cl Con:*

Copa Vera

Test

William Cole Sec^t

The Deposicon of William Crafford aged 54 yeares or thereabouts being Examined & Sworne

Sayth That being a Member of the Court of Lower Norfolk County was sumoned by the Sherriffe of the said County to appeare at the usuall place for holding Courts in the Towne of the said County, upon the 7th day of this Instant May 1691 being a Speciall Court Called at y^e request of M^r C^r Thruston Master of the Ship Little John according to the Law of this Country, in a difference depending betwixt the said C^r Thruston plt, & M^r John Porter defd^t, and the Court being mett at the time and place appointed, the Court being Sate, and Proclamation made in due forme of Law, plt & defd^t present the Cause upon tryall and haveing had a Serious & long debate in the matters in difference, It soe hapned that before any Decission, or Judgm^t given this depon^t heard a Noyse his back being towards the people turned about, and did see Cap^t John Jenings Comand^r of their Ma^a good Ship Experim^t men halling the said M^r John Porter out of the Court house, and the said Jenings with his hand upon his Sword, with his face towards the Court, following his Company in great haste, and suddainly hurried the said Porter on board his Pinnace this Depon^t followed Imediatly, being greatly Surprized, and overtaking him the said Jenings told him he had done more then he could answere and in a high Measure had broken the Kings peace, who answered nothing, but God Dam him or such like Expressions, putt y^e sd Porter on board his Pinnace the Depon^t being at the Waterside willed the said Jenings to leave the said Porter on shore, & offered to be bound body for body for the said Porters Appearance before the Gov^r and Councill or Elsewhere to answere to what he had to alleadge against him notwithstanding all perswasions the said Jenings in his Pinnace Carried the said Porter away, and as this Depon^t heard, on board his said Ship, and put him in Irons, and whereas the said Cap^t Jenings in hopes as this depon^t Suspects to Ex-tenuate or lessen his Crime, have given out a falce & scandalous report that the Justices were Sitting about a table drinking strong Drinke, This Depon^t doe further depose that at that time the Court Sitting, nor at any other time in Court time, did this Depon^t see any man^r of Drink

strong or weake in the Court house, neither was there any person of any quality then in Court, but was very Sober and peaceable to the best of this Depon^ts Knowledge, And further this Depon^t sayth not.

May y^e 15th 1691

Will Craford

Sworne to before the R^t Hono^{ble} y^e Lieut Gov^r & Councill

Test W Edwards *Cl Con*:

Copa Vera

Test

William Cole secr

The Dep^o of Tho: Butt aged 41 y^{rs} or thereabouts being Examined & Sworne Saith

That this Depon^t being a Member of y^e Co^{rt} of Lower Norfolk County was Sumoned by the Sherriffe of the said County to appeare upon the 7th of this Instant May 1691 at the usuall place for holding Court In the Towne of the said County, to a Speciall Court Called at y^e request of M^r C^r Thruston Master of the Ship Little John, in a difference depending betweene the s^d Thruston plt & M^r Jn^o Porter Jun^r defd^t the Court being mett according to the Law of this Country in Such Cases provided and at the time and place appointed, and Proclamation being made according to due forme of Law, and both plt & defend^t present, the matter in difference being in dispute, and a long debate thereon, on the suddain before any Judgment given to y^e great Amazement of this Depon^t did see Cap^t Jn^o Jenings Comand^r of their Ma^s good ship Experiment Step into the Court house & moving his Hatt from his head, and Imediatly putting it on againe, with his hand take hold of the s^d M^r John Porter by the hinde part of his hair of his head, and threw him backwards upon y^e flore towards Men behinde him, and then takeing hold of his Sword, turnes suddainly about and followes those men that had taken M^r Porter who was as this Depon^t understood put on board the said Cap^t Jenings Pinace and Carried away, And whereas the said Cap^t Jenings have pleased to asperce the Court by reporting there was potts or such like Vessells of Drink upon Court table before the Justices, and they drinking strong drink, This Depon^t do further solemnly depose, that at that time the Court Sitting nor at any other time or times before in Co^{rt} times, did this depon^t ever see any manner of drink Strong or small, or any Pott Cup or Vessel to Containe Drink ever usually brought into the Roome the time of Court Sitting and particularly at this time this Depon^t Saith, there was not, nor can well be a more Sober Court or peaceable People then at that time, And further Saith not

Tho: Butt

May the 15th 1691

Sworne to before the R^t Hono^{ble} the Lieut Gov^r & Councill

Test W Edwards *Cl Con*

Copa Vera

Test

William Cole Secr

The Deposicon of Thomas Hodges Aged 54 yeares or thereabouts being Examined and Sworne Saith

That this Depon^t was Summoned by the Sherriffe of the County of Lower Norfolkke to appeare upon the 7th of May 1691 at the usuall

place for holding Courts in the Towne of the said County this Depon^t being a Member of the said Court, did accordingly appeare at the time and place appointed, it being a Speciall Court Called at the desire and Request of M^r C^r Thruston Master of the Ship little John, In a difference depending betwixt the said Thruston plt and M^r John Porter Jun^r defend^t the Courte being Sate, and Proclamed according to Law, the plt and defd^t present, and the matter then in debate but before any Judgment given, Cap^t John Jenings Comand^r of their Ma^s Ship Experiment came into the Court and this Depon^t did See the said Cap^t Jenings take hold of M^r John Porter Jun^r defd^t and threw him down on the Flore of the said Roome, and the said Jenings with his Men did in great hast hurry the said Porter away and put him on board the said Cap^t Jenings his Pinnace, and as this depon^t heard was Carried on board the Ship and put in Irons, and Whereas the said Cap^t Jenings hath Scandalously given out Report that the Court had Strong Drink before them drinking, This Depon^t doe depose that at that time nor ever at any other time in Court times did this depon^t ever See any Strong or Small Drinks brought into the Court in Court time, and at that time Espec ally for that all persons of all Sorts then present were very peaceable and Sober, neither doe this Depon^t remember he saw, or tasted one Drop of Strong Drink in the Towne that day, this is truth to the best of this Depon^{ts} remembrance, and further this Depon^t Saith not

May y^e 15th 1691

Tho: Hodgis

Sworne to before the R^t Hono^{ble} the Lieu^t Gov^r & Councill

Test

W Edwards *Cl Con.*

Copa Vera

Test

William Cole Secr

The Deposicon of George Newton Aged 54 yeares or thereabouts being Examin^d and Sworne Sayth

This Depon^t being high Sherriffe of the County of Lower Norfolk, there being a speciall Court called at the Request of M^r Christopher Thruston Master of the Little John, in a difference depending betwixt the said Thruston plt and M^r John Porter Jun^r defd^t, the Court being mett according to Law in such Cases provided, upon the 7th of May 1691 at the usuall place for holding Courts in the Towne of the said County, the Court being proclamed according to Law, and both plt and defd^t p^resent the Cause upon tryall, this Depon^t understanding that Cap^t John Jenings Comand^r of their Ma^s Ship Experiment was walkeing upon the Greene near this Depon^{ts} house, went out of the Courthouse, and in civility, Requested him to walk into this depon^{ts} house but Contrary to the Depon^{ts} Expectation, the said Cap^t Jenings asked this Depon^t what Jury he had Sumoned, a Company of Rascalls, and said that this Depon^t was a Rascall, and that he could finde in his harte to break this Depon^{ts} Pate, upon which this Depon^t turned from him, and went towards the Court, but the said Cap^t Jenings goeing the other way gott into the Court house before this Depon^t and had Carried away the said Porter on board the said Cap^t John Jenings his Pinace where this Depon^t followed them downe and saw the said

Porter in the said Pinace, and one of the Men with a Gun presented as a Guard, there being near twenty men with the said Cap^t Jenings. And further this Depon^t sayth not

May y^e 15th 1691

Geo: Newton

Sworne to before the R^t Hono^{ble} the Gov^r & Councill.

Test

W Edwards *Cl Con*

Copa Vera

Test

William Cole Secr

May the 18th 1691

Present as before and Edwd Hill Esqr

Thomas Blunt is appointed Interpret^r to the Indians on the South-side James River, David Whitley to the Indians at the head of Rapp^a River, and W^m Stone to the Indians on the head of Yorke River and his Hono^r the Lieu^t Gov^r is desired to Grant them Comissions accordingly

For as much as it tends greatly to the Peace safety and Security of this their Ma^s Dominion and the Inhabitants thereof that the Neighbouring Indians be not perswaded or affrighted to Joyne with any Forreigne Indians, And to the End the same may be prevented, and the Indians encouraged to Continue a Friendly Correspondence, It is Ord^d that the Interpret^rs forthwith goe to the Severall Nations of Neighbouring Indians in their Respective precincts, and acquaint them It is Expected, they in all things fully Comply with, and pursue the directions of an Order of this Board formerly sent the said Interpret^rs dated June the 4th 1691, and that the English will at all times Joyne with them to protect them from their Enemies, as in the said Order at large Sett forth

John Custis Esq^r Collect^r of their Ma^s Duties in the Eastern Shoare, proposing that it is for their Ma^s Service, and Security of their Customes that a fitt person be appointed Pilot of Smiths Island River in this Colony (and noe other Person admitted to Pilot in the said River unless in case of Necessity) he being required forthwith after having brought to an Anchor any Ship, Vessell, Sloop or Shallop in the said River to give an account thereof to the Collect^r and not to Pilot any Ship Vessell Sloop or Shallop thorow the said River which hath not first obtained a Lawfull Permitt, which will not onely discover unlawfull Traders, but also Pirats & Prlvateers some of which have not long since frequented the said River, On Consideration whereof it is Ord^d that some person be accordingly Comissionated Pilot for the said River, and that by his Comission he be enjoyned to doe as is before proposed, and Gilbert More being named by y^e said John Custis Esq^r as a fitt person to be appointed Pilot, It is Ordered that a Comission be prepared for the R^t Hono^{ble} the Lieut Gov^r^s signeing, and it is also Ord^d that the said Jn^o Custis Esq^r be, and he hereby is Impowered upon the Death or Removeall of the said More from the said Place, to Appoint and Comissionate a fitt person to perform the same, till the Lieu^t Gov^r or Comand^r in Cheife be acquainted thereof, and appoint another

The Several Pilots who formerly had Comissions are Continued, and his Honor the Lieu^t Gov^r is desired to signe them Comissions accordingly

Whereas the Stores belonging to their Ma^s Ship Dunbarton are now in a Sloop at M^r Presid^t Bacons, and there not being a Conveniency to Secure them, It is Ordered that the said Stores be carried to the House belonging to the Fort at Tindalls Point, and there delivered into the Custody of M^r Jn^o Todd, who is hereby Ordered to receive the same, taking an Exact and perticular account thereof, and takeing care that they be safely and Securely kept till further Order.

The Severall Escheato^rs for this Country being approved of, It is Ordered they forthwith have Comissions.

This Board having formerly on Consideration of the State and Necessities of this Government, humbly represented the same to their Most Sacred Ma^s, doe now according to their bounden Duties humbly begg leave to doe the same, and to give their Ma^s a true account of this their Ma^s Dominion, and humbly to lay before them the Necessities thereof, And Considering that if any of their Ma^s and Our Enemies should make any Attempt upon us there will be great Want of Amunition and Armes, Especially Swords Carabines and Granadere Armes, and if an Enemy should happen to Attack this Country by Sea there are noe Forts of any Strength to resist them, and those that are have no Shott or other Gun^rs Stores, and their Ma^s Ship the Dunbarton being found upon a Survey of her, soe bad that shee could not be repaired nor made fitt for their Ma^s Service, but is laid up, soe as their Ma^s Country and the Ships tradeing here lye Open to the surprize of any Enemye, also Considering that the whole Revenue Setled for the Support of this Governm^t is the Duty of two Shillings per hhd of Tobacco Exported out of this Country, and the Port duties of Ships and Vessells Tradeing here, and that by the fewness of the Ships and Vessells that have been admitted to come to this Government there remains now in this Country at least twelve thousand hhds of tob^o, whereby a great part of the Duty for the Support of the Govⁿment is unpaid, soe that the Revenue will hardly satisfye the offic^rs Sallaryes, and other yearly Charge of the Government, and if Ships come not from England to carry the Tobacco away, a great part of it will be worth Noething, which will not [only] duely lessen their Ma^s Revenue for the Support of the Governm^t here, but their Ma^s Revenue in England receive great Detriment and also be a very great loss to the Inhabitants, and inforce them to Set themselves to make linnen and Wollen to Supply the Necessities of their Families,

Doe therefore most humbly beseech his Ma^{ty} to take the same into his Princely Consideration, and to take Such Measures for the Security of the Inhabitants of this their Ma^s Dominion and the Revenue that is Setled for the Support thereof, as in his great Wisdome and Goodness his Ma^{ty} shall think fitt.

The Severall Comand^rs in Cheife of their Ma^s Forces in this Colony Nominated and approved off, also the Deputy Comand^rs in Cheife approved off, and Ordered that Comissions be forthwith prepared for them, and that a Clause be Entered in the Deputy Comand^rs Comis-

sion Impowering them in case of any Suddain Invasion or Insurrection to raise all the Forces in the County and them to manage as occasion shall require for their Ma^s and this Countryes Service, Imediatly givinge an account of their proceedings to the R^t Hono^{ble} the Lieu^t Gov^r or Comand^r in Cheife of the Country, and to their Comander in Cheif, and at all times to observe and Obey Such Ord^s and Comands as they shall receive from them or either of them

In Obedience to their Ma^s Instructions Comanding that Care be taken for y^e easing the Inhabitants of this Country from the trouble of goeing far to Exerciseings and Musters, It is Ordered that the Comand^{rs} in Cheife doe forme into Troopes of Horse & Companies of Foot all the persons fitt to beare Armes in the Severall Counties und^r their Respective Comands Contriveing them as Conveniently together as possible, not Exceeding fifty persons at the most in a Troope, and Seventy in a foot Company, but as many Horse as possible, they being fittest for their Ma^s and this Countryes Service, makeing returne of their proceedings, and the Names of the persons appointed for each Troope, and Comp^a of Foot with all possible speede to the Sec^{rs} office, together with the Names of fitt persons to be appointed Offic^{rs} for y^e said Troopes of Horse, & Comp^{as} of Foot, that Comissions may be prepared for them dureing which time they are hereby Impowered to Act as if they had Comissions, And it is also Ordered that the Comand^{rs} in Cheife take Care that all the Soldiers und^r their Comands be well furnished with Armes and Amunition according to Law, but where any of the persons Listed for Soldiers shall appeare to them not to be fitt, that they leave them out

This Board takeing into Consideration that there is noe Fort nor place of defence to keepe that small quantity of Powder which remaines undisposed of in this Country, and that it will be great Charge to build a Storehouse on purpose, there being noe other Stores in this Country to put into it, also that it will be dangerous to keepe the said Powder at one Place for fear of being blown up or otherwise, It is therefore the Opinion of this Board, that the best way to preserve the same for their Ma^s & this Countryes Service, is to Cause it to be placed in the Severall Counties of this Colony in small quantities, It is therefore Ordered that the same be distributed by Warrant from the R^t Hono^{ble} the Lieu^t Gov^r to the Severall Comand^{rs} in Cheife of the forces of this Colony as hereafter is directed, and by them Securely kept in such Convenient places as they shall finde fitt, takeing receipts of the persons with whom they shall place the same not to make use of any part thereof, but upon Emergent Occasion of Suddain Invasion or Insurrection, and to Render an account of the same when demanded.

To the Comand^r in Cheif

	barr ^{lls} powd ^r		barr ^{lls} powd ^r
of Henrico County.....	2	Ja: Citty County.....	1
Cha: Citty County.....	2	Ja: Citty Fort.....	2
Surry County.....	1	Midd ^x County.....	1
Isle of wight County.....	1	S ^o Side Rapp ^a County.....	1
Nansim ^d County.....	1	N ^o side Rapp ^a County.....	1
Nansim ^d Fort.....	1	Lancaster County.....	1
Princess Ann County.....	2	Northumb ^{rl} ^d County.....	1
Eliz ^a Citty County.....	1	Westm ^{rl} ^d County.....	1
Warwick County.....	1	Stafford County.....	5
Yorke County.....	1	King & Queenes County.....	2
Yorke Fort.....	4	Accomack County.....	1

Three of the above barrells of Powder to be delivered from Nath^{ll} Bacon Esq^{rs}, tenn from Edmund Jennings Esq^{rs}, & tenn from M^r Joseph Rings, being the whole in their Custodies, and Eleven at Ralph Wormlev Esq^{rs} being part of that in his Custody

On taking into Consideration the returnes of their Ma^s Armes & c, in the Severall Counties in this Colony, made by the Sherriffs of the said Counties, and others in whose Custody they are, according to an Order of Councill requireing them soe to doe, It appeares those few there be, are almost Spoyled with Rust unfixt & c and that lyeing Scattered up and downe the Charge of haveing them got together and fixed here, or sent for England to be fixed, will Exceede the Reall value of them, and their Ma^s thereby put to an unnecessary Charge, It is therefore the Opinion of this Board that the onely way to make them Serviceable is to dispose them to the Inhabitants of this Country who are without and Cannot be Supplied, they getting them well fixed and keepinge them soe for their Ma^s Service, It is therefore Ordered that the said Armes & c be by Warrant from the R^t Hono^{ble} the Lieu^t Gov^r distributed among the Comand^{rs} in Cheife of this Colony as he shall See fitt (but Cheifely to the Comand^{rs} in Cheife of the Frontier Countyes) which said Comand^{rs} are to distribute them to the Soldiers und^r their Comand, who are in Want as afores^d the Severall persons to whom they are soe distributed by the said Comand^{rs} giving notes under their perticular hands to keepe the said Armes well fixed for their Ma^s Service, and in case of their removall out of the County where they dwelt at the receipt thereof, or Death, that the said Armes & c be returned to the Comander in Cheife or Cap^t under whom they Served, who is to dispose of them to Such as shall be in want takeing the like Notes.

May 23^d 1691

Present as before

Cap^t Symon Rowe acquainting this Board that in pursuance of an Ord^r of Councill in that behalfe, the severall persons thereunto appointed had attended and Sold as many of the Stores belonging to

their Ma^s Ship Dunbarton as they could, but Severall of them remained undisposed of, on Consideration whereof It is Ord^d that the said Cap^t Symon Rowe carry the said remaineing Stores into James River and there either dispose of them for good and acceptable bills of Exchange for London to be paid to the Right Hono^{ble} the Comissioners of their Ma^s Navy, or their Order, or put on board their Ma^s Ships Experiment or Wolfe to be carried for England for their Ma^s Service, but if he the said Rowe can neither put them on board one or both of the said Ships, nor dispose of them for bills of Exchange as aforesaid, that then he put them on Shoare at M^r William Wilsons in Elizabeth Citty County, there to remain till further Ord^r be taken about them for their Ma^s Service

This Board taking into their Considerations the best way to preserve the Shippes which shall remain in this Colony after the Fleete now bound out are sayled also all Such as shall come into this Colony during these times of Warr, there not being one Friggot in this Country to Secure them, Doe Ord^r that Proclamations be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^rs signing, appointing places in this Colony where the said Ships shall Ryde, pursuant to an Act of Assembly in that case made and provided, also forbidding all persons to goe on board any Ship that shall arrive in this Colony till shee hath performed what the Law directs and Requires.

Whereas by an Act of Assembly made at an Assembly begun at Ja: Citty Aprill the 16th 1691 Entitled an Act for Ports for better Securing their Ma^s Customes & c also an Act of the same Assembly Entitled An Act for easing the Levy per poll and laying an Imposition on Liq^{rs} the R^t Hono^{ble} the Lieu^t Gov^r and Councill are authorized and Impowered to appoint Collect^{rs} of their Ma^s Revenue arising due by Virtue of the said Acts, and their Ma^s Collect^{rs} of this Country being adjudged fittest persons to be Collect^{rs} of the aforesaid Revenue, they are hereby Nominated Collect^{rs} thereof in their Severall & respective districts, they first performeing what by the before recited Acts or either of them is injoynd, and also giving bond with Security of one thousand pds Sterli in the Secretaries Office for their due performance of the s^d places

William Edwards Clerke of the Councill moveing that great paines Care and trouble now lyes upon him more then in former yeares by reason of the Frequent Councils and the good Methods and Rules observed for the Registering all Polliticall Matters and Orders of Councill with all other transactions of Moment of the Governm^t requireing a Constant attendance for which the present Established Sallary was to [too] Small, and did not answere his trouble and Charge, therefore humbly prayed some addition might be made to the present Sallary of fourty pds per Anum as well for the yeare past, as for the time to come, On Consideration whereof also the great paines Care and trouble [which] now doth and for some time Since hath layen on the said Edwards, and his diligent and faithfull performance of the same, It is Ordered that he be paid fifty pds Sterli out of their Ma^s Revenue of this Country for the year past, and that he be for the future paid the like sume of fifty pds Sterli yearely as a suteable reward of his Services.

Warrants were this day Signed in Councill by the R^t Hono^{ble} their Ma^s Lieu^t Gov^r for the Severall sums of Money hereafter Exprest, to be paid by William Byrd Esq^r Audit^r out of their Ma^r Revenue of two shillings per Hogshead and Port Duties to the persons hereafter Named, the same appearing to be Justly due viz^t to his Ex^{cy} Francis Lord Howard Baron of Effingham their Ma^s Lieu^t & Gov^r Gen^l of Virg^a five hundred pds Sterli it being in full of his Sallary as Cheife Gov^r for halfe a yeare ending on Lady day last, and to his Ex^{cy} one hundred and fifty pds Sterli for one years House Rent ending the 25th of March last, to the R^t Hono^{ble} Francis Nicholson Esq^r their Ma^s Lieu^t Gov^r five hundred pds Sterli for Sallary as Lieu^t Gov^r to Lady day last, to their Ma^s Councill of State of this Colony three hundred and fifty pds Sterli for one yeares Sallary ending the 27th of Aprill last to W^m Blaithwaite Esq^r their Ma^s Audit^r and Survey^r Gen^l one hundred pds Sterli for one yeares Sallary ending the 25th day of March last, to John Povey Esq^r Solliciter of the Virg^a affaires one hundred pds Sterli for one yeares Sallary ending the 25th day of March last, to W^m Edwards Clerke of their Ma^s Councill of State for this Colony fifty pds Sterli for one yeares Sallary ending the 13th day of Aprill last, and to him fiftene pds Sterli paid to Severall Minist^{rs} for their Attendance at James Citty two Gen^l Courts & one Assembly, and to him fiveteene pds Sterli paid to the Ex^{tx} of Gawen Dunbar Gun^r of Yorke Fort, to Edw^d Jenings Esq^r their Ma^s Attorney Gen^l of this Colony forty pds Sterli for one yeares Sallary ending the 20th day of Aprill last, to Coll W^m Browne fifty shillings Sterli for Storehouse Roome for the Amunition belonging to the Fort at James Citty, to Edw^d Rawlins Gun^r of the said Fort tenn pds Sterli for a yeares Sallary ending the 25th day of March last, to Gerard Fitz-Gerard Gun^r Rapp^a Fort tenn pds Sterli for a yeares Sallary ending the 25th day of March last, and to John Lyon three pds Sterli for a yeares Salary ending the 25th day of March last for Cleaning the Armes at Rapp^a Fort.

This Board on Consideration that there is not Gun^{rs} Stores at the Forts in this Colony to require a Constant Attendance of the Gun^{rs} at them, Doe Order that for the Future the Gun^{rs} Sallarys be lessned, and be as followeth viz^t The Gun^r at Yorke Fort tenn pds, of James Citty Fort Seven pds tenn shillings, of Rappahanock and Nansimond Forts, each five pds Sterli per Anum, And it is also Ordered that the Gun^r of Nansimond Fort be paid tenn pds Sterli for his Sallary the yeare past,

Copa Vera

Test

William Cole Sec^r.

Att a Councill held at James Citty June y^e 4th 1691

Present

The R^t Hono^{ble} Francis Nicholson Esq^r their Maj^s L^t Gov^r of Virg^a
William Cole Esq^r Sec^r William Byrd Esq^r

Edward Hill Esq^r

Edmund Jenings Esq^r Sworne one of their Ma^s Councill of this Colony, haveing first taken the Oaths appointed by Law to be taken

instead of the Oaths of Allegiance and Supremacy and Subscribed the Test

Edmund Jennings Esq^r added

This Board takeing Notice that their Sacred Ma^s have beene Graciously pleased to Send two Ships of Warr to Convoy the Merchants ships tradeing to this Country and Maryland out and home, and have been pleased to appoint and Comand that noe Ships in this time of Warr be permitted to goe for Europe but in Fleetes, An account of which Comands of their Ma^s have been sent by their Ma^s Lieu^t Gov^r to those that for the time being take upon them to secure the Peace and Execute the Laws of their Ma^s Province of Maryland, advising them to take Care that noe Ships depart that Province but under the Convoy of their Ma^s Ships of Warr according to their Ma^s Express Comands, notwithstanding which the Board understands that diverse ship from Maryland are permitted and doe sayle for Europe, and lately one of them was taken within one hundred Leagues of this Coast laden with Tob^o by one Beare a Pyrat, and the Ship Plundered of all her provisions sayles and Rigging and what of her Lading they pleased, and her Masts Cutt away soe shée Miraculously came back into this Government, by which meanes the said Pyrat understood what posture the Fleete here was, what men of Warr were here and what other things might prove for his advantage in relation to this Country, all which may prove of Dangerous Consequence to this their Ma^s Country; And the Governm^t in Maryland being soe loose that the Ships tradeing there have all along departed when they pleased, whereas in this Gov^rment none were permitted to sayle Contrary to their Ma^s Ord^{rs}, it proves a great discouragem^t to Merchants and Masters that trade here the other haveing the advantage of the M^rkett [market] which wee humbly Conceive makes many more ships goe to Maryland then to this Country to the Great detriment of the Inhabitants of this their Ma^s Dominion, This Board doe therefore most humbly pray the R^t Hono^{ble} the Lords Comittee for Trade and Plantations to take the same into their Considerations and to represent it to their Ma^s humbly beseeching that the same restrictions and Comands about Ships sayleing from Maryland may be observed and Obeyed as well in Maryland as in this their Ma^s Dominion, And that their Ma^s will be graciously pleased to appoint and Ascertain in this time of Warr what Ships shall come from England to this Country, and what to Maryland

This Board observeing great Inconveniencies happen to the Ships tradeing to these parts in these times of Warr, that come from England with Convoy, by the Ships of Warr being Limited to a Certaine time to Sayle and depart for England, Whereas it generally happens that the Fleete bound hither arives some of them a Moneth or Six Weekes before others, soe as it is Impossible for them to be ready by the time Limited, which may prove of ill Consequence most part of the Ships not being ready to Sayle with the Convoy, It is therefore most humbly proposed that it will be for their Ma^s Service, that what Convoys are Sent by their Sacred Ma^s into these partss, may be Ordered to make Application to the Government to cause the Merchants

Ships that come und^r their Care to make all the Dispatch that possible they can, and as soone as they are ready to depart with the said Convoy.

M^r Henry Jenkins Set forth that he became bound as Security for John Cruchee Master of the Vessell Ann and Katherine, in two bonds of one thousand pounds Sterli each for the said Cruchee's performance of Some Conditions prescribed him as Master aforesaid

And the said Cruchee being now dead, and all, or the greatest parte of the Men belonging to the said Vessell Strangers, and he the sole freighter thereof, soe that should they Carry the said Vessell to any other Port then that appointed, he should not onely loose his said Lading but also become lyeable to the payment of the said Bonds, and therefore prayed that he might be appointed Master of the said Vessell & have Liberty to Exchange three or four of the Marrin^{rs} belonging to her as should appeare to him to be most Convenient, and also that the Comodore might be writt to, to make such an Exchange with him, On Consideration whereof it is Ordered, that the said Jenkins be Master of the said Vessell for this present Voyage for London, and as he shall See occasion have Liberty to Exchange Some of the Men belonging to her, and if His Hono^r rhe Lieu^t Gov^{rs} Indisposition shall hinder his being at Kiquetan at the Sayleing of the Fleete as he now resolves, M^r Secretary Cole is hereby Ordered to acquaint Cap^t Jennings the Comodore of the Fleete that it is the desire of this Board he Exchange such Men as the said Jenkins shall request, and take peticular Care of the aforesaid Vessell, which wee Conceive will be for their Ma^s Service the said Vessell being und^r bond to answeare before the Lords of the Admiralty whether shee be Navigated according to Act of Parliament or not, and also hearing halfe the said Vessell and part of her Lading belongs to Jacob Leslier of New Yorke who is Condemned for high Treason and Murder.

And it is further Ord^d that the said Jenkins Imediatly after his arrivall waite upon the R^t Hono^{ble} William Blaithwaite Esq^r Secretary of their Ma^s Plantations.

Gawen Dunbar Gunner of their Ma^s Fort at Tindalls Point in Yorke River being lately dead, Edward Malyn is appointed Gunner thereof, and Ord^d that he take possession of the said Fort, and the House and Stores belonging thereto, and Act therein accordingly.

June the 5th 1691

Present as before

John Page Esq^r Collect^r of their Ma^s Duties in the upper District of James River this day tooke the oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy.

Copa Vera
Test

William Cole Sec^r

Att a Councill held at James Citty July y^e 30th 1691

Present

The R ^t Hono ^{ble} Francis Nicholson Esq ^r	Lieu ^t Gov ^r
William Cole Esq ^{re} Sec.	C ^r Wormeley Esq ^{re}
Ralph Wormeley Esq ^{re}	Edw ^d Hill Esq ^{re}
John Custis Esq ^{re}	Henry Whiteing Esq ^{re}
William Byrd Esq ^{re}	Edm ^d Jenings Esq ^{re}

His Hono^r the Lieu^t Gov^r having reced from his Ex^{cy} Coll Sloughter their Ma^s Gov^r of New Yorke & c, a Letter with an Order of Councill of that Place and Copies of Agreements made by them with the Maquaes, Oneydes, Omondages, Cayouges, Sinickees, Schackhooke, [Schaghticoke] River Indians, and the praying Indians of the three Tribes or Races of the Maquaes, the Examinations of Severall Indians, Copies of Letters from M^r Livingston, M^r Wessells and M^r Glenn, and also having received Letters from the Hono^{ble} Frederick Phillips, Nich^o Bayard, Silv. Courtland [Stephanus Van Cortlandt] W^m Smith and William Nicholls Esq^{rs} and James Graham Esq^{re} Caused them all to be read, And that Government having desired Men from this Colony for the defence of Albany, His Hono^r caused their Ma^s Instruction about Aideing the Neighbouring Plantations, disposing of their Ma^s Revenue and Quit-Rents, and the Instruction relating to the Advancement and Security pf this Country to be read, the Consideration of all which is referred till tomorrow

His Hono^r the Lieu^t Gov^r acquainted this Board that Complaine hath beene made to him, that Cap^t George Purvis Comander of their Ma^s hired Ship Wolfe hath not paid any of the Men who did him the great Service to save his Ship when shee was aground betweene Yorke and Rapp^a Rivers, and had there been certainly lost had not the Inhabitants of this Countrey assisted, which the said Purvis owned, and before the Councill Board promised he would pay them, and was also Ordered soe to doe, which his failure may be of ill Consequence, and great discouragement to the Inhabitants of this Countrey to Serve their Ma^s for the future, His Hono^r therefore proposed what Method should be taken therein the Consideration whereof is referred till tomorrow

July the 31th 1691

This Board having taken into their Serious Consideration the Letter, Order, and other papers from New Yorke read yesterday in Councill, also their Ma^s Instructions, And the Government of New Yorke having desired that this Government would send and Maintaine one hundred and fifty Souldiers at Albany to be assistant in defending that Place from Our Enemies the French and Canida Indians, to be there by the 10th of Sept^r next, and to Send Agents with them to Concert about Carrying on the Warr, and raising a fund by all their Ma^s Plantations on the Maine, and also about renewing Our Peace with the five Nations, and what the Indians Expected to be performed on Our Parts.

This Board will upon all occasions be most ready as far as possible to assist any of their Ma^s Plantations for their Ma^s Service, but conceive that it will be a most difficult matter to raise and Carry Souldiers from this Colony to Albany, and not possible to be done by the 10th of Sept^r but as to the fitting those Souldiers out and maintaineing them as is proposed in the Order of the Gov^r and Councill of New Yorke, this Government is in noe manner Capable of, having noe Fund at all, and their Ma^s Revenue here which is appropriated for the Support of the Governm^t will hardly defray the Charge thereof, this time of Warr. and their Ma^s possitive Instructions are that the Revenue shall not be Anticipated, and noe Souldi^{rs} are or can be paid here but by An Assembly who cannot meete in less then fourty days, and then at a great Charge, and Wee believe (as hath been found by their answe^r to the Lord Effingham on the like proposition from Coll Dongan late Gov^r of New Yorke) they will not be perswaded to raise anything to defray the Charge of another Government, but will think it sufficient to maine-taine a Force to defend all their owne Frontiers at the heads of the Rivers which are of a large Extent, and is a very great Charge at this time, and the five hundred pounds that was sent by his Lordship was out of their Ma^s Quit-Rents of this Colony, and whether the same will be allowed is not knowne, the Audit^{rs} account not being passed, and by particular Instructions from their Sacred Ma^s noe part of their Ma^s Quit Rents are to be disposed of, but by their Ma^s Express Comands, soe as this Board Cannot disburse any Money out of the Quit Rents, with out their Ma^s Especiall Order,

But that Wee may be as much assistant as we are Capable, and in renewing the Peace with the five Nations of Indians, and encourageing them to be faithfull to the English, in assisting them against the French and Canida Indians, It is thought fitt by this Board, And his Hono^r the Lieu^t Gov^r is desired to Order M^r Audit^r Byrd by Joh Parry the Messenger sent from New Yorke, to send to his Ex^{cy} the Gov^r of New Yorke the sume of One hundred and two pounds fiteene shillings and Nine Pence Sterli, which is all the Money that remaines in banck, of their Ma^s Revenue appropriated for the Support of this Government which his Ex^{cy} is desired to cause to be disbursed in such manner as he shall think fitt for renewing the Peace in the Name of this their Ma^s Dominion with the five Nations of Indians, and in encourageing them to be Couragious against Our Enemies.

Whereas by an Order of Councill dated May the 12th 1691 Cap^t George Purvis Comander of their Ma^s hired ship Wolfe, upon the petition of the Burgesses of Severall Counties on behalfe of the Inhabitants of the said Counties was Ordered to pay the Severall persons that assisted in the saving the said Ship, when shee was like to have been lost betweene Yorke and Rapp^a Rivers, which he haveing failed to performe may be of very dangerous Consequence to the Peace and quiett of the Inhabitants of this Colony, And to the End the great abuse put on this Country by the said Purvis (who before the Councill promised payment to the Severall persons Concerned) may be publickly discovered and payment made out of his Estate, or the Estates of the Owners of the aforesaid Ship Wolfe, It is Ordered that Proclamations

forthwth issue setting forth the whole Case, and requireing all persons within this their Ma^s Colony, to give an account what of the Estate of the said Purvis, or of the Owners of the aforesaid Ship is in their Custody or possession to the Sherriffe of the County where they dwell, who is forthwith to returne the same to the Secret^s Office that due Care may be taken for payment of the Severall persons Concerned.

Whereas Cap^t George Purvis Comander of their Ma^s hired Ship Wolfe, when the said Ship was aground betweene York and Rapp^a Rivers, and in great danger of being lost, had Severall Men Imprest, thro whose assistance the said Purvis Owned the s^d Ship was saved, and promised them payment for their great Services before this Board, which he having failed to performe, and Severall People in four or more of the Counties of this their Ma^s Colony being injured thereby Occasions great Clamours in the whole Countrey, and may prove of very dangerous Consequence to the Peace and quiett of this their Ma^s Dominion, for the appeaseing whereof and keepeing Steady their Ma^s Subjects in performing their Respective Duties to their Ma^s in the preservation of the Peace of this Colony in these times of danger, and in-couragement of them if any occasion shall hereafter happen, Proclamations are putt forth requireing all the Inhabitants of this Colony to give an account what of the Estate of the said Purvis, or of the Owners of the aforesaid Ship Wolfe is in their Custody or possession, to the End as much of the Money due to the Severall persons Concerned may be paid as possible, but being very senceable that Estate of the said Purvis, or of the Owners of the aforesaid Ship Wolfe will not be found in this Country to satisfye halfe what is due, Doe most humbly represent the same to the R^t Hono^{ble} the Lords Comittee for Trade and Plantations, the R^t Hono^{ble} the Earle of Nottingham their Ma^s Principall Secretary of State, and his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of Virg^a, who are humbly desired to represent the same to their most Sacred Ma^s, and humbly beseech their Ma^s to Order a Stop to be put to parte of the aforesaid Ships pay till it be returned from hence how much shall remaine due to the Inhabitants of this Colony the next Shipping, or so to Act therein as in their Ma^s Princely Goodness shall be found fitt.

It appeareing there is due to Tho: Loyd Esq^r President of Pensilvania Six pounds Sterli, the same being by him disbursed for the Redemption of an Appamatuck Indian who by Order of this Board he was desired to send to this Government, and which he hath now done,

It is therefore Ordered that William Byrd Esq^r their Ma^s Audit^r pay the aforesaid sume of six pounds Sterli to the said Loyd out of their Ma^s Revenue of this Government,

And it appeareing reasonable that Jn^o Parry who brought the said Indian from Pensilvania be paid three pounds Sterli for the same, It is Ord^d that M^r Audit^r Byrd pay him the said sume out of their Ma^s Revenue of this Countrey.

Joseph Whitchurch Master of the Pomroy of Bristoll and two other Masters of Ships by their petitions Set forth, that they used their utmost indeavours to Lode their Ships to Saile with the last Fleete, but it having pleased God to visitt their Men with Sickness they were

prevented getting ready in time, but were now ready, and understanding that the Ships which were left in Maryland when the last Fleete sailed, are Since gon, soe that none either in that Government, or this, remained to make up a Fleete to Saile in September as was appointed by Order of Councill, And for that if they should Stay till Sept^r they might not have Men left to Carry them out they daily falling Sick Prayed that they might be admitted to Sayle, On Consideration whereof as also that the R^t Hono^{ble} the Lieu^t Gov^r Signified to those who for the time being take Care for the preserving the Peace, and Administring the Laws in their Ma^s Province of Maryland the time appointed for the next Fleetes Saileing, which they have taken noe Notice of, nor returned answer to, and John Custis Esq^{rs} acquainting this Board that not long Since, Six or Seven Ships Sailed from Maryland, and being well assured from others that there are very few Ships left in that Government, soe that a Fleete cannot be made to Saile in September as was appointed, and those few Ships left bound to Severall parts of England, and of noe force, Doe Order that the Colleact^{rs} Cleare all Ships as they shall gett ready;

And to the End that for the future the same Restrictions may be observed and obeyed in their Ma^s Province of Maryland, as are in this Government, The R^t Hono^{ble} the Lords Comittee for Trade and Plantations, the R^t Hono^{ble} the Earle of Nottingham their Ma^s Principall Sec^y of State, and his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of this Colony are humbly Suppliated to lay the same before their most Sacred Ma^s that their Ma^s may take Such Methods therein as in their Princely Wisdomes they shall think fitt.

It being Judged Necessary and Convenient for their Ma^s Service that the Militia be settled as soone as possible, Doe Order that the Command^{rs} in Chiefe doe by the last day of Aug^t returne to the Secretaries Office the names of fitt persons to be Commissionated Captaines, Lieutenants and Cornetts of Horse, and Captaines Lieutenants and Ensignes of foot in the respective Counties of this Colony.

Commissions for Comanders in Chiefe, Captaines, Lieutenants and Cornetts of Horse, Captaines Lieutenants and Ensignes of Foott, Collect^{rs} Escheators and Coron^{rs} were read and approved of also the Instructions to the Collectors which they are Severally to pursue in their Districts

Severall of the persons appointed Justices of the Peace for New Kent County, haveing refused to be Sworne, and those that are Sworne presenting others, desireing they may be added to the Comission of the Peace of that County, and the Severall persons presented being approved of, It is Ordered that they be added to the Commission of the Peace of the said County.

Whereas by a former Order of this Board Coll John Armistead was desired to veiw and Judge what the House built upon the Fort Land at Tindalls pointe was worth and report the same, which not being done Coll Henry Whiteing and Coll Lawrence Smith are desired to veiw the said House, and report the worth of the building thereof, to the Councill at their Next Meeting, under their hands

Aug^t the 1st 1691

A Warrant signed by Coll John Stone one of their Ma^s Justices of the Peace for Rapp^a County, requireing and Comanding the keepeing their Ma^s Peace in that County was read, and approved of, and it being for their Ma^s Service, It is Ordered that he forthwth issue the same

It is Ordered that William Byrd Esq^{re} and Edward Hill Esq^{re} have Such of their Ma^s Armes as they shall think fitt, from John Page Esq^{re} and M^r Joseph Rings, or either of them, giving receipts for such as they shall take, and disposing of them as is directed in a former Order of this Board.

A Pilotts Comission to Pilott Ships in the Rivers of this Colony was read and approved of,

This Board takeing into their Serious Consideration the great charge this Country is at in Keeping Rangers at the heads of the four great Rivers in this Colony to Secure the Inhabitants from being Surprized by the French or Indians, also the Poverty of the Inhabitants, who thro the fewness of Ships that come to fetch away our onely Comodity Tob^o, have so little for their Tob^o that they are hardly able to finde themselves with very Ordinary Cloathing, nay Such is the Exegency of Severall families that not one in the family hath a whole Shirt, and should any Attempt be made upon this Country the Charge would fall heavy on Such poor people, and be very neare the utter ruine of Many of them, and for that noe Remedy can be had here, the R^t Hono^{ble} the Lords Comittee for Trade and Plantations the R^t Hono^{ble} the Earle of Nottingham their Ma^s Principall Sec^{ry} of State, and his Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of Virg^a are humbly Supplicated to represent the same to their most Sacred Ma^s, and most humbly beseech them to Order that the 102 lbs. 15 s. 09 pence Sent to the five Nations of Indians in their Ma^s Government of New Yorke to Confirme and Continue Our Peace with them and to encourage them to assist that Government against the French and Indians may be allowed out of their Ma^s Quitrents of this Colony, and that there Ma^s Quitrents here be not disposed of, unless to the use of this their Ma^s Dominion, for if Ships should faile of comeing to fetch away our Tob^o, here will not be one penny to defray the Contingent Charges of the Govⁿment, now paid by the two shillings per hhd and Port Duties, unless their Ma^s be Graciously pleased out of their great goodness to Ord^r the payment thereof out of their said Quitrents.

*Copa Vera
Test*

William Cole Sec^r.

[From C. O. 5, Vol. 1306, No. 51 or fo. 313.]

*Loco
Sigill*

By y^e R^t Hon^{ble} their Ma^s L^t Govern^r,
Whereas their Ma^s hyred Ship Wolfe Whereof
Cap^t George Purvis was Comander was run
on ground in y^e Bay between York and Rapp^a
Rivers, being in great danger of being utterly lost, and notice being

given by y^e Said Cap^t Purvis (of y^e danger of Looseing their Ma^s Said Ship, to their Ma^s Officers of y^e Counties of Gloucester Middx & c desiring Assistance of men, Sloopes and boates to be aiding & assisting for y^e Saving y^e Said Ship, accordingly many men Sloopes and boates were Imprest for that Service and by y^e Chearfull and ready Endeavour of y^e S^d men and Assistance of y^e Sloopes and boates many days, all y^e Gunns Amunicon provision & c were taken out of y^e Said Ship, y^e water baid and pumped out, and Shee gott off, without which help Shee must have been utterly lost, & after y^e Burgesses of y^e Severall Counties of Gloucester & c Complaining to myselfe and y^e Councill on behalfe of y^e Inhabitants of their Counties that y^e men that were Imprest for y^e Saving y^e S^d Ship, were not paid by Cap^t Purvis, nor y^e owners of y^e Sloopes or boates, and Cap^t Purvis, being present did faithfully promise that all Just Satisfacon Should be made to y^e men & to y^e owners of y^e Sloopes and boates for y^e good Service done by them, and then publickly owned that y^e s^d Ship had been utterly lost had it not been for y^e help and Assistance of y^e Inhabitants of this their Ma^s Dominion, Notwithstanding which fair promises of y^e Said Cap^t Purvis, Complaint is made that he hath not made Satisfacon to y^e s^d men, nor owners of y^e Sloopes and boates for y^e great Services done, Now to y^e end all persons Concerned may be Satisfied, and their Ma^s good Subjects encouraged to be Ready, upon all occations to give their Assistance for their Ma^s Service,

I Francis Nicholson Esq^r their Ma^s L^t Govern^r of this their Ma^s Dominion of Virginia by & with y^e advice and Consent of their Ma^s Councill of this Colony do declare and make known that care Shall be taken that all y^e persons Concerned, owners of Sloopes and boates that were Employed in this Service Shall be paid and Satisfied, & to that end I do hereby Strickly Charge & require y^e Sheriffs and all other their Ma^s officers in y^e Respective Counties in this Colony to make dilligent inquiry what Estate either in Sloopes boates goods or debts, there is in their Counties belonging to y^e s^d Cap^t George Purvis, or y^e Owners of y^e S^d Ship Wolfe, and in whose hands and possession y^e same is & y^e persons that are Indebted, & return a true acco^t of y^e Same in to y^e Sec^ry^s Office before y^e third day of y^e next Gen^l Court, & all persons in whose hands or possession any of y^e s^d Estates are, or that are any waies undebted to y^e s^d Purvis, or y^e owners of y^e afores^d Ship, are hereby required in their Ma^s names to give an acco^t of y^e same forthwith to y^e Sherrieff of y^e County where they Inhabit, to y^e end y^e s^d Sloopes boates or other Estate of y^e S^d Cap^t Purvis, or y^e owners of y^e afores^d Ship, may be secured and proceeded against for payment of what is Justly due to y^e persons afores^d for their S^d Services & c hereof no person or persons Concerned are to fail at their perrills, Given under my hand and y^e Seal of y^e Colony this first day of August in y^e 3^d year of y^e Reign of our Sov^eign Lord & Lady William and Mary by y^e grace of God King and Queene of England Scotland France and Ireland defenders of y^e Faith *Annoque Dom* 1691

God Save y^e King & Queene Fr. Nicholson
Vera Copia

To y^e Sherrieff of.....
County or his deputy

William Cole Secr

[C. O. 5, Vol. 1405, continued.]

Att a Councill held at James Citty Octob^r 16th 1691*Present*

The R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r
 William Cole Esq^{re} Sec^{ry} C^r Wormeley Esq^{re}
 William Byrd Esq^{re} Edw^d Hill Esq^{re}
 Edm^d Jenings Esq^{re}

His Hono^r the Lieu^t Gov^r this day produced an Order of the R^t Hono^{ble} the Lords Comi^{tees} for Trade and Plantations relateing to the Seizure of the Ship Society of Bristoll, dated at Whitehall the 28th of May 1691, and not being a Number of the Councill now present, M^r Sec^{ry} Cole being a person concerned, the Consideration thereof is referred till a Number of the Councill be present according to their Ma^s Instructions

Octob^r 20th 1691Ralph Wormeley Esq^{re} added

Ordered that an Order be prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing to be directed to the Sherriffe of Norfolk County requiring him to give publick Notice in the said County, and peticularly in the Churches thereof, that all persons who can give any account of the Arrivall of the Ship Society of Bristoll in the yeare 1687, the disposing of the Negroes, Elephants teeth & c brought in, in her, or the Casting away of the said Ship, appeare at James Citty the 29th day of this Instant, to Testifye their knowledge therein, also requiring the said Sherriffe, to Sumons the four first in the Comission of the Peace who were of the Court on tryall of the said Ship, m^r George Newton the then Sherriffe, and the Clerke of the Court (who is to bring the Records of that Tryall with him) and all Evidences on the said Tryall to appeare at the time and place aforesaid, that soe a full and perfect acco^t of all the transactions relateing to the Seizeing and Condemnation of the said Ship & c may be had, and the said Order being prepared and read is approved of; And for that Princess Ann County in the yeare 1687 was parte of the aforesaid County an Order being prepared for the R^t Hono^{ble} the L^t Gov^{rs} signeing to be Sent to the Sherriffe of that County was also read and approved of.

Octob^r 30th 1691

M^r Robert Caufield who sometime Since applyed himselfe to the R^t Hono^{ble} the Lieu^t Gov^r, on behalfe of the Owners of the Ship Society of Bristoll desiring that the Condemnation of the Negroes Elephants teeth & c that were brought into this Colony in the yeare 1687 in the said Ship, might be Examined, and the true State of all things relateing thereto returned for England according to an Ord^r of the R^t Hono^{ble} the Lords Committee for Trade, and Plantations, and promised to pay the Charge thereof, yesterday before this Board refused to

be Concerned, this day declares that he will as Agent for the said Own^{rs} manage the same, & pay all Charges, but for that some of the wittnesses Sent for were Sick, and others out of the way that they could not be Sumoned to appeare at this time, a full State of the Matter cannot now be made as was Intended, and is therefore refferred to the next meeting of the Councill.

October 16th 1691

A Friggott viz^t the Henry prize being arrived in this Colony to attend the Government, It is thought fitt that the Cap^t of her be sent for to be here on thursday next, and to bring with him his Comission, and all the Ord^{rs} he hath, that Such Methods may be taken as shall be for their Ma^s Service, the Safety of this their Ma^s Dominion and Ships and Vessells tradeing here

October the 22th 1691

Cap^t Richard Finch Comander of their Ma^s Ship the Henry prize his Comission Ord^{rs} and Instructions was read, and the Ord^{rs} of the R^t Hono^{ble} the Comission^{rs} for Executing the Office of Lord High Admirall of England Ordered to be Registered in the Councell Booke.

Cap^t Rich^d Finch Comander of their Ma^s Ship the Henry prize proposeing that he should have Occasion to make use of a Pilot for the said Ship sometimes, desired it might be Consid^d how he should be paid, and for that the Cap^{ts} of all their Ma^s Ships that have been in this Countrey have alwaies paid the Pilotts they have had occasion to use, It is the Opinion of this Board, that any Pilott the said Finch shall make use of, be by him paid as hath been Customary; And the said Finch also proposeing that he presumed it would be for their Ma^s Service to have a Sloop built, which might Run from place to place and prevent frauds in their Ma^s Customes, and otherwise be serviceable to their Ma^s, desired some assistance of Money from this Colony towards the building of one, On Consideration whereof, It is the Opinion of this Board it will be for their Ma^s Service to have a Sloop built as is proposed, but cannot raise Mony to pay for the doeing part thereof, but will give other Assistance that shall be needfull.

It being proposed to this Board what place would be most Convenient for their Ma^s Service for their Ma^s Ship the Henry prize to Ride in, are of Opinion that it will be most for their Ma^s Service for Cap^t Richard Finch with the said Ship to Ride in the Bay over against the Mouth of York River, wind and weather permitting, & to Examine all Ships or Vessells that shall come in or goe out, and be very diligent in lookeing out, And if it should happen that any Enemies that he is not able to deale with should come in, he Imediatly sayle with their Ma^s Ship Henry prize up Yorke River above the Platforme, and goe out againe as soon as he findes the danger over, and take especial Care that their Ma^s Duties be Secured according to the Acts of Trade and navigacon, Ordering his Men that he shall Send on board any Ship or Vessell, to carry and behave themselves Civilly to all persons and take nothing by way of present or Compulsion, and that the said Finch

make Seizure of noe Ship, but such as he shall finde good reason for, and after Seizure not to release any but by due course of Law, and at all times to give the R^t Hono^{ble} the Lieu^t Gov^r, a perticuler acco^t or Journall of all his transactions; And that he take especiall Care to Examine all New England and Maryland Vessells.

Whereas upon the going away of the former Convoys to the Fleetes, severall differences did arise betweene the Cap^ts and Inhabitants of this Colony, about the pay for entertaineing and dyeting Sick Men put on Shore, for prevention whereof for the future, It is Ordered that before any sick Men be Sent to any persons house an agreement be made for the same before a Justice of the Peace of that County, and whereas severall persons as well ashore as on board Ships have been Imprest by the said former Convoys, and Complaints made of the same, It is thought fitt and accordingly Ordered, that the Convoys Expected with the next Fleete, or private Men of Warr, doe not Impress any Man, without first obtaining leave from this Government soe to doe, which leave upon Application, and it appeareing to the R^t Hono^{ble} their Ma^s Lieu^t Gov^r to be for their Ma^s Service, his Hono^r is desired to give, It being oftentimes Impossible for the Councill to meete to Joyne with his Hono^r in the doing thereof.

Octob^r 16th 1691

His Hono^r the Lieu^t Gov^r this day proposed, that the Council^l would Consider the best way for disposing of their Ma^s Quit Rents of this Colony, and being but few Councill present the Consideration thereof is referred till next Weeke, when it is hoped there will be a full Councill,

Octob^r 20th 1691

Henry Whiteing Esq^{re} added

On Consideration of the R^t Hono^{ble} the L^t Gov^{rs} proposall, which would be the best way to dispose of their Ma^s Quitrents of this Colony, it is the Opinion of this Board that the onely way to advance them is to dispose of them by way of Outcry on fryday next, when the most people this Court will be present, and to the End, the same may be made knowne, It is Ordered that the Clerke of the Councill give publick notice thereof, by causing a Certificate to be sett up at the Gen^{ll} Courthouse Doore, where all people may see the same.

Octob^r 30th 1691

On Consideration that their Ma^s Quitrents of the Land in Accomack County cannot be sold, It is Ordered that the Sherriffe of the said County cause all the Quit rent Tobacco, to be brought to three or four Convenient Landings in the Bay, and be paid the Charge thereof out of them, this being adjudged the likeliest way to dispose of them for their Ma^s best advantage

Major Arthur Allen who went with Coll Phill Ludwell Gov^r of North Carolina when he first went to that Government, being asked

what he knew relateing to the bounds thereof, answered, that he saw on the Records of that place, a Grant as it was called, which was bounded to the Latitude of 36°, and another Grant which they called their second Grant, and came to the Latitude of 36½ to the best of his Remembrance,

Octob^r 22th 1691

John Custis Esq^{re} added

L^t Coll Thomas Milner who went with Coll Phill Ludwell Gov^r of North Carolina, when he first went to that Government, being asked what he knew relateing to the bounds thereof, answered, that he hath Notes of the bounds of the Second Grant the Propriet^{rs} Deputies of North Carolina pretend to have, It is therefore Ordered that he forthwith Send Copies of the said Notes to the R^t Hono^{ble} the Lieu^t Gov^r, And that he make observations whereabouts the Lines of the said pretended Grant will Runn, and return the same to the Clerke of the Councill at James Citty as soone as possible,

Octob^r 20th 1691

This Board takeing into their Consideration, that the Line betweene this their Ma^s Governm^t, and the Propriet^{rs} Government of North Carolina not being Setled, Occasions great dissatisfaction to the Inhabitants adjacent thereto, And for that this Government, hath alwaies Granted Lands to the Latitude of 36, and never any Grant, or Comand hath forbidden the same, nor Claime made on this side that Latitude, till of late some of the Offic^{rs} of the Government of North Carolina have disturbed the Inhabitants, demanding Levies and Quit Rents from them, pretending the Proprietors Grant is to the Latitude of 36 & ½, which is to the great discouragem^t and dissatisfaction of those Inhabitants who have many yeares Since obtained the Grants of those Lands, and lived and Inhabited thereon, The R^t Hono^{ble} the Lords Committee for Trade and Plantations, their Ma^s Principall Secretary of State, and His Ex^{cy} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of Virg^a are therefore humbly Supplicated, to represent the same to their most Gracious Ma^s. And that it will be a great Lessning of their Ma^s Revenue of Quit Rents of this Colony, and will cause great Alteration in the long and well formed Settlement of that parte of this Government, by takeing away a great parte of Severall Counties, and leaveing such a Small Slipe of Land in this Gov^{nm}^t, on the southside of James River, as will be difficult to frame in a good Method, and the Land soe taken away not Convenient for the Government of North Carolina, byeing far from any Conveniency of goeing to it by Water, Except they come into this Governm^t

Octob^r 20th 1691

For that Ord^{rs} out of England relateing to the bounds of this Colony are Expected by the Fleete, It is Ordered that the Line appointed by the Generall Assembly to be Run on the Southside of James River,

and at the heads of the Rivers, be Suspended till the next meeting of the Assembly.

October 17th 1691

John Lear Esq^{re} added

William Syre petitioning that he might be appointed Pilot for Yorke River, Edmund Jenings Esq^{re} is desired to inquire into the said Syres ability to performe the same, and if he shall find him Capable, signifye it to the R^t Hono^{ble} the Lieu^t Gov^r, who is desired thereon to grant him a Comission.

On Consideration that it is absolutely Necessary that when any of their Ma^s Collect^{rs} of this Colony shall dye, or otherwise be removed, that all the bonds for Ships or other papers relateing thereto in their Custody, be delivered the person that shall Succeede in the said Office, It is Ordered that Richard Lee Esq^{re} late Collector of Potomack District in this Colony, forthwith deliver all Such bonds or other papers in his possession to C^r Wormeley Esq^{re} their Ma^s Collect^r of the said District, And if M^{rs} Frances Spencer Ex^{ta} of Nicholas Spencer Esq^{re}, late Collect^r of the said District, have not delivered the bonds and other papers relateing to Ships to the said Richard Lee Esq^{re}, that shee also deliver them to the said C^r Wormeley Esq^{re} upon his demand.

October 27th 1691.

The Respective Collect^{rs} of their Ma^s Revenue of this Colony, having presented their Severall Securities, for their due paym^t of the Money they shall receive for the Duties on Liq^{rs}, Furrs, and Skinns, according to two Acts of the last Assembly, they are approved of, and their bonds Ordered to be Registered in the Secretaries Office.

Octob^r 30th 1691

His Hono^r the Lieu^t Gov^r recomended to the Collect^{rs} of their Ma^s Customes in this Colony, to have an especiall Care that the Acts for Trade and Navigation be duely put in Execution, also that they would carefully observe the Severall Laws of this Colony, and Ord^{rs} of Councill relateing to Trade & c, perticularly the Law about Furrs- and the Order about the discovering the true quantity of hhd^s of Tobacco carried out of this Colony, and that they take good bonds where Occasion shall be

October 20th 1691

M^r Edward Chilton this day Sworne their Ma^s Attorney Generall of this Colony, for which place he had a Comission from the R^t Hono^{ble} the Lieu^t Gov^r, by an with the advice of the Councill, upon the Removall of Edmund Jenings Esq^{re}, to be one of their Ma^s Council of this Colony

Findeing it for their Ma^s Service that this Government be acquainted with all Grants made of the Northern Neck, It is Ordered

that M^r Richard Whitehead Deputy of Coll Phillip Ludwell Attorney or Agent for the Propriet^{rs} thereof, be Comanded to appeare before this Board, and upon his Oath declare what Grant or other papers he hath in his Custody, and whether the Grant be made under the broad Seale or Privy Seale; and what Pattents have been granted, since the Grant in *Ano* 1669

October 21th 1691

This Board takeing into their Serious Consideration the good and well being of this Countrey, and in Order thereto understanding that the Grant of the Lands in the Northern Neck to the Propriet^{rs} thereof, was lately brought within four Miles of James Citty, but was never produced to the R^t Hono^{ble} the Lieu^t Gov^r, or any of the Councill, And it being the Opinion of this Board that it is for their Ma^s Service, that the Government be acquainted with the Contents of the said Grant, and how the same is Authenticated, Do Order that M^r Richard Whitehead in whose possession the same is (as he acknowledged) doe on thursday the 29th day of this Instant, produce the said Grant before this Board; as also an acco^t of the severall Grants of Land in the said Neck made by the Propriet^{rs} Deputies from the yeare 1669 to the last of May 1690

October 29th 1691

M^r Richard Whitehead pursuant to an Order of this Board dated the 21th Instant, produced the Pattent granted to the Lord Culpeper for the Lands in the Northern Neck under the Broad Seale of England in Greene Wax, and the same being Compared, agreed with the Record thereof in the Sec^{rys} Office, And the said Whitehead also produced an acco^t of the Grants made by the Propriet^{rs} Deputies since the yeare 1669.

October 24th 1691

It is Ordered that all Rights for Land any person hath be proved at this or the next Generall Court, or in the respective County Courts in this Colony, and returned to the Sec^{rys} Office by the 6th day of the next General Court, and soe every General Court either prove their Rights or return them proved as aforesaid, by the 6th day of the Generall Court, and whoever shall faile soe to doe, shall loose the advantage of haveing their Rights allowed; And the County Courts are Ordered to be very Carefull how they Grant Certificates, there being as is conceived a very Great abuse in that Matter, and the same being pursuant to their Ma^s Instructions to prevent the takeing up of great quantities of Land.

It is Ordered that the like Proclamation about Seamen as was sett out the last yeare, be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^r^s signing to be sent to the present respective Sheriffs of this Colony that Copies thereof may be by them sett up in all Ships according to the direction of the said Proclamations.

It is Ordered that a Clause be entered in the Sherriffs Comissions for Collecting their Ma^s Quit Rents of this Colony, strictly requiring them to return a full true and perfect Rent Roll, of all the Lands held in their respective Counties of their Ma^s, and if any of the Owners of the said Lands live out of their Counties (not having Tenants on the Land nor Effects in the County) that they return the names of the Owners of such Land, with the place of their dwelling, and the quantities of Land soe held, to their Ma^s Aud^r in Aprill Generall Court when they make up their acco^{ts}.

October 27th 1691

It being represented to this Board that severall persons keepe Indians without obtaineing Lycence soe to doe, It is Ordered that the respective Sherriffs of this Colony inquire into the same within their Counties, and return an acco^t of all Such persons to William Edwards Clerke of the Councill forthwith,

Severall of the persons appointed Justices of the Peace in the Respective Counties of this Colony, haveing refused to be Sworne, some thro Scruple of Conscience, and others for other Reasons, there is a Necessity of appointing others, and this Board haveing Considered and Nominated the likeliest persons to serve their Ma^s in the said Place, It is Ordered that Commissions be forthwith prepared for them, to be signed by the R^t Hono^{ble} the Lieu^t Gov^r,

The Names of the Severall persons to be appointed Comission Officers of their Ma^s Militia in this Colony were read, the persons approved of, And his Hono^r the Lieu^t Gov^r desired to grant them Comissions.

On Consideration that in the hard Season of the yeare now Coming on, it will be very difficult for the Rangers at the heads of the Rivers to Continue Ranging, also that it may be hoped, noe Enemy will offer any Attempt dureing the Winter, and that the Countrey may be eased of the great Charge, in keepeing soe many Men in pay when absolute Necessity doth not require, It is thought fitt and accordingly Ordered, that the Comanders in Chiefe of the Frontier Counties, issue their Warrants to the Lieu^{ts} of the Rangers, requiring them, on the 15th of November next to discharge the Souldiers under their respective Commands, untill the first day of March next, at which time (or sooner if the R^t Hono^{ble} the Lieu^t Gov^r, the Comand^{rs} or Deputy Comanders in Chiefe of any of the Frontier Counties, finde cause to Order them, they are not to fail of proceeding to Range, And to the End the Tobacco already Levied for the Rangers, more then will be due to them at the time they are Ordered to leave off, may be Secured, It is Ordered that each Lieu^t, Order the Souldiers under their Command, pay for the time they shall have been in Service, and keepe the remainder in his own possession till further Order, and return to the R^t Hono^{ble} the Lieu^t Gov^r an acco^t of each mans proportion and what remaines, together with a Journall of his proceedings since they first began to Range, And an account how far they have proceeded in the markeing the Roade at the heads of the Rivers, And It is further Ordered that the Comanders, and Deputy Comand^{rs} in Chiefe, give Orders to the In-

habitants of the Frontier Counties, to be very vigilant and stand upon their their Guards, to prevent any Suddain surprizall, as was directed in a former Order from this Board.

October 30th 1691

The Interpreters to the Indians, their Comissions prepared for the R^t Hono^{ble} the L^t Gov^{rs} signing, were read and approved off.

October 29th 1691

M^r Secretary Cole acquainting this Board, that William Edwards the present Clerke of the Generall Court desired to leave the said Place, and he therefore proposed Cap^t Miles Cary as a fitt person to manage the same, desiring the Opinion of this Board therein, And the said Cary being approved of, It is Ordered that tomorrow Just before the Adjournment of the Generall Court, he be Sworne Clerke

The R^t Hono^{ble} the Lieu^t Gov^r Claimed on behalfe of their Ma^s that the Clerke of the Councill should be appointed by the Gov^r and Councill, and Nominated William Edwards as a fitt and proper person to performe the said Place, to which the Councill Unanimously agreed haveing already had tryall of his Just and faithful performance of the said Office, It is therefore Ordered that a Comission be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signing, And the Consideration who shall be appointed Clerke of the Generall Assembly is referred till the Assembly meete there being noe occasion for a Clerke before, the R^t Hono^{ble} the L^t Gov^r having likewise on behalfe of their Ma^s Claimed that the Clerke of the Generall Assembly should be appointed by the Gov^r and Councill,

October 30th 1691

His Hono^r the Lieu^t Gov^r proposeing whether it would be for their Ma^s Service, and good of this Countrey that the Assembly should begin at the time appointed, or not, On Consideration whereof, It is the Opinion of this Board (pay for the Rangers being Levied but for a yeare, and being times of Eminent danger) that the Assembly meete to Consider of such things as may be for the Glory of God, the Hono^r of their Ma^s and the Peace and Welfare of this Colony, And to that End it is Ordered that Writts be prepared in Convenient time, for the R^t Hono^{ble} the L^t Gov^{rs} signing.

Copa Vera

Test

W. Edwards Cl Con.

Exam^d

William Cole Secr

[C. O. 5, Vol. 1306. N^o 60 or fo. 332.]

Information ag^t Brandys Imported in the Biscay Merchant

Att a Gene^{ll} Court held att James Citty Octob^r y^e 24th 1691

Present

Ralph Wormeley Esq^{re} p^rsident

John Custis Esq^r

Chrisp^r Wormley Esq^r

W^m Byrd Esq^r

Edward Hill Esq^r

Jn^o Leare Esq^r

Henry Whiting Esq^r

Edmund Jenings Esq^r

William Cole Esq^r their Maj^{ties} Collecto^r of their Customes in y^e Lower District of James River humbly gives this Court here to understand and be informed that one Cap^t Miles Cary his Deputy & by his Comand on y^e 19th day of 7^{br} last or thereabouts at y^e mouth of Warwick River in James River seized & to y^e use of our Sovereignes Lord & Lady King William & Queen Mary y^e Gove^r of this Colony & of himselfe y^e Said W^m Cole did arrest three pipes of brandy of y^e goods & Chattles of one Luke Lopdell for that the afores^d three pipes of wine were about y^e 8th of 7^{br} afores^d Imported into this Colony in y^e Ship Bisca Marchant y^e s^d Luke Lopdell being then & Nowe master for wch noe Cocq^t Sufferance or warrant was had obtaind or produced Contrary to y^e forme of the Statute in that case made & provided, & for y^x y^e said Luke Lopdell did not make a true & perfect Inventory or Invoyce of the Ladeing of his Ship, the S^d three pipes of wyne not being included therein, Contrary likewise to y^e forme of one other Statute, wherefore the aforesaid W^m Cole prayes the Advice of this Co^rt in y^e Premises aforesd, and that the afores^d brandy & Ship with all her Gunns, tackle furniture Ammunition & Apparrell may be forfeited for the afores^d offence, & that y^e S^d W^m Cole Esq^r may have the third part thereof according to y^e forme of y^e Statutes, and Edward Chilton y^r Ma^s Attor: Gen^{ll} comes into Court & prayes y^e Disposall of the other 2 parts of y^e said Goods & Ships & c according to y^e Said Statutues, & y^e Defd^t by Arthur Spicer his Attorney comes into Co^rt & for plea Saith that true it is that the three pipes or peices of brandy were by him Imported & Confesses that he had noe bill of Store or Cocq^t for y^e Same but that he bought y^e S^d brandy at y^e towne of Deale of y^e marchants there, & brought y^e Same on board for y^e use of his Ships Company being then in the Kings Service & Acquainted the Collec^r that he had brandy on board, & of this he putts himselfe upon his Countrey, to which their Ma^s Atto^r Gen^{ll} replied that y^e s^d brandy was Seized in a Shallop & soe Consequently was Designd for marchandize & the Jury being Sworn, Viz^t Maj^r Arthur Allen, M^r W^m Dymer Cap^t Rich^d Johnson, M^r Geo: Williamson, M^r Jn^o West. M^r Ben Clements, M^r Tho: Cotton, M^r Peter Evans, M^r Richd Willis M^r Tho: Ballard M^r Hen Fox, Cap^t Hen Batts. return for Veredict, Wee find by the Confession of Cap^t Lopdell that he brought three pipes or peices of Brandy into this Countrey without any Cocq^t Sufferance or Warrant for y^e Same, & wee likewise find by y^e

Acknowledgm^t of y^e Hono^{b¹e} M^r Secr^{r^y} Cole that y^e Said Lopdell Did at y^e time of his Entrey Acquaint him he had brandy on board but it was for y^e use of himselfe & Comp^a without menconing any Quantity, but whether that be soe particular an Acco^t or Invoyce as y^e Law directs wee humbly Submitt to yo^r Hono^r, being as wee conceive not within our Inquiry on Consideracon whereof & all pleas on both sides, It is y^e Opinion of this Co^rt that the three pipes or peices of brandy are forfeitt for want of haveing a Cocq^t for them but wether the Ship & c are forfeited or not, is humbly Submitted to y^e R^t Hono^{b¹e} the Lords Committee for trade & plantacons the S^d Lopdell haveing been in their Ma^s service & Alleading that he had but litle time after the takeing itt in before he was Comanded away, & that it was onely for y^e use of the Ships Comp^a & the S^d W^m Cole Esq^r being Asked owneing that the last time y^e S^d Lopdell was in this Country he had a bill of Store for 80 gall^e brandy & two hhds of wine, And it is Ordered that y^e said Lopdell give bond with good & sufficient security of 1000 lbs Sterlⁿ to answer y^e Same before their Lordsp^s

Vera Copia

Test

Miles Cary *Cl Genll Cur*

This was given by M^r Miles Cary, Clerke of the Generall Courte to mee

Fr: Nicholson

Att the Hono^{b¹e} Nath^l Bacon Esq^{rs} Novemb^r 6th 1691

Present

The R^t Hono^{b¹e} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r
William Cole Esq^{re} Sec^{ry} Edm^d Jenings Esq^{re}

His Hono^r the Lieu^t Gov^r causing three Letters sent to him, from the R^t Hono^{b¹e} Comission^{rs} of their Ma^s Customes, dated Aprill 6th 1691, Aprill 9th 1691, and May 13th 1691 to be read, giveing an account of some Ships that sailed directly from Scotland to this Coast, and noe such being known to be arrived in this Colony, It is thought fitt that Cap^t Rich^d Finch, Comander of their Ma^s Ship the Henry prize, goe to Maryland with the said Ship, and be very diligent in indeavouring to discover the aforesaid Ships, or any other falce Traders, that they may be proceeded against according to Law.

Att a Councill held at Tindalls point Decemb^r 8th 1691

Present

The R^t Hono^{b¹e} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r
William Cole Esq^{re} Sec^{ry} Edw^d Hill Esq^{re}
William Byrd Esq^{re} Henry Whiteing Esq^{re}

His Hono^r the Lieu^t Gov^r caused to be read, a Letter from Cap^t George Mason Deputy Comander in Cheife, of their Ma^s Forces in Stafford County, wherein he gives an account that he had in his Cus-

tody six strange Indians who were taken by the Rangers in the Woods about thirty Miles above the Inhabitants of Stafford County, which Indians it was supposed had Robbed severall Corne Fields on the Frontiers of the aforesaid County, killed a Mare, and done severall Injuries in Mens Stocks, On Consideration whereof as also of the Examination of one of the Rangers, who was at the takeing the said Indians, and declares that it being in a Snow they followed a track of people from the aforesaid Mare, to the Place they tooke the said Indians at, and found noe other track, It is Ordered that Cap^t George Mason send the aforesaid six Indians, to the Sherriffe of James Citty County with a safe Guard, who is safely to Secure them till the Gen^l Assembly, and take especiall Care to keepe a Sufficient Guard over them and finde them Victualls and fire; And to the End a full account may be had off all Evidences and Circumstances against the said Indians, It is Ordered that the said Mason before he send down the said Indians, doe cause all the Justices, and Militia Offic^{rs} of the aforesaid County, to be sumoned to meete and take the Indians Examinations, and all Evidences that can be had against them, which Evidences the said Mason is to indeavour to discover, and cause to appeare before the aforesaid Justices, and Militia Officers, And the said Mason is further Ordered to return to the Sec^{rs} Office, (when he Sends the said Indians to James Citty) the depositions of all the Evidences, and all Circumstances that shall appeare to the aforesaid Justices and Militia Officers to be Materiall against the said Indians, and to take care that noething be taken from the said Indians, but their Armes and Amunition, which are to be safely kept till further Order, And if it shall be judged by the said Justices and Militia Officers, that any of their Gunns may have been taken from the English, that those Guns be sent to James City by the fourth day of the next Gen^l Court.

Forasmuch as certaine Indians have been taken by the Potomack Rangers, and Complaints made that severall Injuries have been done in the Stocks of the Inhabitants of the Frontiers of Stafford County, It is Ordered, that notwithstanding an Order hath been Sent from this Board, to call in the Rangers at the heads of the Rivers, thereby to ease the great Charge of the Countrey, and that all the Rangers (Except those in Stafford County) are discharged, noe Complaints being made from any place, that if the Justices and Militia Officers of Stafford County when they meete, to take the Examinations of the Indians that were taken, and depositions against them, doe finde it for their Ma^s Service, and Security of this Countrey, to Continue the Rangers there, that then Cap^t Mala: Peale and Cap^t George Mason Deputy Commanders in Chiefe of the aforesaid County, doe issue their Order to the L^t of the Rangers requireing him and the Souldiers under his Comand, to Continue their Rangeing till further Order, and to be very Carefull and diligent in performeing their Duties.

On Consideration that it may be of ill Consequence, and indanger the breakeing the Peace, betweene the Inhabitants of New Yorke, and the five Nations of Indians (those Nations as it is reported being very wavering, the French at Canada haveing indeavoured, to perswade them to be on their side) if this Government should cause the six

strange Indians taken by the Rangers of Potomack, to be Immediately proceeded against, it being supposed they belong to the five Nations at New Yorke, The R^t Hono^{ble} the Lieu^t Gov^r is therefore desired after the Examinations of the said Indians, and depositions Ordered to be taken against them, are returned his Hono^r, to write to the Governm^t of New Yorke (by a Messenger to be sent on purpose) and give them an account that six Indians are taken in this Government, which are supposed to belong to the five Nations in Amity with them, but for that it is reported the said five Nations are very wavering, and should they breake the Peace made with them, it might be of bad Consequence (in these times of Danger) to that Government, the said Indians are kept, that they may inquire of the five Nations, whether they want any Such Indians, and if they doe, know the Reasons why they come on our Frontiers, Contrary to the Articles of Peace made with them, and return an account to his Hono^r, what the said Nations say, that this Government may know how to proceede against the afores^d six Indians

The R^t Hono^{ble} the L^t Gov^r is desired, to write to those who at present take Care, to preserve the Peace of their Ma^s Province of Maryland, and acquaint them that by an Indian belonging to one of the Inhabitants of this Colony, lately escaped from a parcell of Strange Indians, who about August last carried him away, Wee have an account, those Strange Indians are harboured, and furnished by the Indians and Inhabitants of that Province, with Armes, Amunition & c And for that the said Strange Indians, doe much Injury to the Inhabitants on the Frontiers of this Colony, they for the future take care, that the said Indians be neither harboured, nor furnished by their Inhabitants or Indians.

This Board taking into their Consideration the good and well being of this Countrey, and in Order thereto, findeing it Necessary to know, whether any of the Inhabitants of this Colony, trade with the Strange Indians, which aften times comes on the Frontiers of Stafford County, and for what, where the said Indians trade most, where they are furnished with Powder and Shott, and what Correspondence they hold, with the Piscataway and Pomunky Indians in Maryland, Doe Order that the Justices and Militia Officers of Stafford County, when they meete, to take the Examinations of the Indians lately taken, doe full Inquiry make into the aboves^d perticulers, and return an account thereof to the Secretaries Office, when the aforesaid Indians are Sent; And Cap^t George Mason is Ordered not to send the said Indians, till after this Inquiry be made, that soe the same may be sent down by the persons who bring them, to prevent the Charge of another Messenger.

For asmuch as a certaine time is appointed for the Rangers to begin to Range in the Spring of the yeare, or sooner if Occasion require, It is Ordered that the Comanders in Cheife, doe give them Orders to observe the former directions and Instructions given them.

It is Ordered that the respective Comanders in Cheife in this Colony, doe forthwith issue their Orders, requiring that all fines on delin-

quent Souldiers be levied according to Law, and disposed of, as is directed by a former Order of this Board.

An Order prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing, concerning the Militia of this Colony, and another about the Stones brought into York River, for the use of the Fort there, were both read and approved of.

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a Comission appointing L^t Coll John Smith, Cap^t of a Troope of Horse, in Glocester County all Virginians, and the said Smiths Lieu^t and Cornetts Commissions being read are all approved of. As also a Commission appointing Lieu^t Coll^o Samuel Bridger to be Captain of a Foot Company of Virginians in Isle of wight County, and his L^t and Ensignes Commissions.

On Consideration that severall Sherriffs have failed, to make return of their publishing some Proclamations, and Publick Orders sent them, and doeing what in them was required, It is Ordered that for the future the respective Sherriffs of this Colony make returne to the Secretaries Office, of their due Execution of all Public Instruments, by the sixth day of the next Gen^l Court, after receipt of them.

This Board takeing into their Consideration, that by their Ma^s Instructions it is Comanded, that noe Ships or Vessells be permitted to saile in time of Warr, to any of their Ma^s Dominions in Europe but in Fleets, also that some few Ships that have come to this Countrey, have been permitted to Saile as they got ready, they not being a Number Sufficient to make a Fleete, of noe Force, and bound to Severall Ports in England, And those in Maryland not taking any Notice of the Methods taken here, but have at all times permitted their Ships to Sayle as they got ready; but to the End all due Obedience may be paid to their Ma^s Instruction, there being a Fleete Expected from England, It is Ordered that after the Arrivall of the first Ship that came out of England with the Fleete, noe Ship or Vessell bound to Europe as aforesaid, be permitted to goe out of the Capes of this Colony before the said Fleete, And that this Order may be punctually observed, His Hono^r the Lieu^t Gov^r is desired, to write to those who for time being take care to preserve the Peace of their Ma^s Province of Maryland, and give them an account of the Methods taken here, And to Order Cap^t Rich^d Finch Comander of their Ma^s Ship the Henry prize, to be very Carefull that noe Ship or Vessell bound to Europe as aforesaid goe out, and if any Ship or Vessell from Maryland shall Indeavour the same, under pretence of goeing to some of their Ma^s Plantations, he bring them into some Harbour, in one of the Rivers in this Colony, there to remaine, till it appeare whether they be bound to Europe or not; And it is Ordered that none of the Collect^{rs} in this Colony Cleare any Ship or Vessell, to goe to any of their Ma^s Plantacons, but such as the greatest part of their Loding shall be provisions or Lumber, And his Hono^r the L^t Gov^r is requested to write to the respective Collect^{rs} to be very Carefull herein.

The R^t Hono^{ble} the Lieu^t Gov^r proposeing Severall things for their Ma^s Service, but there not being a full Councill now present,

the Consideration of them is refferred, till the next meeting of the Councill.

Copa Vera

Test

William Cole Secr

[C. O. 5, Vol. 1306, N^o 69, or fo. 345.]

Virg^a ss

By y^e R^t Hono^{ble} their Ma^s L^t Gov^r A proclamacon to prevent Seamen & marin^{rs} belonging to Ships Comeing from England from running away from y^e Ships they belong to

Whereas by Certaine intelligence from England, it is manifest that his most Sacred Ma^{ty} is graciously pleased out of his tend^r Care of y^e Inhabitants of this their Ma^s Dominion to permitt any merchants Ships to come to this Country that will, to y^e end their Ma^s Subjects here may be Supplied with necessaries and it being reasonable to Expect that y^e Like care will be taken (as was y^e Last year) that y^e Seamen & Marin^{rs} belonging to y^e Ships should return in y^e same Ships to England, by takeing bonds of y^e respective masters & their Owners to that purpose, that soe y^e s^d Seamen & marin^{rs} may be ready to serve their ma^s if occasion should be, and it being doubted many Idle & desolute fellows belonging to y^e Ships (as Some did y^e Last year) may endeavour to make their Escape from y^e s^d Ships * * * * *

* * [This proclamation continues in the same words as those found in the proclamation of February 21, 1690-1, till near the end, when, after the words "pay his or their fees", the proclamation reads—]

* * I do hereby require & Comand that y^e respective Sherriiffs of this Colony in whose precincts any Ship or Vessell Shall Ryde, do draw out Copies of this proclamacon & attest y^e Same under his hand to be true Copies, & deliver one to every master of Such Ship or Vessell, who is to pay two shillings six pence for y^e same, & give y^e Sherr a receipt for y^e s^d Copie & after y^e receipt thereof Cause it to be affixt in some publick place in y^e s^d Ship or vessell

Given und^r my hand & y^e Seal of y^e Colony this 8th day of December in y^e third year of y^e Reign of our Sovereign Lord & Lady William & Mary by y^e grace of God King & Queen of England Scotland France & Ireland defend^{rs} of y^e faith *Annoq Dom* 1691

God Save y^e King & Queen

To ye Sherriff of.....
County or his Deputy

Fr: Nicholson

Copa Vera

Test

W Edwards *Cl Con*:

E^x: William Cole Secr

[C. O. 5, Vol. 1306, N^o 70, or fo. 347.]

Ord^r to the Sheriffs touching y^e Militia and Ord^r touching Stores & ca
By the R^t Hono^{ble} the L^t Gov^r

For asmuch as it is doubted some of the Orders sent to the Deputy Comanders in Chiefe of the respective Counties of this Colony, and other Militia Officers, have by accident miscarried there not having been that due return of them made as was required, I doe therefore hereby Charge and Comand you, that you Imediatly goe to the Deputy Comand^r or Comanders in Chiefe of yo^r County, and acquaint him or them It is my Express Order, And I doe hereby Order that he or they return to the Sec^{rs} Office by the sixth day of the next Gen^{ll} Court, or sooner if a good Oppertunity Offers attested under his or their hands, an acco^t of all the Orders have come to his or their hands, and have been Sent to the respective Officers under his or their Comand, or Indian Interpreters; that thereby I may know which have miscarried, and Care be taken for his or their Speedy haveing such, that soe he or they may not faile of any part of the Duty Incumbant on him or them, for want of those Orders, which may be great detrim^t not onely to yo^r County in perticuler, but to the Countrey in Generall, also that he or they return an acco^t of the Powder in yo^r County, and the Names of the persons in whose possession the same is, and take Care that none be disposed of, but according to the former Ord^{rs} of my selfe, and their Ma^s Hono^{ble} Councill of this their most ancient Dominion.

And I also Order that you require the respective Cap^{ts} of Horse, Dragoones and foot within yo^r County, to return to the Sec^{rs} Office by the aforesaid sixth day of the Gen^{ll} Court, or sooner if a good Conveniency presents, attested under their hands and the hands of the respective Comission Officers, an Exact List of the Names of the Souldiers under their Comand, how armed, and what Colours, Trumpetts and Drums belongs to each Troope and Company, also what Ord^{rs} they have received from their Comander or Deputy Comander in Chiefe, and whether there be any persons fitt to beare Armes within their respective precincts, not Listed, their Names, and in what quality they are Capable to Serve, And I doe hereby further Order that they take all possible Care the Souldiers under their comand be furnished with Horses Armes and Amunition according to Law, herein you are not to faile as also to make due return of yo^r proceedings to the Sec^{rs} Office by the aforesaid sixth day of the next Gen^{ll} Co^{rt}, or sooner if a good Conveyance happens, Given und^r my hand this 8th day of Decemb^r 1691

To the Sherriffe of.....
or his Deputy

Fra: Nicholson

Copa Vera

Test

W Edwards *Cl Con:*E^x William Cole Secr

By the R^t Hono^{ble} the L^t Gov^r

For asmuch as certaine Stones sometime since, were brought to Tindalls Point in Yorke River for the use of the Fort there, which said Stones or the most part of them, there not being then present Occasion to use them, have been Carried away, and there being now an Occasion for the said Stones for their Ma^s Service, I doe hereby Order that the respective persons in whose Custody or possession any of the said Stones are give a perticuler account of them under their hands, and return the same to the Sec^rs Office by the sixth say of the next Gen^l Court, and whoever shall faile soe to doe, shall be proceeded against according to Law, And to the End a true discovery may be made who hath any of the said Stones, I doe hereby Order, that every person whatsoever who shall know where any of them are, doe give an acco^t thereof to the Sherriffe of the County they dwell in, And I doe hereby further Order that the respective County Courts and Sherriffs in this Colony, make diligent inquiry within their Counties after the said Stones, and return an account of their proceedings to the Sec^rs office, by the aforesaid Sixth day of the next Gen^l Court, and that this, my order, may be publickly known, I doe hereby require you to publish the same at the next Court to be held for yo^r County, Given under my hand this 8th day of Decemb^r 1691

To the Sherriffe of.....

County or his Deputy.

Fra: Nicholson

Copa Vera

Test

W Edwards Cl Con.

Exam

William Cole Secr

Att a Councill held at James Citty Jan^y 27th 1691 [1691-2]

Present

The R^t Hono^{ble} Francis Nicholson Esq^{re}
their Ma^s Lieu^t Gov^r

William Cole Esq^{re} Sec.

C^r Wormeley Esq^{re}

William Byrd Esq^{re}

Edward Hill Esq^{re}

John Lear Esq^{re}

Henry Whiteing Esq^{re}

Edmund Jenings Esq^{re}

The Orders made at the Hono^{ble} Nath^l Bacon Esq^{rs} and at Tindalls point read and approved.

William Edwards Sworne Clerke of their Ma^s Councill of this Colony.

Upon the Motion of William Edwards Clerke of their Ma^s Councill of this Colony, It is Ordered that he take the Councill Records and other papers belonging to that Office into his Custody, and M^r Sec: Cole is desired to Order the Clerke of his Office to deliver the Chest in which they are locked to the said Edwards.

The R^t Hono^{ble} the Lieu^t Gov^r proposing to this Board whether

by the Charter, the Houses and other appurtinances on Land found to Escheate to their Ma^s be to be granted with the Land for the Consideration of two pounds of Tob^o per Acre, the Consideration whereof is referred to a full Councill.

The R^t Hono^{ble} the Lieu^t Gov^{rs} proposeall whether it be for their Ma^s Service, and good of this Country that the Ships which Ryde in Maryland should fetch Tob^o out of this Government to transport for England or other places, is referred to a full Councill

The R^t Hono^{ble} the Lieu^t Gov^{rs} proposall about their Ma^s Quit Rents of this Colony referred to a full Councill.

The Writts for the Burgesses meeting at James Citty the first day of Aprill next prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing were read and approved.

Cap^t Adam Mantrue Master of the Ship Bengall Marchant haveing by direction of the R^t Hono^{ble} the Lieu^t Gov^r and Councill put in writeing what he knew relateing to the London Fleete bound to this Colony, made Oath thereto.

Cap^t John Tufton Mason, Cap^t Robert Tufton Mason, and M^r William Deth haveing by direction of this Board put into Writeing what they severally knew of a Vessells saileing directly from New England to France and her return, and of the Condition of New England made Oath to the same, and being bound for England, each person promised (when it shall please God they arrive,) to go to their Ma^s Plantation Office at Whitehall and acquainte the Hono^{ble} William Blathwaite Esq^r Secretary of their Ma^s Plantations with what they know of the aforesaid perticulers, And this Board takeing into their Consideration that Jordan the Master of the New England Vessel mentioned in the aforesaid persons depositions, according to their discriptions of him, is an Irishman and known Papist, and having lived in this Colony very well knoweth all the Rivers and Harbours in this Countrey and their Ma^s Province of Maryland, and that if the French should gett Piscattaway in New England (which will not be very difficult for them being assisted by soe knowing a Pilott, and the people in noe Condition of resistance as by the aforesaid depositions is declared, it will be of very dangerous Consequence not onely to all New England, but to Maryland, and this their Ma^s Colony, the same is therefore most humbly represented to their Most Gracious Ma^s Consideration, and doe most humbly begg their Ma^s to take into their Royall Consideration the defenceless Condition of this Colony if an Enemy should come against it; and for that here is noe place of defence in this Colony to Secure Stores in, by reason the Inhabitants doe not live in Townes, but are disperst far asunder, Doe humbly pray their Ma^s that instead thereof the Armes formerly humbly desired be sent, And that if their Ma^s shall not finde fitt to send a fire Ship to this Government, they will be graciously pleased to Order Materialls for one to be Sent, that if Occasion should be (which God forbid) the best defence possible may be made.

This Board takeing into their Consideration that the last Session of Assembly An Act passed for Ports, which wee were in hopes long Ere this to have received their Ma^s pleashure about, and for that many

people are building on the Land laid out for Ports, soe that in all probability it is likely there will be houses Sufficient for the End designed by the said Act, their Ma^s are humbly Supplicated to signifye their pleasure.

Forasmuch as by an Order of this Board dated the 8th of xbr [December] last it was Ordered that after the arrival of the first Ship that came out with the Fleete of Ships Expected from London noe Ship or Vessell should be permitted to Saile out of the Capes of this Colony for Europe till the said Fleete Sailed, and now hearing that the said Fleete cannot yet be Expected, and that the Letters and Orders for Goods sent by the Inhabitants for the Supply of this Colony, were not come to the Marchants hands late the last fall, also that three Ships were appointed to Convoy the Fleete hither, It is the Opinion of this Board and accordingly Ordered that after the first day of March next (if noe Ship arrive that came out with the Fleete) none be permitted to Sayle, Except two out of each District in this Colony, which two it is Judged reasonable if the Fleete shall arrive before they are ready they be permitted to goe, that the publick business of this Colony may be represented to their Most sacred Ma^s, and the Inhabitants have a Conveniency to send their directions for Goods, and Duplicates of the same, to their Correspond^{ts} in England, in Convenient time, that the Countrey may not be unprovided of Goods as it hath been this Winter, but if one Ship out of a District shall Sayle for London before the afore-said Imbargoe take place, then it is hereby declared that but one more shall be permitted to goe out of those Districts where after this time one shall be gon And to the End this Order may be publick the Collect^{rs} are Ordered to acquainte the respective Masters of Ships in their districts hereof, as also to give publick Notice of it to all other persons whatsoever.

The R^t Hono^{ble} their Ma^s Lieu^t Gov^r is requested to give them who at present take Care to preserve the Peace of their Ma^s Province of Maryland, an account of the Methods taken here with the Ships for their Ma^s Service, that soe none of their Ships may be permitted to Act Contrary to the same and a Letter for that purpose being prepared for his Hono^{rs} signing was read and approved of,

Cap^t Richard Finch Comand^r of their Ma^s Ship the Henry prize is Ordered with the said Ship to be at New point Comfort or thereabouts, at or before the first day of March next, that being supposed to be the best place for the said Ship to be at, to stop all Ships or Vessells that shall endeavour to goe out of the Capes of this Countrey Contrary to the Intent and Meaning of an Order of this days date, and the Order of the 8th of xbr last both which Orders the said Finch is Carefully to observe and Obey.

This Board takeing into their Consideration the Condition of the Inhabitants of this their Ma^s Colony, and findeing that for want of the usuall Supply of goods from England many people are very bare of Clothing, and others almost Naked, and had not some Ships from the Out Ports of England been some help almost the whole Countrey had suffered great Want, and if the Fleete now Expected should not come, severall will yet be soe destitute of Clothing, that they will be Exposed

to Extreame hardships, which Necessities will undoubtedly put them upon the Linnen and Woollen Manufactures, thereby to provide themselves for the future, which should they once fully endeavour to manage (the Countrey being very Naturall for them) they will finde such advantage thereby as will give great Encouragement for a Continuance, and by that meanes the Quantity of Tobacco usually made very much lessned, And that all Endeavours possible may be used here for the Improveing their Ma^s Revenue, Notwithstanding an Order passed in xb^r last laying an Imbargoe upon all Ships Imediately after the arrivall of the first Ship that came out with the Fleete, in [and] another Order about the said Embargoe this day passed, It is provided that two ships out of each district in this Colony shall be permitted to goe for England, that thereby the Inhabitants may have a Conveniency of sending directions to be Supplied with goods. And doe Most humbly represent the same to their Most Sacred Ma^s, as also that for want of the Ships coming Early in the fall great Liberty is given to Strip and Cutt Tobacco, which looseth near a quarter part thereof, to the great detriment of their Ma^s Revenue, their Most Gracious Ma^s are therefore humbly supplicated to Order that Ships come Early as formerly, and be obliged to bring a Suteable Quantity of Cloathing for the Inhabitants, And that a Sufficent Number may be permitted to come, which being contrary to the Marchants Interest, it is presumed they never desire, for if but halfe the tobacco goes home their advantage is the greater.

His Most Sacred Ma^s Letter to the R^t Reverend Father in God the Bishop of London, And the 11th Act made the last Session of Assembly Entituled an Act for the more Effectual Suppressing the severall Sins and Offences of Swearing & c [et cetera] are Ordered to be published once in three Moneths in each respective parish Church and Chappell of Ease in this Colony, and all persons therein concerned, are to take care that the said Law be Effectually put in Execution, as they will answere the Contrary at their perills.

Complainte being made that some persons in this Colony doe not Comply with the late Law for Tolleration of Liberty of Conscience, And the same tending to the disturbance of the Peace of the Inhabitants of this their Ma^s Dominion, It is thought fitt, and accordingly Ordered that the Sherriffe of every County in this Colony doe Strictly enquire what persons meete in the respective parishes of his County, who have not Lawfull Authority for their soe doeing, and return to the Sec^{rs} Office by the sixth day of the next Gen^l Court, the names of the Preachers or Teachers in those Meetings, also of those who are Constantly at, and those who frequent the same.

It is Ordered that a Proclamation be prepared for the R^t Hon^{ble} the Lieut Gov^{rs} signeing requireing that an account of the respective County Levies for this present yeare in this Colony to be signed by the first in the Comission of the Peace, and of the parish Levies this yeare in the respective parishes to be signed by the Church wardens be returned to the Secretaries Office by the sixth day of the next Gen^l Court, and that the same Course be taken for the future in returning both County and parish Levies to the 6th day of the succeeding Aprill

Gen^l Court annually also requiring the duely keepinge of the Registers of Christnings, Marriages, Funeralls and Births of Negro Children and return made to the Secretaries Office according to Law, likewise requiring that the Justices in each County doe take Care that Courts be not adjourned, but that the business be dispatched as the Law provides, and the Law put in Execution for the Justices Non-attendance, and the said Proclamation being accordingly prepared was read and approved.

Whereas it is of absolute Necessity for their Ma^s Service and Security of this Countrey that all the Inhabitants be well provided with Armes and Amunition, and Severall good Laws made to that End in this Colony, as also by the said Laws great Care taken that noe Souldiers Armes should be Imprest or taken away from him upon any pretence whatsoever, Notwithstanding all which severall persons have failed to provide themselves with Armes and Amunition as by the said Laws are enjoyned and required, as also of making their appeareances at Musters when thereto lawfully Comanded, It is therefore thought fitt and accordingly Ordered that the Comand^{rs} in Chief of their Ma^s Forces of this Colony doe take Care that the Laws for provideing of Armes and Amunition and appeareing at Musters be duely put in Execution on all those who have been formerly listed Souldiers and had time to be provided with Armes & c. [et cetera] but for that some persons have been lately listed who have not had time to be provided with Armes & c none being to be had but from England. It is Ordered that they be Exempted, and they are hereby Exempted from the penalty of the Law relateing thereto till after a Fleete of Ships hath gon from hence for England, and a return from thence made hither, it not being reasonable any person should be fined till after it hath been possible for him to be provided; And that the aforesaid Laws may be may publick that soe noe person or persons may pleade for Excuse they did not know them, It is Ordered that the Comanders in Chief doe forthwith cause them together with this Order to be published in each respective County Court within their precincts, and at the head of every Troope and Foot Company under their respective Comands.

Complaint being made to this Board by the Comand^{rs} in Chief of this Colony, that the Souldiers under their Comands cannot get their Guns fixt, the Smiths refuseing to worke for Tobacco, and for that the same may be of very bad Consequence in these times of danger, It is Ordered that the respective Smiths in this Colony doe without delay fix all Armes shall be brought them by any of the Souldiers of this Countrey, keepe an account of the Worke done and for whom, and returne the same to the next Gen^l Assembly that then such care may be taken for payment thereof, as shall be found fitt.

On Consideration that dureing these times of Warr, it is Impossible to be furnished with Salt from England, also that Salt atudas [Salt Tortugas] the Chiefe place from whence this Colony hath been usually supplied lying very near the French Coast [i. e. coast of a French colony] there is noe sending thither, and some Islands lying near the Island of Providence [one of the Bahamas] having Salt ponds on them, the Propriet^{rs} Gov^r of Providence hath put very deare prices on the

Salt, and laid such hardships on the Vessells going to those parts in making them goe many Leagues to Enter and Cleare that almost deters them from going, and thereby causes Salt here to be Extraordinary deare, and Scarcely to be had to supply the Ordinary peoples Necessities, their Most Sacred Ma^s are therefore humbly Supplicated to take the same into their Royall Consideration and give such directions therein as in their Princely Wisdomes shall be found fitt, and understanding that some Privateers have been Comissionated by the Government of the aforesaid place which are very troublesome to the Vessells they meete with, their Ma^s are therefore most humbly Supplicated to Order such measures to be taken therein as they shall see Convenient, for unless the said Privateers be under some restrictions, they may doe great Injuries in these parts.

Jan'y 28th 1691

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read the returns made by the Justices and Militia Officers of Stafford County to the Order sent them in X^{br} last, about the Six Strange Indians taken above the Inhabitants of their County, a Letter from Cap^t George Mason one of the Deputy Comanders in Chief of the said County, the Indians Examinations and depositions taken against them, and it appeareing by the returns made, that the Chief of the Indians is a Doeg, and the others of other Nations in these parts, And that the Nanzattico Indians a Nation in Amity with us, will make Satisfaction for the Injuries done by the said Indians (which is alleadged was done by accident and not on purpose) and undertake for their future fidelity, also that the Inhabitants of the aforesaid County are rather Willing to accept the said Satisfaction then have any other proceedings made against the said Indians, not knowing but that if they should be proceeded against, it might occasion a Warr with the Indians, which for want not onely of Armes and Amunition but also Cloths this Countrey is very unable to manage, On Consideration whereof it is thought fitt and accordingly Ordered that if the Nanzattico Indians will make such reparation for the Injuries done as shall Satisfye the Inhabitants of the aforesaid County, and undertake for the said Indians future fidelity, that then they be discharged by the Justices amd Militia Officers of the aforesaid County, who Cap^t George Mason is hereby Ordered to cause to meete about the same, but if the Nanzattico Indians shall refuse to make Satisfaction and undertake for the said Indians, It is Ordered that they be sent to James Citty (as was directed in the first mentioned Order) by the last day of March, the badness of the weather and other reasons being accepted why they were not sent downe according to the aforesaid Order of X^{br} last; And it is further Ordered that Cap^t Mala: Peale and Cap^t Geo: Mason Deputy Comandr^s in Chief of the aforesaid County doe Order the Lieu^t of the Rangers with the Souldiers under his Comand to Continue their Ranging, and be very diligent therein till further Order.

It appeareing the six strange Indians taken in Potomack doe not belong to the five Nations, his Hono^r the Lieu^t Gov^r is therefore re-

quested not to send to New York about them as he was desired in X^{br} last.

Forasmuch as there is great reason to believe the disturbance in Stafford County was Occasioned by false reports of Indians, It is Ordered that for the future if any Indian or Indians shall report any News which may Alarum the Inhabitants of this Colony, the respective Justices of Peace, Sherriffs and Militia Officers within their precincts are to cause them to be taken into Custody and there detained till it appeare whether what they have reported be true or not, and if it be true they shall be well rewarded, but if falce proceeded against and punished according to Law, And this Method to be taken till the meeting of the Assembly, and the respective Interpret^s are Ordered to acquaint the Indians herewith.

This Board Most humbly begs leave to represent to their Sacred Ma^s that the Gentlemen of the Councill liveing disperst in the Severall Necks of this Colony is of great use for their Ma^s Service in the defence of the Countrey from the Indians, quieting disturbances amongst the Inhabitants and otherwise, but being some of them often Sick, or Lame with the Gout, and it many times hapning that others in the Winter are hindered Crossing the Rivers by Wind or Ice, and the Sommer by Wind, their Ma^s Service is often retarded, their most Sacred Ma^s are therefore humbly Supplicated to take the same into their Royall Consideration, and to appoint such a Number of persons in one Neck to be of their Ma^s Councill as may make a Quorum, that upon Emergent Occasions their Ma^s Service be not Impeded.

Copa Vera

Test

William Cole Secr

Att a Councill held at the house that was Coll Nath^{ll} Bacons the 19th day of March 1691

Present

William Cole Esq^r Sec:

C^r Wormeley Esq^{re}

Ralph Wormeley Esq^{re}

Henry Whiteing Esq^{re}

William Byrd Esq^{re}

Edmund Jenings Esq^{re}

M^r Secretary Cole acquaints this Board that he was Ordered by his Hono^r the Lieu^t Gov^r who was gon to Accomack to take care that a Ship he was informed was an illegall Trader, manned with Scotchmen and supposed to come directly from Scotland & was ready to Sayle should be seized, in Order to be brought to a Legall Tryall, and feared that if he did not goe himselfe shee might get away, and that if Wind and Weather should hinder his return over the Bay having onely a small boate to goe in, the Friggotts Mast^s being then a setting, he should informe them that it appeares by the accounts of Nath^{ll} Bacon Esq^{re} late Audit^r of their Ma^s Revenue in Virg^a, that there remained in his hands of their Ma^s Revenue of Quitrents, two Shillings per hhead, and their Ma^s part of the produce of Negroes Seized, that were Imported in the Ship Society of Bristoll about fourteene or fiteene hund-

red pounds as he himselfe makes it, and not knowing how the accounts are Settled in England, his Hono^r that what shall appeare Justly due to their Ma^s (according to his Duty) may be Secured, proposes, what will be the best and most Effectuall way

This Board takeing the same into their Serious Consideration doe think fitt, and accordingly Order, that Major Lewis Burwell who with his wife are appointed Execut^{rs} of the said Coll Bacons Will, be acquainted that by Coll Bacons own accounts there appeares to be remaining in his hands of their Ma^s about fourteene or fifteene hundred pounds, and that he doe the fourth day of Aprill next at James Citty produce to the R^t Hono^{ble} Lieut Gov^r and the Councill, all the bookes accounts and papers concerning their Ma^s Revenue of Quitrents, two Shill^s per hhd, and all other things, and all the Vouchers, and receipts for payment^s, to the End this Board may as much as it is possible for them discover what is due to their Ma^s, that present payment be made of the same, And to the End that as soone as it is possible there may be an account out of England, how the state of the said Coll Bacons accounts stands there, and whether all the accounts are passed and allowed, and what he is upon the ballance debtor to their Sacred Ma^s, It is Ordered that M^r Sec: Cole doe by the first opportunity Send a Copy of this Order to the Hono^{ble} William Blathwaite Esq^r Audit^r Gen^l of their Ma^s Plantations, and desire him by the first Conveniency to transmit to this Government a State of the account of the late Audit^r Bacon, that if it shall appeare there is more mony due to their Ma^s, then now appeares by the said Coll Bacons accounts here, there may be care taken to Secure the same.

It being proposed, whether, the London Fleete not being Arrived, the Imbargoe shall remain upon the Ships ready to Sayle

This Board Seriously Considering the same, and it being soe late in the yeare, and the London Fleete not arrived, nor any Certainty when they will, It will be Impossible for them to return to England, and come in againe next yeare, and if the Ships that are now in the Country had not come in, and brought some goods to supply the Necessity of part of the Country, there would have beene a great deale more want of Necessaries then is, And if these Ships should be Stopped to stay for the Fleete they cannot come next yeare, soe as the Country will be destitute of all Supplies the next yeare. And the Ships and Vessells in Maryland (as they have all this Warr) going when they please, hath much discouraged Ships from comeing to this Country, And altho this Government hath this Winter sent to Maryland two Severall Letters about Imbargoeing Ships to make up a Fleete according to their Ma^s Comands, they have received noe answere, but Send out the Ships from thence dayly, It is the Opinion of this Board that it is for their Ma^s Service, and for the good and Safety of this their Ma^s Country, that what Ships are in the Country and shall be ready to Sayle before the Fleete from London Arrive be permitted to Sayle, that thereby Ships may be encouraged to come hither, and bring goods for the Supply of the Necessity of the Inhabitants of this their Ma^s Dominion, It is therefore Ordered that what Ships shall be Cleared

before the Fleete Arrive be permitted to depart of which the Collect^{rs} in their Severall Districts are to give the Masters of the Ships Notice.

And Cap^t Finch Comand^r of their Ma^s Ship the Henry prize is Ordered to repaire to the Station formerly appointed him, there to Examine all Ships that come in, And to take Care that after the Arrivall of the Fleete or any Considerable Number of them noe Ship be permitted to depart, & it being impossible for his hono^r the L^t Gov^r to get over y^e Bay, from Accomack where he was gon, by reason of a great Storm, the aforesaid Orders were made

Att a Councill held at James Citty Aprill 1st 1692

Present

The R^t Hono^{ble} Francis Nicholson Esq^{re}
their Ma^s Lieu^t Gov^r of Virginia

William Cole Esq^{re} Sec: Jn^o Lear Esq^{re}

William Byrd Esq^{re} Henry Whiting Esq^{re}

Edmund Jenings Esq^{re}

The Clerke of the Gen^l Assembly's place being Vacant The R^t Hono^{ble} the Lieu^t Gov^r recomended William Edwards as a fitt and proper person to performe the same, and he being approved of, It is Ordered that a Comission be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing Constituteing and appointing the said Edwards to be Clerke of the Gen^l Assembly; and a Comission being accordingly prepared, was read and approved

The Orders made at the House that was Coll Nath^l Bacons read, and approved.

Whereas the returning a full acco^t of the Seizure and Condemnation of the Negroes, Elephants Teeth & c. that were brought into this Colony in the Ship Society of Bristoll of Which John Skeece was Master in the yeare 1687 was referred by a former Order of this Board to some other Meeting of the Councill, severall Evidences then being wanting, And to the End a full account may be returned to the R^t Hono^{ble} the Lords Committee for Trade and Plantations by this Fleete, It is Ordered that Warrants issue according to the former Order requiring the appeareance of Certaine Evidences before this Board on the Wednesday the 20th day of this Instant, and the said Warrants being prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signeing were read and approved.

Aprill 2^d 1692

Present as before

It is the Opinion of this Board that it is not for their Ma^s Service, nor good of this Country, that the Clerks of the County Courts of this Colony should be Impow^{red} in their Comissions from M^r Secret. to appoint Deputyes, It is therefore Ordered that M^r Secretary Cole (if he have granted any Such Comissions) forthwith call them in, but that the business of the Country may be dispatched without delay,

if any Clerke of a County Court shall be sick or otherwaies Incapacitated to give his Attendance at the Court, It is thought fitt and accordingly Ordered that the Court of such County appoint a Clerke to Officiate durement the Sickness & c. of Such Clerke, giveing M^r. Secretary an account thereof forthwith; but if any Clerke of a County Court shall be Chosen a Burgess (as some of them usually are), It is Judged reasonable that he have power, and power is hereby given him to appoint a Deputy to Officiate during his Attendance on the Generall Assembly, but noe longer.

It being represented to this Board that the fines on delinquent Soldiers in Severall Countyes in this Colony, have not been putt to the uses the Law directs, It is therefore Ordered that the Law and Order of Councill relating thereto be both duely observed and performed

It being represented to this Board, that in some of the Counties in this Colony Counstables are Compelled to Musters, being listed Soldiers, It is hereby declared that it is reasonable Counstables and headboroughs should be Exempted, and it is therefore Ordered that for the future they be Exempted from Musters, durement the time they remain in the said Offices.

April 4th 1692

Present as before

This Board having been Informed that Cap^t John Purvis Commander of the Ship Effingham now in Rapp^a River tooke up at Sea this present voyage Cap^t John Gandy Master of the Ship Mary of London which was foundered, the Sailors and passengers belonging to the said Ship, as also severall goods and Merchandizes belonging to her, of all which noe account hath been given the R^t Hono^{ble} their Ma^s Lieu^t Gov^r, as he declares, and also understanding that some of the said Goods are offered to Sayle, It is the Opinion of this Board and accordingly Ordered that the Sherriffe of Midd^x County Imediatly goe on board the aforesaid Ship Effingham and make Strict and diligent Search after the said Goods, in all Cabins, Chests, Truncks, boxes, & c belonging to the aforesaid Purvis and Company, and if any of them shall be refused to be opened that he breake them open, and Safely Secure what he shall finde till further Order, also put a Man on board the said Ship to take Care that none of the afores^d things be Carried of. And it is also Ordered that the said Sherriffe cause diligent Enquiry to be made in Midd^x County whether any of the said things have been Sold, and if he can finde any to Seize them, and safely Secure them till further Order, And it is further Ordered that the aforesaid Sherriffe take into his Custody the said Purvis, his Boatswaine Carpenter and three of the Chief of the Seamen, and cause them to make their ap-pearences before this Board at James City as soone as possible, that such Examination may be made of the premises and Order therein as shall be found for their Ma^s Service, and agreeable to the Occasion, also it is Ordered that the said Sherriffe Sumons the aforesaid Gandy and any of his passengers that he can finde, to appeare with the said Purvis, to testifye their knowledge herein

Aprill 12th 1692*Present as before and*Jn^o Custis Esq^{re} andC^r Wormeley Esq^r

Cap^t John Purvis Comander of the Shipp Effingham and his Men with Cap^t John Gandy according to an Order of the 4th Instant makeing their appearences before this Board and a full and Strict Examination being made about the Ship Mary whereof the said Gandy was Master and was foundered at Sea, and it appearing the said Gandy was the last Man that left the said Ship; It is the Opinion of this Board that the said Ship was noe Wreck when what was carried out of her was Carried aboard the aforesaid Ship Effingham but not haveing any account hereof from the said Purvis nor any other, there was Just cause to have an Examination of the premises by sending for the aforesaid Purvis and other persons, and on the said Examination finde severall things were purloyned by the men of both Ships for which the Owners have their Remidy at Law, but judge it convenient the said Purvis Cause a more Strict and diligent Search to be made then he hath hitherto done, and if he shall finde any thing that was taken from on board the afores^d Ship Mary that he deliver it to Ralph Wormeley Esq^{re} that his Hono^r the L^t Gov^r may have knowledge thereof, and Care be taken to Secure the same for the Right owners

Aprill 5th 1692*Present as before and*C^r Wormeley Esq^{re}

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that Jn^o Page Esq^{re} was by their most Sacred Ma^s restored to their Ma^s Councill of this Colony (but was lately dead) Edmund Jenings Esq^{re} Confirmed and M^r C^r Robinson added, but he being a very usefull Member of the House of Burgesses now Setting, his Hono^r proposed whether he should be Imediatly Sworne or not, on Consideration whereof It is Judged for their Ma^s Service that he be not sworne till the breaking up of the Assembly.

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a letter and a Comission from the R^t Hono^{ble} the Com^{rs} of their Ma^s Customes appointing C^r Wormeley Esq^{re} Collect^r of their Ma^s Duties in Potomack, and it is Ordered that the said C^r Wormeley Esq^{re} giving Security as the Comission directs Act therein according to his Duty, and that the aforesaid Comission be recorded in the Councill Booke

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read (as he had done others before) two Letters from the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes dated 13th 9^{br} 1691 and 30th December 1691 giving an account of two ships that sailed directly from Scotland with goods of the Groweth of that Country, and his Hono^r gave Strict Orders to the Collect^{rs} to be very diligent that if any Such Ships as the Letters mentions arrive in their Districts they cause them to be seized,

as also all other false Traders they can discover, which hath alwaies been his directions.

Aprill 15th 1692

Present as before

The R^t Hono^{ble} their Ma^s Lieu^t Gov^r caused to be read a petition of John Custis Esq^{re} one of their Ma^s Councill of this Colony directed to his Hono^r wherein the said Custis Sets forth that being grown aged, and God Almighty for some yeares past having been pleased to Visit him with extreame violent Sicknesses insoemuch that in his owne Judgement and the Opinions of Most others that saw him he could not live, and altho it hath pleased God in some measure to restore his health, yet is he sometimes afflicted with very violent fitts to such a degree that were not extraordinary Care taken of him in them he should be in great danger, and for that by Such his disability and the failure of his Memory and heareing he is altogether unable to performe the Duty required of him in the performance of the severall offices and places he now enjoys, he most humbly prayed that he might be discharged from them, being desirous to Spend the remaind^r of his days in a retired life, after the reading whereof his Hono^r the Lieu^t Gov^r desired the Opinion of the Councill therein, who acquainted his Hono^r that the said Custis had all along faithfully and diligently discharged his Duty in the Severall places and Offices he had been Hono^r^d with, and in the late unhappy troubles in the yeare 1676 was very diligent and active in the performance of his Duty to the then present King Charles the Second of every [ever] blessed Memory, and was in a very high degree serviceable to the Country in Gen^l and to many Loyall Gentⁿ in particuler, but it having pleased God for some yeares to visit, him with very great sicknesses which have caused him to be very weake and being yet afflicted with very violent fitts, one of which it may be expected in a small time will Carry him out of this World, also it being evident that his memory and hearing are both very bad, are of Opinion that the said Custis his petition is very reasonable, On Consideration whereof as also that his Hono^r is very sensible dureing the time of his being in this Government the said Custis hath faithfully discharged his Duty, and likewise well knowing the said Custis his Indisposition of body, with the Advice and Consent of their Ma^s Councill doth for the future discharge the said Custis from his Attendance at Gen^l Courts and Councils till their Ma^s pleasures be known therein, and from all other publick places and Offices whatsoever (the said Custis Clearing the Ships he hath already Entered,

And their most Gracious Ma^s are humbly Supplicated to take the said Custis his desire into their Royall Consideration, and grant the same.

Aprill 16th 1692

John Custis Esq^{re} upon his petition being discharged from his Attendance at Gen^l Courts and Councils till their Ma^s pleasure therein be known It is Ordered that the said Order be publickly read

in the Gen^l Court dureing the Setting of the Court on Munday next, and recorded in the Secretaries Office also that it be publicly read in Open Court at the next Courts to be held for Accomack and Northampton Counties and recorded in both those County Courts Offices, that it may appeare the said Order was procured by the said Custis his Earnest desire

Ralph Wormeley Esq^r^e added

Upon Consideration of a Letter from the R^t Hono^{ble} the Com^{rs} of their Ma^s Customes directing that upon C^r Wormeley Esq^r^e (who they had appointed Collect^r of their Ma^s Rates and Duties at Poto-mack). his giving bond and taking the oath according to Law, he should have his Commission delivered him, His Hono^r demanded whether the other Gentⁿ who were Collect^{rs} had given bond and taken the oath as by law is provided, who answered they had all done it, and were ready to doe it againe

Edw^d Hill Esq^r^e added.

A bond being prepared for John Custis Esq^r and Security to signe to save the R^t Hono^{ble} the Lieu^t Gov^r harmeless from any damage should accrue to him by reason of his appointing the said Custis Navall officer and Collect^r of their Ma^s Customes at the Eastern Shore, the same was signed Sealed and delivered in the presence of the Councill

John Custis Esq^r^e haveing laid downe his places and Offices of Collect^r of their Ma^s Customes, and Comander in Chief of Accomack and Northampton Counties, The R^t Hono^{ble} the Lieu^t Gov^r proposed Major Charles Scarborough as a fitt person to manage the said places, and asked John Custis Esq^r^e whether he had any thing to object against him, who answered he had not, his Hono^r then asked Edward Randolph Esq^r^e Surveyer Gen^l of their Ma^s Customes if he had any thing to object against the said Scarbroughs being Collect^r of their Ma^s Customes he answered he had not, but had heard a good report of him, and desired he might be appointed, the L^t Gov^r then desired the Councills Advice and Opinion if the said Scarbrough were a proper person to be appointed Collect^r of their Ma^s Customes, and Comand^r in Chiefe of the Counties aforesaid, whose opinion was that the said Scarbrough was a very fitt and proper person to manage and Execute both the said places, whereupon his Hono^r was pleased to appoint the said Scarbrough Navall Officer and Collect^r of their Ma^s Customes in the Counties aforesaid, as also Comander in Chiefe, It is therefore Ordered that Commissions be prepared accordingly for his Hono^r the Lieu^t Gov^r^s Signeing

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that by the Death of John Page Esq^r the Collect^{rs} place of the Upper District of James River was void, also that his Ex^{cy} had recomended William Byrd Esq^r^e to have the said place in case of the Death, or refusall of the said Page to take the Oaths, and that John Lear Esq^r^e, Edw^d Hill Esq^r^e, and M^r Dan^l Parke (who was recomended by his Ex^{cy}) desired the said place, His Hono^r therefore proposed to the Councill,

that they would Consider and Nominate, a fitt and proper person to manage the said Place, and it being the Opinion of the Councill that it is not Compatible with William Byrd Esq^{re} his place of Audit^r, nor with Edward Hill Esq^r his place of Treasurer to be a Collect^r, and that the Collect^{rs} places haveing alwaies been given to some of the Councill, M^r Parks was disapproved not being of the Councill nor liveing Convenient, the said Edward Hill Esq^{re} then replied, he would lay down his Treasurers place (if the Gen^l Assembly would Admitt it, otherwaies he could not in Honour doe it) and the Councill then being divided whether the aforesaid John Lear Esq^{re} or Edward Hill Esq^{re} should have the said place they being both worthy good men and very fitt, The R^t Hono^{ble} the Lieu^t Gov^r proposed it should be determined by Lott, and the Lott falling to Jn^o Lear Esq^{re} his Hono^r was pleased with the advice and Consent of the Councill to declare him Navall Officer & Collect^r, and to Ord^r that a Comission be accordingly prepared.

Aprill 29th 1692

Present as before

John Lear Esq^{re} and Major Charles Scarbrough who are appointed by the R^t Hono^{ble} the Lieu^t Gov^r by and with the Advice of the Councill Collect^{rs} of their Ma^s Customes and Navall Officers & c. makeing application that they may be appointed Collect^{rs} of their Ma^s Duty of one penny per pound, On Consideration whereof the R^t Hono^{ble} the Lieu^t Gov^r is desired to write to the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes, and desire that they will be pleased to Send a Comission for John Lear Esq^{re} to be Collect^r of their Ma^s said Dutyes in the upper District of James River, and for the said Scarbrough to be Collect^r of the said Duties in Accomack and Northampton Counties, And his Hono^r is desired to give them Ord^{rs} to Officiate the said places till the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes signifye their pleasure herein.

The respective Collect^{rs} of their Ma^s Customes in this Colony viz W^m Cole Esq^{re} Sec. Ralph Wormeley Esq^{re} John Lear Esq^{re}, C^r Wormeley Esq^{re} Edmund Jenings Esq^{re} and Major Charles Scarbrough were Sworn duely to performe their Duties in their Respective places, And Ordered that they give bond with Security of one thousand pounds Sterli to their Ma^s for performance of their severall places and to the R^t Hono^{ble} the Lieu^t Gov^r the like bond and Security to save him harmeless from any damage shall accrue by reason of his appointing them Navall Officers and Collect^{rs} of their Ma^s Customes in their Severall Districts, which they accordingly did.

Aprill 12th 1692

His Hono^r the Lieu^t Gov^r caused to be read a letter from the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes dated the 31th December 1691 wherein they signifye that in pursuance of the Directions of the R^t Hono^{ble} the Lords Comission^{rs} of their Ma^s Treasury they had appointed Edward Randolph Esq^{re} to be Surveyer Gen^l of their

Ma^s Customes in the Severall Colonyes and Plantations upon the Coast of America ariseing and growing due by Virtue of an Act of Parliament made in the 25th yeare of the Reigne of King Charles the 2^d, and desired the Lieu^t Gov^r would be pleased to be aiding and assisting and direct all Officers Civill and Military in this Government to be aiding and Assisting to the said Randolph in the Execution and discharge of the trust Comitted to him in the Service aforesaid, and in putting in Execution all other the Laws relating to the Trade of their Ma^s Plantations, according as he now is, and shall hereafter be Instructed by them, It is therefore Ordered that the respective Sherriiffs of this Colony at the next Court to be held for their Counties, cause this Order to be published, that thereby all persons may be acquainted herewith, and duely observe what is desired, which they are hereby required to doe, the same being for their Ma^s Service.

Aprill 5th 1692

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a Letter from Cap^t Isaac Townsend Comander of their Ma^s Ship Assurance and Comodore of the Fleete that came from London wherein he gives an account of his Arrivall but doth not mention how long he is to Stay in the Country, And for that it is Judged for their Ma^s Service to know the Same, his Hono^r the Lieu^t Gov^r is desired to write to the said Cap^t Townsend to desire him to come to James Citty, and that he please to bring with him his Orders and Instructions relating to the Fleete, that such Methods may be taken as shall be Judged for their Ma^s Service, and the Safety and Security of this their Dominion.

Aprill 12th 1692

Present as before

Cap^t Isaac Townsend Comander of their Ma^s Ship Assurance and Comodore of the Fleete of Marchants Ships that came from England, declaring that by his Orders he is required to stay but sixty Days in this Country and then to Sayle for England with the Ships that shall be ready, and the Hono^{ble} their Ma^s Councill with the R^t Worpth the house of Burgesses having in an humble Address to the R^t Hono^{ble} their Ma^s Lieu^t Gov^r for many reasons therein set forth, Shewed that it is Impossible for a great parte of the Fleete to be ready by that time, and that it will be for their Ma^s Service as well as the Interest of the Inhabitants of this Country and March^{ts} trading hither that all the Ships should be Convoyed by their Ma^s Ships of Warr for England, prayed that if possible a longer time might be procured for the Ships getting ready, and his Hono^r well knowing the reasons given to be good, and Concurring with the proposall offered the same to the Comodore, and he being sensible that it would be for their Ma^s Service declared he would Stay till the 24th day of June next It is therefore Ordered that the Severall Collect^{rs} of this Colony forthwith give

Notice hereof to the severall Masters of Ships in their Districts that soe they may take Care to get ready accordingly, and that they Cleare all Ships that shall be ready in Convenient time, to goe to old Point Comfort under the Comand of their Ma^s Ship Assurance and be ready to Sayle with the Fleete and at the Clearing the said Ships take bond that they doe not depart the Country without the Convoy, and for prevention of any Intelligence the Enemy may have of the time the Fleete will sayle, or what Convoy they have, or any thing else that may be of bad Consequence, It is Ordered that the respective Collect^{rs} in this Colony take great Care not to Cleare any Ship or Vessell bound to any of their Ma^s Plantations, but such as the greatest part of their Lading shall be provision or Lumber nor any of them after the last day of May next till further Order, and this Board takeing into their Serious Consideration that it is of absolute Necessity for their Ma^s Service some Ships be permitted to goe from hence before the Fleete that an account of the publick transactions of Moment in this Government may be represented to their Ma^s and the Comodore also desiring the same that he may represent the State of the Fleete and other things for England and also Considering that the Letters and Ord^{rs} for goods sent from the Inhabitants of this Colony to their Correspond^{ts} in England the last Fleete not getting home in Convenient time was the only occasion of the Ships staying soe long in England after the time they were first appointed to Sayle, and that by their Stay this Country Suffered Extreame Want of Necessaries, and that the same for the future may be prevented and the Inhabitants of this their Ma^s Ancient Colony and Dominion furnished and Supplied with all things Needfull that upon any occasion they may readily give their Chearfull Assistance against any of their Ma^s Enemies that shall Endeavour to disturb the Peace or Endamage this their Ma^s Country, It is Ordered that five Ships be permitted to Sayle for England out of this Co^{ny} provided they be ready by the tenth day of May next, And that the Collect^{rs} cause publick Notice hereof to be given, that all persons may know the same, and take Care to Send their directions and Ord^{rs} for Goods, that thereby there may be noe delay of the Ships Sayleing their Ma^s shall be graciously pleased to permitt to come to this Country the next Winter, and the R^t Hono^{ble} the Lieu^t Gov^r is desired to signifie to his Ex^{cy} Coll Lionell Copley their Ma^s Gov^r of their Province of Maryland the time appointed for the Fleetes Sayleing and the Methods taken here in Sending Ships with Orders for the Supply of the Inhabitants.

Aprill 15th 1692

Present as before

Forasmuch as by an Order of this Board for the reasons therein given Viz^t that all the transactions of Moment in this Government may be represented to their Ma^s, and the Inhabitants of this Colony have a Conveniency of Sending Letters and Ord^{rs} for Goods to their Correspond^{ts} in England that thereby the Ships their Ma^s shall be graciously pleased to permitt to come to this Country the next Winter may not

be delayed as the Fleete now here was for want of them, and the Inhabitants by reason thereof suffer Extreame hardsp^s as they did the last Winter & c. It is Ordered that five Ships be permitted to depart this Country the tenth day of May next, And to the End the people may have publick Notice thereof as also where the said Ships now Ride, viz^t one in James River, one in Yorke River one in Rapp^a River, one in Potomack River one at the Eastern Shore, It is Ord^d that the respective Sherriffs in this Colony forthwith cause this Order to be published in all the Churches and Chappells of Ease in their Respective Countyes.

Aprill 26th 1692

Present as before

Cap^t Isaac Townsend Comand^r of their Ma^s Ship Assurance and Comodore of the Fleete from London by his Letter to the R^t Hono^{ble} the Lieu^t Gov^r which his Hono^r caused to be read to the Board giving acco^t that the provisions Ordered for his Ships Company are in Maryland, from whence he can by noe safe meanes have them Conveyed to him, unless his Hono^r please to send the Henry thither, and being for their Ma^s Service that they be brought with as much Expedition as can be, requested his Hono^r^s Compliance, On Consideration whereof, also not knowing any other safe way for the said provisions to be fetched, are of Opinion It is for their Ma^s Service to send their Ma^s aforesaid Ship Henry, The R^t Hono^{ble} the Lieu^t Gov^r is therefore requested to Order Cap^t Richard Finch, with the said Ship Henry prize under his Comand to goe to Maryland, ffetch the aforesaid Provisions and deliver them to Cap^t Isaac Townsend or his Order for the use of their Ma^s Ship Assurance

Aprill 27th 1692

A Letter to Cap^t Isaac Townsend Comand^r of their Ma^s Ship Assurance & c about Sending their Ma^s Ship Henry prize to Maryland for his provisions, and requesting him to Comply with an Order of the Gen^{ll} Court sent him about Cap^t Thomas Meeches ship was read and approved

A Letter Writt to John Custis Esq^{re} to desire him to Comply with an Order of the Gen^{ll} Court Sent him about Cap^t Thomas Meech's Ship was read and approved.

Aprill 26th 1692

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r proposed that the Councill would Consider what should be done with Cap^t John Custis and M^r Mottrom Wright who it appeares by the depositions taken have been tampering with and Endeavouring to discourage the Evidences Sumoned on behalfe of their Ma^s against the Ship whereof Cap^t Thomas Meech is Comander, On Consideration whereof It is Ordered that the depositions be delivered the Attorney Gen^{ll}, who is Carefully to Consider

them and cause such prosecution to be made against the said persons as the Merits of their Offences deserves, as also that he Consider the Words Spoken by M^r William Sherwood against Cap^t Isaac Foxcraft the Informer against the said Ship and cause such proceedings to be made against him as his Offence will beare

Aprill 16th 1692

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r and Councill having under their Consideration the Security of this Country and their Ma^s Duties, and finding by Considering of the Mapps that the Severall like Rivers on the Seabordside of the Eastern Shore by being Navigable are very dangerous both for Enemyes and false Traders, but for that the four Burgesses of the place are now in Town, It is Ordered that they Attend this Board to give what Information they can about the same, before any further Ord^r be made therein.

Aprill 28th 1692

Present as before

The four Burgesses of the Eastern Shore according to a former Order of this Board giving their Attendance, and being Enquired of whether it would be any Injury to the Inhabitants of their Counties if noe Ships or Vessells whatsoever should be permitted to goe into the Little Rivers and harbours on the Seabordside of the Eastern Shore, they affirmed it would not, And those places being judged dangerous for harbouring both Enemyes and false Traders, It is Ordered that noe ship or Vessell whatsoever be Suffered to goe into any of the said little Rivers or Harbours, Except onely Smiths Island River which is known to be fitt place to Secure Marchants Ships in Legally trading to this Colony at their first arrivall.

This Board takeing into their Consideration that it will be of great use to this Country and the Ships and Vessells tradeing here, that discovery be made what ships are comeing in, that thereby Care may be taken to prevent any Mischief that may happen by the Suddain arrivall of an Enemy from Sea, Doe therefore Order that the Courts of Accomack and Northampton Counties at the next Courts to be held for the said Counties, Doe Consider, and direct such ways and Methods to be taken therein as they shall finde most fitt and proper, giving Certificates to the next Generall Assembly for allowance to Such person or persons as they shall Employ.

Aprill 19th 1692

Present as before

John Lear Esq^{re} is desired to Order Adam Hays to looke out till Octob^r next (as he formerly hath done) on the Seabordside of Princess Ann County to discover what ships shall be comeing into this Colony that thereby care may be taken to prevent any Mischief that

may happen by the Suddain Arrivall of an Enemy from Sea, and the same being for their Ma^s and this Countrys Service, the Co^rt of Princess Ann County is Ordered to give the said Hays a Certificate of his Service that he may be paid for the same the next Gen^l Assembly.

Aprill 5th 1692

Present as before

His Hono^r the Lieu^t Gov^r acquainting this Board that his Ma^{tie} hath been Graciously pleased out of his great Grace and favour to Send to this Governm^t two hundred barrells of Powder for their Ma^s Service and good of this Country, he therefore proposed that it might be Considered how the same should be disposed of, On Consideration whereof, It is the Opinion of this Board, that the best way to Secure the same is to distribute it to the Severall Countyes of this Colony (there being noe Fort Tenable to Secure it in) and that it be proposed to the House of Burgesses to Consider of fitt places to secure it in, And his Ma^{tie} haveing likewise been pleased to Send in some Gunn^{rs} Stores It is Ordered that they be put a Shore at Yorke Fort, and Secured by the Gunn^r of the said Fort till further Order, that Cap^t Norrington who brought them in may be discharged from them.

Aprill 15th 1692

Present as before

The R^t Hono^{ble} their Ma^s Lieu^t Gov^r having Caused to be read a Letter from his Ex^{cy} Lionell Copley Esq^{re} Cap^t Gen^l and Gov^r in Chiefe in Maryland wherein he desired the lent [loan] of fifty barrells of Powder, and for that there is noe powder in this Colony, but such as hath been Sent by their Most Gracious Ma^s for the supply and defence of this their Ancient Dominion, and that Powder before the receipt of the said Letter being recommended to the R^t Worp^{ty} the House of Burgesses to Nominate fitt places in the respective Counties to Secure it in, that there might be ready a Sufficient quantity in any place that should be Attacked, the desire of his Ex^{cy} Coll Copley was therefore transmitted to the said House of Burgesses, who returned that they consented to the Loan of twenty five barrells of powder on certain Conditions And to the End this Government according to their Dutyes to their Ma^s may give all possible Assistance to any of the Neighbouring Governments, and findeing it of absolute Necessity for their Ma^s Service that their Ma^s Province of Maryland be supplied with powder for the defence and preservation thereof, and his Ex^{cy} Coll Copley & c being a Gentleman their Ma^s have appointed Gov^r of the place, It is the Opinion of this Board that if his Ex^{cy} will give his own obligation under his hand and seale therein acknowledging the receipt of twenty five barrells of powder, and to return the same within twelve Moneths at their Ma^s Fort in Yorke River that his Hono^r the Lieu^t Gov^r issue his warrant for delivery thereof to his Ex^{cy}s Order.

Aprill 16th 1692

Cap^t Rich^d Finch Comand^r of their Ma^s Ship Henry prize his Pinnace being in Yorke River, the R^t Hono^{ble} the Lieu^t Gov^r is desired to issue his Warrant requireing Cap^t William Norrington to deliver twenty five barrells of the Powder Sent into this Colony by their Most Gracious Ma^s to the said Cap^t Finch or his Order, which said Powder the said Finch is Ordered to deliver to his Ex^{cy} Lionell Copley Esq^{re} Cap^t Gen^l and Gov^r in Chief of Maryland, he the said Copley Esq^{re} & c giving an obligation under his hand & Seale therein acknowledging the receipt of the said Powder, and obliging to return the like quantity of Powder by the fifteenth day of Aprill next at their Ma^s Fort in Yorke River.

Aprill 27th 1692

Present as before

This Board taking into their Consideration that the Powder their Ma^s have been Graciously pleased to Send to this Colony for the defence thereof, being disperst in the Severall Counties, may give some persons occasion to think it is Sent to the said Counties to be used at Musterings, and to Excuse them from being provided as the Law directs, to the End therefore that no person may be soe deceived, It is hereby declared that the said Powder is onely for the defence of the Country, and not to be used but when the Comand^{rs} or Deputy Comand^{rs} in Chief shall finde Emergent Occasion requires, and doth not Excuse any person from being provided according to Law, and that the said Powder may be well Secured in Convenient places in the respective Counties, the Comand^{rs} in Chiefe are Ordered to take Care therein, and not to put above two barrells at one place, also to cause receipts to be taken of the persons where it shall be put, and to return an account of the Severall places to the Sec^{rs} Office at James City forthwith, and the Comand^{rs} and Deputy Comand^{rs} in Chiefe are Ordered if at any time they shall cause any of the said Powder to be used, Imdeiatly to give an account thereof to the R^t Hono^{ble} the Lieu^t Gov^r or Comand^r in Chief of the Country, And the respective Sherriffs of this Colony are hereby Ordered at the next Courts to be held for their Counties to publish this Order, and to cause it to be published at all the Churches and Chappells of Ease in their said Countyes.

Aprill 19th 1692

Present as before

Jn^o Custis Esq^{re} absent

His Hono^r the Lieu^t Gov^r caused to be read a resolve of the House of Burgesses wherein they desired his Hono^r to write to the Gov^r of Maryland that he would injoyne the Indians in that Government for the future before their Comeing into this Country to send over some of their Great Men to Informe the nearest Magistrate with the place where they designe to Land, with their Intentions of coming over,

their Number and the place they propose to reside at, and also the time of their Continuance and Stay, after the reading whereof his Hono^r desired the Opinion of the Councill therein, who are of Opinion that what was proposed by the R^t Worp^l the house of Burgesses was reasonable and fitt to be desired of the Gov^r of Maryland.

April 11th 1692

Present as before

Cap^t Richard Finch Comander of their Ma^s Ship Henry prize in a Letter to his Hono^r the Lieu^t Gov^r which his Hono^r caused to be read, desiring his Hono^r to Order a Survey to be Speedily taken of their Ma^s said Ships Hull, Boatswaine Gunner and Carpenters Stores to the End the said Ship may be supplied with what shall be needfull and that the said persons appointed to survey the said Ship gave a report under their hands of her present Condition, the best way to preserve her from being Spoiled by the Wormes, the Estimate of the Charge of Carrening her, and the most proper place to doe it, when his Hono^r should think best to Order the same some time this Sumer shee having been off the Ground twelve Months and very fowle, also giving an account that the said Henry is a very Sharfe [sharp?] Ship an ill Roder [a poor ship for riding at anchor], and pitches very dangerously when it blows hard in any open Roade, and further setting forth that the Seamen under his Comand the last Winter Suffered much for want of Cloaths which he had given an account of to the Lords of the Admiralty and Comission^{rs} of the Navy and is in hopes some Slop Cloaths [ready-made outer garments] will be Sent by the fall, but if they should not come the poore Seamen whould be mightly discouraged in their Serveing their Ma^s in this Colony for want of such reliefe, and their Ma^s Ships Assureance, Conception and Alebrough Ketch being arrived in James River, he desired the Comand^{rs} might be Ordered to Spare what Slop Cloaths they conveniently can to their Ma^s Ship Henry for which he would give his receipt, and be accountable for to the Slop Seller of their Ma^s Navy, On Consideration whereof It is the Opinion of this Board (it being for their Ma^s Service) that Cap^t Isaac Townsend Comand^r of their Ma^s Ship Assureance and Comodore of the London Fleete be writt to and desired together with Cap^t Fairfax Comander of their Ma^s Ship Conception and Cap^t Chance Comand^r of their Ma^s Ketch Alebrough with such of the Warrant Officers of their Ma^s (and Masters of Marchants) Ships as the said Townsend shall think fitt, to goe on board their Ma^s aforesaid Ship Henry prize, and make an Exact Survey, and Report as the said Cap^t Finch desires, and return the same to the R^t Hono^{ble} the L^t Gov^r, as also that the said Cap^t Townsend be desired to spare what Slop Cloaths he conveniently can, and to desire Cap^t Fairfax and Cap^t Chance to doe the same, the said Finch giving such receipt as they shall think fitt, and a Letter being prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signing was read and approved, as also a Letter to Cap^t Finch giving him an account of the same.

Aprill 16th 1692*Present as before*

Cap^t Richard Finch Comander of their Ma^s Ship Henry prize Complaining that severall his Seamen have Runaway from their Ma^s said Ship into Norfolk and Princess Ann Countyes and are there some harboured and entertained by the Inhabitants and others helped away into North Carolina, whereby he was like to be in Want of Seamen for their Ma^s and this Countreyes Service in the said Ship, On Consideration whereof it is hereby Ordered that the Inhabitants of the aforesaid Countyes doe forthwith give an account of all the Seamen they shall discover in the said Counties to the said Cap^t Rich^d Finch or Cap^t William Wilson of Elizabeth City County that soe it may be known whether they belong to the said Finch or not, and that in all things the said Inhabitants of the aforesaid Countyes doe fully observe and obey the direction of a late Proclamation relating to Seamen, And to the End this Order may be made publick, It is Ordered that the respective Sherriffs of the said Countyes, Doe Imediatly cause this Order to be published in all publick places of their Countyes.

Cap^t Richard Finch Comander of their Ma^s Ship Henry prize complaineing that some of his Seamen were Run from the Ship under his Comand into North Carolina, On Consideration whereof the R^t Hono^{ble} the Lieu^t Gov^r is desired to write to the Government of North Carolina to make diligent and Strict Search within that Government after the said Seamen, and any of them having found to cause to be conveyed to the next Magistrate in his Government, to the End they may be sent to their Ma^s said Ship, which is Ordered by their Ma^s to attend this Government for the defence and Security of this their Colony and Dominion.

Aprill 20th 1692*Present as before*

On Consideration of the Report made of their Ma^s Ship Henry prize, by the Warrant Officers of their Ma^s Ships Assurance and Alebrough Ketch who give an account that the onely way to preserve the said ship Henry prize from the Wormes is to have her Carrened, provided there be good provision, and tackling for the doing thereof, they judging she will Carrene very hard Stiffe and Deepe having a very Sharpe Deepe body, and being broad at the beame, but not being acquainted in the Country could not give an account which was the best and properest place for the doing thereof, It is Ordered that Cap^t Richard Finch Comander of the aforesaid Ship Henry prize doe Imediatly make Enquiry whether there be any place in this Country the said Ship can be Careened at, and if there be, that he take Care to provide things Necessary and Convenient for the doing thereof, And the said Finch in a Letter to the R^t Hono^{ble} the Lieut Gov^r which his Hono^r caused to be read Complaining the said Ship is a very ill Roader, It is also Ordered that he the said Finch and the Officers of the said Ship return a Report under their hands to his Hono^r the Lieu^t Gov^r of

the Roothing of the said Ship, that such Measures may be taken in manageing of her for their Ma^s Service as shall be found fitt, And it is further Ordered that the said Finch Enquire whether the said Ship can be Carreened in this Colony and the best place for doeing thereof, as also return the account of the Ships Roothing to his Hono^r the Lieu^t Gov^r before he Saile to Maryland.

Aprill 11th 1692

Cap^t Robert Fairfax Comander of their Ma^s Ship Conception in a Letter to his Hono^r the Lieu^t Gov^r which his Hono^r caused to be read, desireing to be Supplied with Anchors and Cables (haveing lost his at Terseras), and with a Master having noe body Capable to Carry his Ship to New England, where shee is Ordered, his Master being by Accident killed at Sea, On Consideration whereof, It being for their Ma^s Service,

It is Ordered, that if there be any Anchors or Cables in this Colony that did belong to their Majesties Ship Dunbarton the said Fairfax be supplied with them, and the Severall Collect^{rs} being Enquired of, and they not knowing any person fitt for a Master for their Ma^s aforesaid Ship, His Hono^r the Lieu^t Gov^r is desired to acquaint the said Fairfax therewith, and that there is noe New England Vessell in this Colony Except one at the Eastern Shoare of whom are in hopes in two or three days to have an account, and then a further Enquiry shall be made

Aprill 16th 1692

Present as before

Cap^t Robert Fairfax Comander of their Ma^s Ship Conception in a Letter to the R^t Hono^{ble} the Lieu^t Gov^r which his Hono^r caused to be read, complaining that Severall of his Men were soe Sick he feared he should not Carry them to Sea, and hearing of Severall stragling Seamen about the Country, desired they might be secured for their Ma^s Service, as likewise those men that did lately belong to Cap^t Gandy. On Consideration whereof, It is Ordered that the said Cap^t Fairfax have liberty, and liberty is hereby given him to cause to be Impressed any of the Seamen that belonged to Cap^t Gandyes ship which was foundered, or any other Seamen belonging to any ship in this Colony, that was not Shipt on board the said Ship, in England, or in the places from whence they came, or any stragling Seamen about the Country.

Aprill 21th 1692

Present as before

William Pennell Master of the Ketch Crane of Dartmouth, by his petition to the R^t Hono^{ble} the Lieu^t Gov^r which his Hono^r caused to be read declared that having by his former petitions set forth that the said Ketch unfortunately Run on Nansimond Shoules, and that for preservation of the Vessell and Goods the seamen (he the said Pennell

being soe Sick that he was as he still is more lykely to dye then live) tooke part of the Goods out which they put aboard a Sloope, but it appeares there was noe Intent of Fraude, yet it being Contrary to the Letter of the Law the said Vessell and Goods are Condemned, and therefore humbly Implored his Hon^{rs} Grace and favour that he would grant that part which by the Law is given him, and that he would accept bond that on his Application to his Ex^{cy} the Lord Effingham, and his Lordships Granting his part, with a Composition to their Ma^s for their part, the said Condemnation may be discharged, to the End he might proceede in purchasing the Loading of Tob^o for the said Vessells return to England with the Fleete, after the reading whereof his Hono^r the Lieu^t Gov^r declared he freely gave his part, and the other part of the petition being Considered, and noe marke or Intent of Fraude appearing, It is Ordered that the Vessell Appurtinances and Goods found to be lost and forfeited be by Sufficient Men upon Oath valued and appraysed, and that if the said Pennell procure the Informers part, and give bond with good Security to pay the value of the one third part of the said Ketch & c, to their Ma^s and of the one sixth parte thereof to his Ex^{cy} their Ma^s Lieu^t and Gov^r Gen^{ll} within Eighteen Moneths from the date hereof, provided he shall not procure their Ma^s and his Ex^{cy}s Grants of their parts, that then he take the aforesaid Vessell Appurtinances and Goods, and proceede on his Intended Voyage.

It is Ordered that Cap^t Peter Perry, M^r Thomas Walke, Cap^t Thomas Hodgis, Cap^t Henry Applewhait and Cap^t Mata Peale or any four or three of them, doe value and appraise the Ketch Crane of Dartmouth (Whereof William Pennell is Master) with all her Guns Ammunition Tackle Furniture Apparrell and Goods adjudged by an Order of the Gen^{ll} Court dated Aprill 19th 1692 to be lost and forfeited to our Sovereigne Lord and Lady the King and Queene, the Gov^r of this Country and M^r Thomas Cock the Informer, being thereunto first Sworne before one of their Ma^s Justices of the Peace for James Citty County, which said valuation or Appraysement they are forthwith to return to the Clerke of the Councill.

Aprill 25th 1692

Present as before

It appeareing there is Justly due to the Sherriffe of Nansimond and James Citty Countyes, Clerke of the Gen^{ll} Court, Attorney Generall, and Clerke of the Councill for fees on the Tryall, of the Ketch Crane of Dartmouth & c. five pounds twelve shillings Sterli and four hundred Ninety Seven pds of Tobacco, and to the Pilot for bringing the said Ketch to James Citty twenty shillings It is Ordered that they severally be paid the same out of the Money the said Ketch & c, were valued at.

Aprill 28th 1692

Present as before

His Hono^r the Lieu^t Gov^r acquainted this Board that the Hono^{ble} Jeffrey Jeffreys Esq^{re} desired to be informed whether Cap^t John Purvis

Comander of the Ship Effingham of London lay under any other obligation for delivery of the Money & c. Shipt on board the aforesaid Ship, and Consigned to his Ex^{ty} Francis Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of Virg^a in the yeare 1690 then the bills of Loading, On Consideration whereof it is answered, the said Purvis was under noe other obligation for delivery of the said Money & c

Aprill 29th 1692

Present as before

Whereas by a Proclamation dated August 1st 1691 it was required that all persons who knew of any of the Estate of Cap^t George Purvis Comander of their Ma^s hired Ship Wolfe or Owners of the said Ship, or any persons indebted to the said Purvis or Owners of the aforesaid Ship should return to the Secretaries Office an account thereof, that proceedings might pass against it for payment of what should appeare due to the Severall persons for assisting to save the said Ship when shee was in great danger of being lost and Severall Returns being made, all persons concerned are left to take their Remedy at Law.

Aprill 19th 1692

Present as before

M^r George Newton who was sumoned to testifye his knowledge concerning the Seizure and Condemnation of the Negroes & c. brought into this Country in the yeare 1687 in the Ship Society of Bristoll John Skeeche Master, having put into writing what he knew relateing thereto, this day made oath to the same.

M^r William Maunde who was sumoned to testifye his knowledge concerning the Seizure and Condemnation of the Negroes & c brought into this Country in the yeare 1687 in the Ship Societeye of Bristoll John Skeeche Master, having put into writeing what he knew relateing thereto, this day made oath to the same.

M^r John Corperoe who was Sumoned to testifye his knowledge concerning the Seizure and Condemnation of the Negroes & c brought into this Country in the yeare 1687 in the Ship Society of Bristoll John Skeeche Master, having put into writeing what he knew relating thereto, this day made oath to the same

Aprill 21th 1692

Present as before

Cap^t William Robinson M^r George Newton, M^r William Maund and M^r John Corperoe who were Sumoned to testifye their knowledges about the Seizure and Condemnation of the Negroes Elephants Teeth & c (or the selling any of them by the Master of the ship or Company) brought into this Country in the yeare 1687 in the Ship Society of Bristoll John Skeeche Master, were asked if they knew of any other person that could give any acco^t of the aforesaid Seizure or Selling of

Negroes & c to which they all Except Cap^t Robinson replied they did not remember any besides those have already been sumoned, and Cap^t Robinson saying John Porter Jun^r was very frequently with the said Skeece and assisted him his business, and he therefore supposed he was able to give some account of what was proposed, It is therefore Ord^d that an Ord^r be prepared for the R^t Hono^{ble} the Lieu^t Gov^{rs} signing directed to the Sherriffe of Princess Ann County to Sumons the said Porter to appeare at James Citty on thursday the 28th day of this Instant before the Lieu^t Gov^r and Councill to testifie his knowledge in the premises.

M^r George Newton who was Sumoned by the Sherriffe of Norfolk County to testifie his knowledge about the Seizure and Condemnation of the Negroes & c that were brought into this Colony in the yeare 1687 in the Ship Society of Bristoll haveing attended in James Citty three days, It is Ordered that he be paid for the same and for three days comeing to James Citty and two days returning home according to Law

M^r William Maunde who was Sumoned by the Sherriffe of Norfolk County to testify his knowledge about the Seizure and Condemnation of the Negroes & c that were brought into this Colony in the yeare 1687 in the Ship Society of Bristoll, haveing attended in James Citty three days, It is Ordered that he be paid for the same, and for three days comeing to James Citty, and two days returning home according to Law.

M^r John Corperoe who was Sumoned by the Sherriffe of Norfolk County to testifie his knowledge about the Seizure and Condemnation of the Negroes & c that were brought into this Colony in the y^r 1687 in the Ship Society of Bristoll, having attended in James Citty three days, It is Ordered that he be paid for the same, and for three days comeing to James Citty, and two days returning home according to Law.

Aprill 27th 1692

Present as before

Cap^t William Robinson who was Sumoned to testifie his knowledge concerning the Seizure and Condemnation of the Negroes & c brought into the Country in the yeare 1687, in the Ship Society of Bristoll John Skeece Master, having put into writeing what he knew relateing thereto, this day made Oath to the same.

Aprill 29th 1692

Present as before

Ordered that William Edwards Clerke of the Councill doe against the Councill to be held in June next prepare Copies of all the Ord^{rs} depositions and other papers relateing to the Seizure and Condemnation of the Negroes & c brought into this Country in the yeare 1687 in the Ship Society of Bristoll John Skeece Master that the same may be sent the R^t Hono^{ble} the Lords Committee for Trade and plantations.

Aprill 21th 1692

Present as before

The Consideration of the petition of Charles Blanchevill about the Rent of the Plantation whereon he lives belonging to their Most Gracious Ma^s is referred to William Byrd Esq^{re} Audit^r of their Ma^s Revenue of this Colony, who is to Consider in what Condition the said Blanchevill is, and what is best to be done with the said plantation for the future for their Ma^s Interest, and if he see fitt take their Ma^s Attorney Gen^{ll} to advise therein, And return an account of his proceedings to the Audite in June next, that such further proceedings may be had therein, as shall be for their Ma^s Service.

Aprill 25th 1692

Present as before

His Hono^r the Lieu^t Gov^r caused to be read a letter from the Hon^o^{ble} William Blathwait Esq^{re} concerning a petition of the Wid^o of M^r Thomas Jarvis, which his Hono^r this day received from M^r William Sherwood, and the said Sherwood alleading [alleging] that he and M^r William Wilson had pap^{rs} relating thereto to produce, on the said Sherwoods request thursday next is appointed to Consider the same.

Aprill 8th 1692

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r this day demanded that M^r Secretary Cole before the breakeing up of the Gen^{ll} Court, give him an account of all the Bookes of Records and other Concernes of Moment in his Office

Aprill 15th 1692

Present as before

It is Ordered that M^r Richard Whitehead doe Imediatly fairely transcribe coypes of all the proceedings have gon out of the Office (he ownes) he Executes in the Northern Neck between Rapp^a and Potomack Rivers, attest them under his hand & return them to William Edwards Clerke of the Councill at James Citty by Wednesday the 27th day of this Instant at farthest, and the same being for their Ma^s Service he is not to faile as he will answere the Contrary at his Utmost perill.

It is ordered that the respective Clerks in the Northern Neck betweene Rapp^a and Potomack Rivers, doe Imediatly fairely transcribe Copies of all the proceedings made by Coll Phillip Ludwell as Agent or Attorney of the heires of the late Thomas Lord Culpeper Propriet^r of the said Neck, or any other person Acting und^r or by Power from the said Coll Ludwell attested under their respective hands, and return the same to William Edwards Clerke of the Councill at James [City] by Wednesday the 27th day of this Instant at farthest, and the same

being for their Ma^s Service, they nor any of them are not to faile as they will answer the Contrary at their Utmost perrills.

April 25th 1692

Present as before

On Consideration that severall Complaints have been made to this Board that unfaire and illegall proceedings have past in the Northern Neck between Rapp^a and Potomack Rivers, by the Propriet^{rs} Deputyes granting the Escheates of Land in that Neck to Severall persons without findeing any Office as the Law directs (to the great dissatisfaction of Divers of the Inhabitants) And to the End a full true and perfect account of all the Escheates of Lands granted in the said Neck may be had, that such fitt Remedies may be applied as shall be found to be for their Ma^s Service, and Satisfaction of the Inhabitants of the said Neck, It is Ordered that the Sherriffs of the respective Counties in the said Neck doe forthwith give publick Notice at the next Courts to be held for their said Counties, and in each of their Parrish Churches that all persons who have had any Land Granted them in the said Neck by Escheate Since the Propriet^{rs} Office was first Sett up there, doe Imediatly give the said Sherriffs Copyes of the Grants for the same, all which copies the said Sherriffs are hereby required to return to the Clerks of the Councill at James Citty before the 18th day of June next.

M^r Richard Whitehead by his petition Setting forth that by an Order of Councill dated Aprill the 15th 1692 he was as Clerke of the Propriet^{rs} Of the Northern Neck their Office, Comanded to make return of Severall things by a certaine day to William Edwards Clerke of the Councill, And for that the Order was delivered to him by the Sherriff of Westmorland County here in Town, it was not possible for him to Comply therewith, and therefore prayed a longer time, On Consideration whereof, It is Ordered that the said Whitehead doe by the 18th day of June next fully performe what is required of him by the aforesaid Order.

April 19th 1692

Present as before

On Consideration that it is of absolute Necessity for their Ma^s Service in the preserveing of the Peace and quiett of this their Ma^s Colony and Dominion of Virginia that this Government be acquainted with the transactions of Moment in the Neighbouring Governments, that thereby it may appeare whether there be an absolute Necessity to Continue the Rangers the Winter Season or not, his Hono^r the Lieu^t Gov^r is desired to agree with John Perry who is goeing to New Yorke and New England, to return to James Citty by the 20th of October next, or sooner if those Gentlemen his Hono^r shall write to, finde it to be for their Ma^s and this Countreys Service.

April 28th 1692*Present as before*

The R^t Hono^{ble} the Lieu^t Gov^r being desired to agree with John Perry who was going to New Yorke and New England to be here by the 20th day of Octob^r Next, or sooner if those Gentlemen his Hono^r should write to, should finde it for their Ma^s and this Countrys Service to send him, And his Hono^r now acquainting this Board that he had agreed with the said Perry, that if he came but once he should have twenty five pounds Sterli, but if he came twice forty pds Sterli, and the same being adjudged reasonable is approved.

Severall persons being Nominated and approved to be added to the Comissions of the Peace in the Countyes where Justices are wanting, It is Ordered that Comissions be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^rs signing.

The Severall persons to be Sherriffs for the ensuing yeare being nominated and approved, the R^t Hono^{ble} the Lieu^t Gov^r is desired to grant them Comissions accordingly.

April 29th 1692*Present as before*

L^t Coll Thomas Milner Speaker of the Right Worpth the House of Burgesses having the last and this Sessions of Assembly Carried and behaved himselfe very well in the discharge of the Duty of his place both for their Ma^s Service and good of this Country is therefore appointed Escheator of the Lands on the South side of James River in the place of John Lear Esq^{re} who is made Collect^r of their Ma^s Customs in the upper District of James River, and his Hono^r the Lieu^t Gov^r is desired to give him a Commission for the said Place

Warrants were this day signed in Councill by the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r for payment of the severall following Sums viz^t To his Ex^{ty} Francis Lord Howard Baron of Effingham their Ma^s Lieu^t and Gov^r Gen^{ll} of Virginia the sume of five hundred pds Sterli in full of halfe a yeares Sal^{ry} due at Michaelmas day last as Chief Gov^r, to the Gentⁿ of their Ma^s Councill of this Colony the Sume of three hundred and fifty pds Sterli in full of one yeares Salary due on the 27th Instant, to the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r of this Colony the sume of five hundred pds Sterli in full of halfe a yeares Salary due as Lieu^t Gov^r ending at Michaelmass day last, to William Edwards fiteene pds Sterli it being for soe much paid the severall Ministers who have attended at James Citty dureing two Gen^{ll} Courts and one Assembly.

On Consideration of the time appointed for the fleetes Sayleing, It is Ordered that the Audite be held at James Citty on tuesday the 21th day of June next

Major Lewis Burwell having been caused to appeare before this Board to give an account of their Ma^s dues in his hands as Execut^r of the last Will of Nathaniell Bacon Esq^{re} late Audit^r of their Ma^s Revenue of this Colony, who giving an account thereof, and M^r Auditor Byrd

having Examined the same, It is Ordered that the said Burwell appeare at the Audite the 21th day of June next and pay the ballance of the two Shillings per hhead account that shall appeare due in his hands, as also give bond and Security to pay all Such Sums of Money as shall appeare due to their Ma^s for Quit Rents and the part of the Negroes & c Seized in the yeare 1687 as the R^t Hono^{ble} William Blathwaite Esq^{re} their Ma^s Auditor Gen^l of America shall direct, and to pay all such sums of Mony as shall not be allowed upon Examination of the account in England.

The R^t Hono^{ble} the Lieu^t Gov^r acquainting this Board that he perceived by the Ships Rydeing in Maryland and having liberty to Fetch Tob^o from this Government great opportunity was given to defraude their Ma^s of their dues, and he Supposed Contrary to the Act of Parliam^t against carrying the Innumarated [enumerated] Comodities from one plantation to another without paying their Ma^s Duties and therefore proposed that it might be Considered how the same for the future should be prevented, On Consideration whereof the R^t Hono^{ble} William Blathwaite Esq^r is desired to Supplicate the R^t Hono^{ble} the Lords Committee for Trade & plantations to take the same into their Considerations, and give such directions therein as they shall Judge requisite for their Ma^s Service

The R^t Hono^{ble} the Lieu^t Gov^r proposeing to this Board that it might be Considered what should be done if a small tract of Land on which were Considerable buildings of great value should Escheate, and noe person soe neare, of kin left as may have a reasonable pretension to the Grant thereof, onely some person of little Esteeme who never did their Ma^s any Service by being in possession have a pretion [pretention] thereto, On Consideration whereof the R^t Hono^{ble} William Blathwaite Esq^{re} is requested humbly to represent the same to the R^t Hono^{ble} the Lords Committee for Trade and Plantations, and pray their Lordships to give their directions therein

The R^t Hono^{ble} the Lieu^t Gov^r Recomend to the Councill to Consider the best and most likely way to improve their Ma^s Revenue of Quit rents of this Colony, and acquaint his Hono^r therewith at the meeting of the Councill in June next.

Whereas by a former Consideration of this Board, it was Judged for their Ma^s Service that M^r Christopher Robinson who was a very useful Member of the R^t Worp^l the House of Burgesses now Setting should not be Sworne of their Ma^s Councill (to which place their Most Sacred Ma^s have been pleased to appoint him) till the End of the present Session of Assembly, and the said Robinson not being present nor cannot be Expected he should by reason of his Misfortune in the Death of his wife, The R^t Hono^{ble} the Lieu^t Gov^r is therefore desired to give the said Robinson directions to Attend at the Councill the 21th day of June next, then to be Sworn of their Ma^s Councill of this Colony according to their Ma^s Comands therein.

Copa Vera

Test

William Cole Secr

Att a Gen^l Court held at James City Aprill the 21th 1692

Present

William Cole Esq ^r Sec ^r President
Ralph Wormeley Esq ^r Christopher Wormley Esq ^r
William Byrd Esq ^r Henry whiting Esq ^r
Jn ^o Lear Esq ^r Edmund Jenings Esq ^r

Isaack Foxcroft on behalf of their Maj^{ty}s the Gov^r of this Colony & himself humbly Gives this Court to Understand & be Informed that whereas by an Act of Parliament made in the Fifteenth year of the Reign of our late Sovereign Lord King Charles the Second Entituled an Act for Encouragement of Trade Itt is amongst other things therein Contained Enacted that from & after the 25th day of March one thousand six hundred Sixty four noe Comodytye of the Growth production or Manufacture of Europe shall be Imported into any Land Island Plantacon Colony Territory or place to his Majty belonging or which shall hereafter belong unto or be in the possession of his Majty his Heirs & Success^{rs} in Asia Affrica or America (Tangier onely Excepted) but what shall be *bona fide* & without Fraud Laden & Shiped in England Wales or the Town of Berwick & in English Built Shipping or which were *bona fide* bought before the first day of October 1662 & had Such Certificâte thereof as is directed in one Act past the last Session of this present Parliament Entituled an Act for preventing Frauds & Regulateing abuses in his Majtyes Costomes & whereof the Master & three fourth of the Mariners at least are English & which Shall be Carryed thence to the s^d Lands Islands Plantacons Colonyes Territoryes or places & from noe other place or places whatsoever under the penalty of the Loss of all such Comodytyes of the Growth production of [and] Manufacture of Europe as shall be Imported into any of them from any other place whatsoever by Land or Water and if by Water of the Shipp or Vessell alsoe in which they were Imported with all her Gunns tackle furniture Amunicon & Apparell one third part to his Majty his heirs & Success^{rs} one third part to the Gov^r of such Land Island Plantacon Colony Territory or place into which such Goods were Imported if the sayd Shipp Vessell or Goods be there seized & Informed against & Sued for or otherwise that third part alsoe to his Majty his heirs & Success^{rs} & the other third part to him or them who shall Seize Inform or sue for the Same as by the s^d Act may more at large Appear. And the Informant Sayth that Contrary to the afores^d Act on or about the 25th day of Decemb^r last were Imported into this Colony from Leith or Some other place in the Kingdome of Scotland w^{ch} s^d Leith or other place is noe part of England Wales or the Town of Berwick upon Tweed the following Goods which are of the Growth Production & Manufacture of Europe in the good ship William & Mary Thomas Meech Master that is to Say one Tunn & half of Iron Eight dozen of Felts two Chests of Glass Six Small Saddles Eighteen peices of Kersey Six peices of Serge two peices of Camlet one hundred pound weight of Norwich stripps half an hundred of Haberdashers Ware three pound Weight of thrown Silke one hundred & fourteen peices of white & blew Linnen three peices of Tickins Eighteen dozen of Stockings six

gross of Buttons thirty pound of thread thirty pair of Shoos one Barrell of Pypes with many other Goods of the producon of Europe And that the s^d Master & three fourths of the Mariners at least are not English and therefore the Informant Sayth that the s^d Shipp or Vessell Called the William & Mary with all her Guns Furniture tackle & Apparell with all the Goods Comodytyes & c Imported as afores^d are forfeited & c. for which the Informant prayes Judgment To which the defdt Thomas Meech Commander & part owner of the s^d Shipp William & Mary by William Sherwood his Attorney comes on behalf of the s^d Shipp & defends the Informacon afores^d & pleads not Guilty & puts himself upon the Country & c: And a Jury being Impanel'd and Sworne to try the Issue viz^t L^t Coll Jn^o West foreman Coll Jn^o West M^r William Downing Cap^t Thomas Mountfort M^r Rich^d Willis M^r Mabrum [Martrum or Matttron, according to Hening] Wright M^r Maurice Cock M^r Jn^o Burket M^r Rob^t Leightonhouse M^r Francis Wright M^r Tully Robinson M^r William Archer give for Verdict wee of the Jury having Consider'd the matter given us in Charge doe find that the shipp William & Mary Thomas Meech Comander is Sayled with English Mariners according to the Statute wee alsoe find by divers Evidences Sworne at the Barr that the Goods on Board the s^d Shipp were Loaden & put on Board at Holy Island a Creeke appertayning to Berwick a Port in the Kingdome of England which alsoe Appears by a Coquet & Certificate from the Port of Berwick but whether the shipping of the s^d Goods & Certificate thereof be Legall according to the Intent of the Statute Wee can not Judge by reason of the great Variance between the s^d Certificate & the other Certificates given us to Compare the Same withall and alsoe the difference that is between them which is alsoe great Wee therefore humbly submit the same to the Hono^{ble} Gov^r and Councill to determine if the s^d Goods were not Shipt & Certificate & Cocquet made according to the intent of the statute of Navigacon then wee find for their Maj^{ties} But if the Goods were Shipt & Certificate & Cocquet made according to the intent of the statute then wee find for the defdt which being Argued on both sides & the Pleas & Arguments being by the Court matureley Considered are of opinion that the Certificates & the Hono^{ble} Com^{rs} of the Costomes Names are very different from diverse Certificates & Letters of their Hon^{rs} now produced in Court & having Compar'd them there Appears great Cause of Suspicion that the Com^{rs} of the Costomes Names Subscribed to the Certificate which mentions Security to be Given at Berwick for the said Ships Returne to England are not their hand writing & that the s^d Certificates & alsoe the Cocquets have not been dueley & Legally Obteyned It is therefore Ordered that Cap^t Isaack Townsend Commander of their Maytyes shipp Assurance and Comodore of the Fleet be desired forthwith to Send some of the seamen belonging to the s^d ship to Smiths Island & cause the s^d Shipp to be secured for their Maytyes And alsoe all the Sayls Riging Gunns tackle Apparell & Furniture to her belonging which Coll Jn^o Custis their Majestyes Collector there hath Secured is Ordered hereby to deliver And that Coll Jn^o Custis doe Cause the sd Shipp & all the Sayls Riging Gunns tackle Apparell & Furniture to her belonging to be

forthwith Inventoried & Apprayzed to the full & true Value by Maj^r Ja^s Robins M^r Jn^o Harmanson Cap^t Nathaniell Littleton & M^r Jn^o Ayres or any three of them they being first sworne And if the s^d Thomas Meech doe presently after the Appraizment Give Bond with good & Sufficient Security to the s^d Coll Custis according to Act of Parliament for his goeing directley with the s^d Shipp for England & there Unload the danger of the Seas Excepted And alsoe Bond with good & Sufficient Security for double the Value the s^d Shipp with her Gunns Sayls tackle Apparell & Furniture Shall be Apprayzed at that he will within one year procure the Hon^{ble} the Com^{rs} of their Majtyes Costomes in England to transmit to this Government under their Hands, & Seals a Certificate that the Goods Imported in the s^d Ship were dueley & Legally Shipped according to the true intent & meaning of the Act of Parliam^t & Cocquets Legally Obtayned & in default thereof to Pay the full Value of the s^d Appraizement here then the possession of the s^d Shipp to be delivered to the s^d Meech But if Such Bonds & Securities are not forthwith after the Appraizement given as before is directed that then the s^d Cap^t Townsend Cause the s^d Shipp forthwith to be brought into James River & there secur'd in Order to her Safe goeing for England with the Fleet

Copa Vera

Test

Miles Cary Cl Genll Cur

Attestacon of y^e Councill touching Cap^t Nicholson's behaviour

Itt being demanded of us, this day in Councill by the Right Hon^{ble} the L^t Govern^r whether wee did ever hear or know y^t y^e last Assembly was Called by the Advice or Perswasions of any persons that were Members of the House of Burgesses, & whether His Hon^r either before the meeting or during the Continuance of the Assembly, used any Clandestine, or private Meanes wth the House of Burgesses, whereof wee were Members, untill wee were Called to serve their Ma^{ties} in this Place, wee doe for a plain & Clear Answer, say, that altho wee must alwaies acknowledge, that the L^t Govern^r hath ever, since his coming into this Governm^t shewed a Great deal of Favour, & Respect to both of us, & hath been pleased to bee sometimes free wth us in generall Discourses, wee never heard his Hon^r say anything, relating to the Calling an Assembly, or that Concerned their Ma^s Service, in anything Relateing to the Govern^t of this Place, before the same had either been made Publick, or fully agreed upon, by himself & the Councill, but alwaies observed the L^t Govern^r to bee reserved in all such things: That tho the L^t Govern^r dureing the sitting of y^e Assembly was pleased to admitt some of the Burgesses daily to his Table, & Conversation, w^{ch} was much approved & Comended, as well by the Councill, as the Burgesses, they lookeing on itt, to bee a Good Meanes to keep a Good Agreem^t between them, & to tend towards the Advancement of their Ma^s Service, & the Publick Affaires of the Countrey. Wee never heard, or understood, that the same was done with any other Designe, or that the L^t Govern^r made Use of that, or any other Clandestine, or Private Meanes, for the Proposeing or gaineing anything to bee done

in the House of Burgesses, but His Hono^r did on severall Ocasions, Acquaint us by way of Advice & Caution, that itt would bee the greatest Folly Imaginable for the House of Burgesses, to suffer anything to bee Proposed, or debated amongst them, y^t might anyway Intrench upon the Royall Prerogative, w^{ch} hee was bound to Maintaine, and that, they should not only shew their Duty therein, but in Mentioning his Ex^{cy} the Lord Effingham, their Ma^{ties} Lieu^t & Govern^r Gen^{ll} of this Country, soe often, as Ocasion required with that Respect & Hon^r due to his Place, & how well the House of Burgesses behaved themselves agreeably thereunto, will best appear in the Proceedings of that House. July y^e 5th 1694 [1692]

A true Coppy

Fr. Nicholson

Ch^r Robinson
Hen Hartwell

Some Questions proposed to us, their Ma^{ties} Council of Virg^a by the Right Hono^{ble} Francis Nicholson Esq^{re} their Ma^{ties} Lieu^t Govern^r of Virg^a w^{ch} his Hono^r desired, wee would faithfully, & truly Answer, & is by us accordingly performed. (Viz^t)

Quest: Whether when his Hon^r came into the Countrey, itt was not generally discours'd by the People, y^t they had been under some Arbitrary Proceedings, & whether they did not expect some Great Favour from King William & Queen Mary—

Answ^r Itt appears by the Journall of the House of Burgesses, y^t they greatly Complain'd of Arbitrary Proceedings, & there was att their p^rsent Ma^{ties} coming to the Crowne generall Expectations of Great Favours from them.

Q: Whether, the Council, after his Ex^{cy} the L^d Effingham & c: was gone, were not forced for their Ma^{ties} Service, & y^e Quiett of the Country to mittigate things, & not punish Offend^{rs}

A: Itt is presumed itt was thought for their Ma^s Service, for itt appears by the Proceedings, y^t severall things were mittigated & the Inhabitants eased of some things they Complained of

Q: Whether wee were not Apprehensive, y^t if his Ex^{cy} my Lord Effingham & c had stayed, the Country would have been in Trouble.

A: The Country were in a great Dissatisfaction, when his L^{d^s} went away, & there was great Cause to doubt y^t some Disturbance would have been, if severall of those thinges complained of, by the House of Burgesses, had not been moderated

Q: Whether His Hon^{rs} Visitting all the Country severall tymes, & Exerciseing the Militia, hath not been for their Ma^{ties} Service, & directed the People from Mallancholly Thoughts,

A: Itt hath been Judged soe by the Gen^{ll} Assembly, & His Hon^r hath had their Publick Thankes for the same.

Q: Whether his Hon^r hath not used all possible Endeav^{rs} against False Trade, & alwaies given the Collect^{rs} strict Charge therein, & whether any New Method hath been used, for y^e Tryall of shippes seized.

A: They have alwaies been tryed, as was Usuall in former tymes, ac-

cording to Law, & his Hon^r the L^t Govern^r hath alwaies given Strict Charge to the Collect^{rs} & hath been very Carefull & dilligent in endeavouring to have all False Traders discovered both in Direction & his Personall Endeavours, And wee are Humbly of Opinion, that if their Ma^s bee Graciously Pleased to Confirme the Law for Ports, itt will bee a Great Meanes to discover them

- Q: Whether itt was not his Hon^{rs} Constant Practice, before the breaking upp of Councills, after hee had proposed, what hee thought for their Ma^{ties} Service to aske if any of the Gentlemen of the Councill, had anything to propose, & when hee had proposed any thing of Mom^t hee did not advise them to Consider of itt.
- A: Itt was his Hon^{rs} constant Practice, to aske if any of the Councill had anything to propose, & to advise to Consider of things of Moment by him proposed.
- Q: Whether what M^r Blair did as Commissary, was not before done by others, Impowered by the Right Revrd the B^{sh} of London—
- A: M^r Temple, by virtue of a Power (as hee saide) called the Clergy to meet, as M^r Commissary Blair did, & since M^r Blair went away nothing hath been done.

William Byrd
John Lear
Edw^d Hill
E Jennings
Hen: Whitinge
Chr: Robinson
Hen: Hartwell

July the 7th 1692

A true Coppy

Fr: Nicholson

[C. O. 5. Vol 1306. N^o 97 or fo. 417.]

Virg^a fs By the R^t Hono^{ble} their Majtyes L^t Governor

A Proclamacon Appointing a daye for Thanksgiving

It haveing Pleased Almighty God, in his Infinite Goodness and Mercy to Preserve the Persons of their Most Sacred Maj^{ties}: King William and Queen Mary, in the Late Eminent Hazards & Dangers they were in, And to Give Success & Victory to their Maj^{ties} Arms Against the Enemies of our Nation & Religion & haveing Preserved this their Maj^{ties} Dominion in Peace & Quietness the Gen^l Assembly for this Country being Now Assembled to Consider of the Best Means to Secure the Continuance thereof, I Francis Nicholson Esq^r their Maj^s L^t Governor of this their Dominion by the Advice and Consent of the Councill of State and the Desire of the R^t Worshipfull the House of Burgesses Doe hereby appoint that thursday the 14th day of this Instant, be Sett apart as a day of Publique thanks Giveing for the Generall Assembly & the Inhabitants of James City to Render our Most Hearty and Unfeigned thanks to Almighty God for his Great Mercyes and Blessings to their Most Sacred Maj^{ties} & their Subjects, and on Thursday the 28th day of this Instant the Same to be Performed throughout the Whole Colony. The Ministers in their Respective Par-

ishes not fayling to Performe the Duty of the Day by Reading the Service of the Church & Preaching and Where Ministers are wanting the Readers of those Parishes are to Reade Divine Service & a Homly Suitable to the Occasion, and all Persons are to abstaine from Service Worke & Labour, that day Given Under my hand and the Seal of the Colony the 9th day of Aprill in the fourth year of The Reign of our Sovereign Lord and Lady William and Mary By the Grace of God of England Scotland France and Ireland King & Queen Defenders of the Faith *Anno: Dom: 1692*

God Save the King & Queen

Fr: Nicholson

[Vol. 1405 continued.]

Att a Councill held at James Citty June 21th 1692

Present

The R ^t Hono ^{ble} Francis Nicholson Esq ^{re}	their Ma ^s Lieu ^t Gov ^r
William Cole Esq ^{re} Sec.	C ^r Wormeley Esq ^{re}
Ralph Wormeley Esq ^{re}	Edward Hill Esq ^{re}
William Byrd Esq ^{re}	Henry Whiteing Esq ^{re}
John Lear Esq ^{re}	Edmund Jenings Esq ^{re}

In Obedience to an Order under his most Sacred Ma^s hand and signe Manuall dated at Kensington Octob^r 26th 1691 C^r Robinson Esq^{re} was Sworne one of their Ma^s Councill of this Colony having first taken the Oaths prescribed by Law to be taken instead of the Oaths of Allegiance and Supremacy, and Subscribed the Test.

C^r Robinson Esq^{re} added

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that some persons desired Protests to be made, and noe person being Comissionated Publique Notary of this Colony proposed that it be Considered how the said Protests shall be Authenticated, On Consideration whereof, and it being the Opinion of this Board that the appointing a publique Notary belongs to the Crowne, but for that their Most Sacred Ma^s have not appointed any person to performe the said Office, and the usuall way having been to have the Colony Seale affixed to them, there being noe particular Seale appointed for that use, It is the Opinion of this Board, that all Protests now to be made, be done before the R^t Hono^{ble} the Lieu^t Gov^r and Councill, drawn by the Clerke of the Councill, and Signed by the R^t Hono^{ble} the Lieu^t Gov^r, who is desired to cause the Colony Seale to be affixed to them

The R^t Hono^{ble} the Lieu^t Gov^r proposed to the Severall Collect^{rs} that they give an account what tob^o of the one penny per pound Duty to their Ma^s is in their hands that care may be taken to Ship the same in their Ma^s Ships the Assureance and Arch Angel if it be noe Injury to their Sayleing, or otherwise, in their return to England with the Fleete, and M^r Sec. Cole Collect^r of their Ma^s Customes in the Lower District of James River giving an account that he hath fifteene hhd

to Ship (the other Collect^{rs} not having any) and Cap^t Isaac Townsend Comodore of the Fleete being Enquired of about the putting to [the] said Tob^o on board their Ma^s said Ships, answered that he could not take any on board the Assurance, but did not know whether it might be convenient to put the said tob^o on board the Arch Angel or not, On Consideration whereof the Comodore is requested to enquire whether the same may Conveniently be Carried in the said Ship, and if it may be Carried that then he issue his Warrant to the Comander of her to take on board the said Tob^o, and acquaint M^r Sec: Cole with the same, that he may (and he is hereby Ordered) to put the same on board and take three receipts of the Comand^r, for the delivery thereof to the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes in London, or their Order

June 22th 1692

Present as before

William Cole Esq^r Sec: absent

Upon Consideration that some persons may be desirous to make Protests, and others have Certificates of Attestation made for the Authenticateing of Severall Instruments of writeing on diverse Occasions which by the Method now agreed on they cannot have but when the Councill Setts, as also that all persons concerned may be eased of goeing far to procure the same, And the respective Collect^{rs} in this Colony being persons of known Integrity and Fidelity and liveing Convenient in the severall parts of this Colony, It is thought fitt and accordingly Ordered that they be Comissionated publick Notaries till their Ma^s pleasure be signified herein and the R^t Hono^{ble} the Lieu^t Gov^r is desired to grant them Comissions accordingly, and in the said Commissions give them power to use their own Seales. And to prevent disputes about the Fee by them to be demanded, It is Ordered that they be paid tenn shillings for a Protest or other Certificate of Attestation

June 23^d 1692

Present as before

On Consideration that it is very requisite the severall Collect^{rs} of their Ma^s Customes in this Colony be supplied with good Boates, in Ord^r to their better Secureing their Ma^s Customes, and Detecting false Trad^{rs},

The R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes are humbly desired to Ord^r the severall Collect^{rs} who have none to furnish themselves, and place the Charge thereof to their Ma^s Duty of one penny per pound, also that they Ord^r those Collect^{rs} who have or shall have their Ma^s said Duty in their hands, to pay to those who have none, the Charge of their Boates, out of the said Duty

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that he had issued his Warrant for the appearance of John Custis Esq^r late Collect^r of their Ma^s Duties in Accomack & Northampton Counties

to answer his Contempt in Cleareing the Ship William and Mary Thomas Meech Comand^r, Contrary to an Order of Councill laying an Imbargo on Ships, and desired the Councill would Consider what should be done therein, and the said Custis having appeared, and had Liberty to say what he thought fitt, It is the Opinion of the Councill that if the said Custis hath Comitted any fault in their Ma^s Customes, he hath given bond to answere it, And his Hono^r is desired to represent it to the R^t Hono^{ble} the Comission^{rs} of their Ma^s Customes, And that their Ma^s Attorney Gen^l Consider what is Convenient to be done with the said Custis for his Contempt of the aforesaid Ord^r

Cap^t John Custis having endeavoured to discourage their Ma^s Evidence against the Ship William and Mary Thomas Meech Comander, and when he was called before the Councill in Aprill last, very rudely going out of Town without knowing what was determined should be done therein, is Suspended from all his places and Offices whatsoever Civill and Military.

It is Ordered that John Custis Esq^{re} late Collect^r of their Ma^s Duties in Accomack and Northampton Counties deliver to William Edwards Clerk of their Ma^s Councill all the bonds, Cockquetts & Certificates of Ships he hath, and the said Edwards is Ordered to give a receipt for them.

June 22th 1692

Present as before

Upon the Complaint of Cap^t Richard Finch Comander of their Ma^s Ship Henry prize, that he is in want of Carpint^{rs}, and some Necessaries for the Careening their Ma^s said Ship, His Hono^r the Lieu^t Gov^r desired to give him a Warrant to impress soe many Carpenters as he shall finde Needfull, and procure such Necessaries as he shall have Occasion for, for the Service aforesaid, paying for the same

June 23^d 1692

Present as before

It is Ordered that Cap^t Richard Finch Comand^r of their Ma^s Ship Henry prize forthwith return to his Hono^r the Lieu^t Gov^r an account of the Roothing of their Ma^s said Ship according to a former Order of Councill in that behalfe. And it is further Ordered that the said Finch take Care to provide himselfe with his full Complim^t of good and able seamen for the Service of their Ma^s in the aforesaid Ship before the Fleete Sayle, which he is hereby Impowered to doe.

His Ex^{cy} Lionell Copley Esq^{re} Cap^t Gen^l and Gov^r in Chief of their Ma^s Province of Maryland in a Letter to the R^t Hono^{ble} the Lieu^t Gov^r, which his Hono^r caused to be read, desireing their Ma^s Ship Henry prize may be s.^{nt} to him about the beginning of July next he suspecting he shall have Occasion to use her about that time for their Ma^s Service, his Hono^r desired the Councils Opinion therein, who Considering the said Ship being a Careening, cannot be ready by the time proposed, and the Capes being in this Government noe Ene-

my can goe to Maryland without goeing thro part of this Government, soe that the preventing an Enemies comeing within the Capes is the Security of both Governments from Danger by Sea, Notwithstanding all which if his Ex^{cy} Lionell Copley Esq^{re} & c when the aforesaid ship shall be ready make it manifest to the R^t Hono^{ble} the Lieu^t Gov^r he hath such Occasion to make use of her for their Ma^s Service as the Yatch or Pinnacle belonging to her cannot performe, It is the Opinion of this Board that his Hono^r Order Cap^t Richard Finch with the said Ship to attend the said Service, returning with all possible Expedition to Attend the Guard and Service of this Government the End for which he was sent hither by their Most Sacred Ma^s

June 24th 1692

Present as before

It being proposed by the R^t Hono^{ble} the Lieu^t Gov^r what Orders shall be given Cap^t Richard Finch Comander of their Ma^s Ship Henry prize after the Fleete shall be gon, It is Resolved that the said Finch observe and obey the same Orders as were formerly given him, viz^t the 22th of Octob^r 1691, they b.ing found to be for their Ma^s Service and the Security of this their Colony and Dominion.

June 23^d 1692

The R^t Hono^{ble} the Lieu^t Gov^r produced a Copy of a Letter written by M^r Secret. Cole to his Ex^{cy} the Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of Virginia, giving an acco^t of the reasons for calling, and the proceedings of the Assembly begun in Aprill 1691, wherein the said M^r Sec. Cole had very highly taxed and abused his Hono^r the Lieu^t Gov^r and the said M^r Sec. Cole being present his Hono^r demanded of him, if the Copy produced were a true Copy, who owned it was, and declared that none of the Gentⁿ of the Councill ever knew of the said Letter, or were any manner of waies concerned therein, and that what he had written was Contrary to the opinion of the Councill, and as he had privately soe he now before the Councill acknowledged he was heartily sorry for what he had written of his Hono^r the same not being true, and humbly begged his Hono^rs Pardon for his Offence, His Hono^r then demanded of the Councill that they would declare whether any of them knew of the said Letter, and that they would give their Opinions of what was alleadged against him therein, who all readily answered they never saw nor knew anything of the said Letter, And that in a paper by them signed and delivered his Hono^r in answere to severall Questions put by his Hono^r to them, they had (as the truth was) given under their hands the Contrary of what M^r Secret. Cole in the said Letter had written.

William Cole Esq^{re} Sec. in an humble petition to the R^t Hono^{ble} the Lieu^t Gov^r which his Hono^r caused to be read sett forth, that he for about seventene yeares hath had the Hono^r to be one of the Councill of this their Ma^s Dominion, and their Most Sacred Ma^s by their Comission under the Great Seale of Engl and bearing date the 17th of Jan^{ry} in the first yeare of their Reigne wer e graciously pleased to ap-

point him Secret. of this their Ma^s Colony, dureing which time he hath to the utmost of his Judgment knowledge and ability (which he must acknowledge was very weake) faithfully performed the trust in him reposed. but forasmuch as he is lately much decayed in his body & Strength, and by reason of a deepe Melancholly that hath Seized him, findes himselfe daily growing worse, soe as he is incapable to Serve their Ma^s as he ought to doe in performing those great trusts as Sec: and one of their Ma^s Councill and all other Offices, his humble desire being to live a retired life, and Serve God Almighty the small remainder of time he hath to live, most humbly prayed that his Hono^r would be pleased to appoint such able Gentleman as he should think most fitt for their Ma^s Service to Execute the place of Secretary untill their sacred Ma^s pleasure be signified therein and dispence with his further Attendance, And that his Hono^r will be pleased favourably to represent his humble petition to their Most Sacred Ma^s that soe he may obtaine their Ma^s gracious discharge, after the reading whereof his Hono^r the Lieu^t Gov^r desired the Opinion of the Councill therein, who acquainted his Hono^r that the s^d Cole had all along faithfully and diligently discharged his Duty in the Severall places and Offices he had been Honoured with, but it having pleased God, to Visitt him with a very Violent Sickness, under which he yet languisheth, and being in yeares may be presumed will very much decay him, if not end his days, are therefore of Opinion the said Coles petition is very reasonable, On Consideration whereof his Hono^r with the Advice and Consent of their Ma^s Councill doth for the future discharge the said Cole from his Attendance at Gen^l Courts & Councils and from all publick places and Offices whatsoever till their Ma^s pleasure be known therein, And their Gracious Ma^s are most humbly Supplicated to take the said Coles petition into their Royall Consideration, and grant the Same

The R^t Hono^{ble} the Lieu^t Gov^r upon M^r Secretary Coles laying down his places of Secretary and Collect^r of their Ma^s Duties in the Lower District of James River declared the said places were Vacant, and the necessity of affaires requiring some persons to supply them, moved the Councill would give their Advice in the Nominating of fitt persons to Officiate the said places till their Ma^s pleasure shall be knowne, And C^r Robinson Esq^{re} one of their Ma^s Councill of this Colony being by the Unanimous Consent of the R^t Hono^{ble} the Lieu^t Gov^r and Councill Nominated & appointed Secretary, and the Hono^{ble} John Lear Esq^{re} Collect^r and Navall Officer of the aforesaid District, and the Hono^{ble} Edward Hill, Esq^{re} Collect^r and Navall Officer of their Ma^s Duties in the upper District of James River, which is become Vacant by John Lear Esq^{re} (who held the same) his being appointed Collect^r of the District aforesaid, And Ordered that Comissions be forthwith prepared for the R^t Hono^{ble} the Lieu^t Gov^rs signing And the R^t Hono^{ble} the Lieu^t Gov^r is desired humbly to supplicate their Ma^s to be Graciously pleased to Confirm y^e hono^{ble} C^r Robinson Esq^{re} to be their Ma^s Secret. of this Colony

John Lear Esq^{re} & Edw^d Hill Esq^{re} who are appointed by the R^t Hono^{ble} the Lieu^t Gov^r by and with the Advice of their Ma^s Hono^{ble} Councill Collect^{rs} of their Ma^s Customes and Navall Officers & c de-

sireing to be appointed Collect^{rs} of their Ma^s Duty of one penny per pound, the R^t Hono^{ble} the Lieu^t Gov^r is desired to write to the R^t Hono^{ble} the Comissioners of their Ma^s Customes, and request that they will be pleased to send a Comission for Jn^o Lear Esq^{re} to be Collect^r of their Ma^s said Duties in the Lower District of James River, and for the said Hill to be Collect^r of the said Duties in the Upper District of James River, and his Hono^r the Lieu^t Gov^r is desired to give them Ord^{rs} to Officiate the said Places till the R^t Hono^{ble} the Com^{rs} of their Ma^s Customes signifye their pleasure.

Whereas Edward Hill Esq^{re} by being appointed a Collect^r is incapacitated to hold the place of Treasurer, And the R^t Hono^{ble} the Lieu^t Gov^r by and with the Advice of the Councill being by Law impowered upon the Death or Incapacity of the said Hill to appoint another person to Execute the place till the next Meeting of the Gen^l Assembly, And Henry Whiteing Esq^{re} being accordingly Unanimously appointed, the R^t Hono^{ble} the Lieu^t Gov^r is desired to Grant him a Comission

The R^t Hono^{ble} the L^t Gov^r acquainted this Board that by William Cole Esq^{re} his being discharged from the Councill there remained but Eight, he therefore proposed that th^e Councill would nominate a fitt person to be sworne of their Ma^s Councill to make Nine according to their Ma^s Instruction therein, and M^r Henry Hartwell and Coll Richard Johnson being both worthy good Men and very fitt to Serve their Ma^s the Councill knew not which to make Choice of, His Hono^r the Lieu^t Gov^r then proposed it should be determined by Lott, and the Lott falling to M^r Henry Hartwell, the R^t Hono^{ble} the Lieu^t Gov^r with the advice of the Councill was pleased to appoint him, and he being Sent for, and having first taken the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy and Subscribed the Test, was accordingly Sworne one of their Ma^s Councill of this Colony, and their Ma^s are most humbly supplicated to confirm him.

His Hono^r the Lieu^t Gov^r acquainted this Board that he observed for want of more roome in the Secret^s Office there could not be such Conveniences made as was requisite, and for want thereof the Records in that Office were to much exposed, and in great danger of being imbesled by any evill minded person, and that for prevention thereof he proposed (it being for the Generall good of the Country) that M^r Sec: Robinson and Henry Hartwell Esq^{re} who lives convenient in James Citty should be Impowered to Consider how the same may be Amended by adding to the Office part of the Roome Adjoyneing and to put the same into such forme as they shall see fitt, On Consideration whereof the Security of the Records in that Office being found greatly to tend to the secureing the Inhabitants of this Colony in the Lands they possess, the Records of all Pattents being there, and many other writings of great concerne, the R^t Hono^{ble} the Lieu^t Gov^{rs} proposall is Judged to be of absolute Necessity for their Ma^s and this Countreys Service, and the said M^r Sec: Robinson and Henry Hartwell Esq^{re} are therefore desired to doe the same, and are hereby Impowered to agree with some good able workman to performe what they shall Judge requisite to be done

The R^t Hono^{ble} the Lieu^t Gov^r acquainted the Board that he perceived Severall of the Bookes of Records in the Secret^s Offic^e. were much torne and defaced, and divers papers of great concerne are very old much Worne and lye in great Confusion, and to the End the true State of them might be known and Such Care taken for their better Security as should be requisite, proposed that some understanding persons of good Integrity, might be appointed to take an Exact account of all the Bookes and other papers of great Moment and State the true Condition of them, and return the same to the next Councill after the finishing thereof, On Consideration whereof the same being Judged absolutely Necessary for their Ma^s Service, and the peace and quiett of the Inhabitants of this Colony by haveing Care taken (when the Condition of the aforesaid Bookes and papers shall be known) how to preserve them from further damage, William Edwards Clerke of the Councill and Cap^t Miles Cary Clerke of the Sec^{rs} Office are Ord^d to performe the same with as much Expedition as possible, and at the next meeting of the Councill after the finishing thereof make return of their proceedings, And their great paines Care and trouble therein shall then be certified to the next G.ⁿ^l Assembly who noe doubt will Order them a Suiteable and Satisfactory reward the same not being for the advantage of some few particular persons, but of almost the whole Country.

June 24th 1692

Present as before

In Obedience to a Comand from the R^t Hono^{ble} the Lords Committee for Trade and Plantations, dated at the Councill Chamber at Whitehall the 15th day of December 1691 the following return is humbly made viz^t That Comparing the Copies of the Lord Culpeper^s Grants of the Land in the Northern Neck Sent by their Lords^{ps} finde them agree with those recorded here, but it never yet Legally appeared to this Government the Lord Culpeper was dead, nor that Phill Ludwell Esq^{re} had any Lawfull Authority, and to Shew what Officers were appointed and Powers given by the said Phill Ludwell Esq^{re} which were Complained of, doe herewith transmitt copies of the same Attested by Rich^d Whitehead Clerke to the Propriet^s Office of the said Neck, and therein finde the terms proposed for the Land in the said Neck is very grievous, a certain sume of Mony being to be paid for Composition, and not allowing Rights for Importation of persons as their Ma^s are Graciously pleased to doe, And upon the conceiveing Land doth Escheate to the Propriet^s, the same is granted away without any enquiry made whether it doth Escheate or not, which hath occasioned severall suites of Law, and Complaints are made thereof by poore people who alleadge they are not able to stand Law-Suites, and further to make appeare the aforesaid Order was for their Ma^s Service and peace and quiet of the Inhabitants of this Colony, It is fully Manifested in the humble Address of their Ma^s Gen^l Assembly begun April 1691

W^m Edwards Clerke of the Councill produced Copies of all the proceedings relating to the Negroes & c brought into this Colony in

the yeare 1687 in the Ship Society of Bristoll John Skeeche Master, which were Seized and Condemned to be forfeited to their Ma^s, fairely transcribed in a booke, and the same haveing been Examined in Councill is approved, as also a Letter to be Sent the R^t Hono^{ble} the Lords Committee for Trade & plantations relateing thereto.

The R^t Hono^{ble} the Lieu^t Gov^r having Caused to be read a letter from the R^t Hono^{ble} William Blaithwaite Esq^{re} dated, Whitehall 2^d Jan^{ry} 1691 wherein he desires his Hono^r and the Councill to Consider the Allegations contained in a petition of the Wid^o of M^r Thomas Jarvis refferred to him by the Lords Comission^{rs} of the Treasury to make report thereupon to their Lords^{ps}, a Copy of which petition being by him sent was by his Hono^r the Lieu^t Gov^r caused to be read, And upon Examination of the Allegations in the said petition, Doe make the following return, viz^t That wee know noething of the said Jarvis his lending fiftene hundred pounds to Nath^l Bacon the younger, but it is reported the said Jarvis bought Land of him in England, nor doth it appeare to us that S^r John Berry and Francis Morryson Esq^{re} ever put the said Bacons Estate into the hands of y^e s^d Elizabeth Jarvis, nor doe wee know what portion the said Bacon had with the said Elizabeth, but wee finde that the Lord Culpeper upon good Security let the aforesaid Thomas Jarvis have the managem^t of the Estate for the better Improvement thereof, and as to the prayer of the petition wherein it is sett forth that the Land in Virg^a was paid for with part of the Mony lent in England by the s^d Jarvis, the same is known to be altogether falce two hundred and Eleven pds Eighteen Shillings being due to the Estate of Coll Thomas Ballard of whom he purchased it, and hath been by the said Ballard till his Death all along Claimed, and was promised by the Lord Culpeper that he should have one hundred pounds out of the Estate, And the Wid^o and Children of the said Ballard have Since his Death made Continuall Claimes, (and one of the said Ballards sons hath beene made a Justice and Militia Officer and was a Burgess the last Assembly and for that the Wid^o and Children of the said Ballard have very well behaved themselves, their Claime is humbly Submitted to their Ma^s for their Royall favour.

It being represented to this Board by the R^t Hono^{ble} the Lieu^t Gov^r that Indians goeing in great Numbers from place to place at the heads of the Rivers without passes often times when they are Seene Occasions a Supposition that they are Enemyes and thereby causes disturbance, On Consideration whereof, the R^t Hono^{ble} the Lieu^t Gov^r is desired to write to the Governments of New Yorke and Pensilvania and request them to Ord^r their Indians when they Intend to come to Our Neighbouring Indians or goe by Our Frontiers to any Nation to the Southward of us, that they take passes from some of the Chiefe Officers of those Governments, that if they be Seene by any of Our Inhabitants, they may be known to be Indians in Amity with us.

It is Ordered that the respective Indian Interpret^{rs} forthwith Order Our Neighbouring Indians that if above three or four of them designe to travell abroad together, they first come to one of the nearest Justices in this Colony and acquaint him therewith and the time they resolve to return, that if any English or other of the Neighbouring

Indians meete their Tract, the Country may not be allarumed thereby, as now is usuall.

June 23^d 1692

Present as before

On Consideration of the representation made by the Justices and Militia Officers of Stafford County about the danger they apprehend of the Indians doing Mischief, and the Methods they have taken to endeavour to prevent the same, and of the petition of the Rangers there, Setting forth their Almost Constant Attendance, & c and being well assured they take great pains therein, the same shall be represented to the next Gen^l Assembly, and hope they will then be allowed a suiteable reward, and the Justices & c declaring they Judge it for their Ma^s Service and Safety of the Inhabitants from the great dangers may Justly be Suspected from the Indians that Lieu^t Thomas Owsley and the tenn Souldiers under his Comand be Continued Ranging in the places appointed them; which in this time of Eminent danger being Judged necessary for their Ma^s Service and Security of this their Dominion, It is Ordered that the said Owsley and Souldiers, (unless it be injurious to those Men, and they, or any of them desire to be discharged in which case the Deputy Comand^rs in Chiefe are to discharge the said tenn Souldiers, or soe many of them as desire it, and cause others to be raised in the Lower End of the County to Supply their places) be so long Continued as the Justices and Militia Officers of the County aforesaid shall finde it to be of absolute Necessity, And doe further Order, that if at any time the Court of the said County finde Occasion they cause the Militia Officers to be Sumoned to advise therein, as also that there be a friendly Correspondence held with the Inhabitants of their Ma^s Province of Maryland which will be of great use in these times, and upon Occasion to give them all Needfull Assistance, from time to time returning the R^t Hono^{ble} the Lieu^t Gov^r an account of their proceedings, that he may give such Orders therein as he shall finde to be for their Ma^s Service, and this Countrys Security.

June 24th 1692

Present as before

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that he perceived there was great inconvenienciees and Danger in the Indian Trade as it is now managed, the Indians when Our Trad^{rs} are in their Towns useing them very basely and highly to the dishon^r of the English nation, often times killing some of them, and takeing their goods away, and the same is a great encouraging of them to persist in their Wickedness, it not being possible to discover what Indians they were that did it, His Hono^r therefore proposed to the Councill that they would Consider what was fitt and proper to be done therein to prevent the same for the future, And on Consideration hereof, It appears severall of our Traders are often Robbed by the Indians, used very strangely amongst them, and often times some killed to the great dishon^r and dissatisfaction of the Inhabitants of this Colony, Doe there-

fore in all humility lay the same before their Ma^s, and humbly beseech them to give liberty that the Indian Trade may be managed (as near as the Circumstances of the Country will beare) as it is in New Yorke, that being Judged the likeliest way to Secure the Trade, keepe the Indians from doing Mischief, and regain the Hono^r of the English, all which will be for their Ma^s Service, and good of this Country.

The R^t Hono^{ble} the Lieu^t Gov^r proposed to the Councill what course should be taken to know how much to pay his Ex^{cy} the Lord Howard of Effingham their Ma^s Lieu^t and Gov^r Gen^l of this Colony for his Salary and perquisites due as Chief Gov^r that noe mistake might be made therein, On Consideration whereof, It is the Opinion of this Board that it is the Securest way to let the Mony & c remain till it be known when his Ex^{cy}'s time of Chief Gov^r determined, it being seen in a Gazett that their Ma^s have been pleased to appoint another Gov^r of this their Colony and Dominion of Virg^a, and M^r Secret. Blaithwaite is desired to cause the necessary Ord^{rs} herein to be Sent.

Warrants were yesterday and this day Signed in Councill by the R^t Hono^{ble} the Lieu^t Gov^r for the Severall Sums of Mony hereafter Exprest to be paid by William Byrd Esq^{re} Audit^r, out of their Ma^s Revenue of two Shillings per hhd and Port Duties to the persons hereafter Named the same appeareing to be Justly due viz^t to Coll W^m Brown fifty shillings sterli for Storehouse Roome for the Amunition belonging to the Fort at James Citty, to William Blaithwaite Esq^{re} their Ma^s Auditer and Surveyer Gen^l one hundred pds sterli for one yeares Salary ending the 25th day of March last, to Jn^o Povey Esq^{re} Soliciter of the Virg^a affaires one hundred pds Sterli for one yeares Salary ending the 25th day of March last, to W^m Edwards Clk of their Ma^s Councill of State for this Colony fifty pds Sterli, for one y^{rs} Salary ending the 13th day of Aprill last, and to him fifty shillings Sterli paid for five barrells of Tarr for the use of Yorke and James Citty Forts, to M^r Edw^d Chilton their Ma^s Attorney Gen^l forty pds Sterli for one yeares Salary ending the 20th day of Aprill last to Edw^d Rawlings Gunn^r of James Citty Fort Seven pds tenn Shillings St. for a yeares Salary ending the 25th day of March last, to Edw^d Malyn Gunn^r of York Fort tenn pds Sterli for a yeares Salary ending the 25th day of March last, to Benja; Gill Gunn^r of Nansimond Fort five pds Sterli for one yeares Salary ending the 25th day of March last, to Gerard Fitz-Gerald Gunn^r of Rapp^a Fort five pds Sterli for one y^{rs} Salary ending the 25th day of March last, to John Lyon thirty shillings Sterli for a yeares Salary ending the 25th day of March last for Cleaning the Armes at Rapp^a Fort

On Consideration that the Audite cannot now be finished, tuesday the 5th day of July next is appointed for the finishing thereof at James Citty.

The R^t Hono^{ble} the Lieu^t Gov^r proposeing what shall be done with the Ships that shall remain after the Fleete are gon, On Consideration whereof it appeareing that there will remain but four or five Ships in this Country, and those of noe Force, It is resolved the Collect^{rs} Cleare them as they severally get ready.

It is Ordered that Proclamations be forth with prepared for the

R^t Hono^{ble} the Lieu^t Gov^r^s signeing Comanding that noe person goe on board any Ships that comes from Sea, till they have Sent on Shore and it be known what they are, and that all Ships (after the Sayleing of the Fleete) that are or shall come into this Country, ryde in the places appointed in the last Proclamation relateing hereto.

The Consideration of the Improvement of their Ma^s Revenue of Quitrents, is referred to the Audite in July next

Copa Vera

Test

Chr Robinson Sec:

[C. O. 5. Vol 1306. N^o 122. or fo. 489-490]

Virg^a fs

By the R^t Hono^{ble} the L^t Governer

A Proclamacon Appointing Places for Ships

Whereas by an Act of Assembly made the 23^d of Sep^t 1667 It is Provided that all Ships and Vessells Shall Ride in Such places as the Gov^r shall think Most Convenient for their Security & Preservacon from our Enemyes in time of Warr Know yee therefore that I Francis Nicholson Esq^r^e their Maj^s L^t Governer of this their Dominion by and wth the advice of the Councill of State for the Greater Security of Ships & Vessells Tradeing in this their Maj^{ties} Country in this time of Warr Doe hereby in their Maj^s names Order & appoint that all the Ships and Vessells that now are or shall come into this Country Shall Ride in the Harbours & places hereafter Appointed Viz^t In the uper Precincts of James River above Sandy Point in the Lower precincts of James River in Elizabeth River above the Town In Nansimond River above the fort In Pagan Creeke as high as they can Conveniently goe, In Warw^{ek} River above Sandy Point, In Yorke River as high as Coll: Nath: Bacon Lately Lived, In the River in Moccack Bay, as high as they Can Conveniently in Rapp^a River above the Fort, In Corotoman Riv^r as high as they Can Conveniently goe in Rapp^a River. in Pean- ketank River as high as they Can Conveniently, In Potomack River In Wicocomico & Lower Machetucks as high as they Can & as high as apamatux Creeke at the Eastern Shore as high as they can goe in the usuall places Ships & Vessells Ride And Whereas by an act of Assembly Made Sep^t the 29th 1672, It is Provided that in time of Warr Noe person or persons shall goe on board any ships or Vessells Comeing into this their Maj^s Country Either in Sloope boate or Canoe before the s^d Ship or Vessell hath Sent on Shore and thereby is Known What shee is upon Sertain Penalties & forfeitures in the Act Prescribed I doe therefore hereby wth the advice & Consent of the Councill aforesd strictly Charge & Comand all person & Persons Whatsoever that from henceforth they doe not Presume to goe on board any ship or Vessell by any Meanes Whatsoever untill the s^d Ship or Vessell hath performed What by the before Reccited act of Assembly is directed & appointed upon Penalty of Paying the Severall sums of Tobacco Menconed in the afores^d act Given under my hand & the Seale of the Colony this _____ day of _____ in the fourth year of the Reign of Our Sovereign Lord and Lady William & Mary by the Grace of God

of England Scotland France and Ireland King and Queen Defenders of
the faith *Anno Dom* 1692

God Save the King and Queen

Fr: Nicholson

[Vol. 1405 continued.]

Att a Councill held at James Citty July 5th 1692

Present

The R ^t Hono ^{ble} Francis Nicholson Esq ^{re}	their Ma ^s Lieu ^t Gov ^r of Virg ^a
William Byrd Esq ^{re}	Edmund Jenings Esq ^{re}
John Lear Esq ^{re}	C ^r Robinson Esq ^{re}
Edw ^d Hill Esq ^{re}	Henry Hartwell Esq ^{re}

This day the R^t Hono^{ble} the Lieu^t Gov^r Signed a Comission, Con-
stituteing and appointing C^r Robinson Esq^{re} to be Sec. of this their
Ma^s Colony, and he made Oath faithfullly to performe the said place,
and Edw^d Hill Esq^{re} and Henry Hartwell Esq^{re} presenting themselves
his Security are accepted, and a bond being prepared was accordingly
signed

John Lear Esq^{re} and Edw^d Hill Esq^{re} having given bond & security
(which was approved) were Sworne Collect^{rs} of their Ma^s Customes
in James River viz^t Jn^o Lear Esq^{re} of y^e Lower District, and Edw^d
Hill Esq^{re} of the Upper.

July 6th 1692

Present as before

Henry Whiting Esq^{re} added

The R^t Hono^{ble} the Lieu^t Gov^r acquainted the Collect^{rs} that he
found by their Comissions from the R^t Hono^{ble} the Comission^{rs} of
their Ma^s Customes for receiveing their Ma^s Duty of one penny per
pound on tob^o that they had noe power to make Deputies, also that
he understood they did not all charge a like fees, & made bonds of
severall formes, he therefore Ordered them to take Care therein, and
for the future to Charge fees according to Law, and agree with Edward
Randolph Esq^{re} on one forme for all bonds, permitts Lycences to
Trade & c and take the Gov^{rs} dues of Ships according to the Rule Sett
by his Ex^{cy} Thomas Lord Culpeper when Gov^r of this Countrey.

July 7th 1692

Present as before

On Consideration that some Ships have not yet Cleared with the
Collect^{rs}, It is Ordered that the Collect^{rs} acco^t with and pay M^r Audi-
ter Byrd their Ma^s dues of those Ships at the Councill in Sept. next.

July 5th 1692

His Hono^r the Lieu^t Gov^r having reced Information in a Letter from Coll Cadwallader Jones that a Vessell with two hundred Men was fitted out of Peteete Gwavoës [Petit Goaves, in San Domingo] bound to our Bay, and an account by Letters from New Yorke that some Vessells have been taken off Block Island, caused the said Letters to be read and on Consideration thereof His Hono^r the Lieu^t Gov^r is requested to advise Cap^t Isaac Townsend Comand^r of their Ma^s Ship Assurance and Comodore of the Fleete of the same, that he may provide himselfe and take such Care of the Fleete under his Convoy, as he shall Judge Necessary for their Ma^s Service; And his Hono^r is further desired to Order Cap^t Richard Finch to be as Expeditious as possible in bringing their Ma^s Ship Henry prize of the Careene, and to be very Carefull and Vigilant in performing his Duty for their Ma^s Service

Complaint being made to this Board that Severall Servants are lately Runaway and Supposed to be gott on board their Ma^s Ships of Warr now here, and it may also be presumed that many persons who are Considerably indebted in this Country will endeavour to make their Escapes in the said Ships of Warr, both which being of bad Consequence as well to thei Ma^s (who will loose Considerably in their Revenue for want of the said persons makeing Tob^o) as to the Masters of such Servants and Credit^{rs} of Debtors, and it being Considered that for prevention of such Mischiefs by a good Law of this Country It is enacted that noe person whatsoever, carry any person out of this Country without a pass, Doe therefore Order that the Comand^{rs} of their Ma^s Ships of Warr now here doe not Carry any person out of the Country who hath not a Sufficient pass. And to the End those Servants got on board the said Ships may be discovered, and returned to their respective Masters, It is further Ordered that the aforesaid Comand^{rs} cause all persons on Board their Ships who have not passes as aforesaid to be put on Shoare to the next Justice of the Peace who by a Warrant is to send them from Constable to Constable to the place from whence they came, and there delivered to their Masters if servants.

July 6th 1692

It being Considered that Cap^t Richard Finch hath severall times failed in observeing the Directions and Orders given him for their Ma^s Service, and hath been very Slow in all his proceedings, and that the Ship is a heavy Sailer, and an ill Roder, the R^t Hono^{ble} William Blaithwaite Esq^{re} is therefore requested to acquaint the R^t Hono^{ble} the Lords Comittee for Trade and Plantations that neither the Man or Ship are fitt for their Ma^s Service in this Colony, and pray their Lords^{ps} to give such directions therein as they shall Judge for their Ma^s Service.

July 5th 1692

On Consideration of the Intelligence received from Coll Cadwallader Jones that a Barcho longo fitted out of Peteete Gwavors with

two hundred Men, was designed to Chesepeake Bay and of the account received from New Yorke that the French have taken three Vessells of, of [off] Block Island. The R^t Hono^{ble} the Lieu^t Gov^r is desired to acquaint his Ex^{cy} Lionell Copley Esq^re Cap^t Gen^l and Gov^r in Chiefe of their Ma^s Province of Maryland with the News wee heare, and that it is Judged absolutely Necessary to keepe their Ma^s Ship Henry prize here to Cruise about the Capes.

July 6th 1692

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a Letter from the Hono^{ble} Major Richard Inglesby Comand^r in Chief of their Ma^s Province of New Yorke wherein he Setts forth the miserable Condition of that Government, and the great danger of looseing Albany without a Supply, and also haveing Sent the last Treaties with the five Nations, wherein the Indians Complaine of the want of Assistance from the Neighbouring Governments according to the Articles of Peace made with them, both which have been duely Considered (and finding that this Government is at very great Charge in maintaineing Forces at the heads of all Our great Rivers to prevent the Mischiefs frequently Comitted by Indians on the Frontiers of this Government) And to the End this Government may give all Needfull Assistance where Occasion for their Ma^s Service shall require it, It is Ordered that M^r Audit^r Byrd pay to the Hono^{ble} Step: Van Courtland Esq^re one of their Ma^s Councill of New Yorke one hundred pounds Sterli, which said Mony the said Courtland is to keepe in his Custody till the Comander in Chief and Councill of that place give him an Order under their hands, that the disposall thereof is of absolute Necessity for their Ma^s Service,

And the Mischiefs which are Comitted by Indians in this Government being supposed to be done by Indians belonging to the five Nations, the Government of New Yorke is therefore desired to take care therein, and indeavour as much as possible they cann the prevention thereof for unless the same be prevented this Government will be at soe great charge that it will not be possible to give them any further Assistance if their Danger should be greater then at present they apprehend, which God of his Mercy prevent.

Majo^r Richard Inglesby Comand^r in Chief of their Ma^s Province of New Yorke in a Letter to the R^t Hono^{ble} the Lieu^t Gov^r setting forth the miserable Condition of that Government, and the great danger they were in of looseing Albany without a Supply, and this Government willing to shew their Readiness to promote or defend their Ma^s Interest Imediatly Ordered M^r Audit^r Byrd to pay to the Hono^{ble} Step: Van Courtland one of their Ma^s Councill of that Province one hundred pounds Sterli for the Assistance of that Government against their Ma^s Enemies, but for that this Country hath been and still is at great charge in maintaining Rangers at the heads of all Our great Rivers to prevent (as much as possible) this Country from the Danger of the Indians, who have severall times been doeing Mischief, the R^t Hono^{ble} William Blaithwaite Esq^re is therefore desired if the Government of New Yorke use the Mony to procure that M^r Audit^r Byrd be

reallowed the same out of their Ma^s Revenue of Quitrents due in this Colony.

His Hono^r the Lieu^t Gov^r caused to be read a letter from his Ex^{cy} Lionell Copley Esq^{re} Cap^t Gen^l and Gov^r in Chief of their Ma^s Province of Maryland wherein he Informes that he hath Seene the last treaties of the Gov^{nm}^t of New Yorke with the five Nations of Indians and that Intends not to send any money to New Yorke till the Messenger returns from hence, that thereby he may know the Measures taken here in Supplying the aforesaid Government, On Consideration whereof his Hono^r the Lieu^t Gov^r is desired to write to his Ex^{cy} Coll Copley and acquaint him that this Government knowing it to be their Duties to their Ma^s to give all Needfull Assistance to any of the Neighbouring Governments, did some little time since send one hundred & odd pounds Sterli to the Government of New Yorke, and have now Ordered one hundred pounds more to be sent them.

Warrants were signed in Councill for M^r Audit^r Byrd paying one hundred pounds Sterli to the Hono^{ble} Step: Van Courtland one of their Ma^s Councill of New Yorke, and the said Byrd accordingly delivered his bills of Exchange, which his Hono^r the Lieu^t Gov^r is desired to send to the said Courtland

Having duely Considered the best way to Improve their Ma^s Revenue of Quitrents, are of Opinion, the same would be to have an Exact true and perfect Rent Roll of the Quantity of Land held by every person, but findeing that by reason of the Unskillfullness of Survery^r^s in former times it would be very difficult troublesome and Chargeable the Consideration thereof is referred to the R^t Hono^{ble} William Blathwaite Esq^{re} who is requested to give direction therein.

Finding by the return of some Sherriffs that severall persons hold great Tracts of Land of their Ma^s and pay noe Quitrents for the same, and having noething on the Land that may be distrained, It is Ordered that their Ma^s Attorney Gen^l forthwith cause Major Law Smith and M^r Richard Whitehead and those in partnership with him, who are some of those who doe not pay Quitrents as aforesaid, to be sued to the next Generall Court for the severall sums they are in debt for arreares of Quitrents, that they for the future, and others, Seeing the Care taken for recovery of their Ma^s dues may without further Charge pay what they are in arreare, and shall yearly become due

July 5th 1692

Warrants were this day signed to pay the R^t Hono^{ble} the Lieu^t Gov^r four hundred ninety one pounds Eight Shillings and four pence (two hundred fifty Eight pds Eleven Shillings and Eight pence reced of Major Lewis Burwell being part) in full of three quarters of a y^{rs} Salary due as Lieu^t Gov^r the 24th June last, to Elizabeth Adm^x of Gawen Dunbar twenty pds Sterl being for part of the Charge of a house built for the use of the Fort at Tindalls point, and to the R^t Hono^{ble} the Lieu^t Gov^r Seventy five pounds Sterli for his part of one yeares house Rent ending the 24th day of June last

It appeareing there remains two hundred fifty Eight pounds Eleven Shillings and Eight pence in the hands of Major Lewis Burwell

Ex^{tr} of Nathaniell Bacon Esq^{re} late Auditer of this Colony on ballance of the said Bacons account of two shillings per hhd and Port Duties, It is Ordered that the said Burwell pay the same to the R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r of this Colony, who is pleased to accept thereof in part of his Salary.

July 6th 1692

The R^t Hono^{ble} the Lieu^t Gov^r proposed that the Councill Would Consider of some Convenient Secure place to keepe the Stores in, their Ma^s have been graciously pleased to send into this Country, and those left belonging to their Ma^s Ship Dunbarton, the places they are now at viz^t Yorke Platforme and the house lately belonging to John Todd in Gloucester County, not being proper, being very near the Rivers Mouth and noe defence to Secure them if an Enemye should come in, and the Councill Concurring with his Hono^r in Opinion, proposed Edmund Jenings Esq^{re} his Brick storehouse as a fitt place, and the same being agreed on, the said Jenings being willing Since it was for their Ma^s Service to Spare his House, the said Edmund Jenings Esq^{re} is therefore desired to procure a Slooppe and Men to fetch the aforesaid Stores to his House (causing a proportionable quantity to be left for the use of Yorke and Nansimond Platformes) the Charge of which Slooppe and Men the said Jenings is to be reimburs^t.

It is Ordered that the Gunn^r of Nansimond Platforme fetch from Yorke River the Stores Edmund Jenings Esq^{re} is desired to leave there for the use of the said Platforme.

William Edwards Clerke of the Councill haveing produced an account of the Fees due to him on the Examination of the seizure and Condemnation of the Negroes & c brought into this Colony in the Ship Society of Bristoll in the yeare 1687 John Skeeche Master as also of the Wittnesses charges who desired Orders for the same and the Sherriiffs fee for Sumoning the said Wittnesses, all which amounting viz^t his the said Edwards' fees to twenty five pounds Eight Shillings and six pence Sterli, and the other charges to three thousand and twenty pounds of Tob^o which said Sums having been Examined appears to be Justly due according to Law, and M^{rs} Eliz^a Caufield the Ex^{tr} of M^r Robert Caufield who undertooke to pay the said fees and Charges is Ordered to pay the same to the respective persons to whom it is due, And the said Edwards acquainted this Board there was some more Tobacco due to some persons, but they not having brought in their accounts, he cannot state the same but presumes it will not amount to above two thousand pounds of Tobacco if ever it be demanded.

M^r William Sherwood who appeared on behalfe of Elizabeth Jarvis Wid^o being asked if he had anything more to Offer on the said Jarvis' behalfe about the Land shee petitioned for, then what he delivered to the Councill in June last, answered he had not, and being asked if he on the Wid^o's behalfe had any thing to demand of the Tenant on the Land petitioned for by the said Elizabeth, answered that by a Lease of the Land made by the said Elizabeths Husband the Tenant was to pay a yearly Rent, but he had not the said lease.

July 5th 1692

On the R^t Hono^{ble} the Lieu^t Gov^{rs} informing that he understands the Govern^{rs} of Christ Church Hospitall in England complaine they never hear from the boys they binde apprentices to the Inhabitants of this Colony, It is Ordered that the severall Masters of Such boys cause them to write at least twice a yeare to the Gov^{rs} of the said Hospitall, and fully performe what by their Indentures they are bound to doe for them, And it is further Ordered that if any of the said boys Masters shall dye, their Exe^{rs} or Adm^{rs} Comply with this Order, And the Respective Justices of the Peace in this Colony are Ordered to take care that this Order be fully performed, the same tending greatly to the reputation and Credit of the Country.

July 6th 1692

William Byrd Esq^{re} acquainting this Board that some time Since an English Woman belonging to him was killed, and a Negro Woman and Mollatto boy taken away by some Strange Indians, and he now understands the Negro Woman was by the said Indians sold to an Inhabitant in Philadelphia in the Govern^{mt} of Pensilvania where shee now is, On Consideration whereof it appeares to be of very dangerous Consequence to all their Ma^s Governments in these parts, if Negroes shall be bought from Indians, and will soe incourage the Indians to steale from one Gov^{nm^t} and sell to another, that it will be difficult keepinge a Servant, and the Inhabitants of these Governments much damnified in their Estates and discouraged Inhabiting in these parts of their Ma^s Dominions, the R^t Hono^{ble} William Blathwaite Esq^{re} is therefore requested to represent the same to the R^t Hono^{ble} the Lords Committee for Trade and Plantations and humbly to pray them to give such Comands therein as they shall See fitt.

The R^t Hono^{ble} the Lieu^t Gov^r proposed that if dureing his being on the other side of the Bay anything of Danger should happen at the head of James or Yorke Rivers that the Rangers Imediatly give Notice thereof to W^m Byrd Esq^{re}, who should forthwith Act therein as the Occasion shall require, and if any Danger should happen at the heads of Rapp^a or Potomack Rivers that Ralph Wormeley Esq^{re} doe the like, if he be capable of goeing if Necessity shall require it, but if he be incapacitated by the Gout or other Sickness, that then C^r Wormeley Esq^{re} doe the same, and his Hono^{rs} proposition being Judged for their Ma^s Service and this Countrys Security, is approved.

July 7th 1692

On Consideration that the severall Gentlemen appointed publick Notaries and Impowered to use their own Seales till their Ma^s shall be pleased to appoint a publick Notary, It is most humbly proposed that when their Ma^s shall be pleased to appoint a Notary they Order a peculiar Seale for that Office.

July 6th 1692

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that he Intended to be at Point Comfort at the Fleetes Saileing to See them dispatched, and that he might quicken Cap^t Richard Finch Comand^r of their Ma^s Ship Henry prize in the performance of his Duty for the Security and preservation of this their Ma^s Country from danger of Enemies by the Sea, and after the Sayleing of the Fleete he Intended over the Bay to Accomack to Settle the Militia there, which by John Custis Esq^{re} his laying down his Office of Command^r in Chief, and by Cap^t John Custis one of the Deputy Comand^{rs} in Chief his being displaced were unsettled, he therefore gave directions if any thing extraordinary in the Governm^t should happen before the Fleete Sailed a post should be Imediatly sent to him at Kiquotan, but if the Fleete were gon, And his Hono^r not returned to York or Rapp^a River, that a Messenger should be Sent over the Bay to him.

July 7th 1692

The R^t Hono^{ble} the Lieu^t Gov^r appointed the Councill to meete at M^r William Becks formerly M^r Richard Clarks Plantation on York River the first day of September next to Consider and advise of Such things as may be for their Ma^s Service and Security of this Country.

Copa Vera

Test

Chr Robinson Sec:

Att a Councill held at the House of M^r William Beck
on York River August 16th 1692

Present

The R^t Hono^{ble} Francis Nicholson Esq^{re} their Ma^s Lieu^t Gov^r
of Virginia,

C^r Wormeley Esq^{re}
Henry Whiteing Esq^{re}

Edmund Jenings Esq^{re}
C^r Robinson Esq^{re} Sec:

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read Letters from William Byrd Esq^{re} John Lear Esq^{re} and Edward Hill Esq^{re} wherein they signifie that Sickness is the reason of their not givinge their Attendance, And the R^t Hono^{ble} the Lieu^t Gov^r acquainted the Councill that Sickness was the Occasion of Henry Hartwell Esq^{re} his absence, and C^r Wormeley Esq^{re} informed that Ralph Wormeley Esq^{re} was soe Sick he could not give his Attendance.

The R^t Hono^{ble} the Lieu^t Gov^r produced an Order of James Citty County Court dated the 8th day of this Instant wherein upon an Information brought by Cap^t Richard Finch Comander of their Ma^s Ship Henry prize against the Ship Catherine of London Derry Andrew Crookshanks Master upon a Statute made the 15th Car: 2^d the said Ship Catherine with all her Guns Tackle Apparrell and Rigging and the Goods imported in her were adjudged to be forfeited, but for that the Tob^o on Board (the Ship haveing Loaded tob^o in Maryland before shee was Seized) was not informed against noe mention was made

thereof in the said Order, his Hono^r therefore proposed whether an Information should not be brought against the said Tob^o, On Consideration whereof and findeing that by a Statute made the 12th of *Car*: 2^d the Tobacco and other Goods on board the said Ship are lost and forfeited, It is resolved that an Information be brought against the said Tobacco (and other Goods if any) to a Court to be held in James Citty County the 25th day of this Instant, and in regard Cap^t Richard Finch seized the afores^d Ship, liberty is given him (for his incouragement to performe his Duty for their Ma^s Service) to be the Informer, and the R^t Hono^{ble} the Lieu^t Gov^r is desired to give the said Finch an account hereof, as also to Order the Attorney Generall to attend the prosecution of the said Information.

Andrew Crookshanks Master of the Ship Catherine which was condemned to be forfeited for not being Navigated according to Law, nor coming from the places by Law appointed, petitioning that he and the rest of the Ships Company may be paid their Wages, It is the Opinion of this Board there is noe Wages to be paid them by their Ma^s the Gov^r of this Colony or Informer against the said Ship, but in regard some of the Men who are now on board their Ma^s Ship Henry prize, were forward in declaring the truth, they shall be Considered for the same at the next meeting of the Councill, that it may be an incouragement for others for the future, otherwaies it may be feared it will be difficult getting People to Attest the truth.

The R^t Hono^{ble} the Lieu^t Gov^r proposed which would be the best way to dispose of the Ship Catherine which was Condemned (and the tobacco on board her, if that should be Condemned) on Consideration whereof It is resolved and Ordered that the said Ship (and Tob^o if Condemned) be sold at Cap^t William Bassetts in New kent County on thursday next come fortnight by an Inch of Candle for ready Money or good bills of Exchange, that the Ship be set at one hundred and twenty pounds, and not Sold under, the tobacco at four shillings per Cent., but if it cannot be sold at that price, that it be sett at tenn shillings per Cent. to be shipt to any of their Ma^s Plantations Cleare of the one penny per pound Duty on Tobacco and not Sold under, And M^r Audit^r Byrd is Ordered to be there and manage the Vendue.

The R^t Hono^{ble} the Lieu^t Gov^r acquainted the Councill that when he went aboard their Ma^s Ship Henry prize he found shee was not well manned, that his Hono^r had gott some Seamen, and Ordered Cap^t Finch to gett his Complem^t according to a former Order given him, his Hono^r also said he found severall of the Seamen wanting from the Ship, and Complaints were made to him by some of the Officers and Seamen that they wanted Victualls, In Consideration whereof his Hono^r is desired to write to Cap^t Richard Finch and Order him to keepe his Seamen on board their Ma^s said Ship (unless there be good reason for the Contrary) and give them their full allowance of Victualls, and if at any time he hath occasion to send any of them from the Ship, to give them their full allowance of Provisions with them.

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that he observed by some of the Collect^{rs} liveing at some distance from the Lower part of their Districts, that care could not be taken by them for the

Securing their Ma^s Customes as was needfull, and that it was very inconvenient for Masters and Marchants of Ships and Vessells trading in the said Districts; and therefore proposed some way might be prescribed for better Securing their Ma^s Duties and ease of Marchants and Masters, On Consideration whereof, It is Ordered that C^r Wormeley Esq^r^s Collect^r of their Ma^s Duties in the District of Potomack River appoint a Deputy Collect^r in Stafford County, And Edward Hill Esq^r^s Collect^r of their Ma^s Duties in the Upper District of James River is Ordered to appoint a Deputy Collect^r in the Lower part of the said District,

And the R^t Hono^{ble} the Lieu^t Gov^r further acquainting that by John Lear Esq^r^s Collect^r of their Ma^s Duties in the Lower District of James River his liveing at some distance from the Mouth of the said River it was very easie for any false Traders or other Ships or Vessells to come in, put goods a Shoare, and take tobacco on board without paying any Duty, and be gon undiscovered by him, and also acquainting that he was informed it was the usuall practice of severall of the Inhabitants in the Lower part of the said River when any Ship or Vessell arrived there, which was either to purchase a Loading or lett Freight, to doe all they could to discourage their goeing up the River, by telling the Master and Marchants many untruths, by reason whereof many (rather then take the Inconsiderable rates offered below for their Goods or Freight) leave the Government, to the great detriment not onely of the Inhabitants of the upper part of the River, but their Ma^s, by having tobacco lye all the yeare wasting, and many hheads by badness of Roleing houses, Carelessness of people at them, and other accidents Rotten, His Hono^r therefore proposed that it be Considered what method shall be taken to prevent the same, On Consideration whereof It is Ordered that John Lear Esq^r^s appoint a Deputy to be at Kiquotan, who is to be very Carefull and diligent in goeing on board all Ships and Vessells that shall come into the River, and if he see occasion Stop them till they shall be fully Examined and discharged, and to take care that Masters and Marchants of Ships and Vessells be not discouraged goeing up the River by any person whatsoever, but that he give them all due incouragement.

And upon the R^t Hono^{ble} the Lieu^t Gov^r^s Motion, It is Ordered that all the Collect^r^s be very Carefull in Examining whether all ships and Vessells that come into their Districts be Navigated according to Law, and have good Certificates, and observe the Order of Councill directing how the Quantity of Tob^o loaded on board any ship or Vessel shall be discovered, and not to Cleare any till the Master declares he hath all on board he designes to take in.

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a letter from William Cole Esq^r^s late Collect^r of their Ma^s Duties in the Lower District of James River giving an account that John Strange who was Master of the Sloop John and Sarah in the yeare 1690, and that yeare Loaded the said Sloop with Tobacco and other Goods, and Cleared for New England, had not produced a Certificate of the unloading of the said Goods according to a bond by him given soe to doe, and that he understood the said Strange was Master of another Vessell now in

Newkent County, On Consideration whereof it is Ordered that their Ma^s Attorney Generall sue for the penalty of the said bond.

Comissions Constituteing and appointing the severall Collect^{rs} publick Notaries, produced and approved, and Ordered that at the next meeting of the Councill they be all Sworne.

A Comission signed sometime Since by the R^t Hono^{ble} the Lieu^t Gov^r (according to an Order of Councill) Constituteing and appointing Henry Whiteing Esq^{re} Treasurer in the place of Edward Hill Esq^{re} approved

The R^t Hono^{ble} the Lieu^t Gov^r giving an account that he had mounted Eleven great Guns under the Platforme at Tindall's point, the Charge whereof came to five pounds fiftene Shillings and sixpence, which was by his direction paid by William Edwards Clerke of the Councill to the severall persons to whom it was due, On Consideration whereof, the mounting the said Guns being adjudged for their Ma^s Service is approved, and the Charge for performeing soe great a Service being very little, His Hono^r is thanked for his care in both, And Ordered that M^r Audit^r Byrd repay the Money to the said Edwards out of their Ma^s Revenue of this Colony.

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read some Letters he had received from Coll Cadwallad^r Jones Gov^r of Providence, Sent by William Thompson Master of the Sloope Swann who arrived some few days since, and was by his Hono^r received the 8th day of this Instant August, wherein he gives an account of some troubles betweene him, and the Inhabitants of the place, and desires that a Friggott may be Sent him from this Government to be with him by the 12th day of this Instant, but being but one Friggott in this Country, and the time the said Jones mentions Expired (if his desire had been thought reasonable) noething can be done therein.

The R^t Hono^{ble} the Lieu^t Gov^r produced Copies of the proceedings of the Examination of the Death of Cap^t William Marshall which he caused to be read, and acquainted the Councill what Orders he had given therein, and asked if any thing more could be done, to which the Councill answered noething more could be done, till the persons in Custody were brought to Tryall.

The R^t Hono^{ble} the Lieu^t Gov^r caused to be read a Letter from the Justices of the Peace for Newkent County, giving an account that an Indian had related a Nation of Strange Indians Intended to fall upon and destroy the Inhabitants of this Colony, and that they had Ordered the said Indian and Interpreter to the Indians to appeare before his Hono^r for his Examination, On Consideration whereof the R^t Hono^{ble} the Lieu^t Gov^r desired to cause to be raised soe many Men as he shall see fitt, and further proceede therein as he shall finde occasion for their Ma^s Service

The R^t Hono^{ble} the Lieu^t Gov^r acquainted this Board that in his seeing the Fleete made up, and goeing about the Country to Exercise the Militia, Complaints have been made to him that severall Idle desolute Seamen have Run from on board their Ma^s Ships of Warr and Marchants Ships that have come to this Country, and lye Sculking up and downe, which may be of evill Consequence unless timely

care be taken therein, His Hono^r also acquainted this Board that it was supposed some persons have taken up Anchors Cables and Boates lost in the Rivers and Bays in this Government, and ignorantly keepe the same, not knowing but that they may doe soe, And his Hono^r further acquainted that he was informed Marriage Lycences were not issued and directed as they ought to be, His Hono^r therefore proposed that some care might be taken in the above said perticulers, And that the Law made at An Assembly begun in Aprill 1691, Entituled an Act for the more Effectuall Suppressing the severall Sins of Swearing Curseing & c be often published, And that the Order of Councill requireing the publishing his Ma^s most Gracious Letter to the R^t Reverend Father in God the Bishop of London be duely observed, On Consideration whereof it is Ordered that a Proclamation be forthwith prepared for his Hono^r the Lieu^t Gov^{rs} signing requireing all and every their Ma^s Officers Civill and Military within this Government to cause to be Seized all Stragling Seamen shall be found in their respective Counties, and them safely to Convey to the Gunner of the Platforme at Tindalls point, and to Comand him safely to Secure all Seamen shall be delivered into his possession, till they be sent for by Cap^t Richard Finch Comander of their Ma^s Ship Henry prize (and his Hono^r is desired to Order the said Finch to send every weeke or as often as conveniently he can and receive all shall be there, and enter such and soe many of them into pay on board their Ma^s Ship under his Comand as he shall have occasion for, for their Ma^s Service in the said Ship, and give those he shall not Judge fitt for their Ma^s Service a certificate that he hath refused them, that they may not be taken up againe) And requireing the Justices of the Peace to binde over to the Gen^l Court all those that have harboured or Entertained any of the aforesaid Seamen, to be proceeded against for their Contempt of a Proclamation in that behalfe heretofore sett forth making return of all persons by them bound over, together with their recognizances in convenient time to the Sec^{rs} Office, and Comanding that Ferry-men doe not Sett any Seamen over the River who have not lawfull passes, And that noe person who shall take up any Anchors Cables or Boates in the Rivers and Bays in this Government may ignorantly keepe the same, and thereby be put to trouble, it be sett forth and declared in the said Proclamation that they belong properly and onely to their Ma^s, the takers up being to be allowed a certain proportion for their Encouragement and trouble, and therefore to Comand all persons whatsoever who already have or hereafter shall take up an Anchor, Cable or Boate, forthwith to give an account thereof to the Sherriffe of the County, who is Imediatly to return the same to the Sec^{rs} office, and to sett forth that due care shall be taken that the taker up shall be paid, And further to require that Marriage Lycences be onely directed to the Minister of the parrish where the Woman to be married dwells, if he be duely qualified, but if he be not, or there be noe Minister in the parrish, then to the next Orthodox Minister by Name, And to the End the good Law Entituled An Act for the more Effectuall suppressing the Severall Sins and Offences of Swearing Curseing & c. may by often being made publick, kept in Remembrance, and some

persons thereby deterred Comitting the abominable Sins therein mentioned, and others mineded of doing their Duty in punishing the Offend^{rs}, that it be Comanded the said Law be once every two Months published in every Church and Chappell of ease in this Government, and that the Grandjury have it in charge to see it be performed, And the Ministers directed to put the Vestries in minde of it, Also requiring that the Order of Councill for publishing his most Gracious Ma^s Letter to the R^t Reverend Father in God the Bishop of London be duely observed.

The R^t Hono^{ble} the Lieu^t Gov^r acquainted the Councill that he had been at Accomack and settled the Militia in that County and Northampton, Elizabeth Citty and Warwick Counties, And that he Shortly intended to Visitt the Rangers and Inhabitants at the heads of the Rivers, that he might take care the Rangers performe their Duty diligently, and to give Such Ord^{rs} and directions as he should finde to be for their Ma^s Service and Security of the Country, also meete the Strange Indians reported to be coming on us, if they come, And his Hono^r proposed that John Lear Esq^{re} and the other Comand^{rs} in Chiefe, Especially towards the Seaside should be very diligent in performing their Duties if anything Extraordinary should happen dureing his absence (which he hoped there would not, the time of yeare being almost over,) And that an Express be Sent to meete him, for he thinks none will be able to Overtake him.

The R^t Hono^{ble} the Lieu^t Gov^r according to his Usuall Custome asked the Gentlemen of the Councill if they knew of anything elce to be proposed for their Ma^s Service, who answered they did not.

Copa Vera

Test Chr Robinson

Att a Councill held att James Citty Sep^t the 20th 1692

Present

His Excell^{cy} S^r Edmund Andros Kn^t their Maj^{ties} Lieu^{ts}
and Govern^r Gen^{ll} of Virginia

Francis Nicholson Esq ^r L ^{tt} Gov ^r	Edw ^d Hill
Ralph Wormely	Hen: Whiteing
William Byrd	Edm ^o Jennings
Chr: Wormely	Chr: Robinson Sec ^r
Henry Hartwell Esq ^{rs}	

His Excell^{es} Comission from their Maj^{ties} bearing date att Westminster y^e first day of March in the fourth year of their Maj^{ties} Reign was this day read in the Councill Chamber after w^{ch} His Excell^y and Councill went to the Generall Court house where the Comission being published before all there present, His Excell^y tooke the Oathes appointed to be taken instead of the Oaths of Allegiance and Supremacy, also the Oath of Gov^r of this their Maj^{ties} Colony and Dominion and Subscribed the Test, and the R^t Hon^{ble} the Lieu^t Gover^r and the rest of the Councill present likewise tooke the Oaths Appointed to be taken instead of the Oaths of Allegiance and supremacy subscribed the Test,

and were sworne Councillors according to their Maj^{ty}s Instructions in that behalfe, w^{ch} His Excell^y caused to be read And itt is Ordered that His Excell^{ys} Comission be Registered in the Councill Booke also in the Secre^{ts} Office.

Ordered that Proclamacons be forthwith prepared for His Excell^{ys} Signeing continuing all Civill and Military Magistrates and Officers in the Execution of their respective powers and Authorities untill new Comissions goe forth.

Att a Councill held att James Citty Sep^t 21. 1692

Present

His Excell^y S^r Edmund Andros Kn^{tt} Gov^r & c^a

Francis Nicholson Esq ^r L ^{tt} Gov ^r	Edward Hill
Ralph Wormely	Hen: Whiteing
William Byrd	Edm ^o Jenings
John Lear	Chr: Robinson Sec ^r
Chr: Wormely	Hen: Hartwell Esq ^{rs}

John Lear Esq^r sworne one of their Maj^{ty}s Councill of this Colony haveing first taken the Oaths Appointed to be taken instead of the Oaths of Allegiance and Supremacy and Subscribed the Test

William Edwards haveing first taken the Oaths Appointed to be taken instead of the Oaths of Allegiance and Supremacy was sworne Clerke of the Councill of this Colony.

A Proclamacon Continueing all Civill and Military Magistrates and officers in the Execution of their respective powers and authorities untill new Comissions goe forth being prepared for His Excell^{ys} Signeing, was read and Approved.

His Hon^r the Lieu^t Gover^r proposed whether he should not take an Oath as Lieu^t Govern^r to w^{ch} itt was Answered he was already sworne and there was no Occasion for more

The Right Hon^{ble} the Lieu^t Gov^r acquainted His Excell^y that he found the Government in peace and quietness and so leaves itt that since he came to the Government he hath made itt his Cheife care and endeavor According to their most Sacred Maj^{ty}s Comission and Instructions to promote first the Service of God Allmighty by takeing care of the Clergy, and haveing the Laws against Vice put in due execution, next in Asserting their Maj^{ty}s Royal Prerogative upon all Occasions, and lookeing after their Maj^{ty}s Revenue, w^{ch} he leaves now more then ever it was before both in the two Shillings per hhead, and Quitrents, and hath not only increased the members of the Militia but indeavored to bring them into a good method, and then the good of the Countrey and upon all Occasions hath taken the Advice of the Councill, to whose help next to God Almighty he Atributes all that is done, finds the Inhabitants are for Monarchy and the Religion Established in the Church of England and good Subjects to their Maj^{ty}s King William and Queen Mary, after w^{ch} His Excd^{ty} Said he did not question his the Lieu^t Gover^r carefull management, and with his and the other Gentlemen of the Councils Advice and assistance hoped to doe what should be needfull for their Maj^{ty}s Service.

His Excell^y caused their most Sacred Maj^{ty}s Comission Constituting and Appointing him Vice Admirall of the Rivers within this Government and the Seas Adjacent to be read, and it is Ordered that the same be registred in the Secretarys Office.

His Excell^y brought [having brought, as a duplicate in Vol. 1306 has it] the good news of a very great Victory obteyned by their Maj^{ty}s forces at Sea against the french, It is Ordred that a publick thanksgiving for the same be made to Allmighty God in James Citty on Sunday next, and in all respective Counties in this Colony on Sunday the 9th day of October and that timely notice hereof be given in all places, Proclamations are to be forthwith prepared for His Excell^{ys} signinge.

The R^t Hon^{ble} the Leiu^t Gover^r Acquainted His Excell^y that the Generall Assembly was Prorogued till the 26th day of Apr^l next, and that it was a question whether by His Excellencys Arivall wth a Comission to be Gover^r the Assembly were not dissolved to w^{ch} His Excell^y replied that he would be very glad to have an Assembly, and dissired the Councills Advice therein, who Answred that unless His Excell^y had any thing Extraordinary to Communicate to an Assembly, there was no Occasion for their meeting sooner then Aprill, and His Excell^y not haveing any thing of absolute necessity to be imediately comunicated to an Assembly, and that the Countrey may not be put to the Charge that accrues thereby, It is resolved that an Assembly be not sooner conveyed then the 20th day of Aprill next, unless something Occur in the interim.

The R^t Hon^{ble} the Leiu^t Gov^r produced a letter under the hand of Ralph Wormely Esq^r Collect^r of their Maj^{ty}s Customs in Rappahannock River, dated August giving an Account of the proceedings of Cap^t George Purvis Comander of their Maj^{ty}s hyred Ship Wolfe, who was in this Colony in Aprill 1691 in the takeing up and loading one Richardsons Ship in the aforesaid River without entering or giving bond According to Law, and his the said Wormelys clearing the said Ship, and the same being contrary to Act of Parliament, he had given an account thereof to His Excell^y the Lord Effingham but had not received an Answer, and therefore he acquainted His Excell^y therewith, to w^{ch} the said Wormely answered that what Cap^t Purvis did, was when he was att James Citty in Aprill Assembly, and that haveing heard thereof, he Acquainted the L^{tt} Govern^r therewith, and that att his returne home the Ship was loaden, and maned [manned] wth the Said Purvis his Men, and the Duties being tendred him for the loading the Ship and bond for her goeing for England and performance of all things required by Law, he had received the duties and taken Bond, and that the beforementioned letter gave a full Account of the whole proceedings, after which His Excell^y dissired the Councills Opinions therein, w^{ch} were that his Hon^r the L^{tt} Gov^r haveing represented y^e buisness to His Excell^y the Lord Effingham, it was not proper to be debated.

His Excell^y Acquainted the Councill that he had their Maj^{ty}s Comands to repeale the Law about Attorneys made in 1680 by Proclamation, if it were not already done, to w^{ch} y^e Councill answred the said Law was repealed by Proclamacon, His Excell^y then Acquainted

them, that he had Their Maj^{ts} Comands, wth their Assistance, to revise the Laws in force, and remitt them for their Maj^{ts} Approbacon or disallowance, and that all Salaries and fees should be regulated, that landing places and Harbours should be surveyed, and fitt Fortifications Erected in Convenient places w^{ch} their Maj^{ts} doubted not the Assistance of the Inhabitants, being for their Security, and that there be an Account taken of the publick stores and fitt storehouses built to secure them in, also the settleing of Townes upon the greate Rivers, and James Citty haveing been represented to be the Cheife place of Judicature and seate of the Gover^r, that itt be so Continued and that their Maj^{ts} will take it well, if the Gentlemen of the Councill will each of them build a house in it.

Att a Councill held att James Citty Octo^r y^e 18th 1692

Present

His Excell^y S^r Edmund Andros Kn^t Gover^r & ^{ca}

Francis Nicholson Esq ^r L ^t Go ^r	Hen Whiteing
John Lear	Edm ^o Jenings
Chr: Wormely	Ch: Robinson Sec ^r
Edward Hill	Hen: Hartwell Esq ^{rs}

His Excell^y the Gov^r haveing received a letter from Coll. Copley their Maj^{ts} Gov^r of Maryland, wherein he signifies that a horid Murder some tyme since Comitted upon the Body of One Robert Kemble an Inhabitant of that Province, by Abigall his Wife, one William Luffman who hath since intermaried the said Abigall, and Jack a Negro man wth other Confederates is lately discovered and being informed that the said Luffman his Wife and the Negro aforesaid the principall Actors therin, togeather wth a Negro Woman named Sue a Negro Child and an English Boy named Peter, wth a boate and severall other goods were apprehended seized and secured in this Government and that he had sent a boate and fouer able hands well Armed Under the Conduct of John Kemble to receive and Convey the Criminalls to their Provinciall Court and therefore dissired that they wth the Servants and goods might be delivered the said Kemble w^{ch} said letter haveing been read His Excell^y dissired the Councills Advice therein. Whose Advice and Opinion is, that the said Luffman Abigall his Wife, Negro Jack Negro Sue, Negro Child English boy boate and other goods be delivered the aforesd John Kemble to be Conveyed to the Government of Maryland, the place where the fact was Comitted, if the said Negro Sue Negro Child, boy Peter boate and other goods be in the said Luffmans possession, he the said Kemble paying or giveing Security to the Sheriff of Princess Anne County to pay the debts Contracted by the said Luffman before he was Apprehended, or notice was given of his being suspected to be guilty of the Murder aforesaid, w^{ch} if he shall fayle to doe that the sheriff deteyne in his Custody the aforesaid Negro, Negro Sue Negro Child English Boy boate and Other goods that they may be lyable for payment thereof or further Order therein.

Att a Council held at James Citty y^e 21st Octo^r 1692

Present

	His Excell ^y the Gov ^r
Francis Nicholson Esq L ^t Go ^r	Edward Hill
Ralph Wormely	Hen: Whiteing
William Byrd	Edm ^o Jenings
John Lear	Ch: Robinson Sec ^r
Ch: Wormely	Hen: Hartwell. Esq ^s

His Excell^y taking into Consideracon the best way to dispose of Their Maj^{ties} Quitrents of this Colony for this present year, dissired the Councils Advice therein, whose Advice and opinion were that the best way is that M^r Auditor Byrd should sell them for ready money or good Bills of Exchange, for London, to be delivered in James Citty in Aprill next to him or them that would give most for them and that publick notice be given thereof.

Att a Council held att James Citty y^e 1st Nov^r 1692

Present

	His Excell ^y the Gov ^r
Francis Nicholson Esq ^r L ^{tt} Go ^r	Ch: Wormely
Ralph Wormely	Ed: Hill
William Byrd	Hen: Whiting
John Lear	Edm ^o Jenings
	Hen: Hartwell Esq ^s

It being proposed to the Council whether the present Assembly should be dissolved or continued, On Consideracon thereof It is the Advice and Opinion of the Council that the present Assembly be dissolved by Proclamacon, and Writts Issue for the Conveening of another Assembly to meet att James Citty the 20th day of Aprill next, unless something extraordinary Occur in the Interim, and then that the Assembly be Conveened as soon as possible

A List of the severall quantities of Land for w^{ch} Pattents are dissired being ready by His Excell^{ys} Comand the Councils Opinion and Advice is that Pattents be granted for the said Lands.

A Woman for the Murder of a Bastard Child being sentenced to dye his Excell^y dissired to be Informed what was the usuall proceedings here in such Cases, to w^{ch} itt was Answered by the Council that a warrant for her Execution was to issue of corse. His Excell^y then dissired the Councils Opinion about William Dolby and Edward Legg who for the murder of Cap^t William Marshall a Justice of the Peace and Member of the House of Burgesses was Condemned to dye, and the Councils Opinions is that the said Dolby and Legg are Objects of Mercy, and that they be Reprieved till the 4th day of the next Generall Court, to the End their Maj^{ties} pleasure may be known therein.

On Consideracon that in the hard season of the year now comeing on it will be very difficult for the Rangers att the heads of the Rivers to continue Rangeing, also that itt may be hoped no Enimy will offer

any Attempt durement the Winter, and that the Countrey may be eased of the great charge in keeping so many Men in pay, when Absolute Necessity doth not require, It is thought fitt and Accordingly Ordred, that y^e Comanders in Cheife of the Frontier Counties issue their Warrants to the Leiutenants of the Rangers requiring them on the 15th day of this Month to discharge y^e Souldiers under their respective Comands, untill the first day of March next, att w^{ch} time or Sooner if His Excell^y the Gov^r find cause to Order them, they are not to faile of proceeding to Range, And itt is Ordered that the Comander in Cheife of Stafford County issue his Warrant to Cap^t Thomas Owsley requiring him on the aforesaid 15th day of the Month to discharge the Souldiers under his Comand.

For the Ease of such persons who shall dissire to goe a fire hunting, His Excell^y wth the Advice of y^e Councill is pleased to direct that upon their Application to the Comanders in Cheife att the heads of the Rivers, they give them liberty to goe and directions how to proceed provided they be such Number as the Act of Assembly directs.

Att a Councill held att James Citty y^e 12th of Jan^y 1692 [1692-3]

Present

His Excell^y the Gov^r

William Byrd

Edw^d Hill

John Lear

Hen: Whiteing

Chr: Wormely

Edm^o Jenings

Hen: Hartwell Esq^a

Upon reading Her Royall Maj^{ty}s Letter dated att White Hall May the 26th 1692 directed to his Excell^y the Gover^r wherein her Maj^{ty} hath been graciously pleased to signifie that by Letters Pattents under the greate seale of England bearing date the 17th day of Frb^ry last past, their Maj^{ty}s have given unto Thomas Neale Esq^r his Exo^{rs} Adm^{rs} and Assignes full power and Authority to Erect Setle and Establish within y^e Cheife Ports of their Maj^{ty}s Islands Colonys and Plantacons in America An officer or Officers for the receiveing and dispatcheing of Letters and Packetts and to receive send and deliver the same under Such rates and summs of money as the Planter shall Agree to give, or as shall be proportionable to the rates for the Cariage of Letters Ascertained in the Act of Parliament for Errecting and Establishing a post Office, to hold and Enjoy the same for the terme of One and twenty yeares wth such powers and Clauses as are necessary in that behalfe, as by the Said Letters Pattents relation being thereunto had may more fully Appear, And that S^r Robert Cotton and Tho^s Frankland Esq^r Post Master Generall have att the dissire and Nomination of the said Thomas Neale in persuance of their Maj^{ty}s Comands in their Said Letters Pattents by An Instrument under their hands and the Seales of the Post Office bearing date the 17th day of Feb^ry last Deputed and Constituted Andrew Hamilton of East Jersey in America Esq^r to Govern and manage the said Generall Post Office, for and throughout all their Maj^{ty}s Plantacons and

Colonies upon the maine land, or continent of North America, And for and throughout the severall Isles and Islands in North America lying near or adjoining to the said Continent or main land, for the said terme of one and twenty yeares, as in and by the said Instrument relation being thereunto had may more fully Appear And hath thought fitt att the humble request of the said Thomas Neale and for his Encouragement in this usefull undertakeing, further to signifie their Will and Pleasure to His Excell^y to Assist and Countenance him the said Andrew Hamilton his Deputies Agents or Servants upon all Occasions in the Management of the said Gener^l Post Office and in the due Execution of all and Singular the powers and Authorities Contained in their said letters Pattents and in the Instrument above mentioned under the hands and Seale of the said Post Master Gen^l According to their true intent and meaning and to issue such orders and directions from tyme to tyme as shall be requisite and fitt for the better performance of this Service pursuant to the Powers in their said Letters Pattents, and Peter Heyman Gent this day makeing Application and producing a Deputacon from Andrew Hamilton Esq^r dated the 18th day of Aprill 1692 to be his Deputy Post Master of and over all the Colonies and Plantacons within the Goverments of Virginia and Maryland. It is the Opinion and Advice of the Councill, that Proclamacons forthwith Issue to make knowne their Maj^{ties} Royall Pleasure and Comands, and that the said Peter Heyman is Authorised for itt in this Government and to have all due incouragement and Assistance, and is Ordred Accordingly.

An Account of the Rangers Services att the heads of the Rivers being brought into Councill, it is referred to M^r Auditor Byrd to Examin and report.

It is the Opinion and Advice of the Councill that y^e Rangers doe not begin to Range till the first of March next, except something extraordinary, when his Excell^y to appoint them as Occasion.

Att a Councill held att James City y^e 13th Jan^{ry} 1692 [1692-3]

Present

His Excell^y the Gov^r

William Byrd

Edward Hill

John Lear

Hen: Whiteing

Chr: Wormely

Edm^o Jenings

Hen: Hartwell Esq^s

Upon Reading the Petition of Edward Randolph Esq^r Survey^r Gen^l of their Maj^{ties} Customs in the North parts of America And their Maj^{ties} Ship the Henry Prize Cap^t Richard Finch Comander, being disabled by the want of Cables and Anchors to performe the Service for w^{ch} she was sent to this Government, and laid up, It is the Opinion of the Councill and Advised that Cap^t Richard Finch forthwith procure a good Sloop or other small Vessel and Agree for the hyre of her, w^{ch} being Approved by One of the Councill is to Continue in their Maj^{ties} service, till the Arival of the Friggots expected from England wth the Fleete or till farther Order, And that M^r Auditor Byrd pay

what shall become due for the hyre of the said Sloop or Vessell, and draw Bills of Exchange on the R^t Hon^{ble} the Comissioners of their Maj^{ties} Navy for repayment thereof and Ordered Accordingly.

M^r Auditor Byrd haveing presented his report of the examination of the tyme the Rangers at the heads of the Rivers were in Actuell Service and proportioned their pay for the same. It is the Councill's Opinions and Advice that his Excell^y Issue Orders to the respective Sheriffs concerned to pay the Tobacco; Ordered Accordingly.

It is the Opinion and Advice of the Councill that a Gen^l Assembly be convened to meet att James Citty the Second day of March next, and Ordred that Writts be prepared to be issued Accordingly.

The Peticon of Severall persons for Liberty to Ketch Whales, a Comission given them by His Excell^y and A Protection from being Imprest, being read it is the Councills Opinion that the Ketching of Whales in the Bay, and on this Coast, is for their Maj^{ties} Service and Advantage of this Country, and itt not Appearing that any duty had been paid, It is the opinion of the Councill that none be demanded of them, and Ordred.

Att a Councill held att James Citty y^e 14th Jan^{ry} 1692 [1692-3]

Present

His Excell^y the Gov^r

William Byrd
John Lear
Chr. Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings

It is the Opinion and Advice of the Councill that a powder roome and a small building over itt be forthwith built in James Citty and paid for by M^r Auditor Byrd, out of their Maj^{ties} Revenue of this Colony and Ordred.

Upon the Peticon of John Lowry, and his producing severall Certificates of Masters of Ships, It is the Councils Opinion, he is a fitt person to be lycenced a Pilot for James River, and Ordred.

Upon the Application of Levin Buffkin. It is the Opinion of the Councill that he dispose of his Armes mentioned to have been under restraint by order of Councill dated decem^r y^e 9th 1690 as he shall see cause, and Ordred.

A Forme of A Comission of the Peace, and D^{edim}^{us} for swearing the Justices produced by the Clerk of the Gen^l Court, and M^r Attorney Gen^l Approved, and the names of the Justices in the old Comissions being read by Order of His Excell^y the dead and gone out of the Country are Crossed Out, and some were added where needed.

Whereas att a Councill held in James Citty y^e 21st day of Sept 1692 the R^t Hon^{ble} the L^{tt} Gov^r produced a letter under the hand of Ralph Wormely Esq^r Collect^r of their Maj^{ties} Customs in Rapahanock River, giving an Account of Cap^t George Purvis Comander of their Maj^{ties} hyred Ship the Woolfe, his takeing up and Loading One Richardsons Ship in the year 1691 and his the said Wormelys proceeding therein, after the reading whereof, and hearing what was Said by the

L^t Gov^r and the said Wormely. It was the Councills Opinion the said Wormely was under no Imputacon for his proceedings in the Entring and Clearing the aforesaid Ship, w^{ch} by Accident not being Entred in the order relating thereto, and being remembred by every Member of the Councill now present, It is the Opinion of the Councill that it be noted Accordingly.

The Councills Opinion and Advice is that the Great Guns in the severall Counties in this Colony be mounted in convenient places, and the Charge thereof paid by M^r Auditor Byrd out of their Maj^{ties} Revenue of this Colony and Ordred.

Att a Councill held att James Citty March 1st 1692 [1692-3]

Present

His Excell^y

Ralph Wormely
William Byrd
John Lear

Edward Hill
Hen: Whiteing
Edm^o Jennings

Hen Hartwell Esq^s

Chr Robinson Esq^r who upon the Surrender of William Cole Esq^r their Maj^{ties} Secretary of this their Maj^{ties} Colony And Dominion, was Appointed Secretary till their Maj^{ties} pleasure should be known therein, being lately dead, and no person being Appointed by their Maj^{ties} in this Colony to Execute the Said place, and the necessity of affaires requiring one to supply the same. His Excell^y in Councill was pleased to Nominate and Appoint Ralph Wormely Esq^r one of their Maj^{ties} Councill to be Secretary, untill their Most Sacred Maj^{ties} shall Appoint One, or Signifie their Royall Pleasure therein and Ordred Accordingly.

There being a Vacancy in th^e Councill by the death of Chr. Robinson Esq^r his Excell^y Nominated Richard Lee Esq^r to be Added to the Councill, w^{ch} was to the Generall Satisfaction of the whole Councill, and directed M^r Secretary to give him notice thereof, that he may give his Attendance Accordingly.

His Excell^y wth the Advice of the Councill was pleased to order that on Sunday next in James Citty Prayers and Supplications be made to Almighty God to begg the divine Assistance on the proceedings of the Generall Assembly, called and Soone to sitt, and that on Sunday the 19th day of this Instant the same be performed in all the Churches and Chapells of Ease in this Colony.

Some few Ships in this Country being near ready to sayle for England, His Excell^y desired the Opinion and Advice of the Councill, if any proper or necessary to goe Single, on Consideracon whereof, It is the Advice and Opinion of the Councill there not being Ships in the Country to make a Fleet, nor any Account of any that may be Sudaingly Expected, that those now near ready be permitted to Sayle, their stay being to their Ruine, wherupon His Excell^y was pleased to Admit that the respective Colect^{rs} Clear the Industrey of Plymouth in Rapp^a River, and the Mary of London in Nancemond River now ready.

Att a Councill held att James Citty y^e 2^d of Mar^{ch} 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell Esq^s

Ralph Wormely Esq^r Sworn Secretary of their Maj^{ties} Colony and Dominion of Virginia, haveing taken the Oaths Appointed to be taken instead of the Oaths of Alegiance and Supremacy and Subscribed the test

Cap^t Peter Beaverly is by His Excell^y in Councill appointed Clerk of the house of Burgesses.

William Edwards haveing taken the Oaths Appointed to be taken, instead of the Oaths of Algiance and Supremacy and Subscribed the Test was Sworn Clerk of the Gen^l Assembly of Virginia.

His Excell^y dissired the Councill that they would Advise him wheather he should speake to the house of Burgesses in Gen^l termes or pertickulars to w^{ch} the Councill Answered, they were of Opinion it was best only to speak in Gen^l termes

Att a Councill held at James Citty March y^e 3^d 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell Esq^s

Upon the Informacon and Account given by Jacob Royland, that Fountain a Negro who he hyred to fetch his Wife and Children from the Woccon Indians, detyns some of his money from him, and upon Informacon that Isaac Ferree who was bought from the Indians and sould to, or deteyned by M^r Robert Bolling Sheriff of Charles Citty County for his Redemcon, itt is Ordred by His Excell^y wth the Advice of the Councill that the Said M^r Bolling doe returne to his Excell^y an Account by what pretentions he deteynes the said Ferree, and that he sumons the Negro Fountaine to make his Appeareance in James Citty before His Excell^y and Councill on thursday the 16th Instant and re- turne an Account of his proceedings herein to his Excell^y

Att a Councill held att James Citty y^e 6th March 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
Chr: Wormely

Edward Hill
Hen Whiteing
Hen: Hartwell Esq^s

Upon hearing what hath been represented by Cap^t Richard Finch Comander of their Maj^{ty}s Ship the Henry Prize, and Edward Randolph Esq^r Surveyor Gen^l of their Maj^{ty}s Customs, concerning y^e Brigantine taken up and employed in their Maj^{ty}s service in this Colony wth the said Finch his Officers and Men and the said Finch Aleading he shall now have Occasion for all his Men on Board their Maj^{ty}s said Ship Henry Prize, w^{ch} he intends to refitt this Spring, It is Advised and Ordred in Councill that the said Brigantine being returned from Cruising and now brought into James River, be discharged.

Att a Councill held att James Citty y^e 7th Mar^{ch} 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell Esq^s

It appearing there is due to Edward Hill Esq^r for money by him paid for Sixteen pair of wheeles for the great Gunns att James Citty and the bringing them to James Citty, Thirty pounds Ster: His Excell^y wth the Advice of the Councill is pleased to Order that the same be repaid the said Hill out of their Maj^{ty}s Revenue of two Shillings per head, and Port Duties.

Att a Councill held att James Citty y^e 16th March 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Henry Hartwell Esq^s

Richard Lee Esq^r having taken the Oaths Appointed to be taken instead of the Oaths of Allegiance and Supremacy, and Subscribed the test was Sworne of their Maj^{ty}s Councill of this Colony

Att a Councill held att James Citty y^e 17th Mar^{ch} 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell

Richard Lee Esq^rs

On reading a letter from Cap^t George Mason one of the Deputy Comanders in Cheife of Stafford County to His Excell^y the Governor

dated March the 8th 1692-3 of the Piscatoway Indians coming over Potomack River and the Apprehension or fear occasioned thereby he had dissired the Emperor of the said Indians that neither his nor any other Indians should come on our Side the River till further Order from his Excell^y It is the Opinion of the Councill that due regard be had to the 9th Act of Assembly made in the year 1691 Entitled an Act for a free trade wth Indians, and that Indians be not restrained contrary thereto, and Ordred in Councill Accordingly.

Att a Councill held att James Citty y^e 21 Mar^{ch} 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r

Edward Hill

William Byrd

Hen: Whiteing

John Lear

Edm^o Jenings

Chr: Wormely

Hen: Hartwell

Richard Lee Esq^{rs}

The form of a Patent was yesterday read in Councill wherein the following words, Viz^t According to his Maj^{ty}s Instruction of the 12th of Sep^r 1662 are incerted imediately after the clause for payment of one shilling for every fifty Acres of Land, w^{ch} words being doubtfull, as seeming to refer to something that wanted Explanacon the Attorney Gen^l was Ordred to search for the said Instruction w^{ch} he haveing done produced a Coppy thereof from the Records in the Secretarys Office, in the following words We being informed that the Grant of our Royall Father of blessed memory heretofore made to that Our Colony to exempt the Planters from paying Quitt Rents for the first seaven yeares, hath turned to the great prejudice of that Our Colony, and that many have abused that Grace, and taken Occasion thereby to take and Create a title to themselves, of such quantities of Land w^{ch} they never intend to, or in truth can Occupie and Cultivate, but thereby Only keepe out others who would Plant and manure the same, We doe therefore revoke all such grants, as contrary to the intention of our Royall Father, and to the good of the People and doe Appoint you by and wth the Advice of our Councill to give direction to our Treasurer or his Deputy, that the Quitt Rents be carefully and Justly levied, and no longer forbearance thereof by reason or Colour of such Occupation or desertion as aforesaid. On due Consideration thereof, and it appearing that the practise of exempting the Planters from payeing Quitt Rents the first seaven yeares hath ever since been disused, It is the Opinion of the Councill that the aforesaid words Viz^t According to his Maj^{ty}s Instruction of the 12th of 7^{ber} 1662, be left Out of all Patents to pass, and ordred in Councill Accordingly.

Att a Councill held att James Citty y^e 23^d Mar^{ch} 1692 [1692-3]

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen Whiteing
Edm^o Jenings
Hen: Hartwell

Richard Lee Esq^{rs}

On the reading the Peticon of the Church Warden of S^t Peters Parish in King and Queen County, and heareing what was offered on behalfe of the Vestry and all parties concerned relateing to M^r James Boiseaus continuance or noncontinuance in the Said Parish, It is Ordred by His Excell^y in Councill that the said Boiseau continue Minister of the said Parish According to the Agrement or Order of the Vestrey, of the 18th day of this Instant, this present year.

Att a Councill held att James Citty y^e 25th Mar^{ch} 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr: Wormely

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell

Richard Lee Esq^{rs}

The Vestrey of S^t Johns Parish in King & Queen County and the Vestry of S^t Peters Parish in New Kent County haveing petitioned His Excellency that M^r Jacob Ware Minister might be inducted into each of their Parishes, His Excell^y Appointed this day to hear what could be offered on either Side, and after heareing all parties in Councill, Ordred that the Said Ware be inducted into S^t Peters Parish, where he was first Entertained

Upon Consideracon of the want of a person to Attend upon his Excell^y and the Councill, often tymes represented by the Councill. It is Ordred in Councill that a person be Appointed as Messenger to performe the same, and that for the said Service and finding himselfe a Sufficient horse he be paid twenty five pounds Sterl per Anum out of their Maj^{ties} Revenue of this Colony.

Att a Councill held att James Citty y^e 3^d Apr^{il} 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear

Edward Hill
Edm^o Jenings
Henry Hartwell

Richard Lee Esq^{rs}

Upon representation of the Surveying or not Surveying the Lands in Pomunkey Neck and the South Side of James River. His Excell^y by Advice in Councill doth Order that M^r James Mings doe Attend on his Excell^y in Councill in James Citty the 20th day of this instant, when to bring wth him, all papers and matters relateing thereto.

Att a Councill held att James Citty y^e 20th Apr^{ll} 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

M^r John Childs haveing first taken the Oaths appointed by the Act pf Parmalent [Parliament] to be taken instead of the Oaths of Allegiance and Supreamacy and Subscribed the Test, was Sworn their Maj^{ties} Messenger of this Colony.

On reading a Copy of a Deposition sent by the Gov^r and Councill of Mary Land to His Excell^y Ordred that a Warrant issue requiring their Maj^{ties} messenger of this Colony, to take into his custody the Bodyes of William Diggs of Yorke County Gen^t and Elizabeth his Wife, and them safeley to convey to this place to Answer before the Gover^r and Councill such matters and things, as shall be objected against them, and M^r Secretary is dissired to signe the said Warrant.

Att a Councill held att James Citty y^e 21st Apr^{ll} 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear

Edward Hill
Hen: Whiteing
Edm^o Jenings
Hen: Hartwell Esq^{rs}

Upon reading the Gov^r of New Yorke's letters of the 11th and 14th Instant to His Excell^y representing the greate necessity of that Government to be assisted and inabled to defend themselves against the French, for w^{ch} they dissire some supply of money, and M^r Auditor not haveing money in his hands Sufficient to pay the Establishments Charged on their Maj^{ties} Revenue, but being sencible of the present necessity of Supporting New Yorke, It is the Opinion and Advice of the Councill that M^r Auditor procure and send six hundred pounds Curant money of New Yorke to be paid His Excell^y the Gov^r of New Yorke as soone as possible att New Yorke for their Maj^{ties} service, in the Defence of Albany and other those parts against the French and other Enimy'es for w^{ch} to have a Warrant to be Allowed so much upon the next Account of Moneys in his hands and is Ordred Accordingly.

Att a Councill held att James Citty y^e 22^d Aprill 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear

Edward Hill
Hen. Whiteing
Edm^o Jenings

Hen: Hartwell Esq^{rs}

His Excell^y haveing received a letter wth a Coppy of a disposition [deposition] from the Gov^r and Councill of Maryland concerning some discourses Coll William Diggs and Elizabeth his Wife had in that Province relating to His Excell^y the Gov^r and Councill of this Place, the said Diggs and his Wife were sent for to Appear, and upon the Appearance of the said Coll Diggs, his Wife being sick the following questions were put to him and Answered by him thus (Viz^t) Questiones to Coll William Diggs. Have you att your being in Maryland last Winter, said or Affirmed that itt was reported King James had another Son Borne of his Queen in France, and invited over severall of the Lords wth safe conduct to see her brought to bed, upon w^{ch} some did goe over and saw a son borne, who was created Duke of Gloucester, and that King James had sent Proclamacons into England in print, w^{ch} were publicly dispersed up and downe, and every where to be seen, therein declaring a Gen^l free pardon to all not excepting Doct^r Burnett, but only the Bishop of London, and the Lord President, and all things to that End were agreed on between King James and his Freinds in England, wherein amongst other things, itt was concluded there should noe Jesuit remain in England, but that the King might exercise his religion without molestation, and that Severall of quality both in England and Maryland did attend and waite the motion of King James's his Landing in England, and unknown there was a great many such in England that after the French Fleet was beaten and the Plot or disigne discovered and did not take Effect, there was Severall thousands of horses found in England Accountred for Warr, but no body dirst owne them, and as for persons in the Countrey being Protestants and refusers of the Oath they were many in Virginia. Did you report that one Cap^t Purvis should say he expected an Alteration before he got home, and that this and the like discourse was very publicly talked on in Virginia and in England, without any notice taken thereof, and that His Excell^y S^r Edmund Andros the Gov^r of Virginia did in particular freely and openly talke of the same among his Councill who also did the same without the least notice taken and that His Excell^y did shew you the Proclamacons w^{ch} he brought out of England with him, and that he had delivered already severall Copies thereof, and to some persons in Maryland.

The Answer to 1st question

Haveing heard some such like discourse I have talked of part thereof, but never more or so much as I did to His Excell^y Coll Copley the Gov^r of Maryland and some of his Councill att his House to the 2^d Q.

I never heard his Excell^y the Gov^r of Virginia use any such discourse to his Councill, nor any others whatsoever, nor did he ever show me any Proclamacon, or had any that I knew off. nor did I ever hear or report that he dispersed any Copies, nor that the Councill had any such discourse as Ever I heard of, and therefore do deny the whole of this second question and shall be ready to give my oath, when thereunto required, as Wittness my hand this 22^d day of Aprill 1693

W^m Diggs

On Consideracon wherof, and that the letter is Signed by the Gov^r and Councill of Maryland. It is the Opinion and Advice of the Councill that the said Coll William Diggs enter into bond wth good and sufficient security in the Penall summ of One thousand pounds Sterl, that he and Elizabeth his Wife, will make their Appearences before the Gov^r and Councill, the 4th day of the next Gen^l Court to Answer such matters and things, as shall be Objected against them, and to be of the good behaviour to our Sovereign Lord and Lady King William and Queen Mary, and all their Leige people till that tyme and Ordred Accordingly

Aprill y^e 26th 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
Edward Hill

Hen: Whiteing
Hen: Hartwell
Richard Lee Esq^s

His Excell^y being Acquainted that the Surveyor of Accomack County was dead, and Application made to him by M^r Daniell S^t Thomas Jenifer for that Surveyors place, and M^r William Heslett also praying his Excell^y that he may be appointed Surveyor of Nansemond County in the place of Cap^t Thomas Lear who is lately dead, Asked what was usuall in such cases, and an Order of Councill being read dated Octo^r 24th 1691, wherein it is said, for that no person Appears to be quallified to grant Surveyors Comissions, M^r George Williamson was Appointed Surveyor of Surry and Isle of White Counties, that place being Vacant. It is the Opinion and Advice of the Councill that persons fittly quallified, be appointed by his Excell^y the Gov^r to officiate the aforesaid Vacant places. of Accomack and Nansemond Counties.

Aprill 27th 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
Chr Wormely

Edward Hill
Hen Whiteing
Hen: Hartwell
Richard Lee Esq^r^s

M^r James Mings this day Appearing in Councill to give an Account relating to the Lands, on the South side fo James River, and in Pomunkey Neck and not saying anything Materiall, butt that he had not in his practise Surveyed any in either place, or where Indians Concerned, and the same lying now before their Maj^{ties} It is the Opinion and Advice of the Councill that the said Lands remain as now they doe, till the Arrivall of the Fleet or further Order, And Ordred Accordingly.

His Excell^y dissiring the opinion and Advice of the Councill relating to the Comission of the Peace, for James Citty County, It is the Advice and opinion of the Councill that Cap^t James Bray and Cap^t Humphry Higgison two of the Justices for James Citty County being out of the Countrey, be left out of the Comission of the Peace, for that County and that M^r David Bray, and M^r George Marable are fitt persons to be Added, and Ordred Accordingly.

Upon reading this day in Councill a letter of the 22^d Instant to the Governor from Coll Charles Scarborough Comander in Cheife, a Justice of the Peace, and President of the Court in Accomack County, that M^r William Anderson one of the Justices there hath about the 20th Instant, abetted and Suffered the under Sheriff of Sumersett County in Maryland, and others by pretence of a Warrant from the Gover^r of Maryland, to take and Carie away Edward Randolph Esq^r out of Accomack in this Goverment to Maryland It is the opinion and Advice of the Councill, and Ordered in Councill that the said William Anderson be sent for by Warrant to the Sheriff of Accomack County forthwith to Answer what shall be Alleaged against him in that behalfe before the Gov^r and Councill in James Citty. It is also the Opinion and Advice of the Councill that his Excell^y the Gov^r write to the Gov^r of Maryland to remand the said Edw^d Randolph so forceably taken away by prentence of his Warrant out of the Goverment.

Att a Councill held att James Citty y^e 29th Apr^{ll} 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
Chr: Wormely

Edward Hill
Hen: Whiteing
Hen: Hartwell

Richard Lee Esq^{rs}

On reading the Peticon of Taptico and other of the Wickocomoco Indians about their Lands, and the order of the Gen^{ll} Court dated June the 7th 1678 and an order of Councill dated May the 22^d 1683 relateing thereto. It is the opinion and Advice of the Councill and Ordred in Councill that Cap^t John Smith one of the Persons Complained of by the said Indians, have regard that they be not disturbed, to the Infringment of the aforesaid Orders.

On Consideracon of the Address of the late house of Burgesses that some tyme after the breaking up of this past Gen^{ll} Court, should be Appointed for the reviseing of the Lawes of this Colony It is the

opinion and Advice of the Councill that it be referred to be done the next Gen^l Assembly, and ordred Accordingly.

On Consideracon of the Peticon of Cap^t William Tayloe, M^r John Loyd and M^r John Tauerner on the behalfe of themselves and the rest of the Parishioners of the Parish of Farnham in the County of Richmond, setting forth that the Court of that County had turned out the Vestrey of the said parish, and Appointed a New Vestry. It is the opinion and Advice of the Councill, that the Court of the aforesaid County, forthwith returne to the Secretarys Office a full and per-tickular Account of all their proceedings therein, that they may be Considered att the next meeting of the Councill, and that they give all persons concerned notice, that they may attend att the Said Councill, and M^r Secretary is, when the Councill shall be Appointed to meet, to give notice thereof to the aforesaid Court and ordred Accordingly.

On Consideracon of what hath been Intimated by Letter from the the Gov^r and Councill of Maryland to his Excell^y concerning several words spoken by L^t Coll Fitzhugh, It is the opinion and Advice of the Councill and ordred in Councill that the said Fitzhugh take the Oaths appointed by Act of Parlament to be taken instead of the Oaths of Allegiance and Supreamacy, and subscribe the Test, also that he give Bond wth good Security in the penall Summ of five hundred pounds Sterl to Appeare the 4th day of the next Gen^l Court, before His Excell^y and the Councill in Councill in James Citty to Answer what shall be objected against him on that behalfe, and it is farther Ordred that if he sahl refuse to take the oaths and subscribe the Test as aforesaid, that he be bound to the good behaviour.

It haveing pleased Almighty God to Afflict this Country with the measles whereof Severall have dyed, It is the opinion and Advice of the Councill that Wednesday the 17th of May next be set apart throughout this Colony, humbly to Implore by fasting and Prayers, the Mercy of Almighty God in the pardon and forgiveness of our Sins and to Avert his further Judgments we Justly deserve and Ordred Accordingly.

Att a Councill held att James Citty y^e 1st of May 1693

Present

His Excell^y

Ralph Wormely Sec^r
Cr. Wormely
Edward Hill

Hen: Whiteing
Hen: Hartwell
Richard Lee Esq^s

Cap^t Peter Beaverly Clerke of the Gen^l Court haveing extraordinary occasions to be Absent from the Secretarys office, M^r Secretary moved that M^r Robert Beaverly might be sworne as Clerke of his Office to doe and performe what the Clerke of the Gen^l Court may or ought to doe, dureing the said Peter Beaverlys absence, the same is granted, and the said Robert haveing taken the Oaths Appointed by Act of Parlament to be taken Instead of the Oaths of Aleigance and Supreamacy and Subscribed the test, was Accordingly sworne.

Att a Councill held att James Citty y^e 25th of May 1693

Present

His Excell^y

William Byrd
John Lear
Chr: Wormely

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

Their Maj^{ties} Letters Pattents dated the 17th day of Feb^ry 1691 Impowreing Thomas Neale Esq^r to Erect settle and Establish Post Offices within their Maj^{ties} Dominions in the North parts of America Read, and by his Excell^y wth the Advice of the Councill, Ordred to be Recorded in the Councill Booke.

S^r Robert Cotton and Thomas Frankland Esq^r their Maj^{ties} Postmaster Gen^l their power to Andrew Hamilton Esq^r dated the 4th day of Aprill 1692 to Govern and manage the Post Offices granted Thomas Neale Esq^r Read, and by his Excell^y wth the Advice of the Councill, Ordred to be recorded in the Councill Booke.

On reading Andrew Hamilton Esq^r his Memoriall relating to the post offices to be settled, Ordred that Proclamacons Issue declaring that the power of Setleing Ferries in Convenient places, where none are already settled by Lawfull Authority, is by their Maj^{ties} Letters Patents Granted Thomas Neale Esq^r his Exo^{rs} Adm^{rs} or Assignes for the Terme of Twenty One years Under such limitacons in the said Letters Pattents [as] are directed and Inserted.

Att a Councill held att James Citty y^e 26th May 1693

Present

His Excell^y

William Byrd
John Lear
Chr: Wormely

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

Lieu^{tt} Coll Fitzhugh haveing in obedience to an order of Councill dated Aprill y^e 22^d 1693 taken the oaths Appointed to be taken by Act of Parlament instead of the Oaths of Alegiance and Supreamacy and subscribed the Test, It is the opinion and Advice of the Councill that the said Fitzhugh give Bond wth good Security in the penall summ of five hundred pounds Sterl to make his Appearance before His Excell^y and the Councill in Councill att James Citty the 17th day of Octo^r next, to Answer what shall be Objected ag^t him, and Ordred Accordingly.

His Excell^y Lionell Copley Esq^r Gov^r and the Councill of their Maj^{ties} Province of Maryland by letter to His Excell^y dated the 6th instant, w^{ch} his Excell^y caused to be read in Councill haveing desired to have Edward Randolph Esq^r remanded into the Custody of the Officer that persues him from whome he made his Escape (and is thereby become a Felon) and in a postscript to the said letter, dated the 11th Instant, Signifying that they send M^r Charles Nicholson and M^r Luff high Sheriffs of Sumersett County to receive his Excell^{ys} Comands to

that purpose, On dew Consideracon whereof, and off what the said Randolph Surveyor Gen^l of their Maj^{ty}s Customs in the North parts of America was Comitted for, It is the Opinion and Advice of the Councill that the said Randolph ought not by Law to be remitted to the Government of Maryland, and Ordred Accordingly.

Whereas John Chiles Messenger was by Warrant from His Excell^y Comanded to take and receive into his Custody from Sebastian Delastatius Constable in Accomack County Edward Randolph Esq^r Surveyor Gen^l of their Maj^{ty}s Customs in the North parts of America Comitted by William Anderson Gent one of the Justices of the Peace for the said County of Accomack and him safely to bring and keep att James City till further Orders, w^{ch} being Served, accordingly and the said Edward Randolph Appearing, and there being no legall Cause for the said Andersons Committing of the said Edward Randolph, Itt is the Opinion And Advice of the Councill that the said Edward Randolph be discharged from the same and from further Attendance, and Ordred accordingly.

Whereas Edward Randolph Esq^r Surveyor Gen^l of their Maj^{ty}s Customs in the North parts of America was by Warrant from his Excell^y Lionell Copley Esq^r Gov^r of their Maj^{ty}s Province of Maryland Comitted to the Custody of the Sheriff of Sumersett County for uttering and divulging severall false and Mutinous speeches and reports, and the said Edw^d Randolph haveing made his Escape into this Government, and William Anderson Gent. One of the Justices of the Peace for Accomack County haveing issued out hue and Cry for the Apprehending of the said Edward Randolph, and also granted a Warrant for Committing returning and Conveying the said Edward Randolph to the Government of Maryland, w^{ch} Act and proceedings of the said William Anderson being Adjudged Unwarrantable and in Contempt of the Government, Itt is therefore the Opinion and Advice of the Councill that the said Anderson be Suspended from being a Justice of the Peace and from all other Offices and places whatsoever Civill or Military and give bond wth good Security for his good behaviour to any two of their Maj^{ty}s Justices of the Peace for the aforesaid County, One of them being of the Quorum, and Ordred Accordingly.

Their Maj^{ty}s haveing been pleased to Comand that in tyme of Warr, Ships be not permitted to Sayle for Europe butt in fleets, and there being Severall Ships now in this Countrey bound for Europe. It is the Opinion and Advice of the Councill that the Respective Collectors in this Colony doe not Cleare any Ship or Vessell bound to Europe, till the last day of June next, when further Orders to be taken therein, and Ordred Accordingly.

The Order, of the 29th of Aprill last relating to the proceedings of the Court of Richmond County by reason of the shortness of tyme between that and this Councill, is Continued till the next Councill.

M^r William Edwards praying leave to lay down his place of Clerke of the Councill, it was granted, and James Sherlock haveing first taken the Oaths Appointed by Act of Parliament to be taken instead of the Oaths of Alegiance and Supremacy and Subscribed the Test, was Sworne Clerk of the Councill.

Att a Councill held att M^r Secret^r Wormely June 31st [30th] 1693

Present

His Excell^y

Ralph Wormely Sec^r

Chr: Wormely

Edm^o Jenings Esq^s

It is the Opinion and Advice of the Councill that the severall Collect^{rs} of each district have liberty to Clear all Ships bound for Europe that shall be ready to Sayle by the Seaventeenth of July Giveing bond and Security to come into or to the mouth of Yorke River, of w^{ch} Ships or Vessells, an Account to be given to the Gover^r by the Respective Collect^{rs} and a Councill to meete att James Town the twentieth. When Orders shall be given for y^e tyme of their Sayling, till when no Ship or Vessell be Cleared and permitted to Sayle to any part whatsoever, and Ordred Accordingly.

Att a Councill held att James Citty the 21st July 1693

Present

His Excell^y

Ralph Wormely Sec^r

Edward Hill

William Byrd

Hen: Whiteing

John Lear

Edm^o Jenings

Chr: Wormely

Hen: Hartwell Esq^s

Upon the Complaint and Affidavits of the Rangers of Potomack against George Kener Sheriff of Northumberland for refusing to pay them the Tobacco allotted them in his County, he the said Kener Appearing, said that he had sent to them to receive their Tobacco, and was now ready to pay itt but they not comeing for itt in tyme, he had disposed of the Tobacco least it should spoyle on his hands. The said Kener offering to pay the Rangers of Potomack on demand; and if demanded before Tobacco be ready, then to give them Credit on any Ship or Store to the Value. Accordingly, Hee is thereupon discharged.

Upon reading the Returne from Richmond County Court Relating to Farnham Parish Vestry Ordred that Cap^t John Taylor M^r John Loyd and M^r John Taberer and others Concerned, do appear before His Excell^y in Councill upon the 23^d day of Octo next, and Ordred Accordingly

M^r Charles Anderson Minister Presented to His Excell^y by the Vestry of Westopher Parish for Induction to the said Parish. That he be Inducted producing his Testimonialls

Upon the Peticon of the Inhabitants of the South side of Sittenborn Parish, setting forth, that wheras the said Parish of Sittenborn being of a large Extent, and lying on both sides of the River of Rappahanock in the County of Rappahanock, and upon the division of the said County of Rappahanock into two Counties (Viz) Essex and Richmond, the one halfe of the Parish on the North side of the River and in Richmond County divided from them and is become a Parish of themselves whereby the one halfe of the Vestry Men w^{ch} live on that side

of the River are parted from them, so that they have butt six of their Vestry Men remaining wth them, whereby they are disabled to settle the Affaires of their Parish in repaireing their Church Entertaining a Minister, and providing for the poore and Impotent, Therefore humbly prays his Excell^y that he would be pleased to grant them an Order for the Election of meet and able men of their Precincts to fill up their Vestry, that so they may be Constituted a Parish and may thereby be Capacitated to mentain a Minister, repair their Church and provide for their poore and Impotent. Ordred that some of the Vestry of Each side of the River Appear before the Gov^r in Councill upon the 23^d of Octo^r next and bring an Account of the Number of their Respective Tythables, and Ordred Accordingly.

Upon the Peticon of Hugh Campbell, setting forth that whereas by an Attachment returned att the Suite of the Petitioner against Benjamin Gill to Nansemond County Court the 13th day of Decemb^r 1692 for Nineteen hundred and fifty pounds of Tobacco w^{ch} the Petitioner made Appear to be dew to him, and upon Another Attachment returned to the same Court on the same day att the Suite of Peter Black against the said Gill for thre thousand six hundred and fifty pounds of Tobacco and ten pounds Sterl, both Attachments were Executed on one and the same part of the Estate of the said Gill, but the Petitioner ought to have had the preceedence for that the said Peter Blacks debt was not become due att the tyme, yett the said County Court would not Admitt the Petitioner as party to defend his right therin butt gave Judgment for the said Peter Black to have his debt first sattisfied out of the goods attached whereby the Petitioner hath lost his debt. Therefore most humbley prays yo^r Excell^y for releife in the Premises, and that the Justices of the said County Court of Nansemond may be sumoned to appear and answer the Petitioners said Complaint att the next Gen^l Court. The said Hugh Campbell is reffer'd to take his Course att Law against the said Justices.

July the 22^d 1693

Present

His Excell^y

Ralph Wormely Sec^r
William Byrd
John Lear
Chr. Wormely

Edward Hill
Hen: Whiteing
Edm^o Jening
Hen: Hartwell Esq^s

It is the Opinion and Advice of the Councill that the Bengall the Bristoll Merchant and Bristoll Factor wth the Rest of the Ships that Cleared by the 17th of this Instant July, when they are together in a Fleete att the mouth of Yorke River, and ready to sayle, Making their Application to his Excell^y be permitted to Sayle and Ordred Accordingly.

M^r Auditor Byrd haveing sattisfied and paid their Maj^{ty}s Councill of this Colony the three hundred and fifty pounds Sterl. for w^{ch} War-rants were Signed by His Excell^y the Gov^r they doe hereby request

and appoint M^r Secret^r Wormely for and on the behalfe to sign receipts on the said Warrants.

Ralph Wormeley Sec^r

Virginia fs	By His Ex ^{ty}	A Proclamation
<i>Loc</i>	Whereas their Sacred Majesties have by their Royall	
<i>Sigill</i>	Comission bearing Date at Westminster the first day of	
<i>Colon.</i>	March in the fourth yeare of their Majesties Reign Con-	
	stituted and Appointed me S ^r Edmond Andros Kn ^t Lieu ^t	
	and Govern ^r Generall of this their Majesties Colony and Dominion of	
	Virginia thereby giving and granting Unto me full power to Exercise	
	all and all Manner of Jurisdiction powers and Authorities to the same	
	belonging. Now to the End that the peace of this their Majesties Do-	
	minion may be the better Secured and all proceedings at Law Continued	
	and that the Ordinary Course of Justice may not be Interrupted I	
	have thought fit by and with the Advice of their Majesties Councill of	
	this Colony in their Majesties Names to Publish and Declare that all	
	Magistrates and Officers both Civill and Military doe Continue and	
	remayne in all and Singular their Powers authorities and Jurisdictions	
	Untill further order be taken therein hereby requiring them to proceed	
	in the Execution of their Severall Duties and all their Majesties Sub-	
	jects within this Colony are to be Aiding and assisting to them therein	
	and to yeild all due obedience to this Proclamation, Given Under my	
	hand and the Seale of the Colony the twenty first day of September	
	in the fourth yeare of the Reign of our Sovereign Lord and Lady Will-	
	iam and Mary by the Grace of God, of England, Scotland, France,	
	and Ireland, King and Queen, Defenders of the faith <i>Annoque Dom. 1692</i>	
	E Andros	

God Save the King & Queen

A Proclamacon for continueing
all Offices & c
Ex per Chr Robinson Sec^r

A true Copie
Ralph Wormeley Sec^r

Virginia fs	By His Ex ^{ty}	A Proclamation
<i>Loc:</i>	Whereas According to News lately received here it	
<i>Sigill</i>	hath pleased God to give great Success and Victory to	
<i>Colon</i>	Their Majesties Forces by Sea against the Forces and	
	Fleet of the French King whereby many of their Capitall	
	Shippes and others were Destroyed, I S ^r Edmond Andros Kn ^t their Ma-	
	jesties Lieu ^t and Govern ^r Generall of this Colony with the Advice of the	
	Councill of State doe hereby in their Majesties Names require and	
	Command that Sunday Next being the 25 th of this Instant September	
	be observed and Kept by all and Every y ^e Inhabitants of James City	
	and the parts Adjacent and that Sunday the Ninth day of October Next	
	be Kept and observed in all other parts of this Government as a Day of	
	Publick thanksgivinge to Almighty god for the same and to pray for	
	the Continuance of his blessings and the Ministers in their respective	

parishes are Desired to doe what belongs to their Duty on that occasion, Given Under my hand and the Seale of the Colony the twenty first Day of September, in the fourth yeare of the Reign of our Sovereign Lord and Lady William and Mary by the Grace of God of England, Scotland, France, and Ireland King and Queen Defenders of the faith *Annoque Dom* 1692

E Andros

A Proclamation for the Publick

thanksgiving God Save the King and Queen

Ex per Chr Robinson Sec. A true Copie

Ralph Wormeley Sec^r

By his Excellency

A Proclamacon

[as to the Post Office]

*Loc
Sigill
Colon*

Whereas her Royal Ma^e hath been Graciously pleased by her Lere [Letter] dated at Whitehall May y^e 26th 1692 directed to me S^r Edmond Andros Kn^t their Ma^s Lieut and Govern^r Generall of this their Colony and Dominion of Virginia to signifie that by Leres patents under the Great Seal of England bearing date y^e 17th day of february Last past their Ma^s have given unto Thomas Neal Esq^r his Execut^{rs} adm^{rs} and assignes full power and authority to erect Settle and Establish within the chief Ports of their Ma^s Islands Colonies and Plantations in America an Office or Offices for the receiving and dispatching of Letters and Pacquets and to receive Send and deliver the same under such rates and Sums of money as the planters shall agree to give or as shall be proportionable to the rates for the carriage of Leres ascertain'd in the Act of Parliament for erecting and establishing a Post Office. To hold and enjoy y^e same for the terme of one and twenty years, with such powers and clauses as are necessary in that behalf, as by the said Leres patents relacon being thereunto had may more fully appear and that S^r Robert Cotton and Thomas Frankland Esq^r Postmaster Gener^l have at the desire and Nomination of the said Thomas Neal, In pursuance of th^{ir} Ma^s Comand in their said Leres patents by an Instrument under their hands and y^e Seal of the Post Office bearing date the 17th day of february last deputed and constituted Andrew Hamilton of East Jersey in America Esq^r to Govern and manage the said Generall Post Office for and throughout all their Ma^s Plantations and Colonies Upon the main Land or continent of North America, and for and throughout the severall Isles and Islands in North America lying near or adjoyning to the said Main Land or Continent for the said term of one & twenty years, as in and by the said Instrument relation being thereunto had may more fully appear. and have thought fitt at the humble request of the said Thomas Neal and for his Incouragement in this usefull undertaking further to signifie their Will and pleasure to me to assist and Countenance him the said Andrew Hamilton his Deputies agents or Servants upon all occasions in the manngement of the said Generall Post Office, and in the due execution of all and singular the powers and authorities contain'd in their said Leres patents and in the Instrument above menconed

under the hands and Seal of the said Postmaster Generall according to the true intent and meaning thereof and to issue Such orders and directions from time to time as shall be requisite and fitt for the better performance of this Service pursuant to the powers in the said Leres Patents And whereas Peter Heyman Gent has applyed himself to me, and produced a Deputation from the said Andrew Hamilton by order of the said Thomas Neale under the hand and Seal of the said Andrew Hamilton bearing date the 18th day of Aprill last, Wherein he hath impowred the said Peter Heyman to Act as Deputy Postmaster of and over all the Colonies and plantations wthin y^e Governments of Virginia and Maryland as by the said Deputation may more fully appear, I therefore by advice in Councill have ordered and by this Proclamacon do publish and make known that the said Peter Heyman is appointed and authorized as Deputy Postmaster to manage the said Post Office in this their Ma^s Government of Virginia of which all Officers and persons whatsoever are to take notice, and to be aiding and assisting to him the said Peter Heyman his Deputies and Servants in the due execution thereof accordingly. Given under my hand and the Seal of the Colony at James City, this twelfth day of January in the fourth year of their Ma^s Reign

E Andros

To the Sheriff of.....County
or his Deputy to be published
at the next Court and in the re-
spective parish Churches &
Chapells of Ease in the said
County.

God save y^e King and Queen

A true Copie

Ralph Wormeley Sec^r

Virginia fs

Locus

Sigill

Colon

By His Ex^{ty}

A Proclamation

appointing a Day of Humiliation and Prayer

God Almighty haveing been pleased to afflict a great part of this Country with the Measles Whereof Severall have Dyed, and dayly Spreading Further into other parts, therefore that we may not be wanting in our Publick Duty's Upon this Warning I S^r Edmond Andros Kn^t Their Majesties Lieu^{tt} & Govern^r Generall of Virg^a by Advice in Councill, Doe by this Proclamation in their Majesties Names order and Appoint that all Ministers and Readers doe on Wednesday the Seventeenth of May Next performe Divine Service as appointed by the Church of England in their Severall Churches and Chappells, & Humbly Implore by Fasting and Prayers the Mercy of Almighty god in the pardon and forgiveness of our Sinns, and to Avert his Further Judgments we Justly Deserve, that he may be Graciously pleased to Continue his Manyfold blessings soe plenteously bestowed on us in this Colony, and that A Sermon be preached or Homily read on that Subject, by the Said Ministers or Readers, Given under my

hand and the Seale of the Colony at James City this 29th day of Aprill
in the Fifth yeare of their Maj^{ties} Reign *Annoque Dom* 1693

To the Sheriffs of the Severall Countys E Andros

or their Deputys whoe are forthwith
to Publish this Proclamation in all
Churches and other Publick places in
their Countyes

God save the King & Queen

A true Copie

Ralph Wormeley Sec^r

Virg^a fs

By His Excellency

A Proclamation

Loc
Sigill
Colon

Whereas their Royall Majesties King William and
Queen Mary by their Letters Patents, under the great
Seale of England, bearing Date at Westminst^r the seven-
teenth day of February, in the fourth yeare of their Reign,
have given and granted unto Thomas Neale, Esq^r. his Executo^{rs} Ad-
minist^{rs} and Assignes full power and Authority, to Errect, Settle, and
Establish within the Cheiffe Ports of the Severall Islands, Plantations
& Colonies, belonging or to belong Unto their Said Majesties their
heires and Successo^{rs} in America, an office or offices for the receiveing
and Dispatching away of Letters and Pacquetts with all Such powers
and Authority's which are Necessary in that behalfe

And whereas their said Majesties, by their said Letters Patents,
have for y^e better Execution of the Powers and Directions therein Con-
tained, Given & Granted unto the Said Thomas Neale, his Executo^{rs}
Administ^{rs} and Assignes full power and Authority to set up make use
and have Ferries, over any river of [or] Lake in their Majesties Said
Islands, Plantations & Colonyes, where Noe Ferries are yet made, Nor
any grant thereof made or Given to any other person or persons by
their Said Majesties or any of their Predecesso^{rs} for the better Convey-
ance of Postage and Passengers, and to receive and take the profits
and Advantages Accruing or arising by Such Ferries, to the Use and
Benefit of him the Said Thomas Neale his Executors Administ^{rs} and
assignes, as by the said Letters Patents, relation being thereunto had,
may more fully and at Large Appeare

And whereas Andrew Hamilton of East Jersey in America Esq^{ro}
who is Appointed to Mannage and Gouverne the said Post office, and
to Execute all y^e powers and Authorities relating thereto, hath ap-
plied himselfe to me in Councill and Desired that the Said Thomas
Neale his Executo^{rs} Administ^{rs} and assignes may have the ordering
and Setling of all the Ferries within this Government which are not yet
granted away by their said Maj^{ties} or any of their Predecesso^{rs} and to
apply the profits thereof to the use of the said Thomas Neale & c Pur-
suant to the said Letters Patents

I therefore S^r Edmond Andros Kn^t Their Maj^{ties} Lt^t & Govern^r
Generall of Virginia, by Advice in Councill, have ordered and in their
Majesties Names doe Publick declare and Make Known, That the said
Thomas Neale, his Executo^{rs} Adm^{rs} & Assignes are appointed and Au-

thorized to Set up make Use and have Ferries over Every River Creeke and Lake within this Government where there is Noe grant yett Made or given to any other person by their Said Majesties or any of their Predecessors, under Such Limitations, as in the Said Letters Patents are directed and inserted of w^{ch} all officers both Civill and millitary and all other persons whatsoever are required to take Notice, Given under my hand and the Seale of the Colony this 25th day of May in the fifth yeare of their Majesties Reign *Annoque Dom.* 1693

God Save the King and Queen

E Andros

To all Sheriffs in Virginia

A Proclamation declareing the Ferries to be in the Postmaster

Edw^d Chilton Att Gen^{ll}

A true Copie

Ralph Wormeley Sec^r

Att a Councill held att James Citty Sep^{tt} 1st 1693

Present

His Excell^y

M^r Sec^r Wormley

Chr: Wormley

William Byrd

Edward Hill

John Lear

Edm^o Jennings

Hen: Hartwell Esq^r

M^r James Blair this day presented to his Excell^y in Councill their Maj^{ts} Graciously Charter for the Erecting & building of a Colledge in Virginia, w^{ch} his Excell^y caused to be read in Councill.

Itt is Ordred that the said Charter be Entred in the Councill Booke, & transmitted to the Secretary's office to be recorded

Upon reading His Maj^{ts} Letter of the first of Mar^{ch} 1692-3 wherein he hath been graciously pleased, to grant lycence to Francis Nicholson Esq^r Leiu^t Gov^r & severall other his good Subjects in this Colony to Erect and Establish a Colledge or place of Gen^{ll} Studie, and having been further pleased out of his Royall Bounty to Grant unto the said Francis Nicholson & others named in the said Charter the summ of Nineteen hundred Eighty five pounds fourteen shillings and ten pence out of such money received for y^e Revenue of Quitt Rents in the said Colony, as is remaining in y^e hands of William Byrd Esq^r their Maj^{ts} receiver Gen^{ll} of their Revenue in the said Colony, or in the hands of any other person whatsoever, His Maj^{ts} will & pleasure therfore is, that his Excell^y Cause to be paid, to the said Francis Nicholson, & others aforementioned, y^e summ of Eleven hundred thirty five pounds fouerteen shill & ten pence, out of such money arising by the Revenue of Quitt rents in Virginia, as is remaining in the hands of the receiver Gen^{ll} of the Revenue within y^e said Colony

Itt is Ordred that a Warrant be drawn for y^e summ of Eleven hundred thirty five pounds fouerteen shill & tenn pence payable to Francis Nicholson Esq^r or Others named in the said Charter.

Upon Reading His Maj^{ts} Letter of the first of Mar^{ch} 1692-3 Sig-

nifying that Whereas by His Royall Charter baring date the 8th day of febr^y 1692 in the fourth year of ther Maj^{ty}s Reign, for the better encouragement of Arts and Sciences, and the propogation of the true Orthodox Christian Faith, within the Colony & Dominion of Virginia hath been Graciously pleased to grant Lycence to Fran Nicholson Esq^r their Leiu^t Gov^r and Severall others their good subjects in the said Colony and Dominion, to Erect, build and Establish a Coledge, or place of Gen^l Study for the Education of youth, and y^e supplying their said Dominion wth a pious & learned Clergy, And their Maj^{ty}s having been further pleased out of their Royall bounty to grant unto the said Fran: Nicholson and others their good Subjects, named in their sd Charter, y^e Summ of Nineteen hundred Eighty five pounds fouerteen shill & ten pence, out of such money received of their Revenue of quitt Rents in the said Colony & remaining in the hands of William Byrd Esq^r their receiver Gen^l of their Revenue in the said Colony, or in the hands of any person whatsoever, Their Mat^{ty}s Will and pleasure therefore is, that there be paid unto the said Fran: Nicholson & others aforementioned, y^e summ of Eight hundred & fifty pounds, out of such money as is remaining in the hands of the Execut^{rs} and Administ^{rs} of Nath^l Bacon Esq^{re} late Gov^r of Virginia deceased w^{ch} Appears due from him upon Accompt of their Revenue of Quitt Rents in the said Colony.

Ordred that a Warrant be drawn payable to Fran: Nicholson and others named, the summ of Eight hundred and Fifty pounds by the Execut^{rs} & c^a of Nathaniell Bacon Esq^r deceased.

Upon Reading His Maj^{ty}s Letter of the 25th of Febr^y 1692-3 Signifying that Whereas itt hath been represented to His Maj^{ty}ie that the Salary's of Eighty pounds a year to the severall Ministers in the Colony and Dominion of Virginia, being Appointed by a Law there, to be paid in Tobacco att the rate of 12^d per hundred, the same is now fallen above one halfe, by reason of the low price of Tobacco, by w^{ch} meanes the Ministers are not able to Subsist, in the Service of their respective parishes, His Maj^{ty}ie doth therefore signifie to His Excell^y that he doe propose in his Name to the Assembly of y^e Colony that a Competent Salary or Allowance, be Appointed, for the maintenance of Each Minister, to be paid unto him in money or Tobacco, att the Currunt Value, and that His Excell^{cy} make pertickular inquirie, whether the Severall Acts, for the support of the ministrey within this Colony be putt in Execution, and give Order they be duly Observed

Ordred that speedy Care be taken, and that the Attorney Gen^l draw a proclamation to putt y^e Laws for the support of the ministrey in Effectuall Execution.

Upon Reading His Maj^{ty}s Letter bearing date the first day of Mar^{ch} 1692-3 Signifying that Whereas itt hath been represented to his Maj^{ty}ie by the Gov^r Councill and Assembly of the Province of New York that the Revenue of that Province is very much Exhausted, by the great & Continued Charge of mainteyning & Securing the Fort of Albany y^e Frontier of all the Plantations in the northern parts of America, against the French, His Maj^{ty}ie doth therfore Charge and require His Excell^y to Cause the summ of five hundred pounds out of the Revenue of Quitt

Rents in Virginia, to be forthwith transmitted to their trusty & well beloved Chidley Brooke Esq^r Receiver & Colect^r of the Revenues of New Yorke, or to the Receiver of y^e Revenue there for the tyme being, to be employed for their Maj^{ty}s Service, against the French in these parts in such maner as shall be directed, by the Gov^r or Comand^r in Cheife of the said Province For the tyme being, Itt is the opinion and advice of the Councill that the six hundred pounds sent to the Gov^r of New York in their money in Aprill last Answereth His Maj^{ty}s Comands of transmitting five hundred pounds and that M^r Auditor Byrd reimburs^t himselfe out of the Quitt Rents and give Credit^t on the two shill a hhd & port duties.

Upon Reading the Gov^r of New Yorks Letter of the 27th of July 1693 Wherin he saith wth the Advice of the Councill he writes ,to disire His Excell^y to Appoint a Comission^r from his Govern^t to be att the City of New Yorke on the First Wednesday of Octo^r next, wth full power to Concert and Agree wth other Comission^{rs} from New England Maryland & Pensilvania upon a Certain Quota of Men and money, for the defence of their Maj^{ty}s Frontier, Garrisons att Albany during the present Warr.

Itt is the Advice of the Councill that a Comission^r be sent to New Yorke to be there by the first Wednesday of Octo^r next & Ordred Accordingly.

Upon Reading of His Maj^{ty}s Letter of the 17th of Jan^y 1692-3 Signifying that Wheras His Maj^{ty} is Informed that William Dolby late Boatswain of the Ship Assurance, and Edward Legg stand Condemned to dye, for & consarning y^e death of William Marshall, an Inhabitant of the Colony of Virginia, His Maj^{ty} hath thought fitt upon some Circumstances, humbly represented unto him, in their behalfe, to Signifie His Will & pleasure to His Excell^y, that His Excell^y forbear putting in Execution the Sentence of Death passed upon them, the said Will Dolby and Edward Legg, for the Cryme above mentioned and that His Excell^y Cause them to be sent Over into the Kingdom of England by the first Oppertunity,

Itt is the Advice of the Councill & Ordred in Councill that the Attorney Gen^l draw a Warrant to y^e Sheriff of James City County, to impower him to putt on board, the said William Dolby and Edward Legg of their Maj^{ty}s Ship Foresight Cap^t Isaac Townsend Comand^r in order to their transportation to the Kingdom of England, and Ordred Accordingly.

Upon Reading Her Maj^{ty}s Letter of the 16th of Aug^t 1692 Signifying, that Wheras Her Maj^{ty} hath received, two Acts lately passed in the Colony of Virginia, the one for Appointing of Ports & c^a for the Loading and Unloading of Comodity's there, & for laying a Duty upon Furrs & c^a, and the other for Renueing a former Act, for Advancement of the Manufactures of the groth of this Countrey, Her Maj^{ty} hath taken the same into her Princely Consideration, in Her Privey Councill as also a Report made in relation to them, by the Comission^{rs} of the Customs, wth a former Report from that Board, upon so much of the first Act, as Concernes the Appointing of Ports, and having Approved the said reports hath directed Copies to be herewith inclosed,

together wth the Copy's of those Acts, as they were transmitted unto Their Maj^{ties}, to the End those two Acts, may be again taken into Consideration, by y^e Councill & Assembly of the said Colony, in Order to y^e framing of them according to what is proposed, in y^e Report of th^e said Comission^{rs} w^{ch} We herby Will & Require you to doe. Her Maj^{ties} further pleasure is that in the mean tyme y^e Execution of those Acts be suspended untill further Order.

Ordred that the Attorney Gen^l draw up a Proclamation to Suspend the said Acts Conformable to Her Maj^{ties} Pleasure, till further Order.

Ordred that a Warr^t be drawn payable to M^r Audit^r Byrd for 16 ^{li} 09 s—being for Book's & c sent for by Order of Councill.

Ordred that a Warr^t be drawn payable to M^r Jn^o Poney for twenty Eight pounds fouerteen shillings, being for Fees & other Charges about the buiseness of the Northern Neck.

Ordred in Councill, that there be a Gen^l Assembly Called, to meet att James Citty upon the 10th day of Octo^r next and that Writts Issue Accordingly.

Upon Reading the Petition of M^r Will Churchill Setting forth that the Lords of the Admiralty, did receive an accompt from their Hon^{rs} the last year, that Cap^t George Purvis late Comand^r of their Maj^{ties} hyred Ship Woolfe, did Contrary to an Order of Councill, depart this Countrey before he had paid & discharged y^e Men who were very Servicable to him in getting off His Ship when she was aground. Upon w^{ch} Information, the said Lords did putt a Stop to the pay of the said Ship, untill they had an Account from their Hon^{rs} that the said men were fully paid, & Satisfied, Wherupon M^r Edw^d Leamon, for himselfe & the rest of the Owners, hath dissired y^e Petition^r, to pay all such Just Wages, as are due and Owing, to the sever^{ll} persons, for their Service on Board the said Ship Woolfe, and the petition^r is ready to pay all persons that Claim Wages done on board the said Ship if they will repaire to his house in Midlesex County

Refer'd to the Severall County Courts where any are Concerned, to give all due dispatches in that matter.

His Excell^y Caused to be read in Councill three Letters & Certificates, from the Hon^{ble} the Comission^{rs} of the Customs, Conserving the Ship humble servant of London Thomas Mackaly M^r the freindly Society Habacock Willes M^r the Jane of Boston Mathew Cample M^r who are Suspected of Illegall trading. The Collect^{rs} promised His Excell^y to Examin y^e matter & give His Excell^y a further Account of itt.

Att a Councill held att James Citty Sep^t 2^d 1693

Present

His Excell^t

M^r Sec^r Wormley
William Byrd
John Lear

Chr: Wormley
Edward Hill
Edm^o Jenings

Hen: Hartwell Esq^r

Cap^t Isaac Townsend Comand^r of their Maj^{ties} Ship Foresight and

Comadore of the Fleet bound for England, giving an Account to His Excell^y that the Right Hon^{ble} the Lords Comission^{rs} of the Admiralty were pleased to allow the Marchant Ships bound to Virginia Under his Convoy butt two months after his Arrivall in the Countrey to Unlade and relade, butt by a second Order (if absolute necessity) Their Lordsh^{ps} thought fitt to add twenty day's more for his stay for the Fleet. Itt is the Opinion & Advice of the Councill, & Accordingly Ordred in Councill, that there be a Gen^l imbargo on all Ships & Vessells untill the 10th of Novem^r and that all Ships, that are not ready & Cleared before that tyme & att Point Comfort, in the mouth of James River to sayle wth the Convoy, be further Embarg'd, and not permitted to sayle to any part of Europe, till further Order, of w^{ch} the Colect^{rs} to give present notice to the Severall Comand^{rs} or Masters of Ships or Vessells, in their respective Districts, that they may Conforme themselves therunto Accordingly.

Att a Councill held att M^r Sec^r Wormley's the 21st of Sep^t 1693

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
Edward Hill

Hen Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Upon Reading a Letter from Richard Lee Esq^r bearing date the 18th of Sep^t 1693 Acquainting His Excell^y that he had Just received advice from Maryland, that Coll Copley the Gov^r of that Province, departed this life that day seavennight, that Coll Blackston immediatly came down to S^t Maries, upon itt, & sent for two of the Councill, M^r Tench & Coll Greenbury, butt before their Coming he declared, that y^e Assembly was dissolved by the Death of the Gov^r and all Comissions Civill & military fallen, that S^r Thom^s Lawrence was suffered to Escape by the Sheriff, leaving the doore open, & bidding him go att his perill, that he made hast to S^t Maries haveing Cap^t Cooe & others in his Company, that he was there Attacked by order of Coll Blackston but delivered next day, that both Blackston & S^r Thomas Claim the Govern^t, S^r Thomas by being President of the Councill, Coll Blackston by the last Will & Testament of Gov^r Copley, not knowing how far the distractions amongst them, might Concerne soe near Neighbours as this Countrey is to them he thought itt his Duty to Acquaint His Excell^y wth what he had heard, Upon w^{ch} His Excell^y caused to be read in Councill, Their Maj^{ties} Comission to His Excell^y bearing date at Kensinton the third day of Mar^{ch} 1691-2 Constituting & Appointing, His Excell^y S^r Edm^o Andros, upon the Death of Cap^t Francis Nicholson, or in the Absence of Coll Lyonell Copley, to be Comand^r in Cheife, in and Over the s^d Province and Teritory of Maryland, during their Maj^{ties} pleasure, wth all the Rights, profitts & advantages, to the same belonging, and appertaining.

Itt is the Opinion and Advice of the Councill that His Excell^y, by Vertue of their Maj^{ties} said Comission, ought to go to Maryland to Claim that Govern^t itt being for their Maj^{ties} Service.

Upon Reading a Letter from Edward Randolph Esq^r Setting forth what he had discovered, in the Case of Davis who Entred wth Coll Griffen, the 15th of May last, and had liberty to trade, upon producing to him, a forged Certificate from Ben Moris, the 24th of June, he Caused him to be Arrested at their Maj^{ty}s Suite for a 100^{li} for breach of the Act for preventing of Fraudes & Accordingly putt his Information into the Court in Northumberland, where it Continued till he could be att Leisure to Assist at the prosecution & the 27th Following, he seized his Ship for their Maj^{ty}s upon a Confidence from Coll Wormley, & Coll Griffin his Deputy, that Davis had not Cleared, and that Davis could not stir till he had his dispatches from the office, but he went away two day's following, & then nothing remained, butt to Sue M^r Shapleigh his Security upon his bond of a 1000^{li} butt he finds that Davis is made to be Cleared, the 30th of May last, the Coll Griffin did Ashure him, that Davis was not Cleared, He humbly proposes that Coll Griffen may declare upon his oath, when he delivered Davis his Certificate, and to whome, & whether M^r Shapleigh did not Either pay the Fees of the Office, & other port Charges, after the Vessell was seized, if not gone

Ordred that a Copy of M^r Randolphs Letter be sent to Coll Wormley, & that Coll Wormley returne an Answer to itt.

Ordred that M^r Attorney Gen^{ll} prepare A Proclamation to Signify that during His Excell^{ys} absence in Maryland, the Govern^t is in y^e Councill, and that M^r Sec^r Wormley Presides.

Upon Reading the Petition of John Edmeston M^r of the Pinke Elizabeth, setting forth that he did Lawfully Import from Berwick upon Tweed divers English goods into the Port of New Yorke, and brought Sufficient Cockquetts, for the s^d goods, as Appeare's by a Certificate under the Seale of the Office for the port of New York bearing date y^e 27th day of July 1693 & Under the hand of Thomas Monsey the Deputy Colect^r the Petition^r not meeting wth a markt^t for all the said English goods, att the aforesaid Port of New Yorke, the Petition^r did relade on board those few goods w^{ch} he had not sould, & brought Certificate & Cockquett for the same from the aforesaid Port, into this Colony, and Applied himselfe to Coll Griffin, Colect^r for that district, under Coll Chr: Wormley, & made true Entrey & report therof, & obtained a permitt to trade, and being now Laden is refused a Clearing by the Ord^r of Edw^d Randolph Esq^r Survey^r Gen^{ll} & c^a Under pretence, for want of the Gen^{ll} Cockquett, wherfore the Petition^r prays His Excell^{ys} Order that he may obteyne his Clearing & be permitted to Sayle with the Fleet.

Ordred that M^r Randolph have a Copy of the Petition, & returne an Answer, whether he hath seized the Pinke Elizabeth or not.

Att a Councill held att James City y^e 12th of Octo^r 1693

Present

His Excell^{ty}

M^r Sec^r Wormley
Edward Hill

Edm^o Jenings
Hen: Hartwell Esq^s

Itt is the Opinion & Advice of the Councill, that the Kings Letter, wth the Report of y^e Comission^{rs} of the Customs upon Law's passed in Virginia be laid before the house of Burgesses, and Ordred Accordingly.

Octo^r y^e 14th 1693

Present

His Excell^y

M^r Sec^r Wormley
Edward Hill

Edm^o Jenings
Hen: Hartwell Esq^a

Thomas Cock by his petition this day Setting forth to His Excell^y & Councill, that the Crane Ketch William Penell M^r being Condemned here, the sd Penell made humble Supplication to the Lords Comission^{rs} of their Maj^{ties} Treasury, and did obteyne their Order for the remittment of their Maj^{ties} Part of the said Ketch therfore humbly prays the said Order may be Observed, & the Bond given here upon the said Condemnation, discharged, and the said Cock not producing the said order of the Lords Commissioners of their Maj^{ties} treasury, only a Copy thereof Attested, butt His Excell^y having received a Letter, from y^e Hon^{ble} their Maj^{ties} Comission^{rs} of their Customs, relating therto,

Itt is Ordred in Councill that the paym^t of Their Maj^{ties} part be suspended.

Octo^r 18th 1693

Present

His Excell^y

M^r Sec^r Wormley
Edw^d Hill

Edm^o Jenings
Hen: Hartwell Esq^a

M^r William Drumond having Obteyned His Excell^{ys} Comission, & taken the Oaths appointed to be taken by Act of Parlam^t, instead of the Oaths of Allegiance and Supreamacy, & Subscribed the Test, was sworne the Kings Messenger.

Ordred that the sd Drumond for that Service shall receive ten pounds per Annum.

Edward Randolph Esq^r & c^a in persuanee to an Ord^r of Councill held in Rappahanock in Sep^t last, directing him to give an Answer to the Petition of Jn^o Edmeston, M^r of the Pinke Elizabeth of Berwick wherin he the said Edmeston setteth forth, that he did Lawfully Import from Barwick upon Tweed, divers English goods to the Port of New Yorke, & brought Sufficent Cockquetts for the said goods, as by Certificate under the Seale of the Office for y^e Port of New York bearing date the 27th of July 1693 Appear's, as also under the hand of Tho: Monsey the Deputy Colect^r not disposing of the said goods, did relade on board the said Pinke what remained, & brought Certificate & Cockquett for the same, from the said Port of New Yorke, into this Colony, & made true Entrey therof wth Coll Griffin Deputy Colect^r in the District of Potomack, & being Laden is refused a Clearing, by the Orders of the

said Edward Randolph, for want of the Gen^l Cockquett left in their Maj^{ty}s Custom house att New Yorke, the said Randolph Answereth, that being Informed the Pinke Elizabeth of Berwick, John Edmeston M^r had made her Entrey wth Coll Griffen, he went to the house of the said Griffen, & upon sight of Edmeston's pretended Certificate, saw itt was broad Forgery, & by His Certificate of the 27th of July from New Yorke, signed by Monsey, he found it Contrary to an Act Entituled, an Act for the encouragm^t of trade, made in the 15th of King Charles the Second, upon w^{ch} the said Randolph Acquaints Edmeston, that he was going to James Towne, to Enter two Informations, one ag^t the said Edmeston, and another ag^t y^e Pinke Elizabeth, upon the breach of severall Acts of Trade,

Refer'd to a due Corse of Law.

Octo^r y^e 19th 1693

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee

Edward Hill
Edm^o Jenings
Hen. Hartwell Esq^s

The memoriall & propositions, relating to the Coledge of William & Mary in Virginia, being this day presented to His Excell^y in Councill, by the Recto^r & Govern^{rs} of the said Coledge, Is Refer'd to the Consideration of the House of Burgesses, that all due regard may be had to His Maj^{ty}s Charter w^{ch} is Entred in the Councill Booke & recorded in the Secretary's Office.

M^r James Blair Exhibiting a petition & some Accompts, about his Soliciting the buiseness of a free schole, or Coledge in England, the sd petition & Accompts, Refer'd to the house of Burgesses.

His Excell^y this day Acquaints the Councill, that there was a Sloope in York River bound for England and itt Imported Their Maj^{ty}s service she should goe, Asked them if they had any thing for y^e said service.

Octo^r 20th 1693

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

Upon the reading of M^r Sec^r Wormleys Petition for allowan ce for the Military Comissions.

Refer'd to the House of Burgesses.

Octo^r 23^d 1693*Present*His Excell^yM^r Sec^r Wormley
Richard LeeEdward Hill
Hen WhitingHen: Hartwell Esq^s

Cap^t Miles Sherman this day Exhibits a Petition, praying that he might have a reasonable allowance, for his own & two officers Attendance, on last Aprill & this Octo^r Gen^l Court.

Refer'd to the house of Burgesses.

Coll Fitzhugh & c^a this day presented to His Excell^y in Councill, two Orders of Councill from Whitehall one bearing date the 15th of Decem^r 1692 & y^e other the 26th of Jan^y 1692-3.

Itt is Ordred they be Entred in the Councill Booke, & transmitted to the Sec^ry^s Office to be recorded there.

Octo^r 25th 1693*Present*His Excell^yM^r Sec^r Wormley
Richard Lee
Edward HillHen Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Coll William Diggs & Coll William Fitzhugh Appearing before his Excell^y in Councill, persuant to an Ord^r of Councill of the 26th of may to answer to what may be Objected ag^t them on their Maj^{ts} behalfe for words by them Spoken in Maryland (Viz) that King James had another Son borne by his Queen, in France & Invited over thither severall of the Lords wth a Safe Conduct to see the Queen brought to bed, upon w^{ch} some did goe over, & saw a Son borne, who was Created Duke of Gloucester, & the said Fitzhugh said, he wondred what they would have now to say against the Legitimacy of that Prince, all w^{ch} Coll Diggs also (Coming over to Maryland affirmed) & further Added, that King James sent over Proclamacons to England in print, declaring a Gen^l Free pardon unto all Excepting only the Bishop of London, & my Lord President, & that Coll Diggs said Cap^t Purvis should say, he Expected an Alteration before he gott to England, & that this & the like discourse was publicly talked on in England and Virginia, & that S^r Edm^o Andros himselve y^e Gov^r of Virginia, did Freely & openly talk of the same, amongst his Council, who also did the same without the least Notice taken & c^a all w^{ch} being denyed by the sd Diggs & Fitzhugh & no Evidence therin, but the Deposition of Garett Van Sweringham of S^t Maries in Maryland, & the Attorney Gen^l Acquainting his Excell^y & Councill, that he had inquired of the Attorney Gen^l in Maryland, butt could find no other Evidence, & that the words were spoken in another Govern^t, & being butt one Evidence to prove y^m would not be sufficient in Law to Convict them.

Upon w^{ch} they were discharged from further Attendance.

Novem^r y^e 1st 1693

Present

His Excell^y

Mr Sec ^r Wormley	Chr. Wormley
Richard Lee	Hen Whiting
Edward Hill	Edm ^o Jenings
	Hen: Hartwell Esq ^s

Hen Stonham & Ann his Wife, & John Adams being petition^{rs} for the Escheate of Six hundred Acres of Land in Norfolk County, and both Claiming a Right being heard this day by their Attorneys.

Ordred that Hen Stonham have two hundred Acres of the said Land, and John Addams, four hundred Acres, & to bear a proportionable part of the Charges.

Novem^r y^e 2^d 1693

Present

His Excell^y

Mr Sec ^r Wormley	Chr: Wormley
William Byrd	Hen: Whiteing
Richard Lee	Edm ^o Jenings
Edward Hill	Hen. Hartwell Esq ^s

His Excell^y caused to be read in Councill this day a Letter from the Gov^r of New Yorke, for the Assisting of that Province wth a Quota of Men or otherwayes against the Attempts of the French and Indians.

Itt is the Opinion & Advice of the Councill y^t His Excell^y send for the House of Burgesses, & lay the State of New Yorke & Albany before them.

No^r y^e 10th 1693

Present

His Excell^y

Mr Sec ^r Wormley	Chr: Wormley
Richard Lee	Hen: Whiteing
Edward Hill	Edm ^o Jenings
	Hen: Hartwell Esq ^s

Upon Reading Coll Hamiltons Letter to His Excell^y Acquainting his Excell^y that the Gov^r & Councill of New Yorke, had given 50^{li} a year for some year's towards the encouragment of the post office & praying His Excell^{ys} favor in that Matter, as also the petition of Peter Heyman Gent Agent to Thomas Neale Esq^r Setting forth, that the said Thomas Neale by Vertue of Letters Pattents from their Maj^{ts} for setting up a post office, in Each Province and Colony in these their Maj^{ts} Plantations in America, wherby there may be Speedy passage for Letters & quick dispatch for all other publick affaires, hath by his respective Agents endeavored the Same; in most parts in Some

measure Settled y^t affaire, to his vast Charge, tho in this Dominion (as yett) here is not Such an Establishment as the nature of the Affaire requires, therfore humbly Supplicates His Excell^y & c^a to Assist and Contribute, to the Caring on so usefull & Advantagious a worke,

Refer'd to the house of Burgesses.

His Excell^y was pleased to Aske the Councill if he could say any thing more, to recomend the State of New Yorke, to the house of Burgesses they Answered itt was Sufficiently recomended.

Ordred that all persons, that are Creditors of Edw^d Davis, Lyonell Delawafer, and John Hinson, do bring in their Accounts & Claimes forthwith to y^e Councill, and that the Clerk of the Councill, serch what Claimes are lodged, in the Councill or in the Secretary's office

Upon the Petitions of M^r George Marable and M^s Sarah Welden, praying they may be sattisfied their debts, Owing by Edward Davis, John Hinson & Lyonell Delawafer, out of the money left in the hands of Ralph Wormley Esq^r for that perpose,

Ordred that the sd debts & Claimes, be paid out of the money, in the hands of Ralph Wormley Esq^r when recovered by due course of Law.

His Excell^y was pleased to aske the Councill, what could be done for the better Support of y^e Clergy, they Answered, that the best & Easyest way, would be upon the Revisall of the Laws.

Wheras by an Order of Councill of the first of Sep^t last, a Gen^{ll} Embargo was laid, on all ships and Vessells, till the tenth of Novem^r

Itt is Ordred in Councill that the said Embargo be taken off, butt no Ship bound to Europe to Sayle till the Convoy, & to give bond & Security, that they Observe the same.

Novem^r y^e 18th 1693

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee

Edward Hill

Edm^o Jenings

Hen: Hartwell Esq^o

Upon Reading the Petitions of M^r James Blair Rector, by Order of the Gov^{rs} of the Coledge of William and Mary, Setting forth that their Maj^{ties} by their Charter, bearing date att Westminster, the 8th day of Feb^y in the fourth year of their Reign, hath given & granted to the petitioners, in trust for the Coledge of William & Mary in Virginia, ten thousand acres of Land, not yett legally possessed, by any of their Maj^{ties} Subjects, on the South Side of black Water Swamp, as also other ten thousand Acres of Land in Pomunkey Neck, the Petition^{rs} humbly pray His Excell^y by some publick Information, to Signifie the same to the Inhabitants of this Countrey.

Ordred that publick notice be given in the County Courts, of King & Queen, Surrey, & Charles Citty Counties, where the Land lies.

His Excell^y was pleased to aske the Gentlemen of the Councill, if they had any thing further to say to the house of Burgesses, they Answered, No.

Att a Councill held att M^r Auditor Byrds the 4th of Jan^y 1693-4

Present

His Excell^y

William Byrd

Edward Hill

Hen. Hartwell Esq^a

His Excell^y having been pleased to shew severall Letters from the Gov^r of New Yorke bearing date the 10th 11th & 25th of Novem^r last, Wherein he intimates the necessity that Province is in, & his desire of Assistance from hence, on Consideration of w^{ch} and of Her Maj^{ty}s Letter for assisting the said Province, According as the Circumstances of this Countrey will permitt, Itt is the Opinion of the Councill that M^r Secretary, wth the Advice of the rest of the Councill do give an Account of the whole state of y^t Affaire, and what relation this Countrey hath, to y^e defence of that Province, how lyable we are to y^e Incursions of the Indians, how litle Security they are, or have been to us, what vast Charges this Countrey is, and hath been att, for Our Own defence, as also to give an Account of the State of the Revenue of the Countrey, and how unable we are to contribute to them, how willing & ready we are, & ever have been, to do our Utmost for their Maj^{ty}s Service, and that nothing hath by his Excell^y & Councill been neglected therin, having laid before the house of Burgesses Her Maj^{ty}s Letter relating therunto.

Mem^d that M^r Palmer be paid sixty pounds or any part of itt, be-
ing for making sixteen Carages att Tyndalls Point.

Mem^d that a Comission of Oyer & Term^r be prepared by M^r Sec-
retary, For the Tryall of King for Murthering his Wife.
R. Wormeley Sec^r

By His Excellency
a Proclamation

Virginia fs

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Sigill

S^r Edmond Andros Kn^t their Majesties Lieu^t and
Governor Generall of Virginia Whereas his Majestie hath
been pleased by his Royall Letter bearing date at White-
hall the 25th day of February in the fifth yeare of their Majesties Reign
Amongst other things therin Contained to Comand me to make per-
ticular Inquiry whether the Severall Acts for the Support of the Min-
istry within this Colony be put in Execution and to give Orders that
they be duely Observed, and whereas it is provided by one Act of As-
sembly made at James City the 16th day of Aprill 1691 Entituled an
Act for Ports & c that all Sum and Sums of Money and Every part and
parcell thereof the Same Ariseing by the Imposition Upon Furr and
Skins in the Said Act, should be Divided into three Equall parts one
third thereof towards the Maintenance and Encouragement of a Learned
and pious Ministry to be Equally distributed Amongst the Ministers
of Gods word being the Incumbents of the Severall parishes in this
Country in Equall proportions & c. and whereas it is likewise provided
by one other Act of Assembly made at the same time Entituled an Act
for the more Effectuall Supressing the Severall Sinns and offences of

Swearing Courseing, prophaneing Gods holy Name Sabbath abuseing Drunkenness, Fornication, and ADultery, that all forfeitures Accrueing thereby should be Divided into three Equall parts, one third towards the Maintenance of the Ministry of the parish, Where Such offences should be Comitted, Pursuant therefore, to his Majesties Command I doe hereby in their Majesties Names will and require all Church Wardens Vestrymen and all others Concerned dilligently to observe, discharge and performe, what by the first recited Act they are therein Severally Comanded and of all their proceedings relating thereto from the first time of the passing the Said Act to return a full and perfect Account to the Secretarys office on the Sixth day of the Next Generall Court and doe further in their Majesties Names, will and require all and Every Clerk and Clerks of the respective County Courts in this Colony to transmitt to the Secretarys office on the said Sixth day of the Next Generall Court full and perfect transcripts of the records of all Judgements given and granted upon the Said Last recited Act, to the End Such further proceedings may be had on the Said two recited Laws as are Agreeable to Law and doe further in their Majesties Names and in Pursuance of his Said Comand hereby will and require all and Every other person and persons whatsoever dilligently to observe performe and keep all and whatsoever they are respectively required and Enjoyned to doe and Execute touching and Concerning any other Law or Laws which tend to the Advancement and promotion of the Revenue belonging and Appertaining to the Clergy within this their Majesties Colony, and all Judges Justices of the peace, Sheriffs, Constables, and all other their Majesties Liege people in this their Colony and Dominion of Virginia to be Aiding and Assisting in the due Execution thereof as they will Answer the Contrary at the Utmost Perrills, Given under my hand and the Seale of the Colony, this first day of September in the fifth yeare of their Majesties Reign *Annoque Dom:* 1693

E Andros

God Save the King & Queen

To the Sheriffs of the respective Counties
within this their Majesties Colony and
Dominion of Virginia—A Proclamation
relateing to the dues of the Clergy

E Chilton Att. Gen^l

A true Copy

R Wormeley Sec^r

Virginia fs

By his Excellency

A Proclamation

Whereas by the first Act of Assembly made at James

Loc

City on the Second day of March 1692-3 and in the fifth

*Sigill*yeare of their Majesties Reign the Execution of one Act
of Assembly made and Established at James City on the

16th day of Aprill in the third yeare of their Majesties Reign, Entituled an Act for Ports & c. and Every Article Clause branch and provision therein Contained was suspended till their Majesties pleasure Should be known therein or till the Next Assembly & whereas her Majesty has been pleased by her Royall Letter bearing Date at Kinsington the

16th day of August in the fourth yeare of their Majesties Reign, to Signifie that their Majesties had taken into their Princely Consideration in their Privy Councill two Acts Lately passed in their Majesties Colony the one for Appointing Ports & c. for the Loading and Unloading of Commodities here and for Laying a Duty Upon Furr & c. and the other for reviving a former Act for Advancement of the Manufactures of the Growth of this Country as also a report made in relation to them by the Comissioners of their Maj^{ties} Customes with a former report from that Board Upon Soe much of the first Act as Concerns the Appointing of Ports and that their Majesties had Approved the said Reports and Directed Coppies of them together with Coppies of those Acts to be transmitted hither, to the End those two Acts may be again taken into Consideration by the Councill and Assembly of this their Majesties Colony, in Order to the Framing of them, According to what is proposed in the report of their Majesties Said Commissioners, which her Majesty has been pleased to will and require to be done and that in the Meane time the Execution of those Acts be Suspended Untill further Order Pursuant therefore to her Said Majesties Command: I S^t Edmond Andros Kn^t Their Majesties Lieu^t and Govern^r Generall of Virginia, doe with the Advice of the Councill in their Majesties Names Suspend the Execution of the said two Acts The one Entituled an Act for Ports & c. the other made at a Generall Assembly held at James City the 16th day of Aprill *Anno* 1691 Entituled an Act reviving the Act for the Advancement of the Manufactures of the Said Growth of this Country and of Every Article Clause branch and provision in them and Every of them Contained and they are hereby Accordingly in their Majesties Names Suspended. Given under my hand and the Seale of the Colony this first day of September in the fifth yeare of their Majesties Reign *Annoque Dom* 1693

God save the King & Queen

To all Sheriffs in Virginia

E Andros

A proclamation Suspending the Execution
of the Acts for Ports & c. and the Act
reviving the Act for the Advancement
of the Manufactures of this Colony
Edward Chilton Att^r Generall

A true Copy
R Wormeley Sec^r

Virginia fs

By His Excellency

A Proclamation

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Sigill

Whereas their Royall Majesties have by their Commission to me Directed Under their great Seale of England bearing Date at Westminster the first day of March in the fourth yeare of their Reign, Amongst other powers and Authoritys therein granted, been pleased to Signifie their will and pleasures that in Case of my absence from this their Majesties Colony and Dominion of Virginia, and there be Noe other person Upon this place Commissionated to be Comander in Cheiff of this their Colony, that then the Councill of Virginia should take upon them the Administration of the Government and the Execution of the Said Commission and the Severall powers and Authorities therein Contained, and that Such Councill or

who should be at the time of my Absence from this Government, residing within this their Majesties Colony and Dominion before any other at that time residing here doe preside in the said Councill with such powers and preheminences as any former president hath Used and Enjoyed, within the Said Colony or any other their plantations, in America Untill my Arrivall in the Said Government, or their Majesties pleasure should be further known therein, and whereas their Majesties have been pleased to Command my present Service in their Province of Mary Land and there being Noe other person Upon this place Commissionated to be Comander in Cheiffe of this their Colony and Dominion Pursuant therefore to their Majesties Said Comission I doe in their Majesties Names by this Proclamation Notifie and make known the Administration of this Government and the Execution of the Said Commission and the Severall powers and Authorities therein Contained to be (dureing my Absence) in the Councill of this their Majesties Colony and Dominion and the Honourable Ralph Wormeley Esq to preside therein untill my return or till further Order of all which I doe hereby require and Command all their Majesties officers both Civill and Military within this their Dominion and all other persons whatsoever it may Concerne to take Notice thereof and Comport themselves Accordingly as they and Every of them will Answer the Contrary at their Utmost Perrils Given under my hand and the Seale of the Colony this 25th day of September *Anno Dom* 1693 and in the fifth yeare of their Majesties Reign.

E Andros

God Save the King & Queen

To the Sheriffs of the Respective Countys in Virginia

A proclamation declaring the power of
the president and Councill in the
Govern^rs absence

A true Copy
R Wormeley Sec^r

E Chilton Att Gen^{ll}

Att a Councill held att James Citty the 14th of Apr^{ll} 1694

Present

His Excell^y

M^r Sec^r Wormley

Hen: Whiting

Chr. Wormley

Edm^o Jenings

Edward Hill Esq^s

Hen: Hartwell

Edward Chilton Esq^r late Attorney Gen^{ll} being gon for England and that place thereby become Vacant Cap^t William Randolph was sworn their Maj^{ties} Attorney Gen^{ll}

Whereas Application hath been made to his Excell^y by severall Masters of Ships praying they may be permitted to Sayle, It is ordred in Councill that all Ships and Vessells meeting att Point Comfort in the Mouth of James River for making up a fleet be suffered to Sayle on the Eight of May next and that the Collect^rs of the severall Rivers & districts doe send the Clearings of Each perticular Ship and Vessel

to John Lear Esq^r Collect^r of the lower District of James River and there by him to be delivered to the said Masters, till when no Ship or Vessell be permitted to Sayle to any part whatsoever, And after the Saying of the Fleet No Ship or Vessell bound to Europe to sayle till further Order.

This Board having Under their Consideracon the Peticon from the Justices of Warwick County Presented to His Excell^y by the Sheriff of the said County and their papers relating to a Comission of Oyer & Term^r to try a Negro named Frank now in the said County Prison are of Opinion that no Sufficient Grounds appears to them wherby to Issue a Comission as aforesaid y^e Crime not Appearing Capitall According to the Law in that Case made & provided, The Justices of the County Aforesaid are therefore required seriously to weight and Consider the premises and take Especiall Care, that the said Criminall be severally Corcted and punished as his Crime deserves.

This Board having Under their Consideracon the Peticon from the Sheriff of New Kent County to his Excell^y praying a Comission of Oyer & Term^r to try some Negroes Named, Tom, Robin, & Cussan now in y^e said County Prison, Are of Opinion that no Sufficient Grounds Appear's to them wherby to Issue a Comission as Aforesaid the Crime not Appearing Capitall According to Law in that Case made and provided. The Justices of the County aforesaid are therefore required Seriously to weight & Consider the premises and take Especiall Care that the said Criminalls be severely Corcted & punished as their Crime deserves. And the severall Court's and Sheriffs within this Dominion are hereby required for the future to Examin and Consider whether the Crime for w^{ch} such a Comission is dissired be Capitall and within the Law Aforesaid And if in their Opinion Apper's so to be then to transmitt by the person that Apply's himsele to his Excell^y for the said Comission a Copy of the *Mittimus* and all Evidences relating to the fact.

Ordred that the Attorney Gen^l prepare a Proclamacon for putting the Law's Concerning Negro's in Execution and to restrain the lyncencious liberty given them by Severall Masters, Mistresses & overseer's, According to Law.

M^r Charles Anderson and M^r George Robertson by letters giving Account to his Excell^y of two incestouse Mariages in the County of Charles City is referd to further Consideracon & that M^r Blair have Notice of itt.

Upon the Complaint of M^r William Wilson M^r Will Lowrey M^r Edm^o Sweeney M^r Augustin More M^r Coleman Brough and M^r Pasco Curle Justices of Elizabeth City County against Cap^t Anthony Armstead M^r Bertram Servant M^r Edw^d Mihill M^r George Walker & c^a who by their peticon presented to the Justices att their Court held the 19th of feb^y last Accusing the said Justices of Illegallity and Injustice in Assesing the County and parish Levy's and att the said Court Appearing wth a great Number of People Subscribers to the said peticon, att which tyme the aforesaid Armstead did Assault & beat M^r James Wallace Minister w^{ch} quarell and disturbance occasioned the Courts Adjouement all w^{ch} proceedings they Conceive to be riotouse and Con-

trary to Law therefore humbly intreate His Excell^ys Consideracon and redress of the same It is Refer'd to the Attorney Gen^l to make prosecution according to Law.

Upon the Peticon of James Omooney praying a *Supersedias* upon an Order of James Citty County Court Concerning the Estate and Orphans of Charles Whitehead late of the said County Decd Ordred that a *Supersedias* be granted he giving Security According to Law.

Aprill y^e 21st 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Upon the Informacon to his Excell^y by George Robertson and Charles Anderson Clerks and Benifists in Henrico and Charles Citty Countys of the late incesteouse Mariages of Charles Bartholmew and John Moore of Charles Citty County being in Councill fully Considered. Itt is the Opinion of the Councill that the Attorney Gen^l do issue out due process According to Law and former practice here and ordred Accordingly.

Upon the Peticon of Robin Santy Negro for a *Supersedias* upon an Order of James Citty County Court Granted to Philip Ludwell Esq^r against the said Negro's freedom, he not being heard when the same past against him, Ordred that *Supersedias* be granted he giving Security According to Law.

Ap^l 23^d 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Cap^t Thomas Ballard high Sheriff of the County of York acquainting his Excell^y and Councill that Tony Negro of M^r Charles Minis being persued by a Warrant from a Justice of Peace for breaking Open the Store of Coll Lawrence Smith in York County fled into Elizabeth Citty County and by Virtue of his Excell^ys Speciall Warrant is Apprehended and brought to the County Goal of York, the Sheriff of the said County praying directions therein, It is refer'd to the County Court to proceed therein According as the Law directs and if above their Cognizance to represent the whole Matter to His Excell^y

Ap^l y^e 26th 1694*Present*His Excell^y

M^r Sec^r Wormley
 Richard Lee
 William Byrd
 John Lear

Chr: Wormley
 Edward Hill
 Hen Whiting
 Edm^o Jenings

Hen: Hartwell Esq^s

Upon Serieuse Consideracon of a Letter to his Encell^y from the Gov^r of New York for Assisting that Province against the French and Indians wherin is represented the great necessity's that Province lye's under. It is the opinion & Advice of the Councill (it being much for their Maj^{ties} Service) that his Excell^y Sign a Warrant for M^r Auditor Byrd to Advance and transmitt five hundred pounds to his Excell^y Coll Benja Fletcher Gov^r of the aforesaid Province for their Maj^{ties} Service there. And that M^r Audit^r Byrd reimburs himselfe out of the two shillings per hogshead and Port Duty's and ordred Accordingly.

Wheras their Maj^{ties} have been Graciously pleased by their Royall Charter to Grant to the Colledge of William and Mary in Virginia ten thousand Acres of Land in Pomunkey Neck and tenn thousand Acres of Land more on the Southside of James River on the black Water. Upon Application of the Gov^{rs} of the Colledge that the said land may ne layd out It is Ordred that all restraints heretofore made wth may be to the prejudice of the said Grants be taken off.

The Gov^{rs} of the Colledge of William and Mary by their Peticon Exhibited shewing that severall Breifs relating to the said Colledge are in the Secretarys Office and wth the Clerk of the Councill praying they may be delivered them. Ordred that the said Breifs be delivered Accordingly.

His Excell^y the Gov^r Acquainting the Councill that he had been much Solicited from Maryland to goe there for their Maj^{ties} present Service in those parts, On Consideracon wherof, It is their Opinion and Advice that this Govern^t being very well & quiet they knew nothing here to obstruct his Excell^{ys} Journey, butt that It would be verely well for their Maj^{ties} Service if he would please to goe that way.

Ap^{ll} the 27th 1694*Present*His Excell^y

M^r Sec^r Wormley
 Richard Lee
 William Byrd
 John Lear

Chr: Wormley
 Edward Hill
 Hen Whiting
 Edm^o Jenings

Hen: Hartwell Esq

Upon reading the Peticon of William Heslett Setting forth that he having Surveyed as Leiu^t Coll Thomas Milners Deputy on the South west side of Elizabeth River these fouer year's, and the said Milner

being now Dead humbley pray's his Excell^y that he may be Appointed Surveyor of the said Southwest Side of Elizabeth River, It is the Opinion of the Councill that the said William Heslett is a fitt person for that Imploy and is Accordingly Granted.

Upon reading the Peticon of William Lowrey Setting forth that there is now no Surveyor for Elizabeth Citty and Warwick County's Leiu^t Coll Thomas Milner who was Survey^r of the s^d Countys being dead, humbley prays his Excell^y that he may be Appointed Surveyor of the said Countys. It is the Opinion of the Councill that the said William Lowrey is a fitt person for that Imploy and is Accordingly Granted.

Whereas process was issued out this Gen^l Court by M^r Attorney Gen^l against Charles Bartholmew and John Moore of the County of Charles Citty for their incestouse Mariages and the Sheriff of the said County returning the said process unexecuted not Comeing to him in tyme. It is Ordred the Attorney Gen^l do make process against the said Bartholmew and Moore att the County Court of Charles Citty According to Law.

Att a Councill held att James Citty y^e 13th June 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Upon Consideracon of the peticon presented to his Excell^y by severall Masters of ships, (Viz) Christopher Scandret Joseph Miller William Nicholls Thomas Eley William Elliott Thomas Pretty John and William Fletcher, Setting forth that they are readey to Sayle to their respective ports and praying they may be permitted to sayle Accordingly. It is the Opinion and Advice of the Councill that the above sd Masters do stay for the Making up a fleet, and that the Collectors bring into this Board to Morow an Account of what Ships are in their respective Rivers and Districts and in what readyness to Sayle and Ordred Accordingly.

Upon Reading of a Letter from the Gov^r of New York to his Excell^y for the further Assisting that Province against the French and Indians wth two hundred men to be paid by this Govern^t Upon Consideration therof, It is the Opinion and Advice of the Councill that his Maj^{ty}s revenue in the Colony is not in a Condition to Assist New York any further then is already done being much in Arrear's.

His Excell^y having Informacon from the Hon^{ble} Coll Richard Lee and others that a Number of strange Indians have lately Appeared on the Frontier's of Potomock River and James River, and done Mischeif in both places Upon Consideracon therof, It is the Opinion and Advice of the Councill, that persuant to an Act of Assembly for the better securing of the Fronteir Plantacons there be Eighteen Rangers Added to those upon Potomock River and also Eighteen Added to

those upon James River and a Cap^t to be Appointed to Comand the said Rangers On Each of the above said Rivers, and that y^e respective Comanders in Cheif of Potomock and James Rivers take Care to raise the said Eighteen men and see them Armed and provided According to Law and ordred Accordingly.

June the 14th 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Wheras Application hath been made to his Excell^y by Severall Masters of ships praying they may be permitted to Sayle, and upon the returne of the Collect^{rs} that there is a Sufficient Number of Ships to make up a Fleet. It is the Opinion and Advice of the Councill and Ordred in Councill that all Ships bound for England that shall be ready and Clear by the 14th of July next and repair to point Comfort in the mouth of James River for making up a Fleet have their Clearings delivered them by the severall Collect^{rs} or by John Lear Esq^r Collect^r of the lower district of James River and Sayle Accordingly, till when No Ship or Vessell to Sayle to any part whatsoever and after the saying of the said Fleet no Ship or Vessell bound to Europe to sayle till furth^r Order

M^r Attorney Gen^{ll} having Acquainted the Board that he did pursuant to an Order of Councill bearing date the 27th day of Aprill last take out process to the last County Court of Charles Citty held the third day of this Instant June against Charles Bartholmew and Rebecca the Widow and relict of Maj^r Francis Poythers and John Moore and Elizabeth the Daughter of Seth Perkins for their incesteouse Mariages who Contempteously Absented themselves butt Moore by his Attorney Appeared att the said Court and moved for an Imparlanace untill the next Court Upon w^{ch} M^r Attorney Gen^{ll} moved then for an Order to Attach the body's of the said Moore and Bartholmew and that Security might be given for their liveing apart untill the hearing and Determinacon of the said suites next Court w^{ch} was by the Court denied and the Court Contrary to Law Adjourned to the third day of Aug^t next. It is therefore ordred that the first in Comission of the said Court doe issue his warrant to the Sheriff of the County aforesaid to take the said Charles Bartholmew and John Moore into Imediate Custody and them and either of them Safeley to keep untill they give security for their living apart and Appearance to Answer the Information of the Attorney Gen^{ll} for their incesteouse Mariages att a Court to be held for the said County According to Law on the third of July next, and in regard the said Court is Adjourned as aforesaid to the third of Aug^t next the first in Comission of the said Court to give notice to the Severall Justices to meet at their Usuell place of holding Courts on the third day of July next Accordingly.

For as much as M^r Attorney Gen^l was directed by Order of Council to prosecute Charles Bartholmew and John Moore for their incestuous Mariages at the next County Court held for Charles City and the said Court Notwithstanding the said Order having delayed his said Suites and Adjourned the Court Contrary to Law, to the third day of Aug^t next It is therefore ordred that thre of the Justices first in the Comission of peace there doe appear before his Excell^y and Council on the 17th of July next att James Citty to Answer to what shall be Aleided against them in that behalfe.

Upon Consideracon of the Peticon of William Mosley on behalfe of the Inhabitants of Sittenbourn Parish on the south side of Rappahannock River, setting forth that the said Parish being of large Extent & lying on both sides of Rappa River humbley prays his Excell^y that they may be Constituted and made a Parish by themselves, and therby inabled to Entertain a Minister and repair their Church It is the Opinion and Advice of the Council that the said parish do not devide Unless they can agree to Joyne the next Parish, that so they may be the better able to defray all Parochiall Charges, and Ordred According.

June 15th 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Elizabeth Lewis a person Condemned and reprevied untill the next Gen^l Court, but Informacon being given to this Board that she hath by some liberty given her by the Sheriff verely much misbehaved herselfe. It is therefore Ordred that the said Sheriff doe keep the said Elizabeth Lewis in Close Custody in the Comon Goal of James Citty as a Condemned person

*Att a Council held att James Citty the 18th of July 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear
Chr: Wormley

Edward Hill
Hen: Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

M^r Comissary Blair

*In Vol. 1307 (fo. 65) of Class 5 of the Colonial Office Papers is a duplicate of these July 1694 proceedings of the Council. The duplicate assigns to a meeting held on the 17th of July the proceedings given above as of the 18th, up to the entry beginning "Persuant", and it gives only nine members as being in attendance, the name of Mr. Commissary Blair being wanting.

Cap ^t Miles Cary Applying himselfe for his Jorney to New York as Comission ^r to agree upon a Quota w th other Neighbouring Comission ^{rs} Ordred.....	90 li
M ^r Secretary Wormley Applying for Money paid by him for Cariages Plank & c ^a for the Gunns att James Towne Ordred.....	40. 04. 3
Thomas Palmer Applying himselfe for Making Six--teen Cariages & c ^a for York and Tindalls point Ordred.....	60 li
M ^r John Chiles Messenger by Order of Councill.....	25 li
M ^r William Drumond Messeng ^r to Attend the house of Burgesses by ord ^r of Councill.....	05 li
M ^r James Sherlock Applying for money paid by him for sever ^l Expresses ordred.....	37 12 6
Coll. Brown Applying himselfe for storidg of Amunition & c Ordred.....	3 02 6
Cap ^t Thomas Ballard Applying him selfe for Sloop hire & c ^a to Accomack w th Cap ^t Cary Ordred.....	08 li
M ^r Welbourn Applying for Sloop hyre from Accomack w th M ^r Randolph Ordred.....	5 li
M ^s Alice Goodrick Applying for making a partition in the Secretary's Office Ordred.....	03. 10
Ordred in Councill that Warrants be prepared for the above said Sums for his Excell ^{ys} signing	

Persuant to his Maj^{ties} Comands Signified to his Excell^y by Letters of the 15th of Mar^{ch} 1693-4 Henry Hartwell Esq^r and M^r James Blair was sworn of their Maj^{ties} Councill of Virginia.

Upon reading of a Letter from Cap^t Geo: Mason to his Excell^y Acquainting his Excell^y that the Rangers fouer miles in the Woods back of the Inhabitants found a Negro Killed Supposed by Indians as also that he canot perswade the Inhabitants of Brent Towne to returne to their habitations again. On Consideracon therof It is the Opinion and Advice of the Councill, that the Rangers in Ranging According to Orders take perticular Care of Brent Towne not to be deserted nor hurt by any Indian or Other Enemy's, and that the Magistrat's have Notice, if possible to find out who Murthred the Negro.

Upon reading of a Letter of the 13th of July from Cap^t Hicks Commander of their Maj^{ties} Ship King fisher Acquainting his Excell^y of his Arrivall in Virginia his being bound to Maryland wth the Gover^r and of his returning to James River to stay till the 13th of Sept^r Upon w^{ch} his Excell^y Asked the Councill about the sayling of the Fleet that is ready. It is the Opinion and Advice of the Councill that there being the Bengall of two and thirty Gunns and other Ships of force who have been deteyned to make up a Fleet being Clear'd and readey to Sayle att the Mouth of James River be permitted to Sayle Accordingly and that no ship or Vessell not Cleared & gon be Cleared or permitted to Sayle to Eurpoe but wth the Convoy.

James Jossey Gent. by his Complaint to his Excell^y Setts forth that on the 12th of June last he was Assaulted and beaten in Nansemond Court, the Court Sitting without redress by Cap^t Tho. Goodwin

Refer'd to the Court of Nansemond forthwith to make Answer of the matter Complained of into the Secretarys Office.

The Recto^r and Gover^r^s of the Colledg of William and Mary presenting to his Excell^y and Councill a Letter from the Comission^{rs} of their Maj^{ties} Custom's directed to them desiring it may be recorded Ordred that the said Letter be Admitted to Record.

His Excell^y Caused to be read in Councill a Letter from the Commission^{rs} of their Maj^{ties} Custom's of the first of March 1693-4 Acquainting his Excell^y that there was ready to Sayle from Scotland the Jane Robert Mackree Comand^r loaden wth the goods of that Countrey bound for Virginia, Upon w^{ch} his Excell^y directed the Severall Collect^{rs} present to take Copys of the said Letter and be Carefull in their duty's, and Seizure therof if Arrived in Virginia as also a Letter of the 16th of March desiring his Excell^y to give Instructions to the officers of the Custom's that they doe not Certifie to the Plantations for any greater quantity of Tobacco then for which the duty shall be first Answered and paid to them and that in their Certificates they doe mention both the Number of hogsheads, bundles Trusses and the exact weight therof—And a Letter from Edw^d Randolph Esq^r Survey^r Gen^l of their Maj^{ties} Customs to his Excell^y Advising that the William of Glasco four hundred Tunns George Lyon M^r bound to Virginia or Maryland wth the goods of Holland, all w^{ch}, his Excell^y Ordred to be observed Accordingly.

July y^e 20th 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
John Lear

Chr. Wormley
Edward Hill
Hen: Hartwell Esq^r

Upon Informacon that the Gunns in Rappahanock River were out of Order, and M^r Secret^y Wormley Acquainting his Excell^y they were of no use, not Comanding the Chanell Ordered that the said Gunns be brought to James Town.

M^r James Biss Cap^t Peter Perrey and M^r Henry Batt Appearing persuant to an Order of Councill of the 14th of June last to Answer to what should be Aleiged against them for delaying the suits of the Attorney Gen^l against Charles Bartholmew and John Moore for their incestouse Mariages and Adjoining the Court Contrary to Law, humbly Submitting themselves, were dismist from further Attendance.

M^r Audit^r Byrd having Satisfied and paid their Maj^{ties} Councill of this Colony the thre hundred and fifty pounds Sterl for w^{ch} Warrants was signed by his Excell^y the Gov^r they doe hereby desire and appoint M^r Secretary Wormley for and in their behalf's to give receipts on the said Warrant

Ralph Wormeley Sec^r

Virginia fs

By His Excellency

A Proclamation

*Loc
Sigill*

Whereas the laws Concerning Negros, and other slaves have not had the good Effect by them Intended, for want of being duely Executed, and particularly one Act of Assembly made at James Citty the Eight day of June *Anno Dom.* 1690 intituled an Act for preventing Negros insurrections in which it is provided that it shall not be Lawfull for any Negro or other slave, to Carry, or Arme himselfe with any Club, Staff, Gunn, Sword or any other Wapon of Defence or offence Nor to goe or Depart from his Masters Ground without Certificate from his Master, Mistress or Overseer, and Such permission not to be granted but Upon particular and Necessary Occasions and by one other Act of Assembly made at James Citty the 10th day of November 1682 Entituled an Additional Act, for the better preventing insurrections by Negros it is further provided that both the Said Acts shall be by the Minister or reader of Each parish read & published twice Every yeare Viz^t Some one Sunday or Lords day in Each of the Months of September and March, in Each parish Church or Chappell of Ease in Each parish in this Colony in the time of Divine Service after the reading the Second Lesson Under the paine and penalty therein Exprest, and also that Noe Master or Overseer shall at any time knowingly permitt or Suffer, without the Leave or Licence of his or their Master or Overseer any Negro or Slave, not properly belonging to him or them to remayne or be upon his or their plantation above the space of four hour's Contrary to the intent of the before recited Act upon paine of forfeiture, as is in the Said Law Mentioned, but Notwithstanding which thro' the remissnessnes and Licenciousness of the Severall Masters, Mistresses, Overseers & other persons Enjoyed by the said Laws to performe their Severall duties therein Diverse Negroes and Slaves in Sundry parts and Counties in this Colony have Met, Congregated, and got together which Meetings and gatherings together of Such Negros or Slaves as aforesaid being of dangerous Consequence— S^r Edmond Andros Kn^t their Majesties Lieu^t and Governo^r Generall of Virginia by Advice in Councill doe by this proclamation in their Majesties Names will and require, that According to Law Noe Master Mistress or Overseer doe grant Certificate or permit Any Negro or Other Slave to depart from their Masters Ground but upon perticular and Necessary Occasions, and Such Certificate Soe granted, to Expresse the place where, and limitt the time for their goeing and returning upon Such Occasions as aforesaid, and I doe further will and require that all and Every Sheriff Justice of the peace Constables, and other officers and all and Every person or persons within this Dominion of Virginia to take Especiall Care, that the Laws Concerning Negros be fully and duely Executed, as they and Every of them will answer the Contrary at their Utmost Perrills Given Under my hand and the Seale of the Colony this 14th day of Aprill *Anno Dom* 1694 and in the Sixth yeare of their Majesties Reign

E Andros

God Save the King & Queen

To all Sheriffs in their respective Counties to
be published in all County Courts, Churches
Chappells of Ease and at all Meetings of
the Militia or Musters in Every County of
Virginia:

A proclamation Concerning Negros
W^m Randolph Att Gen^l

A true Copy
R Wormeley Sec^r

Att a Councill held att James Citty the 11th Sep^t 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
Edward Hill

Hen Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

Ordred that after the Sayling of the Convoy's no Ship or Vessell
be permitted to Sayle to Europe till further Order

Wheras James Howard of Charles Citty County hath Clandest-
inly possesst himselfe of, and removed an Estate lately belonging to
Thomas Wilkisson of the County of James Citty Deced after it was
Seized and Inventoried by the Coronor for their Maj^{ties} use

M^r Attorney Gen^l is therfore Ordred to Inquire into the Illegall
proceedings of the said Howard and to prosecute him the next Gen^l
Court for recovery of the said Estate According to Law.

Wheras Complaint hath been made to his Excell^y that former
Orders Concerning the Estates of persons dying Intestate and without
heyres not having been observed as directed, Itt is ordred that the Re-
spective County Courts within this Dominion do Cause the Sheriff or
Coronor of the said County to render an account of all such Estates
and that they returne the same into the Secretary's Office by the fourth
day of Octo^r Gen^l Court and by the same day to Everey Gen^l Court
Succeeding.

Sep^t 12th 1694

Present

His Excell^y

M^r Sec^r Wormley
William Byrd
Edward Hill

Hen Whiting
Edm^o Jenings
Hen: Hartwell Esq^s

The Answer of Nansemond Court persuant to an Order of Coun-
cill of the 18th of July past to the matter Complained of by M^r Jossy
his being beaten in the said Court, not being Sattisfactory. It is Or-
dered that the Sheriff of the said County M^r Edmond Godwin M^r
Richard Lovegrove Justices do attend His Excell^y in Councill on the
third day of Octo^r Gen^l Court.

His Ex^{cy} Acquainting the Councill that Application having been
made to him by the Gov^{rs} of the Colledge of William and Mary that

he would be pleased to be one of their Society Asked the opinion of the Council

Itt is the Opinion of the Council that itt will not only be a great honor but verely much for the Service of the said Colledge if his Ex^{cy} would please to Accept therof.

Att a Council held att James Citty the 19th of Octo^r 1694

Present

His Excel^y

Mr Sec^r Wormley
Richard Lee
William Byrd
Chr. Wormley

Edward Hill
Edm^o Jenings
Hen: Hartwell
James Blair Esq^s

His Ex^y acquainted the Gent of the Council that are Collectors that he wanted Some of the lists of Ships, the Collect^{rs} promist to returne the same from the year 1690 wth an Account of their bonds & Certificates returned to this tyme as directed, w^{ch} he desired they would dispatch and be Carefull in their Duty and have perticular regard to the Comissioners last letter.

Richard Lovegrove & Edmond Godwin two of the Justices of Nansemond Court Appearing persuant to an Order of Council of the 13th of Sep^r last for not making full Answer to the Matter Complaind of by Mr James Jossy his being beaten in the said Court humbly Submitting themselves & promissing for the future to demean themselves according to the Stations they are in, were dismiss from further Attendance.

Upon reading a Letter from Coll^o And: Hamilton to his Ex^y Acquainting his Ex^y that the Council of New York had Allowed him fifty pounds a year Salary out of the Revenue for Incouraging the post, and Boston twenty five pounds, Connecticutt Feridge free, w^{ch} will amount to twenty five pounds a year, And proposes that if Virginia will deliver their Letters att New Castle he will take them up there and Convey them according to directions & likewise bring all Letters that are directed for Virginia to New Castle they paying the postage, or if the Countrey will Allow him a Salary of two hundred pounds a year he will deliver the Mayle at James Towne and the Letters shall be postage Free.

Ordred that Mr Heyman Attend the Council and Say what directions he hath from Coll^o Hamilton or further to propose relating to the post or Virginia Act for itt

Octo^r 23^d 1694

Present

His Excell^y

Mr Sec^r Wormley
Richard Lee
William Byrd
John Lear

Chr: Wormley
Edward Hill
Edm^o Jenings
Hen Hartwell Esq^s

Upon reading a Letter from the Gover^r of New York to His Excell^y of the 24th of Sep^r last wherein he Acquaints his Ex^y that he had sent him a Copy of his Treaty wth the five Nations who have made a peace wth Canada, as also wth a New Schem of Assistance w^{ch} Amounts to two thousand Six hundred pounds per Anum or Ninety men to be menteyned by this Govern^t The Said Treaty and papers being read, Upon Consideracon therof. Itt is the Opinion of the Councill that the present Circumstances of this Govern^t Cannot allow a further Assistance to New York att this tyme.

Ordred that M^r Sec^y prepare a letter for the Gov^r of New York to acquaint him therwith, and that Wee shall be ready to do our Utmost on all Occasions.

Octo^r 25th 1694

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
William Byrd
John Lear

Chr. Wormley
Edward Hill
Edm^o Jenings
Hen: Hartwell

James Blair Esq^s

Upon reading a Letter from M^r Geo: Parker Sheriff of Accomack praying a Comission of Oyer & Term^r for the tryall of an Indian slave named Jenny for Murthering her bastard Child

Ordred that a Comission of Oyer & Term^r be prepared for the tryall of the above said Indian According to Law.

Itt is the Opinion of the Councill & Ordred that by reason of the Severall Alarmes this Sumer the Rangers Ordinary and Extraordinary be Continued in the heads of the Rivers & Frontiers

Upon his Ex^{ys} representing the Defects Itt is the opinion of the Councill that a fitt officer be Allowed and paid to take Care of the Gunns to be in good ord^r for the Defence of the Countrey.

M^r Peter Heyman Attending persuant to an Ord^r of Councill of the 19th Instant, acquainted His Ex^y that he had no directions from Coll^o Hamilton Concerning the post nor further to say in itt.

Ordred that a Letter be writt to Coll^o Hamilton by M^r Secretary to make more perticular propositions about the post & Virginia Act of Assembly made for itt and to Acquaint him of the Continued readiness of his Ex^y and the Councill to Encourage & further the Same.

Upon reading the Peticon of the Chickohomony Indians to his Ex^y Setting forth that where they now are Seated on the North Side of Mattapony in King & Queen County the Land is so poore that itt will no longer bring them Corn to Eate, nor yeild them wood for their Necessity's they therfore pray for a Tract of Land Called Quaynohock that lye's over against them in Pomunkey Neck, not Improved and formerly theirs

Referred to the County Court to Examin the matter & to make report therof forthwith into the Secretarys office.

Att a Councill held att James Citty the 5th of Mar^{ch} 1694 [1694-5]

Present

His Excell^y

William Byrd

Edm^o Jenings

Edward Hill

Hen: Hartwell

James Blair Esq^s

His Ex^y had read this day Her Maj^{ties} Letter directed to him dated the 22^d day of Aug^t 1694 directing that a Quota or part of the Militia of this Colony not Exceeding two hundred and forty men be the assistance to be given for the Defence & Security of New York and desired the Advice of this Board thereon.

for the most Effectuall putting itt in Execution when Occasion

Ordred that the said Letter be Entered in the Councill Booke, & upon application of their Maj^{ties} Gov^r of New York to his Ex^y, that some Vessell or Vessells, provisions and Necessarys be provided for the transportation of them.

Upon reading a Lett^r from the Lords of the Treasury to his Ex^y Dated the 15th of Novem^r 1694 for the providing a Vessell about forty tunns and Comander to Cruise on the Coast of Virginia to prevent Irregular traders.

It is Ordred that the Severall Collectors do forthwith Inquire for such a Vessell & Comander and give account to His Ex^y & to receive proposalls for the Victualling and Maning the said Vessell

For the Speedy putting the same in Execution and that the Clerk of the Councill Immediately dispatch this Ord^r to the Severall Collectors

The Severall Colectors of the Colony are Ordred to give present account of all doubtfull Bonds to His Ex^y & the Clerk of the Councill forthwith to give Notice of this ord^r to the respective Colectors

His Ex^y was pleased to signifie to this Board as he hath formerly don his readiness for the Incouragment of the Colledge & Clergy, & desired that this Board would with their Advice further inable him to promote so good a design, & demanded if anything had been Wanting, or now to be don on his part, This Board doth Unanimously declare they are sencible of the readey & Cherfull Assistance he hath been pleased to Express & Shew for the Effecting that good design, have nothing to Offer att present but pray the Continuance of his Care and favour therin.

It is the Opinion & Advice of the Councill that it is for their Maj^{ties} Service that an Assembly be forthwith Called to meet on the Eighteenth day of Aprill next att James Citty,

It is the Opinion of the Board that itt is for their Maj^{ties} Service, that a Ship be permitted to Sayle to England to give Advice of the Arrivall of the Fleet. And ordred that Coll^o Edw^d Hill Colector of the Uper District of James River have liberty to Clear the Ship London Merchant Nic^o Smith Comander in ord^r to Sayle the twentieth of this Instant March, & that from that tyme no Colect^r is to Clear any ship or Vessell bound to any other part whatsoever.

His Excell^y was this day pleased to have read Severall Letters

relating to the Indians being Under the Apprehension of danger from Foreign Indians, Asked the Advice of this Board. Who are of Opinion that nothing need att present be further don, but that the Rangers att the heads of the Rivers be dilligent and Carefull in their Duty According to former Orders.

Upon reading the Peticon of M^r Cope Doyly Clk, and Minister of Denbeigh Parish in the County of Warwick Complaining of his being Shutt out of the Church by M^r William Rasco one of the Churchwardens of the said Parish, & that William Lambmot Clerk of the said Parish, refused to deliver the Key of the said Church to the said Minister, & also to give his Attendance tho required, so that on the 24th of feb^r last the Minister & Congregation was debared from performing their Duty there.

Ordred that the said William Rasco and William Lambmot do Appear before the Gov^r and Councill on the 15th of Aprill next att James Citty to answer the said Complaint, & that till then the Church doores be opened, and M^r Cope Doyly have liberty to performe Divine Service as formerly.

Mar^{ch} 6th 1694 [1694-5]

Present

His Excell^y

William Byrd,
Chr: Wormley
Edward Hill

Edm^o Jenings
Hen: Hartwell
James Blair Esq^s

Upon reading the Report of Coll^o William Byrd and Coll^o Edward Hill, that in Obedience to his Ex^{cy}s Comands bearing date the 5th of this Instant, they had Viewed the Platforme or Ould Fort near the Statehouse w^{ch} they find to be wholly ruined the brick being decayed and no way's to be repaired without more Charges then would build a regular Fortification. Which being Considered by the Board, are of Opinion that it is not fitt to be Continueed for that Service, butt ought to be demolished, and the Guns now Mounted to be placed there for the better defence of the River

His Exc^y hath been pleased to lay before this Board their Maj^{ties} Severall Comands relating to this Countrey. The Councill are of Opinion that a State of the present Condition and Circumstances of the Countrey be drawn up by M^r Secretary Wormley Coll^o William Byrd & Coll^o Edm^o Jenings or any two of them, & to call to their Assistance Such other of the Councill as can Attend itt to be sent to Their Maj^{ties} Secretary of State to be humbly presented to their Maj^{ties} & ordred accordingly

Att a Councill held att James Citty the 15th of Aprill 1695

Present

His Excell^y

Mr Sec^r Wormley
William Byrd
Chr: Wormley

Edward Hill
Edm^o Jenings
Hen Hartwell

James Blair Esq^s

His Ex^y Acquainted the Councill that they were now mett to hold a Gen^{ll} Court & Assembly and desired their Advice & Consideracon of what necessary for their Maj^{ties} Service

Apr^{ll} 16th 1695

Present

His Excell^y

Mr Sec^r Wormley
William Byrd
Chr: Wormley

Edward Hill
Edm^o Jenings
Hen: Hartwell

James Blair Esq^s

Upon Consideracon of New's of the Death of Her Royall Maj^{tie} Queen Mary; spread in this their Maj^{ties} Colony of Virginia. His Excell^y was pleased to aske the Opinion of the Councill therupon

It is the opinion of the Councill that no Notice is to be taken of the said New's, nor alterations made in formes till Signified from their Maj^{ties} Privy Councill, as formerly

Mr William Rasco & William Lambmot Appearing persuant to an Ord^r of Councill of the 6th of March last, to Answer the Complaint of M^r Cope Doyly Clk for Shutting the Church door's upon him. William Rasco praying a Copy of the said Complaint and tyme to Answer.

Ordred that the said Rasco have a Copy of the said Complaint, & that he make Answer on Friday Morning Next.

Mr Geo: Hudson Clk. being Under reprehention from his Ex^y for Comeing into this Countrey without my Lord of Londons Lycence, and now attending. His Ex^y desired the opinion of the Councill what further to be don therupon, Upon w^{ch} M^r Comissary Blair Acquainted His Excell^y that his Ordination was good, and that he had been made Sencible Enough of his Error in Comeing without my Lord of Londons Lycence, by his Excell^{ys} reprehention and not yett Admitting him

It is the opinion of the Councill that the Said M^r Geo: Hudson be no further restrained or discouraged from the Exercise of his Ministerial Function in this Colony.

Apr^{ll} 17th 1695

Present

His Excell^y

Mr Sec^r Wormley
Richard Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell

James Blair Esq^s

His Excell^y having Acquainted this Board that he was Informed that Coll^o Phill. Ludwell late one of the Councill and reputed Gov^r of Carolina, was Elected one of the Burgesses for James Citty County, Demanded the Opinion of the Board, whether he was proper for that Station and Service, who are of Opinion he is not to be obstructed.

His Ex^y was pleased to Acquaint the Councill wth the heads of his Speech designed to the house of Burgesses.

A Quota for assistance of New York
Vessells to Cruise for Illegall traders

Ministers Salary or Allowances to be ascertained in Money or Value.

To Encourage & further the Colledge

Rangers Continued and More added to ascertain their pay.

To Ease the Levy by the Poll by a Duty on Liquors Imported.

Apr^{ll} 19th 1695

Present

His Excell^y

Mr Sec^r Wormley
William Byrd
Chr: Wormley

Edward Hill
Edm^o Jenings
Hen: Hartwell

James Blair Esq^s

His Ex^y proposed to the Councill whether he should speak to the Members of the House of Burgesses before they chose their Speaker or after, their Opinions are that the Speaker be first Chosen

His Excell^y was pleased this day to Communicate His Speech to the Councill and Demanded their Opinions thereon, w^{ch} they Unanimously Approved of, finding Nothing Wanting that might be further Serviceable to the Church or State.

Upon Consideracon of severall Undecent reflections reiterated and asserted wth passion by Mr James Blair One of their Maj^{ties} Councill to his Ex^y their Maj^{ties} Gov^r in the Councill Chamber, the Contrary of w^{ch} are Manifest to this Board, and by Consequence Mr Blair's Imputation Groundless.

Itt is the Unanimouse Opinion of the Councill that to discourage all such proceedings for the future w^{ch} tend so greatly to the Diminution and Contempt of their Maj^{ties} Authority placed in their Gov^r Mr Blair ought not to sitt att the Councill Board till directions therin.

Apr^{ll} 26th 1695*Present*His Excell^y

Mr Sec^r Wormley
 Richard Lee
 William Byrd

Chr. Wormley
 Edm^o Jenings
 Hen Hartwell Esq^a

This day M^r James Blair one of their Maj^{ties} Councill Attending this Board the order of Councill of the 19th Instant was read to him. His Ex^y also Acquainting him wth some other reflections made by M^r Blair on the Government, as on occasion of the Church Wardens request to His Excell^y that they might procure a quallified Minister to preach att James Citty Church in the tyme of M^r Blair the then Incumbent his Sickness & his Excell^y promissing to gratifie the said Minister out of his own purse, the Church Warden, having first assured his Excell^y they had M^r Blair's leave, as he himselfe likewise owned. Afterwards the said M^r Blair did declare that the Gov^r nor the King had Authority to Appoint a Minister to preach; and might be of ill Consequence as in King James tyme, Also that the Ministers need not produce to the Gov^r their Orders, being Sufficent they shewed them to him the said M^r Blair, likewise that the said M^r Blair should Say that he Could once have served the Clergy in Gov^r Nicholsons tyme, but that the present Gov^r was so Cautiouse that he knew not how to discourse him, all w^{ch} M^r Blair Denying & desiring to see his Accusers face to face M^r Sam^{ll} Eborn & M^r Geo Hudson Clerks being Called & M^r Blair present they did att the Councill Board affirm all the above particulars wth more to the Same Effect, w^{ch} they heard from M^r Blair's own Mouth, and M^r Blair Not Shewing any reason for any his Unjust reflections nor so much as Extenuating the same, the Councill are still of Opinion that the said M^r Blair ought not to sitt at the Councill Board.

Upon the whole matter His Ex^y then declared to this Board that M^r James Blair one of their Maj^{ties} Councill of this Colony is Actually Suspended from Sitting, Voting, & Assisting as one of their Maj^{ties} Councill of Virginia

May 1st 1695*Present*His Ex^y

Mr Sec^r Wormley
 Richard Lee
 William Byrd

Chr: Wormley
 Edward Hill
 Hen. Hartwell Esq^a

Upon reading the Peticon of M^r John Monro Clerk, setting forth that on the 28th of Aprill last he was hindred from officiating in the Chapell of S^t Johns Parish, where he hath been Minister two year's, the Chapell door's being Nayled & lock^t, a great Congregation present, the said Monro praying to be releived from such Irregular & Illegall proceedings

Ordred that a Copy of the said Peticon be sent to the Vestrey of the said Parish in King & Queen County, and that they send their Answer therto on Wednesday the 8th Instant to his Excell^y and Councill att James Citty, to the intent such further proceedings may be had thereon, as are agreeable to Law and Justice, and that in the mean tyme y^e Church and Chapell door's be opened to the said Monro, that he may performe Divine service as formerly.

May 3^d 1695

Present

His Excell^y

M^r Sec^r Wormley

Chr: Wormley

Richard Lee

Edward Hill

William Byrd

Edm^o Jenings

Hen. Hartwell Esq^s

Upon reading a Letter from Coll^o And. Hamilton post Master Gen^l of North America to his Ex^y of the 13th of March 1694; Concerning the post Office, His Ex^y was pleased to Aske the Councill, what could be further don in that affair, the Councill made Answer they had don all they could wth the Assembly for the Encouragment of the Same, & were still willing to do what they might to promote so good a Work, butt att present Cannot propose any further Service, or think it proper to move the Assembly therin

Upon reading the Peticon of Coll^o John West praying a Supersedias from An Order of Accomack County Court, Upon hearing the whole Matter.

Ordred that a Supersedias be granted he giving Security Accord- ing to Law.

Persuant to an Ord^r of Councill of the 5th of Mar^{ch} last, Wherin itt is Ordred that the Severall Collectors within this Colony do Inquire for a Sloop or Vessell & Comander, to Cruise on the Coast to prevent Irregular Traders, M^r Sec^r Wormley Acquaints the board of a Sloop in Rappahanock belonging to M^r Gowin Corbin & Coll^o Jenings of a Small sloop of his Own.

Referred to M^r Auditor Byrd to Agree for one of the said Sloopes or other Vessell proper for the said service & fitt M^r or Comander, on the best termes he can as soon as may be.

May 7th 1695

Present

His Excell^y

M^r Sec^r Wormley

Chr: Wormley

Richard Lee

Edward Hill

William Byrd

Edm^o Jenings

Hen. Hartwell Esq^s

His Ex^y having received Intelligence that some hardships have been putt by Willmington Parish in James Citty County upon M^r

John Gourdon Minister of the said Parish and he turned out from officiating in the Cure therof, without any known reason for their so doing, Acquainted this Board therwith, desiring Advice what could be don therin; Upon Consideracon therof, It is therfore Ordred that the Church Wardens of the said Parish of Willmington on Fryday next attend this Board, wth an account of all the proceedings of the said Parish Concerning the said matter, & that the said M^r John Gourdon have notice then & there also to give his Attendance, to offer what he shall think proper that right may be don therin.

His Ex^y having received Intelligence that some hardships have been putt by Abington Parish in Gloucester County Upon M^r Stephen Gregg Minister of the said Parish & he turned Out from officiating in the Cure therof without any known reason for their so doing Acquainted this board therwith. Upon Consideracon therof It is therfore Ordred that the Church Wardens of the said Parish of Abington on Teuesday next attend this board wth an Account of all the proceedings of the said Parish Concerning the said Matter, & that the said M^r Stephen Greg have notice then & there also to give his Attendance to offer, what he shall think proper that right may be don therin.

May 8th 1695

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
William Byrd

Chr: Wormley
Edward Hill
Edm^o Jenings

Hen. Hartwell Esq^s

Upon reading the Peticon of the Trustees of the Colledg of William & Mary, setting forth that their Maj^{ties} by their Graciously Charter having granted to the Peticoners, and the greater part of them or of the longest liver of them, & to their Heyres in trust for the Colledge of William & Mary in Virginia the office of Surveyor Gen^l of their Colony of Virginia, Whensoever and as often Soever as the same should becom Void. The said Office by the Death of Allexand^r Culpeper Esq^r the last Surveyor Gen^l is now become Void, and therfore by Vertue of the said Charter is devolved to the Peticoners; and further shew that by that the said Charter, It is directed, that they & the Major part of them, or the longest liver of them shall from tyme to tyme nominate & substitute so many Surveyors for the Severall County's as the Gov^r or Comander in Cheife & the Councill for the tyme being shall think necessary & Convenient

They therfore pray they may be admitted to Execute the said Office of Surveyor Gen^l & that the Gov^r & Councill will be pleased to ascertain how many Surveyors are Necessary to be Appointed for the severall County's in this Country

His Ex^y and Councill having due regard to their Maj^{ties} Royall grant do declare that the said Trustees may Execute the Office of Surveyor Gen^l persuant therunto, and are of Opinion, that the Number

of Surveyors in the Severall County's are Sufficient as they now are, till directions therin.

Persuant to an Order of Councill of the first of May last two of the Vestrey & one of the Church Wardens of St Johns Parish in King & Queen County attended this board to answer the Complaint of M^r John Monro Clk for shutting the Church Door's against him

Who declare that the Vestrey mett in order to Agree wth him the said Monro for the Ensuing Year w^{ch} he refused, & was afterwards desired again, butt Answered he would make No Agreement wth them

Upon hearing M^r Monro & the said Vestreymen it doth not appear the Chapell door's were shutt to keep M^r Monro out from officiating as Minister of the said Parish but to keep out the Catle from defying the said Chapell, and that the doors of the said Chapell were not opened when M^r Monro Attended to performe Divine Services was, the Church Wardens presuming the Parish to be Vacant of a Minister

The Vestreymen declare that they are Willing to Continue M^r Monro their Minister & will call a Vestrey upon their returne in ord^r to agree wth him wth w^{ch} the said Monro was Satisfied

May 10th 1695

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

The Church Wardens of the Parish of Willmington in James Citty County this day Attending this board persuant to an Ord^r of Councill of the 7th of may Instant made upon Intelligence given, to his Excell^y that hardships were putt by the said Parish upon M^r John Gourdon their Minister & he turned out from officiating therin

The Church Wardens Averring that they did not turne him Out, but that their Vestrey offered to agree wth him the said Gourdon, but he would not, & that they still desire he would officiate as their Minister and they will call a Vestrey and agree wth him wth w^{ch} the said M^r Gourdon was Satisfied & Contented

May 14th 1695

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen Hartwell Esq^s

M^r Abraham Bradley Church Warden of Abington Parish in Gloucester County this day attending this Board persuant to an order of Councill of the 7th Instant made upon Intelligence given to his Ex^y that some hardships were put by the said Parish on M^r Stephen Greg their Minister & he turned out from Officiating therin. The said

Bradley producing two Orders of Vestrey on [one] bearing date the 6th of Decem^r the other the 18th of feb^y 1694 Charging the said M^r Gregg of Severall misdeneanours for w^{ch} they dismist him from further Officiating as their Minister

The said M^r Greg declared that the turning him out was no hardship putt upon him, for that he was as willing to leave them, as they to part wth him, but Complained of their Gen^{ll} Charge against him to the Injury of his reputation, not assigning any peticular Cryme against him, and that he was ready to Justifie himselfe ag^t any of their accusations. The said Bradley did therupon in the Name of the Vestrey of the said Parish of Abington Charge the said Stephen Greg for being guilty of Sodomy

Ordred that the Attorney Gen^{ll} have Notice thereof & make prosecution According to Law.

May 15th 1695

Present

His Excell^y

M^r Sec^r Wormley
Richard Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

His Ex^y proposed to the Councill if there was any thing more to be don Concerning the Colledge, they answered, there was nothing further for the present.

May 17th 1695

Present

His Ex^y

M^r Sec^r Wormley
Rich^d Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

Upon Consideracon of the Bill Concerning the Tare and Size of tobacco hogsheads, the Councill are of Opinion, that itt being a popular Bill and the passing of it may be Serviceable, that it be Agreed to, there being Severall other publick Bills and Matters of Import depending.

This day was read in Councill the Comissions Impowring one or more persons in Each County to Sign Probates and Administrations, w^{ch} Comissions being filled up were signed by his Excell^y

His Ex^y was pleased this day for Councill to Appoint Sheriffs for the Severall County's within this Dominion

His Ex^y was pleased to Aske the advice of the Councill, whether there was any thing further to be proposed to the House of Burgesses for Service or the good of their Colony to w^{ch} the Councill declared they were not sencible of any thing, and that nothing lay'd before them, Upon w^{ch} His Ex^y demanded the Opinion of the Councill whether this Sessions of Assembly should determin, who give their Opinions

that it is for their Maj^{ties} Service that this Session of Assembly do now determin

May 19th 1695

Present

His Ex^y

M^r Sec^r Wormley
Richard Lee
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

His Ex^y proposed to the Councill what tyme the Auditt Could be. The Comodores resolution of Sayling being Considered, the Councill are of Opinion that the Auditt be the last of this Month of w^{ch} the Respective Collect^{rs} to have Notice to bring their Account's

This day M^r Harry Beverley being Nominated a fitt person to Comand the Vessell to Cruise on the Coast, It is Ordred he have Notice therof and that he forthwith View Coll^o Jening's and M^r Corbin's Sloopes, Exprest in an Order of the third of May or any other Vessell proper for that Service and Make report therof to this Board.

His Ex^y Ordred the Severall Comanders in Cheife of this Colony to Inspect the State of the Militia and to se how Armed & to returne account therof.

His Ex^y desired the Advice of the Councill Whether the Additionall Rangers raised on the heads of James River and Potomock River should be Continueed, Who are of Opinion they be discontinued, there Appearing att present No Extrordinary Occasion for their Service.

June the 4th 1695

Present

His Ex^y

M^r Sec^r Wormley
William Byrd

Edward Hill
Edm^o Jenings
Hen: Hartwell Esq^s

Upon reading the Orders of Councill to be transmitted to England, the Gent of the Councill observe an Omission in the Opinion of the Councill, given the 26th of Aprill last, relating to M^r Blair's Unjust reflections on his Excell^y for that the paper Signed by the Councill and read to M^r Blair is not mentioned nor Entered in the Councill Booke, and the Words (till directions therin) are omitted in the Conclusion therof, w^{ch} was the Intentions and Opinion of the Councill, and Ought to have been Mentioned, and farther Observe that his Ex^{ys} Suspension is Anexed to the said Opinion w^{ch} was a distinct Act of His Excell^{ys} and not to be Joyned

His Ex^y did declare, that he did Suspend And dispen^{ce} wth M^r James Blaires Attendance att the Board, as one of their Maj^{ties} Councill till further Order.

The Following Warrants upon the Establishment being brought to the Councill Board His Ex^y was pleased to sign; Severall other

persons applying for money due for publick Services, were allowed all w^{ch} to be paid out of their Maj^{ties} Revenue of two shillings per hog-head and Port Duty's.

To His Ex^y S^r Edm^o Andros five hundred pounds, being for a quarters Sallary due att Micklemass last

To His Ex^y S^r Edm^o Andros five hundred pounds being for a quarter Salary due att Christmas last

To His Ex^y S^r Edm^o Andros five hundred pounds, being for a quarters Salary due att Lady day last.

To the Councill thre hundred & fifty pounds, being for Salary due the 27th day of Aprill last

To William Blathwayt Esq^r their Maj^{ties} Audit^r, being Salary, Ending on Lady day last, one hundred pounds

To John Povey Esq^r one years Salary due at Lady day last, one hundred pounds

To John Chiles twenty five pounds, being for one Years Salary Ending on Lady day last.

To William Randolph Esq^r being for one yeares Salary due on the 20th of Aprill last, forty pounds.

To M^r James Sherlock Clk. Councill, fifty pounds, being for one years Salary due the 26th of May last,

To Edw^d Ross Guner of James Citty fort, due to him for Eight months Salary Ending on Lady day last, ten pounds

To Thomas Emerson Guner of the fort att Tindalls Point Eleaven pounds thirteen shillings & fouer pence, being for 14 months Salary Ending the 25th day of Mar^{ch} last

To Elizabeth Dunbar Widow of Gowin Dunbar fifteen pounds being the Ballance of a Claim of thirty five pounds Sterling for an House built att Tindalls point,

To William Drumond, ten pounds, being due to him for one years Salary Ending the 14th day of Aprill last

To M^r James Peters forty Seaven pounds fouerteen shillings being for Making of Cariages Mounting of Guns and Casting up a Brest Work att Nansemond Fort.

To Edw^d Rawlins two pounds ten shill due for fouer months Salary Ending on the 25th of July last as Guner of the Fort att James Citty

To James Sherlock, ten pounds Seaventeen Shillings being for Severall Messengers to Kickquotan and the remote parts of the Govern^t

To James Sherlock five pounds Seaven shillings being for Books & paper for the Councill Chamber

To James Sherlock fifteen pounds, being so much paid the Ministers for Attending two Gen^l Courts and One Assembly.

To M^r Peter Beverly, five pounds one Shilling being for Severall disburtments in Mounting Eight great Gunns att Tindalls point

To John Tullett, fifty pounds, for mending of Carriages removing & Mounting of the Gunns beating down the Brick work & levelling the Fort att James Citty

To M^r Secretary Wormley, Eight pounds being for an Horser to mount the Gunns att the fort att James Citty

R Wormeley Sec^r

[From C. O. 5, Vol. 1410.]

At a Councill held at James City the 11th of June 1695

Present

	His Excellency
	M ^r Secretary Wormeley
William Byrd	Edmond Jenings Esq ^{rs}

His Excellency was this day pleased, to Appoint M^r Daniel Parke to be one of their Majesties Councill in Virginia, who having taken the oaths Appointed by Act pf Parliament to be taken instead of the oaths of Allegiance and Supremacy (Subscribed the test) and the oath of a Councillor took his place at the board Accordingly

Present

	His Excellency
M ^r Secretary Wormeley	Edmond Jenings
William Byrd	Daniel Parke Esq ^{rs}

Ordered that the Collectors of the Severall Rivers, and districts within this their Majesties Colony of Virginia, do take care, that after the Sailing of the Convoy's with the Fleet, no Ship or Vessell be cleared or permitted to Sayle to Europe till further order.

Coll^o William Byrd Acquainting his Excellency that Some Strange Indians having been lately Seen on the head of James River Occasion'd his not disbanding the Additionall Rangers there, On Consideration thereof, it is allowed, and further Ordered that the Additional Rangers be Continued till the last of this Instant June, and if in the Interim no more Indians Appear that then they be disbanded pursuant to order of Councill of the 9th of May last.

Ralph Wormeley Esq^r produceing to his Ex^{cy} their Maj^{ties} Commission to him to be Secretary of this their Dominion his Excellency caused the Same to be read, and Ordered that the Said Comission be Entered in the Councill Booke and transmitted to the Secretaries Office to be recorded there.

M^r James Sherlock presenting to his Excellency their Majesties Grant to his Grace Minhard Duke Schomberg for Wrecks & his Excellency was pleased to have the Same read, at the board and Ordered that their Majesties Said Grant to his Grace the Duke Scomberg be Entered in the Councill Book, and in the Secretary's Office, that due regard be had thereto Accordingly.

June the 25th 1695

Present

	His Excellency
M ^r Secretary Wormeley	Edward Hill
William Byrd	Edmund Jenings
	Dan ^l Parke Esq ^{rs}

Upon severall advices from England, that the Diamond & Eleven more Ships of Warr, were fitting out from Brest and Rochell in France designed to Attack and Plunder their Majesties Islands and Plantations in America, His Excellency was pleased to aske the advice of the Councill if anything further Necessary to be done, for their Majesties Service and the Security of this Coast against any such Attempts, on Consideration so hereof, all Comanders in Cheife of the Respective County's having his Excellency's orders for the Militia to be in a readiness on all Occasions, and already Notice of the above advice and orders for good looking out particularly on the Sea Coast, It is the Opinion of the Councill that nothing is further wanting or Necessary for that Service but Platforms to be made for the great Gunns at James City and York & c that M^r Auditor Byrd doe agree with Some person or persons to do the Same and further that Notice be given by Proclamation, that no person whatsoever do go on board any Ship or Vessell, dureing this time of warr, till the Said Ships or Vessells have sent on Shoare and made known who they are, And that M^r Attorney Generall do prepare the Said Proclamation and Ordered Accordingly.

His Excellency having layd before the Board Severall advices from England, of the Death of her Royall Majestie Queen Mary desired the Opinion of the Councill, what Necessary to be done thereupon, On Consideration whereof the Councill are Still of Opinion, that no alterations be made in formes till Signified from Whitehall and directions therein as formerly.

At a Councill held at James City the 24th of July 1695

Present

His Excellency

M^r Secretary Wormeley
William Byrd
Christop^r Wormeley

Edward Hill
Edmund Jennings
Daniell Parke Esq^{rs}

Upon reading of a Letter from the Governo^r of new york to his Excellency, bearing date the 17th of June 1695 for the Assisting that Province with a Quota of two hundred & forty men pursuant to her Majesties Comands of the 22^d of August 1694 which he desires may be sent to new york by the first of may Next, Ordered that in Obedience to her Majesties sd Comands a Quota of two hundred & forty men be Sent to new york as Applied for by the Said Governo^r

His Excellency having laid before the board an Account of Strange Indians lately Seen at the head of James River, who had killed a man, and Some Calves and hoggs on the Frontier Plantations, that they were persued by the Rangers, and the Militia, but could not be over taken, Coll^o Byrd & Coll Hill, Comanders in Cheiffe of the Said Rivers acquaints his Excellency that it is Necessary to have Some Indians Joyned with the English, being more Expert in the woods and desired they may be Supplied with Ammunition Ordered that Such Indians as will go with the English (as Occasion) be Supplied with Amunition.

Upon reading the petition of Coll^o William Fitzhugh and M^r

George Brent, Agents for the Proprietors of the Northerne Neck to his Excellency, Complaining that they could not obtain Comon Process against Coll^o Richard Lee of the Councill, no other then M^r Secretarys Letter to him, On Consideration thereof, It not Appearing there had been any failure for want of Comon process, but by the Neglect of the Sheriff, not making return in time, for which he is lyable, M^r Secretary and Clerke of the Office to issue due process, on any Action Enter'd for the Appearance of the Said Coll^o Richard Lee as Others According to Law.

Upon further advices from England Informing that the French doe designe to Attack their Majesties Islands, and Plantations in America, Ordered that the Comand^{rs} in Cheife, with the Assistance of the Collectors of the Severall Rivers and districts do take an Account of all Sloopes, Shallops, Boates, Flatts, and great Canoes, and returne the Same into the Secretary's Office for his Excellency the Governo^r

July the 25th 1695.

Present

His Excellency

M^r Secretary Wormeley
William Byrd
Christopher Wormeley

Edward Hill
Edmund Jenings
Daniell Parke Esq^{rs}

His Excellency was pleased this day to propose to the Councill as he had Severall times before, what further to be done for the Settling the Post office, On Consideration whereof it is the Opinion of the Councill, that the Postmaster hath been wanting not having Settled the Post office in this their Majesties Colony of Virginia pursuant to their Majesties Letters Patents Notwithstanding Proclamations to Signifie the Said Letters Patents as soon as produced, as also that the Ferries were Vested in the Postmaster, and an Act passed in the Assembly for the Encouraging the Same, Ordered that M^r Secretary Wormeley do write to Coll Hamilton Post Master to Acquaint him of the defects, and to know what he designs that Suiteable orders may be taken thereupon.

His Excellency was pleased to Acquaint the Councill, that Capt Miles Cary Rector of the College of William and Mary did inform him that the Committee had Appointed Thursday the Eight of August next for the laying the Foundation of the Said College and prayed his Excellencys Company at that time, His Excellency desired the Opinion of the Councill, what proper or Necessary on that Occasion, the Councill Informe his Excellency that they had noe Notice thereof but are of Opinion, that his Excellency haveing alwayes it will be now a further Encouragement to the Said worke, if his Excellency please to goe, and that the Gentlemen of the Councill will be ready to Attend him at the laying the Said Foundation, and Ordered Accordingly.

This day Ralph Wormeley, Christopher Wormeley, Edward Hill, & Edmund Jenings Esq^{rs} Collectors and Navall Officers, (their Commissions being removed on Occasion of Dutys on Liquors) took the

usuall Oaths for the due Execution of the Offices of Collectors, and Navall Officers, as Enjoyed by Act of Parliament.

At a Councill held at Coll^o Edmund Jenings's the 9th of Augst 1695

Present

His Excellency

Mr Secretary Wormeley
Richard Lee
William Byrd

Christop^r Wormeley
Edward Hill
Edmund Jenings Esq^{rs}

Upon Consideration of the Prorogation of the Generall Assembly to the 31st of October next, It is the Opinion of the Councill that writts issue as usuall, for their Meeting at the time to which prorogued, but if no further Occasion requires their Meeting, then that the Assembly be prorogued by Proclamation, to Some time in the Spring, for which time Enough at the Meeting of the next Generall Court in October & Ordered Accordingly.

Upon reading the petition of Francis Pope Setting forth that he is concern'd in the Ketch Dolphine of Bristoll John Froman master now rideing in the Wicocomico in the District of Potomeck which hath been Laden Some time with tobacco, lyeth at great charge, and likely to be Eaten by the wormes, Humbly prays that the Collector of the above-said District in Potomeck May have liberty to clear the Said Ketch, upon Consideration thereof, and that there is no Convoy nor Merchant Ships in this Colony bound to Europe, Ordered that Christopher Wormeley Esq^r Collector of Potomeck do clear the Said Ketch Dolphin, to proceed on her intended Voyage Accordingly.

At a Councill held at James City the 16th of October 1695.

Present

His Excellency

Mr Secretary Wormeley
William Byrd

Christop^r Wormeley
Edward Hill
Edmond Jenings Esq^{rs}

His Excellency was pleased this day to Nominate and Appoint Coll^o Richard Johnson to be one of his Majesties Council in Virginia.

Severall of his Majesties Ships under the Conduct of Capt Thomas Butler, Comadore, being Arrived from Jamaica, and now Rideing in James River, and upon Application of the Comadore to his Excellency, for the Assistance of the Government, to prevent the Seamen dissenting his Majesties Service, It is the Opinion of the Councill, that all Assistance the Government is Capable of, be given to the Comanders of the Said Ships, and that his Excellency will be pleased to issue Proclamations, Comanding all persons, not to Harbour or Entertain any of the Said Seamen, now in his Majesties Service and Ordered Accordingly

Upon Consideration that at present there is no matter of weight or moment requiring the meeting of the Assembly the thirty first of this Instant October, According to Prorogation, It is the Opinion of

the Councill, that his Excellency be pleased by Proclamation, further to prorogue the Said Assembly, untill the twenty third of Aprill, Next Ensueing, by which time it may probably be expected, that Letters may be received from Whitehall, And Ordered that proclamation's doe issue Accordingly.

His Excellency was pleased to propose in Councill, if they had any thing further to offer for his Majesties Service, to which they answered they had nothing at present all being well.

At a Councill held at James City the 25th of October 1695.

Present

M^r Secretary Wormeley
William Byrd
John Lear
Christopher Wormeley

Edward Hill
Edmund Jenings
Daniel Parke
Richard Johnson Esq^r^s

Richard Johnson Esq^r having taken the Oaths Appointed by Act of Parliament, to be taken instead of the oaths of Allegiance and Supremacy (Subscribed the test) and the oath of Councillour, and took his place at the board Accordingly.

The Rector of the College of William and Mary in Virginia having instead of the Comptroller) moved his Excellency to take the oaths of the Severall Collectors to their respective Accounts of the penny per pound, as Usuell, but refusing to be under the obligation of an Oath, himselfe, His Excellency was pleased to advise with the Councill, whereupon it is their Opinion, that all Officers of the Customes, Ought to be upon oath, but on this Occasion it being for the benefitt of the College, he may please to take the Oaths, of the said Collectors to their Accounts when they shall bring them to him, tho no Comptroller at present.

Upon Consideration of the business of new york relateing to the Quota of men to be sent for the Assistance of that Province against the French and Indians, It is the Opinion of the Councill that the further Consideration thereof be referred to the Second Wednesday in February next, at which time the Councill are Appointed to meet and Ordered Accordingly.

Upon Consideration of the Necessity of Some way to be found for the more Speedy and Safe Conveyance of Letters to and from the Neighbouring Governments and Maintaining a Correspondence with the Same, It is the Opinion of the Councill, that it be taken into further Consideration at the next Meeting of the Councill and that M^r Secretary Wormeley in the mean time receive any Proposals, that they may be Offered, and then report the Same and Ordered Accordingly.

His Excellency was pleased to propose in Councill, if they had any thing further to offer for his Majesties Service to which they Answered, they had nothing at present all being well.

At a Councill held at James City the 4th day of Decemb^r 1695

Present

His Excellency

Coll^o Edward Hill

Coll^o Edmond Jenings

Coll^o Daniel Parke Esq^{rs}

The Councill being Appointed to meet this day and no more Appearing Adjourn'd till tomorrow the fifth.

The 5th of December 1695

Present

His Excellency

Coll^o Edward Hill

Coll^o Edmond Jenings

Coll^o Daniell Parke Esq^{rs}

No more of the Councill Appearing, twas not thought fitt to proceed on any publick business, but it being Necessary His Ex^{cy} was pleased to Appoint Coll^o Daniell Parke to Succeed Coll John Lear decd in the place of Navall Officer and Collector in the Lower District of James River, who having took the Oaths, Appointed by Act of Parliament instead of the Oaths of allegiance and Supremacy (Subscribed the test) and the oaths for the due Execution of the Said places.

At a Councill held at James City the 6th day of December 1695

Present

His Excellency

Coll^o Christopher Wormeley

Coll^o Daniell Parke

Coll^o Edmund Jenings

Coll^o Richard Johnson

M^r James Sherlock Clerk of the Councill having been ill and lame in his hands, pray'd his Excellency, that he might have an Assistant, and recommended M^r James Preston, who was thereupon admitted, and took the Oaths Appointed by Act of Parliament, instead of the oaths of allegiance and Supremacy (Subscribed the test) and the Oath as Clerke of the Councill Extraordinary.

Upon Consideration of Vacant Lands to be taken up in Pamunkey Neck and the South Side of black water and orders of Councill, restraining the Same, tis the Opinion of the Councill, that it is a matter of great Import, and fitt to be referred to a fuller Councill, to be had as soon as conveniently may be, which is Accordingly by his Excellency Appointed to be on Wednesday next the Eleventh Instant, and Ordered that Expresses be immediately dispatched to give Notice thereof to the other Gentlemen of the Councill, now absent.

At the Councill Chamber at James City the 11th of Decemb^r 1695

Present

His Excellency

Coll^o Edward Hill

Adjourn'd till tomorrow.

At a Councill held at James City the 12th of December 1695

Present

His Excellency

Coll^o Christop^r Wormeley

Coll^o Edmond Jenings

Coll^o Edward Hill

Coll^o Dan^l Parke

Coll^o Richard Johnson

Upon Consideration and Debates relateing to Land in Pamunkey Neck and the South Side of black water, adjourn'd till tomorrow at ten oClock.

The 13th of December 1695.

Present

His Excellency

Coll^o William Byrd

Coll^o Edmund Jenings

Coll^o Chr: Wormeley

Coll^o Dan^l Parke

Coll Edward Hill

Coll^o Richard Johnson

Upon Consideration of Vacant Lands to be taken up in Pamunkey Neck and the South Side of black water, and orders of Councill restraining the Same, tis the Opinion of the Councill, that it is for his Majesties Service, the Said Lands may be taken up, as others, but that Some time be allowed before the Same be done, & therefore that all former restrictions doe Continue till the 20th day of Aprill Next, and then be void, untill which time no Surveys be made, in the Said places (Except for the College pursuant to his Majesties Royall Grant, and orders therein) of which intimation to be given to the Rector of the Said College and to the respective Surveyo^{rs} concern'd & Ordered Accordingly.

Ordered that the Indian Interpreters in Pamunkey Neck and on the South Side of Black water, attend the Councill at James town on Wednesday the 12th day of February next, with an Account what Number of Indians there are, and what Lands they hold in those parts, for further orders & c. relateing to the Said Indians, for which and in regard of Some differences between the Surveyo^{rs} for Surveying in the Said places. Ordered that Such and all adjacent Surveyo^{rs} do Attend the Councill at James town at the Same time, and that care be taken for Glebes to be Ascertained, to the parishes not yett provided in those parts.

On reading of a Letter from the Councill from the Council at new york to his Excellency, with a Copy of Propositions from the Maqua's desireing Assistance against the French and Indians, the further Consideration of the Same is referred (as formerly) to the next meeting of the Councill, on Wednesday the twelfth day of February next.

Upon Consideration of a Proposall from M^r Henry Cary for making a Platform for the great Gunns at yorke the Same is referred to Coll^o Edmund Jenings to make an Agreement with the Said M^r Cary or any others by the Square to be done well and at the most reasonable

rates, And to report the Same to the Councill on Wednesday the twelfth day of February Next.

Upon Consideration of a proposall from George Harvey for making a Platform, for the great Gunns, at James towne, the Same is referred to Coll^o Daniel Parke, to make an Agreement with the Said George Harvey, or any others by the Square, to be well done, and at the most reasonable rates, and to report the Same to the Councill on Wednesday the twelfth day of February next.

Upon Intimation to this Board, that Henry Ferrell under sheriff of Princes Anne County being on Crow Island was there Violently Seized on, and Carried thence into Carolina by Some person & persons pretending Authority from Carolina, Its Ordered that the Sheriff of Princess Anne Cuncy, doe forthwith Send an Account thereof to the Secretaries office at James town, and if as Intimated, then by whom and in what Manner, the Said Undersheriff was carried away, and of the place, and all other Circumstances relating thereunto, and that the Said sheriff do Attend the Councill at James town on Wednesday the twelfth day of February Next.

At a Councill held at James City the 13th February 1695 [1695-6]

Present

His Excellency

Coll^o William Byrd

Coll Edmund Jenings

Coll^o Chris: Wormeley

Coll^o Dan^l Parke

Coll Edward Hill

Coll Richard Johnson

The Severall Surveyo^{rs} of and adjacent to Pamunkey neck and the South Side of blackwater Attending here this day According to order, and produceing their Severall Comissions the Clerke of the Councill is Ordered to take an abstract of the Same and it is the Opinion of the Councill that the Said Surveyo^{rs} do not make any Surveys, or receive any Entry's of Lands in Pamunkey Neck and the South Side of black water Untill further orders and Ordered Accordingly.

Nathaniell Mackclanahan by his petition Complains to His Excellency that William Fullwood being indebted to him one hundred pounds Sterling and the Said Fullwood haveing illegally departed this Government the Said Mackclanahan caused the goods of the Said Fullwood being in an Island called Crow Island Patented and held Since the first Settlement in this Colony to be Attached by William Fitz-Gerard under Sheriff of Princes Anne County but before the said Sheriff departed of the Said Crow Island, one William Bray pretending himselfe Marshall or Sheriff of North Carolina, came with Force and Armes and rescued the goods attached Carried away the under Sheriff and kept him in Custody untill he gave Security for his Appearance at the next Generall Court held for Carolina, by means of which the Said Macklenahan is in danger of loosing his debt, and prayed reliefe therein all which Appearing by testimonys at this Board, It is the Opinion of the Council that reparation be demanded of the Governour, Comander or Cheife Officer of North Carolina, for the abovesaid Violence Comitted in this his Maj^{ties} Colony of Virginia and restitution

be made of the Said goods and the person of the Said William Bray with those that Assisted him in the Said Violence be forthwith delivered to the Sheriff in Princes Anne County to answer it and be proceeded against According to Law.

Upon Information at this Board, that the Sheriff[s] of Norfolke and Princes Anne County's have bin remiss in Collecting his Majesties Quitrents and other publick dues particularly on the Northern part of Corotuck Ordered that the Sheriffs of the Said County's have Notice thereof that they may be more Carefull in discharging their Duty's in Collecting his Majesties Quit rents and other publick dues within their Baylywicks and that the Said Sheriffs Attend the Councill at James town the first day of the next Generall Court to answer what may be alleiged against them for their default therein.

M^r Cope Doyly Clerke Minister of Denbigh parish in Warwick County having by his petition Complained of his being Shutt out of the Church by M^r William Rascow one of the Churchwardens and William Lamb-mott late Clerke of the Said parish, It was Ordered that the Said M^r Rascow and Lamb-mott Should Appear to answer the Same at this Board and in the meane time the Church doores to be Opened for M^r Doyly to perform Divine Service as usuall and M^r Rascow having Appeared and put in an answer, and further time given for a hearing and being this day fully heard nothing Materiall Appearing against M^r Doyly but on the Contrary his good Comport in his Ministry and life for a above Seven yeares past in that parish this Board doth therefore recommend the Said M^r Cope Doyley to the Vestry for their further Consideration, and his Continuance as Minister in the Said parish.

It being represented to this board that there are Severall unlawfull Marriages made in this Country Ordered that M^r Attorney Generall do make Enquiry after and prosecute the persons Concerned therein According to Law.

His Excellency was pleased to Communicate to this Board a Letter from Ralph Wormeley Esq^r Collector of Rappahanock River that Capt. Carleton master of the Ship oake of Leverpoole desired he might be Cleared, and there being a former Order of this Board restraining any Ships or Vessells to go for Europe Except in Fleets or Under Convoy, It is the Opinion of the Councill that pursuant thereunto no Ship or Vessel be permitted to go for Europe and Ordered Accordingly.

Upon Consideration of the business of new yorke relateing to the Quota of men to be Sent for the Assistance of that Province against the French and Indians, It is the opinion of the Councill that the raising of the Said men be deferred untill the next Meeting of the Councill by reason of the difficulties and charge in keeping the Same untill they be Sent.

His Excellency was pleased to remind the Councill of Some way to be found out for the more Safe & Speedy Conveyance of Letters from this Colony to the Neighbouring Governments, It is the Opinion of the Councill that M^r Secretary Wormeley be desired (as formerly) for any persons that will undertake the Same, and to make an agreement with them, and to Report to this Board at their next Meeting what he has done therein.

Upon Intimation at this Board that Capt Harry Beverley Commander of the Sloop Gawin and Catherine Employed in his Majesties Service for the preventing illegall traders in this Government has Misbehaved himselfe in discharging Severall Ships Illegally particularly the Society Thomas Ely master and the Jane William Thornton master and wounding the Mate of the Said Ship in the Shoulder, and that the Said Capt Beverley has been Negligent in the discharge of his Duty in the Said Station by remaining a long time with the Said Sloop in Port, Ordered that the said Capt Harry Beverley be Sent for, and answer the Same at the Next Councill.

February 14th 1695 [1695-6]

Present

His Excellency

Coll^o William Byrd

Coll^o Edmund Jenings

Coll^o Christop^r Wormeley

Coll Dan^l Parke

Coll Edward Hill

Coll^o Richard Johnson

This day his Excellency was pleased to Nominate Coll^o Charles Scarburgh to be one of his Majesties Councill of State in Virginia

His Excellency desired of the Gentlemen of the Councill if they had any thing to propose for his Majesties Service and then were dismissed.

At a Councill held at James City the 2^d of March 1695 [1695-6]

Present

His Excellency

Coll Edmond Jenings

Coll^o Daniell Parke

Coll^o Charles Scarburgh

Coll Charles Scarburgh took the Oaths Appointed by Act of Parliament instead of the oaths of allegiance and Supremacy (Subscribed the Test) and the Oath of a Councillour and took his place at the Board Accordingly.

His Excellency was pleased to Communicate to this Board a Letter from Thomas Harvey Esq^r Deputy Governour of North Carolina that he had received his Excellency's Letter Containing Mr Macklenahan's Complaint against Villiam Bray Deputy Marshall in Corrotuck, within that Government, and being altogether Ignorant of the whole matter, had Comunicated his Excellency's Letter to the Palatine Court and that order was given for William Bray's Appearance with all possible Speed, that being informed of the whole Matter, he might be Capable of giving his Excellency a Satisfactory answer the further consideration of the Said Matter is deferred till an answer is received and that in the Meane time the sheriffs of Nansemond Norfolke and Princes Anne County's to be Carefull in Collecting his Majesties Quittrents and other publick dues to Ascertain their bounds and that they be not Incroached upon in their Severall Balywicks, and Ordered Accordingly.

Upon Information at this Board, that the Roads Leading to North Carolina are very much decayed and out of repair, particularly Johankins Bridge upon the South branch of Nansimond Ordered that Notice be given thereof to Nansimond Court, that they do take care, that the Surveyors of the highways in the Said County do forthwith Cause the Said Roads and Bridge to be Sufficiently Amended and kept in repair.

His Excellency Acquainted the Gentlemen of the Councill with a Letter from Coll^o Beall in Mary Land that his Excellency would understand by Depositions inclosed in the Said Letter that an Indian Sent down therewith belonged to him, but that the Governour of Mary Land being given to Understand that the Said Indian had Committed Severall Crimes, in this Government and that he had fled for the Same, thought fitt to remitt him back hither to be proceeded against as the Nature of his Crymes required, which Said Indian having been Comitted by a Justice of James City County Goal, and nothing Appearing Capitall against him in the Said County Court, It is the Opinion of the Councill that the Said Indian Continue in Custody of the Sheriff of James City County, untill the next Generall Court, to the end that if any person in this Government do charge him with any other Crymes he may then answer the Same & Ordered Accordingly

At a Councill held at James City the 16th day of April 1696

Present

His Excellency

M^r Secretary Wormeley

Edward Hill

William Byrd

Edmond Jenings

Christop^r Wormeley

Dan^l Parke

Richard Johnson Esq^r

Upon Consideration of the Continued blessings of almighty God, in the preservation of his Majesties person and Success of his Armes & the Continued peace and tranquility of this his Majesties Colony & Dominion of Virginia Ordered by advice in Councill that Sunday next be Appointed for James City and the parts adjacent & Sunday the third of may thro out the whole Dominion a day of thanksgiving to almighty God for his great blessings and Mercys and to pray for the Continuance of the Same and that M^r Attorney Generall do prepare proclamations for the Same Accordingly.

The Consideration of the Assistance of New Yorke is referred till Monday Morning.

Capt Harry Beverley Attending this Board Pursuant to an order of Councill of the 13th of February past, upon Intimation of Misbehaving himselfe in his Office as Comand^r of the Sloop Gawin and Katherine in his Majesties Service, Ordered that he give in his answer in writeing.

April 22^d 1696*Present*

His Excellency

M ^r Secretary Wormeley	Edward Hill
Richard Lee	Edmund Jenings
William Byrd	Dan ^l Parke
Christo: Wormeley	Richard Johnson
Charles Scarburgh Esq ^{rs}	

Upon the Motion of the trustees of the College of William & Mary in Virginia that the Restraints laid upon the Lands in Pamunkey Neck and the South Side of blackwater Swamp be Continued for some longer time (the Land given to the College not yett taken up) Ordered that the Said restraints be Continued to the 20th day of October Next, and that the Severall Surveyo^{rs} have Notice thereof, that no Surveys be made nor Entrys received for Land on the above said Pamunkey Neck and the South Side of black water Swamp, till further orders.

April y^e 24th 1696*Present*

His Excellency

M ^r Secretary Wormeley	Edward Hill
Richard Lee	Edmund Jenings
William Byrd	Dan ^l Parke
Christop: Wormeley	Richard Johnson
Charles Scarburgh Esq ^{rs}	

Upon further Consideration of the Quota of two hundred & forty men demanded by the Governour of new yorke pursuant to her late Majesties Comands to be Sent out of the Militia of this his Majesties Colony for the defence and Security of his Majesties Said Province of new yorke being Severall times referred It is the Opinion of the Council (the time now Approaching) that the Said Quota be provided and dispatched Accordingly and to be detached by the respective Comand^{rs} in Cheife of the Severall Countys proportionable to the Number of titheables and Militia and that the best and Speediest way will be to Send them by Sea and Ordered Accordingly.

M^r Secretay Wormeley Richard Lee Esq^r & Coll^o Charles Scarburgh dissent from the Order of Sending men for the Assistance of new yorke.

Upon Consideration of the difficulty of finding money for the defraying the charge of the Quota of men to be Sent to new yorke as Ordered, the Revenue being much in debt His Excellency declareth that he doth lend a thousand pounds in the hands of M^r Auditor Byrd and would more if Occasion for his Majesties Said Service ,And it is Ordered that M^r Auditor Byrd to [do] provide provisions and other Necessary's for the transporting the Said men to new yorke Accordingly.

Aprill 28th 1696

Present

His Excellency

M ^r Secretary Wormeley	Edward Hill
Richard Lee	Edmund Jenings
William Byrd	Dan ^l Parke
Christop ^r Wormeley	Richard Johnson
Charles Scarburgh Esq ^{rs}	

Upon Information of Edward Ross Gunner of the Fort at James City that there wanted Some Small Gunns for Salutes, the great Gunns wasting to much powder and that there were Six Small Iron Gunns in towne to be disposed of fit for that use, It is the Opinion of the Councill and Ordered that M^r Auditor Byrd do buy the Said Gunns for his Majesties Service

Upon reading the answer of Capt Harry Beverley pursuant to an Order of Councill of the 16th Instant upon Intimation of Misbehaving himselfe in his Office as Comand^r of the Sloop Gawen and Catherine in his Majesties Service (to prevent illegall traders) and particularly in discharging the Ship Society Thomas Eley master and the Jane William Thornton master wherein he Craves leave to Acquaint his Excellency & Councill that he hath not Misbehaved himselfe as Comader of the Said Sloop but Endeavored to discharge the trust repos'd in him with all dilligence and faithfullness and as to the above-said Ships the Collector of Rappahanock Acquaints the Board that the Said Ships were onely brought to him and not being found faulty dismist and nothing Appearing against him the said Beverley is dismist from further Attendance.

May 1st 1696.

Present

His Excellency

M ^r Secretary Wormeley	Edmund Jenings
Richard Lee	Dan ^l Parke
William Byrd	Richard Johnson
Christo: Wormeley	Cha: Scarburgh Esq ^{rs}

Upon Information in Councill that the Governo^r of new yorke has not demanded the Quota of men from other Neighbouring Colony's at this time, but had money in Compensation of men demanded Sooner to be Supplied if Occasion at new yorke, It is the Opinion and advice of the Councill that the Sending the Said Quota of men dispatching be deferred, and Ordered that a thousand pounds new yorke money be by M^r Auditor Byrd transmitted to the Governour of new yorke for the Levying of men there for his Majesties Said Service to be paid out of the Revenue of two Shillings a hogthead and Port Dutys towards which hope his Majesties favour for the five hundred pounds given by the Assembly here to be Appropriated for it

Upon Representation to this board by the Collectors of the Sev-

erall Rivers and Districts within this his Majesties Colony of Virginia that there were Several Ships within their respective rivers and near ready to Sayle, (being about thirty) and that the masters of the Said Ships were verry urgent to be Cleared for England, On Consideration whereof Ordered that all Such Ships & Vessells as shall be cleared by the 23^d of this Instant May, and Meet at Point Comfort to make up a fleet and ready to Sayle by the 30th be then permitted to Sayle Accordingly and that the Audit be on the 26th Instant and the Councill to meet at the Same time.

Upon Information and Complaint to this Board that Christopher Marchant an Inhabitant of Princes Anne County hath and doth take upon him to Execute the Office of Colector within the Said County of Princes Anne without any known Authority for his So doing It is Ordered that the Sheriff of the abovesaid Princes Anne County do forthwith take into his Custody the body of the Said Christopher Marchant and him Safely Convey to James town by the 26th of this Instant may, to Appear before his Excellency and Councill to answer what shall be alleiged against him on that behalfe.

Capt Harry Beverley presenting to this Board an Account of Charges for Sayling Wages and provisions & c for the Sloope Gawin and Catherine in his Majesties Service and praying to be paid the Same, Ordered that Warrants be drawn for the payment of four hundred and fifty pounds to the Said Beverley.

His Excellency was pleased this day to Appoint Sheriffs for the Severall County's within this his Majesties Colony of Virginia.

His Excellency was pleased to Appoint M^r William Carter to be Added to the Comission of the peace in Accomack County and M^r Jeremiah Jadwin and M^r Samuel Thompson for Westmorland County.

At a Councill held at Coll^o Edmond Jenings's y^e 18th of may 1696.

Present

His Excellency

M^r Secretary Wormeley
William Byrd
Christop^r Wormeley

Edward Hill
Edmond Jenings
Dan^l Parke Esq^{rs}

His Excellency was pleased to lay before the Board a Letter from the Lords of his Majesties most Hono^{ble} Privy Councill of the 20th of March 1695 Signifieing to his Excellency that it haveing pleased almighty God to Extend his Mercy to his Majesties Kingdoms by the Continued Instances of his Divine Protection Signally Manifested by the happy discovery of a traitorous & Wicked design against the life of his most Sacred Majestie by Assassination and the Subdueing of his Kingdomes by the French, that Such a wonderfull deliverance may be made known to all his Majesties good Subjects (which hath already bin Signified by his Excellency to all parts of the Government) It is Ordered that Tuesday the Second of June be Appointed and Sett apart a day of Publick Thanksgiving and praise to almighty God thro: this his Majesties Colony and Dominion for the happy deliverance of his Majestie from the Vilinouse Conspiracy against his Sacred person and

Intended Invasion and that M^r Secretary Wormeley do forthwith prepare Proclamations to Signifie the Same Accordingly.

Whereas the Second of June is Appointed a day of publick thanksgiving to almighty God for the happy deliverance of his Majestie from the Vilinouse Conspiracy against his Sacred person and Intended Invasion, His Excellency was pleased to Acquaint the Councill that he would issue his orders to the Comanders in Cheife of the Severall County's within this his Majesties Dominion of Virginia, to have all the Militia order their respective Comands to Appear in Arms on the Second of June at Such place or places as they Shall think fitt within their respective County's for the Solemnising the Same in hearing Divine Service and other Suitable demonstrations upon So Extraordinary an Occasion.

Upon the Consideration of the happy news Signified to his Excellency from the Lords of his Majesties Most Hono^{ble} Privy Councill of the preservation of his Majestie from the traiterouse Conspiracy against his Sacred person by Assassination It is the Opinion and Advice of the Councill that an Address be prepared to Congratulate his Majesty's deliverance from the Said Vilinouse Conspiracy to be Signed by his Excellency and Councill, and that M^r Secretary Wormeley doe forthwith prepare the Same Accordingly

It is the Opinion and advice of this board that an Association be drawn up in order to be Signed by his Excellency and the Councill wherein it Shall be Exprest, that his Majesty King William is Rightfull and Lawfull King of these Realm's and that they will defend his Majesty and his Government against the late King James and all his Adherents, Ordered that M^r Secretary Wormeley do forthwith prepare the Same Accordingly.

His Excellency and the Councill having Signed an humble Address to his Majestie and Entered into an Association for the defence of his Sacred person and Government the Councill pray his Excellency that he would be pleased to favour them in having the Said Address and Association presented to his Majestie.

His Excellency caused his Majesties Letter of the Second of Jan^{ry} 1695-6 to be read in Councill wherein his Maj^{ty} requires and directs the five hundred pounds given by the Assembly to be raised by Impost of a groat a Gallon on Liquors, to be Appropriated towards the Assistance of new yorke, and is pleased to declare that it Shall be instead of the Quota or other Assistance to be given towards the defence of the Province of new yorke till further Orders therein.

Whereas Capt John Jackson Comander in the Smirna Merchant, and Capt John Tucke in the Tiger are Sent to Convoy the Severall Ships and Vessells within this his Majesties Colony and Dominion of Virginia belonging to Bristoll, Barnstable, Bideford, Whitehaven & c It is Ordered that the Severall Collectors do give all furtherance and dispatch to the said Ships and Vessells within their respective Districts and that they take care they Clear and Meet at Point Comfort to Sayle with the Convoy's Accordingly, and that the Audit be on the 10th of June and the Councill to meet at the Same time.

At a Councill held at James City the 11th June 1696

Present

His Excellency

M ^r Secretary Wormeley	Edmund Jenings
William Byrd	Dan ^l Parke
Christop ^r Wormeley	Richard Johnson
Edward Hill	Charles Scarburgh Esq ^{rs}

Upon the Complaint of Capt George Mason Deputy Comand^r and cheife Officer of the Militia in Potomeck that Capt John Battaile Sheriff of Essex County refused to forward an Express Sent to his Excellency on Occasion of a man killed by Indians upon Potomeck river and Ralph Whiteing Ferryman refused to Set over the river Edward Challis Sent Express by his Excellency for his Maj^{ties} Service that way, Ordered that the Said Capt John Battaile and Ralph Whiteing have Notice to answer the Same before the Governour and Councill at the next Meeting of the Councill

His Ex^{cy} Acquainted the Councill that he had received from M^r President Blair a List of the Severall Surveyo^{rs}, which his Excellency layd before the Councill

June y^e 13th 1696

Present

His Excellency

M ^r Secretary Wormeley	Edmund Jenings
William Byrd	Dan ^l Parke
Christop ^r Wormeley	Richard Johnson
Edward Hill	Char: Scarburgh Esq ^{rs}

Upon the representation of Capt Harry Beverley Comand^r of the Sloop Gawin and Catherine in his Majesties Service, Acquainting his Excellency that the Said Sloop was not Capable of further Service, which being made Appear in Councill, It is the Opinion and Advice of the Councill that the Sloop Gawin and Catherine be delivered to M^r Corbyn Owner thereof by the 18th of this Instant June and that the Sloop and men be then paid off and discharged from his Majesties Service and Ordered Accordingly.

Whereas the hyred Sloop Gawin and Catherine being found Incapable of further Service His Excellency was pleased to direct the Severall Collecto^{rs} to inquire for a Sloop or other fitt Vessell to be hyred for his Majesties Service, in the room of the Sloop Gawin and Catherine.

His Excellency was pleased to direct and Order the Severall Collectors to bring in a List of the fees belonging to their Office to the Next Councill.

June y^e 15th 1696*Present*

His Excellency

M^r Secretary Wormeley
 William Byrd
 Christop^r Wormeley
 Edward Hill

Edmund Jenings
 Dan^l Parke
 Richard Johnson
 Char: Scarburgh Esq^{rs}

Upon advice in Councill, Ordered that a Proclamation be Issued requireing the respective Sheriffs within his Majesties Colony and Dominion of Virginia to publish his Majesties Proclamation of the 23^d of February for the Apprehending the Conspirators Against his Sacred person in all the County Courts Churches Chappells in this his Majesty's Said Colony and Dominion and if any of them be taken to give Immediate Notice thereof to his Excellency and Councill.

M^r Secretary Wormeley Acquainting his Excellency that being disabled thro the frequent Affliction of the Gout to attend his Majesties Service as his Duty may require, prays his Excellency that he may have a Deputy and Nominates Edmund Jenings Esq^r who being Approved of by his Excellency did take the Oaths Appointed by Act of Parliament to be taken instead of the oaths of allegiance & Supremacy (Subscribed the test) and the Oath for the trust and was Admitted Accordingly.

The following Warrants Upon the Establishment being brought to this Board his Excellency was pleased to Sign, Severall other persons Applying for money due for publick Services were allowed, all of which to be paid out of his Maj^{ties} Revenue of two shillings a hogshhead and Port Duty's

	li
Four Warrants for his Ex ^{cy} s Salary.....	2000
Warrant for one years house rent.....	150
Warr ^t to Capt Harry Beverley for Sloop hire Victualling & Mens Wages on board the Sloop Gawin & Cath- erine in his Majesties Service.....	450
Warr ^t for the Governo ^r of new yorke for the remaining part of a thousand pounds Current money of New Yorke 500 ^{li} Sterl whereof being paid out of the Groat a Gallon.....	269-4-7
Warr ^t for M ^r Sherlock for tarr for the use of the Plat- form at James City and Several Messingers Sent to Carolina and remote parts of the Government.....	25-15-0
Warr ^t for one years Salary to the Gent of the Councill.....	350-0-0
Warr ^t for M ^r Sherlock for one yeares Salary.....	50-0-0
Warr ^t for Capt Randolph for one yeares Salary.....	40
Warr ^t for James Sherlock for So much paid the Severall Ministers who have Attended at James City two Generall Courts and an Assembly.....	15
Warrant for the Sollicitor for one years Salary.....	100
Warrant for the Gunner of James City for one years Salary	15
Warr ^t for the Gunner of Yorke Fort for one years Salary	10

Warr ^t for the Gunner of Rapp ^a for one years Salary.....	5
Warr ^t for John Chiles his Maj ^{ties} Messenger one years Salary.....	25
Warr ^t for Cap ^t Harry Beverley for Sloop Hyre Victual- ling mens wages on board the Sloop Gawin & Cath- erine.....	119-13-4
Warr ^t to James Sherlock for So much paid by him for 6 Iron Gunns for the use of the Fort at James City....	38
Warr ^t for M ^r Secretary Wormeley for So much paid Sev- erall Messingers to Carolina & remote parts of the Government.....	29-12-0
Warr ^t for James Bingley for Express to new yorke about the Quota of men Appointed by his Maj ^{tie}	12-0-0
Warr ^t for Edward Ross for Carrying his Majesties Pac- quets to Mary Land Pensalvenia the Jerseys and new yorke.....	20-0-0
Warr ^t to Capt Thomas Ballard for tarr timber and trans- port of 8 Carriages over york River for the use of the Fort.....	10-0-0
A true Copy E. Jenings Dep ^{ty} Sec ^{ry}	

Virginia fs

At a Councill held at James City Tuesday y^e 11th of August 1696.

Present

His Excellency S^r Edm^d Andres Kn^t
his Ma^s Lieu^t & Govern^r Gener^{ll} & c

W^m Byrd

Edw^d Hill
Edm^d Jenings Esq^{rs}

His Excellency laid before this Board an Address of the Clergy at their Generall meeting y^e 25th of June 1696. which being read is refferr'd for further consideration.

His Ex^{cy} laid before this Board a Letter from the Comiss^{rs} of his Ma^s Customes dated y^e 9th of Jan^{ry} last and Instructions for prevention of illegall traders, and orders he had prepared thereupon to put y^e same in execution, desiring advice therein The Councill are of Opinion nothing can be further done.

His Ex^{cy} acquainting this Board that y^e ship Resolution of Bristol taken by y^e French returning from Jamaica, and in their sending her for France being distressed at sea put in here, and came ashore in order to Surrender themselves, of which Cap^t Halbart in his Ma^s ship y^e S^t Albans Prize then took possession: Ordered that M^r Attorney Generall take y^e same into his consideration, and report his opinion what to be done therein relating to his Ma^s or the Owners.

His Ex^{cy} acquainting this Board that his Ma^s [Majesty] has been pleased to send Stores of Amunition and provisions of Warr for y^e support and defence of this Colony, which stores now arrived in the Perry and are as by his Ma^s Letters & account of y^e said Stores, It

is y^e Opinion of y^e Councill that they are best lodged in his Ma^s Magazine In James City, and that Edward Ross y^e Gunner receive y^e same into his custody, & secure them accordingly.

Wednesday 12th of August 1696

Present

His Excellency

W^m Byrd
Edw^d Hill

Edm^d Jenings
Rich Johnson

· Cha^s Scarborough Esq^{rs}

M^r James Sherlock Clk of y^e Councill being weak and indisposed, and thereby render'd incapable of executing his said Office prays Assistance & M^r Robert Beverley being proposed for that service he is admitted and sworn Clk of y^e Councill Extraordinary, having first taken y^e oaths prescribed by Law and Subscribed y^e Test.

His Excellency Acquainting this Board that having received advice by Letters of M^r Comis^y Blairs being restored to y^e Councill, had sent M^r James Sherlock to acquaint him of the meeting of y^e Councill who made return that having been sick he could not yet venture abroad.

The Clergys Address being taken into consideration and M^r Comiss^y Blair not being well, to y^e end there may be nothing wanting for y^e Service of y^e Church or Clergy, it is therefore referred till another time when he may be present.

His Excellency laid before y^e Councill a Letter from y^e Lords of his Ma^s most Hon^{ble} Privy Councill dated y^e 20th of Aprill last, notifying preparations of the French in order to make an Attempt upon some parts of America, of which he had already given notice to all parts of this Government, & order'd the Militia to be in a readiness, It is y^e opinion of y^e Councill thereupon that proclamations do also issue publishing his Ma^s gracious favo^r and to excite the inhabitants of this Colony to a readiness and posture of making a Vigorous defence, and order'd accordingly.

His Excellency laid before this Board a Letter from the Lords of his Ma^s most Hon^{ble} Privy Councill of y^e 13th of February last relating to y^e Act in Scotland for erecting a Company trading to Affrica & y^e Indies, and to observe y^e directions therein given by Comiss^{rs} of his Ma^{ties} Customes, and a Letter from y^e said Comission^{rs} of y^e same date concerning y^e plantation Trade, and to prevent y^e ill consequences which may arise by reason of y^e said Act; Which being sent to y^e severall Collecto^{rs} Ordered that they be enter'd upon y^e Councill books, and care taken that they be duely observed in all parts of y^e Government.

His Ex^{cy} laid before this board a Letter from y^e Lords of his Ma^s most Hon^{ble} Privy Councill of y^e 15th of Aprill last notifying an act of Parliament for preventing Frauds and regulating abuses in y^e plantation Trade, together with a Copy of y^e said Act comanding the publication and due observance thereof, Ordered that proclamations issue

for publishing y^e s^d Act, & that copies thereof be sent with y^e said proclamations.

His Excellency laying before this Board his Ma^s gracious order of y^e first of May 1695 for charging & allowing upon y^e account of Quitrents 763 lbs.:03:03¼ to discharge so much debt upon his Ma^s Revenue of 2s per hhd in y^e year 1693, for assistance to New York, Fortifications, & other extraordinary charges of y^e Government, & his Ma^s order for payment of 655 lbs.:13:01 out of his Ma^s Revenue of Quit rents for Stores and provisions of warr sent into this Country Ordered that Warrants be prepared accordingly.

M^r John Batemans account of 31 lbs.:10:00 for fees & charges on y^e Stores and provisions of warr sent into this Colony is allowed, and ordered to be enter'd upon y^e Councill Books, and warrants to be prepared for y^e same.

Upon consideration of y^e meeting of y^e Assembly according to prorogation, It is in y^e Opinion & advice of y^e Councill that y^e said Assembly be dissolved by proclamation, and that New writts issue for convening another Assembly on y^e 24th of September next.

Thursday 13th August

Present

His Excellency

Rich^d Lee
W^m Byrd
Edw^d Hill
Edm^d Jenings

Dan^l Park
Rich Johnson
Cha Scarborough Esq^{rs}

Pursuant to an order of Councill of y^e 11th Instant M^r Attorney Gen^l having considered the case of y^e ship Resolution late of Bristoll reports that he finds her to be a ship taken from the English by y^e French, and being distressed at Sea put in here under y^e Comand of Capt Jn^o Legoux who came ashore in order to Surrender, & that none appears here to claim her, and whereas for saving y^e said Ship from y^e worm and better securing y^e effects, his Excellency hath given orders to Cap^t Halbart in his Ma^s ship y^e St Albans Prize for sending her up into y^e Freshes Ordered that M^r Audito^r Byrd take y^e said ship & her loading into his Custody, & safely secure y^e same by Landing or otherwise as to him shall seem meet, for his Ma^s service and y^e interest of those who shall have any just claim to her, untill further order.

His Excellency being inform'd that notwithstanding his Ma^s gracious grant to y^e College of ten thousand acres of Land in Pamunkey neck, and ten thousand acres of Land at Blackwater, & y^e severall restrictions continued from time to time upon the said Land, some persons have obtain'd patents for Land in y^e said places before the said College Land laid out to y^e prejudice of his Ma^s said grant; Ordered that M^r Attorney Gen^l make inquiry into the premises, and due process against any such patents.

At a Councill held at Coll Jenings y^e 29th of August 1696.

Present

His Excellency S Edm^d Andros kn^t Gov^r & c
 Ralph Wormeley Esq^r Sec Edmund Jenings Esq^{rs}
 Christopher Wormeley

This Board being inform'd that severall sailers belonging to his Ma^s service in his ships of Warr, now at Tindalls point in York River under y^e comand of Cap^t Charles Wager Comand^r of his Ma^s Ship y^e Greenwich & Comodore of y^e s^d squadron do absent themselves from his Ma^s Service and y^e said Ships; Ordered that proclamations issue requiring their imediate return, and to prohibit y^e entertainment or concealment of any of them, & to apprehend susch as shall be found delinquent, & convey them from constable to Constable to the said Comadore.

His Excellency acquainting this Board that y^e ship Resolution in James River, is brought to y^e Freshes and Survey'd, & moving how she should be tryed, Ordered that y^e same be referr'd to y^e next Councill, y^e 22th of September next to be consider'd of in fuller Councill, & in y^e meantime to continue in y^e charge & care of M^r Auditor Byrd.

At a Councill held at James City Thursday y^e 24th of September 1696.

Present

His Excellency
 M^r Sec^{ry} Wormeley Chr Wormeley
 M^r Aud^r Byrd Edm^d Jenings Esq^{rs}

There being so few of y^e Councill mett y^e Clergy's address is referr'd till tomorrow morning

Friday 25th of Septemb^r

Present

His Excellency
 M^r Secretary Wormeley Edm^d Jenings Esq^r
 M^r Auditor Byrd James Blair Com^{ry}
 Chr Wormeley Esq^{rs} Dan^l Park Esq^r

M^r Commiss^{ry} Blair producing his Ma^s Letter to his Excellency of y^e 13th of Novemb^r last taking of his suspension from being one of his Ma^s Councill for this Colony & restoring him thereto, took his place accordingly.

M^r John Lightfoot producing his Ma^s Lere directed to the Govern^r and Councill of y^e 11th of Septemb^r 1695, for swearing him one of his Ma^s Councill for this Colony. It is y^e unanimous opinion of y^e Councill that by Reason of y^e said Lightfoots Generall ill reputation & known misbehavio^r it is not for his Ma^s service that he be now Sworn.

The Clergys address to his Excellency being read is referred to be further consider'd of to morrow.

His Excellency desiring y^e opinion & advice of y^e Councill what they think proper or necessary to be recomended to y^e House of Burgesses, & perticularly relating to y^e Clergy and College, and shewing them what occur'd to him, It is y^e Opinion of y^e Councill that there is nothing necessary more than his Excellency had set Down & that it was best done in Generall terms.

M^r James Sherlock late Clk of y^e Generall Assembly being indisposed and Lame in his hands Robert Beverley Clk Extraordinary of y^e Councill is appointed to attend as Clk of y^e Generall Assembly and accordingly sworn.

Saturday 26th of September

Present

His Excellency

M ^r Secret ^{ry} Wormeley	Edmund Jenings Esq ^r
M ^r Audit ^r Byrd	M ^r Comiss ^{ry} Blair
Christop ^r Wormeley Esq ^{rs}	Dan ^l Park Esq ^r

His Ma^s Letter for swearing M^r John Lightfoot one of his Ma^s Councill for this Colony was again consider'd and y^e said Lightfoot heard therein and Referr'd for further consideration.

The Address of y^e Clergy being again taken into consideration, and it being moved whether y^e same should be laid before y^e House of Burgesses It is y^e opinion of y^e Councill its not proper at this time, and y^e said Address referred for further consideration.

Monday y^e 28th of Septemb^r

Present

His Excellen^{cy}

Ralph Wormeley Sec:	Edm ^d Jenings Esq ^r
William Byrd Aud ^r	James Blair Com ^{ry}
Christopher Wormeley Esq ^{rs}	Dan ^l Park Esq ^r

The House of Burgesses having addressd his Ex^{cy} for a messenger to attend that House, His Ex^{cy} was pleased to Comissionate M^r John Chiles thereto, who was sworn accordingly.

Thursday y^e 1st of October

Present

His Excellen^{cy}

Ralph Wormeley Sec	Edward Hill
William Byrd Aud ^r	Edm ^d Jenings
Christoph ^r Wormeley	Dan ^l Park Esq ^{rs}

Upon consideration by what Jurisdiction & how the Jamaica ships and loading lately taken by the French and brought into this Colony Viz^t, y^e Resolution in James River put into y^e Custody of M^r Auditor Byrd, and the Ruth and Mary in York River brought in &

Surrendred by Comodore Wager to Edmund Jenings Esq^r Naval Officer and Collecto^r in y^e said York River, & committed to his care and cahrg^e by his Excell^{cy} are to be brought to tryal, or what to be done therein, ordered that she continue in y^e said Jening's charge, And that y^e Clark of y^e Councill deliver all y^e papers relating to y^e said Ships, to M^r Attorney Generall and that he consider y^e same, and make report to y^e Councill of his Opinion therein.

Whereas y^e Sloop formerly imploy'd in this Government for prevention and Discovery of illegal traders being found unfitt for that Service was laid by, and recommended to M^r Auditor & y^e Severall Collecto^{rs} to find another to be immediately imploy'd, and M^r Joshua Broadbent now offering himself and Sloop, It is referr'd to M^r Auditor to agree with him for y^e said Service.

Thursday y^e 8th of October

Present

His Excell^{cy}

William Byrd
Christop^r Wormeley
Edward Hill Esq^{rs}

Edm^d Jenings Esq^r
James Blair Com^{ry}
Dan^l Park Esq^r

The Address of y^e Clergy at their Generall meeting y^e 25th of June last was further consider'd, and for that y^e Assembly may be now debating something relating thereto, It is referred for further consideration.

His Excel^{cy} laying before y^e Councill a table of Naval Officers and Collecto^{rs} fees given in by the Severall naval Officers and Collecto^{rs}, desiring y^e Councils consideration thereof, Order'd that it ly upon y^e table for further consideration.

M^r Auditor Byrd having reported his agreement with Capt Joshua Broadbent, to cruise and look out for Scotch and other illegall traders, who being in hopes of great^r advantages thereby was content with eighteen pounds per month for himself Sloop & men and providing them, Ordered that a Comission be prepared for his Ex^{cy}s signing accordingly.

Fryday y^e 9th of October

Present

His Excellency

William Byrd
Christop^r Wormeley
Edward Hill Esq^{rs}

Edm^d Jenings Esq^r
Ja: Blair Com^{ry}
Dan^l Park Esq^r

M^r Attorney Generall according to order of Councill of y^e 1st Instant concerning y^e Ships Resolution, & Ruth & Mary, having made his Report Viz^t, In obedience to yo^r Excellency & Councils Comands, I have duely weighed and consider'd as to y^e tryal of y^e ship Ruth & Mary and y^e Ship Resolution & do find Viz^t first that y^e Ship Ruth and Mary was by y^e Comodore found at Anchor of Corotuck, and by

him brought in and Surrender'd to your Ex^{ty} (2^d) And as to y^e Ship Resolution, I conceive she was driven into this Government by Stress of weather and by y^e French voluntarily surrendred into Yo^r Excellencys hands, both which Ships being so brought in and Surrendred, I humbly conceive ought to have a tryal, that y^e Owners or some persons in their behalfe (if any such) and others concern'd may appear and make their claims; And whereas y^e Laws and Acts of Parliament, perticularly that made in y^e 4 & 5 year of William and Mary Entituled an Act for continueing y^e Acts of Prohibiting all Trade with France and for encouragem^t of privateers, doth direct that all such matters should be determinable by y^e admiralty as relates to prizes receptions and y^e Like; So I humbly conceive y^e several Courts in this Government may, as usual, proceed to tryal of y^e same, or Yo^r Excellency as Govern^r and Comand^r in Cheif here may by Comission under y^e Seal of y^e Colony appoint such persons as you shall think fitt for tryal & determination of Such maritime affairs, It being in a clause of y^e aforesaid Statute exprest that a prize taken in America shall be put in possession of y^e Govern^r untill condemned or clear'd, & altho' y^e Ships aforesaid may not directly come under y^e Denomination of Prize ships, Yet they ought to have a tryal that it may appear where y^e Right and property lies, all which is humbly Submitted & c. It is y^e Opinion of y^e Councill thereupon that it be referred for further consideration.

Mr Richard Haney by petition setting forth to y^e Govern^r and Councill that y^e parish of Fairfeild in Northumberland County, being an ancient parish because of y^e large extension thereof a Chappel of ease was built at y^e upper parts of y^e said parish, which being decayed y^e vestry of y^e said upper parts of y^e parish some few years since did bargain for and build a new Church, which was agreed to by y^e vestrymen of y^e Lower parts of y^e said parish, and y^e charge thereof Levied upon y^e whole parish they of y^e said upper parts agreeing that upon y^e like occasion they would contribute equally towards y^e building a Church in y^e said Lower parts, and that notwithstanding y^e contribution & agreements aforesaid, the Lower church of y^e said parish being now quite ruin'd, & altogether unfit for Divine Service, y^e Gentlemen of y^e said upper parts do utterly deny to contribute towards y^e repair or renewing thereof: It is refer'd to y^e Gentlemen of y^e said Vestry in y^e upper parts to give an answer to y^e premises, and make present return thereof to y^e Secretaries Office.

Wednesday y^e 14th of October

Present

His Excellency

Rich^d Lee
W^m Byrd
C^{hr} Wormeley
Edw^d Hill Esq^r^a

Edm^d Jennings Esq^r
James Byrd Com^{ry}
Dan^l Park
Cha^s Scarburgh Esq^r^a

His Excellency being told of delays in y^e College business, y^e

intended bill relating to y^e Donations brought in by M^r Commissary on Fryday night last being delay'd till now was extreemly concern'd and y^e more, that matters were so misrepresented home, as that y^e Clergy here is despised and insulted over, and y^e College not onely slighted but opposed, desiring y^e Councill's dispatch thereof, and whether they knew any Such Slight in his time, or if anything in his power not remedied or now wanted that it might be helped, was answerd that y^e delay was occasion'd for want of y^e appearance of y^e Council for y^e College for which on their desire it was referr'd, and by M^r Commissary that y^e expressions mencoed by his Excellency were very harsh expressions for which he knew no cause, and therefore thought strange thereof, His Excellency then shewed a paragraph in my Lord of London's Letter containing y^e same, and M^r Commissary reading further his Excellency caused y^e following lines also to be read, Viz^t and what his Ma^y Comanded to be laid before y^e Assembly in favo^r of y^e ministers had been prevented by y^e former Assembly, who carried their Act to y^e Councill where it was let fall and that Assembly dissolved, and this which has refused y^e King continued, It is y^e unanimous opinion of y^e Councill except M^r Commiss^y Blair that y^e Clergy have all along in this Govern^{rs} time been as well respected and taken care of as at any time since their remembrance, and believe as they ever were in this Dominion, & his Excell^{cy} alwayes ready to espouse y^e concerns of, & help y^e Clergy, And give all dispatch and assistance in what relates to the College, and as to y^e Law mencoed to be made in favo^r of the ministers which was on y^e revisall of the Laws, It never enter'd into the thoughts of any one of y^e Councill to be pickt singly out of y^e Laws in that revisall, but that it was condescended to by y^e house of Burgesses in consideration of other matters in the Generall revisall of the Laws.

This Board being inform'd that the order of Councill of y^e 15th of Feb^{ry} last recommending M^r Cope Doyly for his continuance as minister in the parish of Denby in Warwick County, and sent to M^r W^m Roscow y^e Church warden was never comunicated to the Vestry of that parish, Ordered that the said Roscow appear at this Board on thursday y^e 22th Instant to answer y^e Same.

Fryday y^e 16th of October 1696.

Present

His Excellency

Rich^d Lee
William Byrd
Christop^r Wormeley
Edward Hill Esq^{rs}

Edm^d Jenings Esq^r
Ja: Blair Com^{ry}
Dan^l Park
Cha Scarburgh Esq^{rs}

This Board taking into consideration the want of an Officer to attend the Gen^l Court hitherto officiated by y^e Sheriff of James City County and his officers, for which they were uncertainly paid, but lately refused; It is therefore order'd that Edward Hill and Edmund Jennings Esq^{rs} with M^r Attorney Generall assistant do consider thereof, & report to this Board what necessary to be done, and that in y^e mean

time M^r Edward Ross do attend on that Service this present Generall Court and be Sworn accordingly.

This Board taking into further consideration M^r Attorney Generalls report of y^e Jamaica Ships the Resolution and the Ruth and Mary, Its further referred to Richard Lee and Charles Scarburgh Esq^{rs} to examine and consider the Laws relating thereto, and report the proper methods and Courts for proceedings thereupon.

Tuesday y^e 20th of Octob^r 1696.

Present

His Excellency

Richard Lee
William Byrd
Christop^r Wormeley

Edm^d Jenings
Dan^l Park
Cha Scarburgh Esq^{rs}

Upon y^e motion of M^r Attorney Generall on beha^{lf} of the College of William & Mary that the Lands granted by his Ma^s in the Charter to y^e College are not yet all survey'd and laid out, and that therefore y^e former restrictions may be further continued. Ordered that the said Restrictions be continued on the Lands on the South side Blackwater Swamp & in Pamunky Neck as formerly untill the 20th day of Aprill next and then till further orders and that y^e Surveyo^{rs} concern'd have notice thereof that no survey be made nor entry received in either y^e said places during y^e time of y^e said restriction

Thursday y^e 22th of Octob^r 1696.

Present

His Excellency

Rich Lee
Will^m Byrd
Chr Wormeley Esq^{rs}

Edward Hill
Edmund Jenings Esq^{rs}
James Blair Com^{rs}
Cha Scarburgh Esq^r

His Maj^{ties} Letter for swearing M^r John Lightfoot one of his Ma^s Councill for this Colony was again taken into consideration the said Lightfoot being present and heard therein, which importing his Ma^s Service is referr'd for further consideration

His Excellency laid before y^e Councill the address and association of y^e House of Burgesses to be presented to his Ma^s.

Tuesday y^e 27th of Octob^r 1696

Present

His Ex^{cy}

W^m Byrd
Chr Wormeley
Edward Hill Esq^{rs}

Edm^d Jenings Esq^r
James Blair Com^{rs}
Dan^l Park
Cha Scarburgh Esq^{rs}

Pursuant to order of this Board of y^e 16th Instant referring to Edward Hill and Edmund Jenings Esq^{rs} to consider of necessary officers for attending the Generall Court, and their reward, they report Viz^t that y^e Sheriff of James City County in which the Generall Court sitts hath frequently attended that Service, and alwayes till of late paid by y^e assembly and now refused, but don't find y^e said Sheriff compelled or obliged thereto by any Law, and now refusing they conceive it absolutely necessary for holding the said Generall Court, that two officers be appointed to attend thereon and that they be allowed certain fees or recommended to the Assembly for a Suitable allowance with which report y^e Councill doth agree.

Wednesday y^e 28th of Octobr 1696

Present

His Excellency

Rich^d Lee
Chr Wormeley
Edward Hill Esq^{rs}

James Blair Com^{ry}
Dan^l Park
Cha Scarborough Esq^{rs}

Pursuant to former order of this Board of the 16th Instant referring to Rich^d Lee & Charles Scarborough Esq^{rs} to consider of y^e proper Courts and methods for tryal of y^e Ships y^e Resolution & the Ruth and Mary, they report Viz^t, that the proper proceedings to be had in y^e Case of y^e said Ships are in his Ma^s Courts of record of this Country where all persons who have any claim or pretence of Right to y^e said Ships and goods a time being assign'd and notice given may put in and prosecute such their claims with which report the Councill doth agree.

M^r William Roscow Churchwarden of Denbigh parish pursuant to order of Councill appearing and being fully heard, Ordered that for his contempt in not communicating to y^e Vestry as directed an order of Councill of y^e 13th of feb^{ry} last relating to M^r Doyly y^e said Roscoe be put out of y^e Comission of y^e peace

Thursday y^e 29th of Octo^r 1696

Present

His Excellency

Rich^d Lee
W^m Byrd
Chr Wormeley Esq^{rs}

Edward Hill
Edm^d Jenings Esq^{rs}
James Blair Com^{ry}
Cha Scarborough Esq^r

M^r Audit^r Byrd presenting His Ma^s Order of y^e 18th of Decemb^r 1695, to pay to James Blair Comiss^{ry} to the R^t Rever^d the Bishop of London y^e sum of one hundred p^{ds} Sterl out of y^e Revenue of Quittrents his Excellency Sign'd warr^{ts} for y^e same

Fryday y^e 30th of October 1696.

Present

His Excellency

William Byrd
Chr Wormeley
Edw^d Hill Esq^{rs}

Edm^d Jennings Esq^r
James Blair Com^{rs}
Cha Scarburgh Esq^r

Anne Grey of Blisland parish in New Kent County convicted and condemned for y^e murder of John Reynolds, presenting a petition sign'd by many of the principal Inhabitants of this Colony praying a reprieve for her, & being represented to his Excellency by y^e Councill as an object of mercy his Ex^{cy} granted her a reprieve till the fourth day of October Gen^l Court next that in the mean time she may apply for his Ma^s Grace and pardon.

Upon petition of Cap^t Thomas Cock of Princess Anne County, & p^resenting an order from y^e Lords of the Treasury of y^e 6th of January 1692, for remitting to William Pennell master of y^e ketch called y^e Crane of Dartmouth his Maj^{ties} part of y^e seisure of y^e said ketch and her Lading amounting to 15 ¹¹:12s:4, sterl and also presenting a Letter from y^e Lord Effingham then Gov^r of Virginia for remitting his part also in the said Seisure for both which parts the said Cock had given bond here Order'd that the said Letter and order be by the Clerk of y^e Councill annexed to the said Bond in order to y^e vacating thereof.

On further consideration of y^e Clergys Address and what to be done therein, No Instance appearing of ill usage of y^e Clergy not effectually redressed but M^r Commissary instancing M^r Doily in Denbigh parish and the said Doily being now called excused and refused being minister in the said parish, It is referred to M^r Secretary to Draw an answer to the said Address pursuant to the Severall considerations and opinion of the Councill, and the said Address being of import and concern to the House of Burgesses Ordered that a Copy thereof be transmitted to them.

In further consideration of his Ma^s Letter for swearing M^r John Lightfoot one of y^e Councill he not being present, Order'd that he have notice to attend at the next meeting of y^e Councill.

Whereas there is great complaint of y^e Ferrys throughout this Dominion Ordered that the Sheriffs give notice to all persons pretending to keep ferrys in their County's forthwith to return an account to the Secretaries Office—what pretence they have for keeping the said Ferrys, and after what manner they keep them, and what fares they demand of passeng^{rs} horse and foot

Saturday y^e 30th of Octob^r 1696.

Present

His Excellency

Rich Lee
W^m Byrd
Edward Hill
Edm^d Jennings Esq^{rs}

James Blair Com^{rs}
Dan^l Park
Cha Scarburgh Esq^{rs}

Upon consideration whats to be done with Anne Grey now she is reprieved their being no Country Goal, It is y^e opinion of y^e Councill that she [be] remitted Back to New Kent County Goal. from whence she was brought, and ordered accordingly.

At a Councill held at James City on Monday the
first of March 1696 [1696-7]

Present

His Excellency

M^r Sec^{ry} Wormeley
Chr: Wormeley
Edward Hill
Edmund Jenings Esq^{rs}

James Blair Com^{ry}
Dan^l Park
Rich^d Johnson
Jn^o Lightfoot Esq^{rs}

On further consideration of his Ma^s Letter to the Govern^r and Councill for Swearing M^r John Lightfoot one of his Ma^s Councill for this Colony, It is the opinion of the Councill that (notwithstanding their former opinion by reason of the said Lightfoots ill reputation) his Ma^s comands being positive the said Lightfoot be admitted and sworn accordingly who being called in and having taken y^e oaths prescribed by Law the Test and the oath of a Councillo^r took his place at y^e Board accordingly.

His Excellency acquainting this Board that the Councill being appointed for y^e audite, and y^e Audito^r not yet arrived and supposed sick but hourly expected he knew nothing necessary to be sooner dispatched but desired they would say if any thing material from their severall parts, or to be now taken into consideration, & nothing being offer'd the Councill Rose.

The Councill being just rise [en] were called again by his Excellencys order who acquainted them he had then heard some rumo^{rs} of a quarrell happening at the College meeting on Saturday night last, and if so said that he was not well used not to have known it sooner and asked the Councill if they knew anything of it, and M^r Comissary Blair if he were not at that meeting, & what it was, but M^r Comissary excused the matter saying he did not know that the parties did complain, and he had nothing therefore to say in that behalf—but being further urged did tell of a Quarrell, between the Govern^r of Maryland & Coll Park, & that the other Gentlemen of y^e College interposed upon which his Excellency being extreemly concern'd immediately restrained the said Coll Park, & gave Coll Hill directions therein and also sent Coll Christopher Wormeley to wait upon the Govern^r of Maryland at Green Spring where it is said he is, to prevent further ill consequences—which M^r Comiss^{ry} Blair going to Rich Neck also undertook if he should find him there.

Tuesday y^e 2^d of March 1696 [1696-7]

Present

His Excellency

M^r Sec^{ry} Wormeley
M^r Audito^r Byrd
Chr Wormeley
Edward Hill Esq^{rs}

Edm^d Jenings D Sec
James Blair Com^{ry}
Rich^d Johnson
Jn^o Lightfoot Esq^{rs}

The Govern^r of Maryland being returned to Town with M^r Commissary Blair from Rich Neck M^r Sec^{ry} Wormeley M^r Audito^r Byrd Coll Chr Wormeley and Coll Edward Hill are desired and appointed by his Ex^{cy} to use their indeavo^{rs} in doing what is fitt for composing y^e Quarrell happen'd at y^e meeting of y^e College on Saturday night last between y^e Govern^r of Mary Land & Coll Dan^l Park.

The state of y^e proceedings in Maryland sent from thence by M^r William Okeman Lieu^t to Cap^t Daniel in the Prince of Orange against Coll John Cood for Blasphemy, he being supposed to have escaped hither, and his Excellencys warrant thereupon to all Sheriffs & c to apprehend the said Cood where he shall be found within this Government, and him deliver to the said Oakman or any other authorised from y^e Government of Maryland being read It is the opinion of y^e Councill there is nothing further could be done therein being no return thereof.

M^r George Williamson Surveyo^r of Surry County Sent for by order of his Excellency to attend this Councill, concerning entrys of Land and Surveys by him made on y^e Blackwater contrary to restrictions and orders, and not appearing it is ordered that he personally appear at the next Councill to be held at James City the last of March Instant to answer the premises.

Whereas in the order of Councill that all ferry-men should return an account of their ferrys, very few have made return, Ordered that the severall Sheriffs themselves forthwith make inquiry and return to the Secretaries Office an account of all the ferrys in their Counties how and by what right they pretend to keep them and what fares they demand of passengers horse and foot.

Thursday y^e 4th of March 1696 [1696-7]

Present

His Excellency

M^r Sec^{ry} Wormeley
M^r Aud^r Byrd
Chr Wormeley Esq^{rs}

Edward Hill
Edm^d Jenings Esq^{rs}
James Blair Com^{ry}
Rich^d Johnson Esq^r

Comodore Wager having differr'd his sailing till the beginning of April next, Ordered that y^e audite be held at James City on the last day of this moneth and that all ships which shall be ready to sail with y^e said Comodore do clear with y^e Collecto^{rs} by y^e 27th Instant, and that before y^e sailing of y^e said Convoy no ships or Vessells be per-

mitted to sail to any place whatsoever nor afterwards to Europe till further order

It being formerly Order'd in Councill that all bonds for entry and clearing of ships for which no certificates were return'd should be sent to M^r Attorney Generall, Order'd that all such bonds which are or shall be sent be by him put in Suit to the next Generall Court

There being no authoritys or orders yet arrived from England for administring the oath which by an Act of Parliament in y^e 7th & 8th year of his Ma^s Reign entituled an Act for preventing of Frauds and regulating abuses in the plantation trade, all Govern^{rs} of plantations are enjoyned to take, before the 25th day of March 1697 his Excellency upon y^e opinion of y^e Councill at y^e Councill Board took the oaths according to Law for y^e due administration of y^e said Act.

Upon consideration of his Ma^s gracious Letters to this Governm^t, and others from y^e Lords of the Treasury, Ordered that M^r Secretary on behalf of y^e Council prepare an answer of humble acknowledgements for the same and to represent the state of the revenue here.

Present

His Excellency

M^r Sec^{ry} Wormeley

Chr Wormeley

M^r Auditor Byrd

Edward Hill

Rich^d Johnson Esq^r^s

His Excellencys warrant dated yesterday for confinement of Coll Daniel Park for breaking his confinement being read it is y^e opinion of the Councill that no application being made nothing further ought to be done therein.

At a Councill held at James City y^e last day of March 1697

Present

His Excellency

William Byrd

Edmund Jenings Esq^r

Edward Hill Esq^{rs}

James Blair Com^{rs}

John Lightfoot Esq^r

M^r George Williamson Surveyo^r of Surry and Isle of Wight Countyes according to order of the Second of March Instant appearing but having no account of his entryes on the Blackwater with him, Ordered that he appear at this Board on the 6th day of the next Generall Court, and bring Copies of all the entrys by him made on the Black Water from the first of his Surveyo^rsh^{ip}

At a Councill held at James City y^e 15th day of April 1697

Present

His Excellency

Rich ^d Lee	James Blair Com ^{ry}
William Byrd	Dan ^l Park
Chr Wormeley	Rich ^d Johnson
Edw ^d Hill	Cha Scarborough
Edm ^d Jenings Esq ^{rs}	Jn ^o Lightfoot Esq ^{rs}

His Excellency acquainting the Councill that he is informed of y^e meeting of y^e Gentlemen of the College this day, was therefore pleased to put of y^e Councill, severall of the members thereof being of the College.

Upon consideration of the want of Officers to attend the Generall Court, and George Marable Gen Sheriff of James City County offering his Service with his officers he is appointed and order'd to give his attendance accordingly.

Fryday y^e 16th of April 1697

Present

His Excellency

Richard Lee	James Blair Com ^{ry}
William Byrd	Dan ^l Park
Chr Wormeley	Rich ^d Johnson
Edwd Hill	Cha Scarborough
Edmd Jenings Esq ^{rs}	Jn ^o Lightfoot Esq ^{rs}

M^r Deputy Secretary Jenings acquainting this Board that M^r Comiss^{ry} Blair came to M^r Beverley Clark of the Secretaries office for a pass to go for England, upon which the said Clark told him that M^r Deputy Sec^{ry} had ordered him not to give a pass to any of the Gentlemen of the Councill, butt that it would be done by M^r Secretary or himself: And M^r Comissary thereupon called witness of his being denied a pass, which matter being fully debated at this Board, the Councill is of opinion that y^e said M^r Deputy Sec^{ry} nor the Clark is to be faulted, but that M^r Comiss^{ry} was mistaken and did not apply himself properly for the said pass, none having been ever given to a Coun-cello^r but by the Secretary.

Upon the motion of the trustees of y^e College of William and Mary of this Board, that they have not compleated the Survey of the land in Pamunky Neck granted by his Ma^e to y^e College praying y^e former restrictions may be continued for some small time longer, Ordered that y^e said restrictions be continued as formerly on the Land in Pam-muky neck & Blackwater til the 20th day of June next (the time desired by them) and then till further [order]

The meeting of the Assembly according to the adjournment, and what to be done being taken into consideration, It is referred till the time of their meeting.

Tuesday y^e 20th of April 1697

Present

His Excellency

Rich ^d Lee	James Blair Com ^{ry}
Will ^m Byrd	Dan ^l Park
Chr Wormeley	Rich ^d Johnson
Edward Hill	Cha Scarburgh
Edm ^d Jenings Esq ^{rs}	Jn ^o Lightfoot Esq ^{rs}

The Severall naval Officers being directed to attend in order to be further sworn according to the late Act of Parliament in England entituled an Act for preventing Frauds and regulating abuses in y^e plantation trade, and the said Act being read M^r Comiss^{ry} Blair of his own mocon declaring himself a native of Scotland desired the opinion of y^e Councill whether by a certain clause in the said Act he were not dissabled from sitting as a Judge in the Generall Court, upon which his Excellency was pleased to demand the opinion of y^e Councill upon the said act as relating to M^r Comissary y^e Councill are of opinion that by y^e constitution of this Government from the begining the Councello^{rs} are the onely Judges of the Generall Court, and consequently M^r Comissary Blair within the meaning of that Act.

His Excellency acquainted the Councill that for the Largeness of the district of Potommeck River, and better preventing illegall traders and securing his Ma^s dues there, he had divided the said district and appointed and comissionated Coll Rich Lee Naval officer and Collecto^r of the upper district thereof from Lower Macholique inclusive Richard Lee Christopher Wormeley Edward Hill, Edmund Jenings, Daniel Park and Charles Scarburgh Esq^{rs} Naval Officers within this Colony took the oaths according to Law for the due observance of the Act of Parliament made in the 7th & 8th year of his present Ma^e King William, entituled an Act for preventing Frauds and regulating abuses in the plantation trade.

Upon consideration of the proportioning the twenty pounds given by the last Assembly among the Generall Court officers for their attendance, It is thought fit that five pds be paid to Edward Ross and the other fifteen to Cap^t George Marable.

Wednesday y^e 21st April 1697

Present

His Excellency

Rich ^d Lee	Edm ^d Jenings
Will ^m Byrd	Dan ^l Park
Chr Wormeley	Rich Johnson
Edward Hill	Cha Scarburgh Esq ^{rs}

M^r George Williamson Surveyo^r of Surry and Isle of Wight Countys having according to order of Councill of the last day of March last presented a copy of all the entry's of Land by him taken on the South side the Black Water Swamp, but not shewing by what authority he

does Theme [them] nor having his Comission nor instructions with him, Ordered that he attend therewith at y^e next Council

His Excellency acquainting this Board that in obedience to the R^t Hon^{ble} y^e Lords of the Councils directions having asked of the trustees an acco^t of the building and other concerns of the College they made him a report and account thereof, which he laid before this board and asked their advice whether anything remained for him to do therein, and was answer'd they knew of nothing to say to it.

Fryday y^e 23^d of April 1697.

Present

His Excellency

Richd Lee	Edm ^d Jenings
W ^m Byrd	Dan ^l Park
Chr Wormeley	Rich ^d Johnson
Edward Hill Esq ^{rs}	Cha: Scarburgh

Edmund Jenings Esq^r Dep Secretary bringing into Council draughts of y^e severall Letters prepared for y^e dispatches for England, M^r Comiss^{ry} Blair was sent for through the Town but being gone out they were put of till tomorrow

Saturday y^e 24th of April 1697

Present

Richard Lee	Edmd Jenings Esq ^r
W ^m Byrd	Jam: Blair Com ^{ry}
	*Daniel Park
Chr Wormeley	Rich ^d Johnson
Edward Hill Esq ^r	Cha: Scarburgh
	Jn ^o Lightfoot Esq ^{rs}

The Letters prepar'd for England & brought into Council yesterday were read, approved of, and sign'd, M^r Comiss^{ry} Blair being present, which y^e Council humbly pray His Excellency to have transmitted
A true Coppy. E. Jenings Dep^{ty} Sec^{ry}

At a Council held at James City y^e 11th day of June 1697
Virginia ss

Present

His Excellency S^r Edmund Andros Kn^t his Ma^s
Lieu^t and Govern^r Generall

William Byrd	Edmund Jenings
Chr Wormeley	Rich ^d Johnson
Edward Hill	John Lightfoot Esq ^{rs}

*The following appears in the original on the next page to the one containing names of councillors present at this meeting:

Memd^m The Correction made in y^e foregoing page by incerting M^r Blair's name instead of Coll Park, was don in conformity to y^e 2^d Duplicate of these Minutes by advice from M^r Jenings in his Lre of the 18th of July 1697

His Excellency laying before y^e Councill a Letter from the R^t Hon^{ble} y^e Lords of y^e Councill of trade of y^e 27th of August last commanding a proclamation issued by their Excellencys y^e Lords Justices of England for apprehending one Henry Every *als* Bridgeman, and divers other privateers to be published, together with a Copy of the said proclam: Order'd that Copies of the said proclamation be sent to the respective Sheriffs of y^e Severall Counties and by them published as usuall.

His Excellency laid before y^e Councill a Letter from the R^t Hon^{ble} y^e Lords of y^e Councill of y^e 24th of Septemb^r 1696 relating to the State of Virginia, And

A letter from the said Lords of y^e first of febr^y 1696-7 relating to other matters in Virginia, as

Also a Letter from the Lords of y^e Admiralty of y^e 26th of January 1696-7 concerning y^e impress of men for furnishing his Ma^s Ships, which were read at the Councill board.

His Excellency acquainting this Board that notwithstanding former orders of Councill to the contrary the Pilots at y^e mouth of James River, as he is informed, in these times of War & Danger upon arrival of any ships upon the Coast go of to bring in the said Ships without ever acquainting any of the Kings Magistrates therewith, Order'd that before any pilot or other person go to any Ship upon her arrival he give notice thereof to the next magistrate, and of y^e report of y^e boats crew Sent ashore from the said Ship

His Excellency was pleased to call for y^e List of Coroners in this Country, and with y^e advice of the Councill Supplied y^e Vacant names thereof.

M^r George Williamson Surveyo^r of Surry and Isle of Wight Counties according to order of Councill of y^e 21th of Aprill last having shewed a Comission under y^e hand and Seal of John Smith Survey^r Generall, and not having any wayes clear'd himself for taking entrys of Land on the Black water contrary to restrictions and orders of Councill from time to time, and also taking double entryes of one and y^e same parcell of Land, to the great disturbance of y^e Inhabitants of the said Counties, and appearing otherwayes a person insufficient and unqualified for such an office and trust, It is y^e opinion of y^e Councill that he be suspended from his said Office of Surveyo^r and that the trustees of y^e College have notice hereof.

Upon petition of John Carrell setting forth that Maj^r Lewis Burwell, and Maj^r Arthur Allen without any Surveyo^r or patent to direct them came forceably upon the pet^{ts} land which he hath long and peaceably enjoyed, and marked y^e trees thereupon, and took y^e same into the said Burwells possession, terrifying y^e pet^r being a poor man, Ordered that they y^e said Burwell & Allen appear at y^e next Councill to answer y^e Same.

Cap^t Andrew Douglass Comand^r of his Ma^s Ship y^e Harwich having represented to his Excellency that on his Voyage to Virginia in y^e said Ship he took a flyboat called y^e S^t Ignace, belonging to the port of Bayonne in France, bound thence to Newfoundland, y^e master and all y^e Company the French Kings Subjects, and her clearing from

the Admirall of France, and brought her into James River, and prayed a speedy proceeding for condemnation accordingly and his Excellency laying y^e same before this Councill, It is y^e opinion and advice of y^e Councill that there being no Court of Admiralty erected in this Government his Excellency may and ought to give Comissions under y^e Seal of y^e Colony appointing a Judge register Marshall and other officers necessary for tryal of y^e said prize.

Saturday y^e 12th of June 1697.

Present

His Excellency

William Byrd
Chr Wormeley
Edward Hill

Edm^d Jenings
Richd Johnson
John Lightfoot Esq^{rs}

Nicholas Spencer Esq^r producing a Comission to him granted by y^e Comission^{rs} of his Ma^s Customes in London dated y^e 21th day of November last to be collect^r in South Potowmeck River of his Ma^s dues on y^e enumerated Comodities by y^e 25th of Char y^e 2^d took y^e oathes according to Law for y^e due execution of y^e Same.

Peter Heyman Esq^r producing a Comission to him granted by y^e Comission^{rs} of his Ma^s Customes in London dated y^e 21th day of November last to be Collecto^r in the Lower district of James River of his Ma^s dues on y^e enumerated Comodities by y^e 25th Act of Ca 2^d, having before his Excell^{cy} taken y^e oaths according to Law for y^e due execution of y^e same

Peter Jenings Esq^r producing to this Board a Comission from the principal Comission^{rs} of y^e prise Office dated y^e 19th of November last relating to Maryland and to enquire after concealments or imbezelm^{ts} of prizes since y^e year 1689 there, or in any other place or places upon y^e Continent of America, or Islands thereunto belonging, Ordered that the said Comission be enterd upon the Councill Books, and encouragement and assistance upon all occasions given him y^e said Peter Jenings in y^e execution and performance thereof accordingly.

William Trevethan Esq^r producing a Comission to him granted by y^e Comission^{rs} of his Ma^s Customes in London dated y^e 2^d day of December last, to be Surveyo^r of his Ma^s Customes on y^e enumerated Comodities by y^e 25th of Ca 2^d in Elizabeth River took y^e oathes according to Law for y^e due execution and performance of y^e Same.

His Excellency upon receipt of a Letter [letter given further on] yesterday of y^e 4th of June instant from y^e Govern^r of Maryland with proceedings of a Comittee of y^e Councill and Burgesses confirm'd there, relating to the Piscataway and Aecokik Indians was pleased to lay y^e same before this Board, which being duely consider'd y^e Councill doth not understand y^e meaning thereof, But if any miscarriage hath been by any Indians in this Government, are of Opinion that it ought to have been first signified to y^e Govern^r for orders therein before any proceedings against any Indians in this Government

His Excellency by advice in Councill was pleased to pass under his hand and y^e seal of y^e Colony a Comission appointing Edward Hill

Esq^r Judge of y^e Court of Admiralty for tryal of y^e Prize S^t Ignace of Bayonne in France, brought in by Comodore Douglass and all other matters that should be brought before him, [to] terminate y^e 18th Instant; And also a Comission to Robert Beverley Gen appointing him Register of y^e Said Court, and another to Edward Ross Gen Marshall who were all three sworn accordingly after having taken y^e oaths to his Ma^e prescribed by Law, and y^e Test.

Monday y^e 14th of June 1697

Present

His Excellency

William Byrd
Chr Wormeley
Edw^d Hill

Edm^d Jenings
Rich^d Johnson
Jn^o Lightfoot Esq^{rs}

Comodore Douglass having made application to his Excellency for Supply of thirty Seamen which are wanting in his Ma^s Ships y^e Harwich, and South Sea Castle to compleat their middle complement, and having declared y^e first day of July next to be y^e time of their Sailing for England with all ships that shall be then ready to sail under his convoy, his Excellency laid y^e same before y^e Councill, who upon mature consideration are of opinion that Seamen are not to be had here, not knowing any in this Government, or ever any men of war supplied here but that all due care may be taken therein. Ordered that the severall Comand^{rs} in Cheif and Collecto^{rs} cause inquiry to be made after all Seamen in their districts, and that such as are fit for service be forthwith sent to the Comodore at Point comfort in James River, and an acco^t thereof to his Excellency, and that they also give due furtherance to all Ships and Vessells in their districts that can be ready to sail with y^e said convoy, and that they repair to Point Comfort to Joyn him accordingly

His Excellency being pleased to lay before y^e Councill Letters from Cap^t Mason and Cap^t Withers in Stafford County mentioning y^e Settlement of the Piscataway and Aecokik Indians back in y^e woods on this side Potowmek River, and their refusing to return to Maryland; it is y^e opinion of y^e Councill, and accordingly Ordered, that y^e said Mason forthwith send to y^e Cheifs of the said Indians next at hand, and acquaint them that their settling there is not advisable or safe for them, and take especial care that they are nowayes hurt by any of our inhabitants.

His Excellency acquainting y^e Councill that the Ship S^t Ignace of Bayonne brought in by Cap^t Andrew Douglass in his Ma^s Ship y^e Harwich being under condemnation as lawfull prize, with all her guns tackle apparrell furniture and lading, and being lodged in his Excellencys hands by vertue of y^e Act of Parliament in y^e 4th & 5th years of William & Mary for the incouragement of privateers, was pleased to aske y^e Councills advice what methods were to be used for y^e disposal thereof, and who the most proper officers to manage that concern. It is y^e Councills Opinion that M^r Audito^r Byrd his Ma^s Audito^r and

receiver Generall of his Ma^s Revenues & dues here is y^e most proper person to manage y^e said prize, and y^e 29th Instant a fit day for y^e sale thereof. Whereupon his Excellency orders in Councill that y^e said M^r Auditor Byrd do take upon him the management of y^e said prize in all things relating thereto according to the said Act, and doth authorise him accordingly.

Tuesday y^e 15th of June 1697.

Present

His Excellency

William Byrd
Chr Wormeley
Edward Hill

Edm^d Jenings
Rich Johnson
Jn^o Lightfoot Esq^{rs}

The Rule of y^e Generall Court in Aⁿ 1676, directing how process at comon Law shall be had and issued against a Councillor being read, It is referred to M^r Attor Generall to consider and report.

At a Councill held at y^e Main y^e 20th day of July 1697.

Present

His Excellency

William Byrd
Chr Wormeley

Edward Hill
Edm^d Jenings Esq^{rs}

His Excellency laying before y^e Councill a Letter from Cap^t Mason concerning y^e Empero^r of Piscatawayes bringing a nation of Seneca Indians with some of his, who he sayes are now all one people, and desire to be under this Governm^t And being informed that y^e said Senecaes are already settled within this Government, The Councill are of opinion that nothing further is to be said to them, but that they as all others in the Government, and other friendly Indians may come and go in safety, but that the Piscataway Indians do return to their old habitations in Maryland.

His Excellency by advice in Councill was pleased to allow of y^e fees of ten pounds to the Judge, five pounds to the Register, and forty shill to y^e Marshall for their Attendance at the late special Court of Admiralty.

E. Jenings, Dep^{ty} Sec^{ry}

[Letter from Governor of Maryland referred to in proceedings of the 12th of June.]

Maryland Port of Annapolis

June 4th 1697

Sir

This is by Express to Acquaint Your Ex^{ty} What we have done Concerning the Piscattoway and Aecokick Indians, and Inclosed

is the proceedings thereupon both of the house of Delegates, his Maj^s most Hon^{ble} Councill & of

Yo^r humble Servant

Fra: Nicholson

For his Maj^s speciall Service

To His Excellency S^r Edmond Andros Kn^t his Maj^s Leiu^t
and Gov^r Gen^l of Virginia

[Then follows severall pages of proceedings of a committee of the Council and House of Delegates of Maryland held at Annapolis June 1st concurred in by the House of Delegates 3^d June and by the Governor the same day. These proceedings are to be found printed in "Archives of Maryland", Vol. XIX (Proceedings and Acts of the Assembly of Maryland, 1693-1697"), p. 570 ff.]

At a Councill held at M^r Secret^{ry} Wormelys y^e 11th August 1697

Present

His Excellency

Ralph Wormely

Edward Hill

Rich^d Lee

Edmond Jenings

W^m Byrd

Rich^d Johnson

Chr: Wormely

John Lightfoot Esq^{rs}

His Excellency acquainted the Councill of the Arivall of the Hon^{ble} Vice Admirall Nevill into James River, wth a Considerable Squadron of his Ma^{ties} Ships of Warr, and that he had dispatched orders to all the adjacent Parts, for bringing them in fresh Provisions, and also for Sloopes and Shallops for their Watering, which Vice Admirall Nevill signified they were in wont of, and desired of the Councill what further Necessary to be done, who are of Opinion that Nothing more can be done, but what Sloopes are adjacent be prest for this Extraordinary Service

His Excellency laid before the Councill letters from Cap^t George Mason Commander in Cheif of the Militia in Stafford County and Examinations taken y^e 27th of July last, by the Coll^{rs} and Militia Officers of y^e s^d County, of some Indians taken for the scalping and mameing and dangerously wounding the Wife of W^m Wiggington & three of their Children in the s^d County, It is the Opinion of the Councill, that a Comission of Oyer & Terminer doe Issue; to some Gent: to sitt in y^e s^d County for Tryall of the s^d Fact, and his Excell^{ney} is desired to Issue one Accordingly. The Persons following were named & Appointed Commission^{rs}, Rich^d Lee, Xtoph^r Wormely, Edward Hill, Rich^d Johnson, of his Ma^{ties} Councill for this Colony, Rob^t Carter speaker of y^e house of Burgesses, George Mason, W^m Taylor, Lawrence Washington, Malacky Peal, Mathew Thompson, John Harvey, W^m Buckner, Rich^d Fosaker, & Thomas Owesly or any five of Them, whereof one of Councill afores^d to be alwayes one, and to Continue in force three Dayes from the last of this Month.

His Ex^{ney} laid before the Councill a letter from M^r Audit^r Bird of an English man being shott in Appomattox by an Indian, and M^r

Auditor being p^rsent, s^d he had been up in those parts, and that there was no more of it, but that the Indian being then single rann away so soon as he had shott, and Can^t be heard of, and that all were quiet in those parts, on which his Excellency asked If any Orders or Directions to be given therein, The Councill think not any Necessary.

Aug^t y^e 12th 1697

Present

His Excellency

Ralph Wormely

Rich^d Lee

W^m Bird

Xtoph^r Wormely

Edward Hill

Edmond Jennings

Rich^d Johnson

John Lightfoot Esq^{rs}

His Excellency laid before the Councill severall letters and Papers relating to the Indians, w^{ch} Occasioned the again reading & Consideracon of y^e Proceedings of a Committee in Maryland confirm'd by the honorable Councill and Burgesses there relateing to Indians now in this Govern^t & Agents or Gentlemen, to be sent to treat with the S^d Indians, of whom by their Letters it appears His Excellency had not nor could possibly have notice of their passing through this Govern^t till they were returned with letters, papers, and proceedings; The Councill have maturely considered and do not yet apprehend, the Intent or meaning of the Govern^t of Maryland transmitting such Papers, The Agents or Gentlemen from Maryland, having passed through treated with & returned from the Indians in this Govern^t without the knowledge, Approbacon, or assistance of his Excell^{ney}, which proceedings the Councill are of Oppinion, amuses [deceives] the Inhabitants, and tends to the Disturbance of y^e Govern^t, And therefore the Councill prayes his Excellency to acquaint the Govern^r of Maryland, that before any treaty with or proceedings against any Indians in this Govern^t be permitted, his Excellency be made timely acquainted therewith and that his Excellency please to give Commands to y^e Comander of the Militia and Rangers in Stafford County, that none from the Govern^t of Maryland be suffered to treat with the Indians in this Govern^t till his Excellency be acquainted and Allow thereof and Ordered Accordingly.

His Excell^{ney} laying before y^e Councill M^r Peter Heymans Memoriall for y^e Entring & Clearing of all Ships, that are or shall come into the lower district of James River, as he is appointed by y^e Com^{rs} of his Mat^{ies} Customes in London Collector of y^e Rates and Dutyes by y^e 25th of Cha^r y^e 2^d It is the Opinion of y^e Councill, that all Incuragem^t be given to y^e s^d Hegman in y^e Execution of his S^d Office persuant to his Comission.

At a Councill held at James Citty y^e 20th Octob^r 1697

Present

His Excellency

Rich^d Lee

Rich^d Johnson

W^m Bird

Cha: Scarburgh

Christop^r Wormely

John Lightfoot Esq^{rs}

Edmond Jennings

His Excellency was pleased to advise wth the Councill If anything to be s^d to the Generall Assembly (to meet tomorrow) perticularly relateing to y^e Country, On Consideration thereof, It is y^e Opinion of the Councill, that an Acco^t of y^e Piscattoway Indians, comeing from Maryland, & sitting down on this side Potomack River, and of a Woman and three Children in Stafford County dangerously wounded by Indians, with the papers & proceedings thereupon be laid before the Generall Assembly.

His Excellency being Informed that the Surveyo^{rs} within this his Ma^{ties} Colony of Virginia are not sworn to Execute their s^d Offices, On Consideracon thereof it is y^e Opinion of the Councill, y^t y^e respective Surveyo^{rs} within this his Ma^{ties} Govern^t doe forthwth Apply themselves to the County Courts wherein they live, and the s^d County Courts to Administer to them y^e Oaths Appointed by Act of Parliam^t to be taken instead of y^e Oaths of Allegiance & Supremacy (the Test & the oath of a Surveyor) & make Return thereof to the Secretarys Office and Ordered Accordingly.

Upon reading y^e Comp^{it} of John Carrell, setting forth that on y^e 20th day of Octob^r 1680 W^m Baldwin of the Isle of Wight County did take up & pattent sixty Seaven Acres of Land in y^e s^d County, and after a Peaceable & Quiett Possession about thirteen Years, the S^d Baldwin on the 9th of Aprill 1693 transmitted the s^d Land to y^e Petition^r, But Major Lewis Burrell, & Maj^r Arthur Allen by force & Armes, came upon the Peticon^{rs} land without any Surveyour or Patent to direct them; marked Trees, & took the same into the s^d Burrells possession The Peticon^r therefore prayes his Excellency to be releived from so great wrong & Violence, which being referred to this Day, & Maj^r Lewis Burrell, and Majo^r Arthur Allen to attend, to answer the same, and being fully heard, and it not appearing, that y^e sd Majo^r Allen is authorized or qualified, to make Surveyes, or taken y^e Oaths appointed by Law, It is the Opinion of the Councill, that what Surveyes y^e sd Allen has made, is not warrantable or of any Effect, and the S^d Carrell referred to his further remedy at Law.

It appearing to this board, y^t Majo^r Arthur Allen has refused to take y^e Oaths appointed by Act of Parliam^t to be Taken instead of the oaths of Allegiance & Supremacy, Referred to y^e County Cou^{rt} of Surrey, who are hereby Ordered, to tender the s^d Oaths to Majo^r Arthur Allen According to Law.

E Jenings Depth Sec^{ry}

At a Councill held Att James Citty y^e 1st of Novemb^r 1697

Present

His Excellency

Rich ^d Lee	Edmond Jennings
W ^m Bird	Rich ^d Johnson
Chr: Wormeley	Cha: Scarburgh
Edward Hill	Jn ^o Lightfoot Esq ^{rs}

Whereas Comp^{lt} hath been made, y^t y^e Trustees of y^e Colledge of W^m & Mary, have not taken up y^e Land given them, by his Ma^{ties} on black water Swamp & Pomunky Neck, to y^e great p^rjudice & hinderance of his Maj^{ties} Subjects, who are ready to enter for & take up land there And it not appearing that any Surveys are returned into y^e Secretarys Office, of What Land they have taken up, The Gen^t of y^e [this] board who are Trustees are desired to acquaint y^e rest of y^e Trustees therewth for effectuall care therein.

Upon Consideracon of Indian land, & Articles of Peace wth the neighbouring Tributary Indians, It is y^e Opinion of y^e Councill that y^e Indian Interpreters do forthwth give to his Excellency a perticular Acc^t of y^e p^rsent numb^r of y^e s^d Tributary Indians, & how they are settled, and y^e Respective Surveyo^{rs} to give an Account to his Excellency what land y^e Indians live upon, and y^t noe Surveyo^{rs} p^rsume to Survey (or English seat themselves) wthin three Miles of y^e Indian Settlem^t persuant to y^e Articles of Peace and Ordered accordingly.

Upon y^e Peticon of Joshua Broadbent setting forth that he having y^e Command of the Sloop Spywell in his Ma^{ties} Service for y^e Discovery & Detection of false Traders, The Peticon^r was content to take Eighteen pounds per month for y^e s^d Sloop manning & Victualling, In hope of further advantage by Seizures, & not finding it to Answer his Charge and Expectacon prayes his Excellency & Councill for eight months Sallary due to him, and that himselfe & his Sloop Spywell now in his Ma^{ties} Service, may be Discharged, On Consideracon thereof It is y^e Opinion of y^e Councill, that the s^d Broadbent and the Sloop Spywell be Discharged from his Ma^{ties} Service, and the s^d Broadbent be paid what Arrears is due to him, & Ordered accordingly.

Upon Consideracon of y^e Peticon of Joshua Broadbent Commander of y^e Sloop Spywell in his Ma^{ties} Service, to cruise for false Traders, setting forth y^t in y^e Prosecution of his Duty, he had been at very great Charge & Expences, in y^e Seizing of Severall Sloops, & one ship, (as by his Acco^t amounting to Eighty pounds one shilling) the S^d Sloopes & Ship have not been Condemned, yett y^e Peticon^r conceives he had good & Sufficient ground of Seizure and prosecution, The Peticon^r therefore humbly prayes his Excellency & Councill that y^e s^d account of Eighty two pounds one shilling be allowed & p^d him. It is y^e Opinion of y^e Councill, that the s^d account of Eighty two pounds one shilling be allowed & p^d him, in Consideracon of the s^d Broadbents Service, and Charge (due proove to be made thereof) the same to be paid out of y^e first mony Accruing from Seizures & Ordered accordingly.

Novemb^r y^e 3^d 1697

Present

His Excellency

Rich^d Lee
W^m Bird
Chr: Wormley

Edward Hill
Edmond Jennings
Rich^d Johnson
Char:Scarburg Esq^{rs}

Upon Consideracon of y^e four Indians comitted by y^e Justices of Oyer & Terminer to y^e Sheriff of Stafford County, & y^e Opinion of y^e house of Burgesses thereon, nothing being Charged ag^t the s^d Indians, since they were acquitted, It is the Opinion & Advice of y^e Councill that y^e s^d Indians be forthwith Discharged, & Ordered Accordingly

Upon y^e Peticon of Jn^o Chiles & George Marrable setting forth that whereas, the Peti^{rs} have legally Surveyed two parcells or Tracts of Land, Lyeing & being in the Place commonly called y^e Main near James Citty; w^{ch} Survey & Rights they have entred in the Secretaries office, In Order to the Obtaining of Pattents for y^e same tract of Land, According to y^e Custom of this Dominion, & persuant to a Charter granted to this Country by King Charles y^e second in 1696, Notwth-standing y^e Pet^{rs} have been obstructed, & hindred from obtaining any Pattents, for y^e s^d tracts of Land wth out any reason as they know of, The Pet^{rs} therefore pray his Excellency, they may be heard to shew their Resons, why such Pattents to them ought to be granted, and upon hearing of y^e Above Pet^{rs} referred to the Kings Councill at Law, to Enquire into the whole matter, & make report thereof to this board.

At a Councill held at James Ctty y^e 9th of Novemb^r 1697

Present

His Excellency

Rich^d Lee
W^m Bird

Edward Hill
Edmond Jennings Esq^{rs}

His Excellency was Pleased to acquaint y^e board y^t the Occasion of Appointing the Councill, then to meet, was the Receipt of a Letter from y^e Govern^r of Maryland of y^e 16th of Octob^r past, and some papers Relating to Indians, from the Govern^r and Councill of Maryland, and sent by Thomas Tench Esq^r one of his Ma^{ties} Hono^{ble} Councill, & Major W^m Dent, w^{ch} is as followeth; Viz^t

S^r I wrote to yo^r Excellency of y^e 24 of June; and Inclosed is a Coppy thereof, This is by the hono^{ble} Thomas Tench Esq^r of his Ma^{ties} hono^{ble} Councill & Major W^m Dent, who are to wayt upon Yo^r Excellency, from his Ma^{ties} hono^{ble} Councill,

Your humble Servant
Francis Nicholson

James Citty Novemb^r y^e 4th 1697
To his Excellency S^r Edmond Andross K^t his Ma^{ties} L^t &
Govern^r Generall of Virginia

It being thought Necessary by his Excellency y^e Govern^r, Council & c of his Ma^{ties} Province of Maryland, for his Ma^{ties} Service, & the peace & safety of that province, to command us y^e Subscribers, to attend your Excellency & lay before you some things relateing to y^e Indians, and a late Murther committed by Indians unknown & c In obedience whereunto, Wee attend your Excell^{ney} and humbly offer, that wee are ready to acquaint your Ex^{ney} of the Circumstances of the s^d late Murther & c.

That for as much as the s^d late Murther has been Committed by Indians unknown to the Goverment of Maryland, Therefore his Excellency the Govern^r & Council of Maryland desires yo^r Excellency to cause Enquiry to be Made after y^e s^d Murtherers wthin your Govern^t as has been lately done in Maryland by his Excellency the Govern^r for y^e seizing & apprehending of an Indian called Esq^r Tom, that fled to that Province, from y^e hands of Justice in Virginia.

That whereas it is reported in Maryland, that y^e Indians are Possessed wth Ill Notions y^t for any misdemean^r committed there, they are not to be punished for the same in Virginia, therefore it is desired also that Yo^r Excellency will be pleased to make them sensible of the Contrary.

Yo^r Excell^{ney} is also Desired to prohibite the Inhabitants under Yo^r Govern^t from selling to those Indians lately come out of Maryland any Powder or Ball, and the like will be done in Maryland by his Excellency the Govern^r & c The s^d Indians haveing Carryed away wth them Out of that Govern^t (and Purchased since) a Considerable quantitey of both by their own saying, That by Informacon the s^d Indians formerly have not Purchased or used a Thousand weight a Year.

Your Excellency is likewise Desired to appoint and send some Gentlemen to meet in Stafford County or Elsewhere, & call y^e s^d Indians before them, in order to discourse them in y^e P^rsence of some Persons to be sent out of Maryland, as well to Informe y^e Indians [of], y^e Resolution of this Governm^t, not to protect them, as alsoe for y^e Gentlemen of Maryland to make proposalls to them.

Yo^r Excellency is likewise desired to send some P^rson up to y^e Fort of the s^d Indians, in this Govern^t to see If they have any strange Indians among them, & what Numb^r there may be of them, & whither they have Dispersed themselves, about a hunting according to their Usuall Customes, It being Apprehended that the s^d Indians living so remote, from y^e Inhabitants, may have french Jesuits or Preists & other French men amongst them.

Yo^r Excellency is likewise Desired, to cause your Rangers appointed for the frontiers of Potomack to settle somewhere convenient, toward the head of Potomack, And that Yo^r Excellency will be Pleased to give Instructions to y^e Commander in Cheif of Stafford County, & the Rangers to hold frequent Correspondence wth y^e Hono^{ble} Coll Jn^o

Addison, and y^e Rangers in Maryland, who have already instruccions to doe y^e like wth those In Virginia.

Your Excell^{ney} is likewise Desired to give Orders to Your Rangers to agree wth y^e Maryland Rang^{rs} what shall be an Alarm, and that you will be pleased to give them charge, to forbear hollowing, or firing Gunns in y^e night unless upon Occasion.

These Matters have been Consulted & resolved on by his Excellency the Govern^r & Councill of Maryland wth the Advice of y^e Hono^{ble} the Justices of y^e Provintiall Co^{rt} y^e Gentlemen of a Grand Committee for laying the Publick Levy; The Gent of y^e Grand Jury for the Body of that Province, and severall Gentlemen lately imployed, to go to y^e s^d Indians, and given us in Charge to yo^r Excellency. In Obedience whereunto for his Ma^{ties} Service, and the peace & safety of his Ma^{ties} s^d Province of Maryland, the same is hereby represented, laid before and desired of Yo^r Excellency as aforesd, w^{ch} is signified by Yo^r Ex^{eney}s most humble servants

Thomas Tench & W^m Dent

On Reading & Consideration thereof the aboves^d Gentlemen being sent to, & acquainted that his Excellency, & Councill were then sitting, and ready to hear what they had further to offer to his Ex^{eney}, Thomas Tench Esq^r being then undisposed desired to be excused till the Next morning.

Novemb^r the 10 1697

Present

His Excellency

Rich^d Lee
W^m Bird

Edward Hill
Edmond Jennings Esq^{rs}

His Ex^{ney} yesterday was Pleased to lay before y^e board a lett^r from y^e Govern^r of Maryland, of y^e 16th of Octob^r past and a Copy inclosed of y^e 24th of June sent by Thomas Tench Esq^r one of his Ma^{ties} hono^{ble} Councill, & Major W^m Dent to wayt on his Ex^{eney} of whom due Regard being had; and being fully heard, what they had to Offer from y^e Govern^r & Councill of Maryland. On Mature Consideracon thereof, and y^e s^d Lett^r of the 24 of June being formerly answered, this Board are of Opinion, that it is not adviseable to make Inquirey after, or Proclamacon ag^t unknown or undisturbed Persons; That the report in Maryland of the Indians Notions that they shall not be punished here, For any Misdemeanor committed in Maryland is Groundless; That the prohibition of selling Ammunition to perticular Indians is Neither Adviseable, nor available, neither see any Cause to send for or to y^e s^d Indians. The Rangers are appointed, on the Frontiers of Potomack River, and y^e Commanders of the Rangers & Militia, long since ordered to acquaint Coll Addison wth anything materiall. The Generall Allarm of this Country is firing three Gunns at Convenient Distance, and any disorders in y^e Night punishable, And it is also y^e Opinion of y^e Councill, that y^e P^rsent & a Copy of y^e former Order

be transmitted to y^e Govern^r of Maryland, by the Gent: sent by himselfe & Councill & Ordered accordingly.

At a Councill held at James Citty y^e 15th of January 1697

Present

His Excellency

W^m Bird

Edward Hill

Edmond Jennings Esq^{rs}

His Ex^{cellency} was pleased to lay before y^e board a Lett^r from y^e Lords of y^e Councill for Trade [and] Plantations, signifying to his Excellency that by Order of their Execellencies y^e Lord's Justices, they send therewth y^e Proclamacon, for Publishing the Peace lately Concluded between his Ma^{ties} & y^e French King, and acquainted y^e board that Immediately upon Receipt thereof, he gave Direcons for y^e Publishing the same, in all the Usual places wthin y^s this Ma^{ties} Government, and Notice to y^e Gentlemen of y^e Councill that he had appointed this day for the publishing the same at James Town, for the greater Solemnity thereof.

Upon the Publishing the Proclamacon of Peace It is y^e Opinion of y^e Councill, and Ordered that y^e Restraints formerly laid on all Ships & Vessells bound for Europe not to sail but with Convoy or in fleet, be taken off, and that y^e severall Collect^{rs} wthin this his Ma^{ties} Govern^t have Notice thereof.

E Jennings Dep^{ty} Sec^{ry}

At a Councill held at James Citty the 7th March 1697-8

Present

His Excellency

W^m Bird

Edmond Jennings

Charles Wormely

John Lightfoot Esq^{rs}

Edward Hill

His Excellency laid before y^e board a Comission from his Ma^{ties} bearing date the 30th Aprill 1697 sent him by Edward Randolph Esq^r his Ma^{ties} Surveyo^r Gen^l & c Received y^e third of this Instant March, Authorizing & Impowering Ralph Wormely, W^m Bird, Edward Hill, Rich^d Lee, Jn^o Lear, Chr: Wormley Edmond Jennings, Edward Randolph, Charles Scarburgh, Edward Chilton, Peter Jennings Esq^{rs}, & y^e Attorney Gen^lall for the time being, or any five or more of the Councill, to administer to his Excellency a Solemn Oath for the Due Observance of a Late Act of Parliam^t, intituled an Act for Prevencon of frauds, and regulateing abuses in the Plantacon Trade, pursuant whereunto W^m Bird, Christoph^r Wormely, Edward Hill, Edmond Jennings, John Lightfoot Esq^{rs}, & M^r Attorney Gen^lall, did administer to his Excellency, the Oaths appointed by act of Parliam^t to be taken instead of the Oaths of Allegiance & Supremacy (The Test) and the Oath in the Commission for the Due Observance of the said Act.

His Excellency was pleased to lay before y^e board an Abstract of Ships & Vessells (from Edward Randolph Esq^r his Ma^{ties} Surveyour Gen^l of the North parts of America tradeing to Virginia in the Years 1689, 90, 91, 92, 93, 94, for which noe Certificate returned, Ordered that the Attorney Gen^l do forthwth prosecute y^e s^d Bonds according to law.

His Excellency was Pleased to acquaint y^e Gentlemen of the Councill that he understood his Ma^{tie} was safe returned to England. On Consideracon thereof, Ordered in Councill, that a day of Publick thanksgivinge be set apart to be Observed, & kept in James City on Sunday next, being y^e 13th of this Instant March, and on Sunday come Seavennight throughout the whole Dominion; A day of Praise & Thanksgivinge to Almighty God for the Preservacon of his Ma^{ties} Royall Person, and his safe Return to England, & the Success of his Armes, in an hono^{ble} peace; and that M^r Attorney Gen^l doe prepare Proclamacon Accordingly, & M^r Secretary to prepare an Address to his Ma^{tie} to be signed by his Excellency and Councill.

His Excellency laid before the Councill two Lett^{rs} from Capt Nathaniel Bostock Comand^r of his Ma^{ties} Ship Swift, of th: 27th & 28th of Feb^{ry} past, acquainting his Excellency that he found his Ma^{ties} Ship Swift to the Southward of Corratuck, setting whole nigh highwater Mark, and did nor perceive any Damage in her Hull, and that she might be saved, If help, and desires his Anchors, his Cables, his Men, wth box Screws & good hand Skrews, and some great Spikes. On Consideracon thereof, It is the Opinion of the Councill, that the Ankers, and Cables belonging to his Ma^{ties} Ship y^e Swift, be swept for & taken up, and that M^r Auditor Bird doe Inquire after & agree wth a Sloop to Carry the s^d Ankers Cables & Men, & what Necessary for the Assistance & Preservacon of his Ma^{ties} Ship Swift, and Ordered accordingly.

March th: 8th 1697-8

Present

His Excellency

W^m Bird

Edward Hill

Chr. Wormeley

Edmond Jennings

John Lightfoot Esq^{rs}

Upon Consideracon of the late Act of Parlaiment for Preventing frauds & regulateing Abuses in the Plantacon Trade, It is Ordered that the Sev^lall Collectors, in their respective districts do acquaint the Ma^{rs} & Owners of Ships Or Vessells, that have not produced Certificates persuant to the s^d Act, that his Excellency & the Principall Officers of the Revenue, will be at James City the 21st of this Instant March for the dispatch of any that want it.

His Excellency acquainted the board that he had received a Letter from the Lords of the Councill for trade and Plantacons of the 2^d of Septemb^r 1697 in which a paragraph for the Reviseing the Laws of Virginia w^{ch} his Excellency perticularly recommoned to the Coucill for their assistance therein, and on Reading and Consideracon thereof

M^r Secretary Wormely M^r Auditor Bird, Coll Edward Hill Coll Edmond Jennings or any two of them are appointed to proceed on the Reviseall of the Laws as soon as possibly may be & to call M^r Attorney Generall to their Assistance.

March y^e 9th 1697-8

Present

His Excellency

W^m Bird

Edward Hill

Chr Wormely

Edmond Jennings

Jn^o Lightfoot Esq^{rs}

Coll Chr: Wormely producing a Comission to his Ex^{cy} from the Com^{rs} of his Ma^{ties} Customes to be his Ma^{ties} Collecto^r of Rappahannick River, according to the Act of the 25th of King Charles the 2^d he took the Oaths appointed by Act of Parlaime^t to be taken instead of the Oaths of Allegiance & Supremacy, (subscribed the Test) and the Oath duely to Execute y^e s^d Comission.

Upon Reading the Peticon of Jn^o Chyles setting forth y^t he was sent express to the Govern^{ts} of Maryland & New York wth his Ma^{ties} Pacquetts to those Govern^{ts} & praying he may be pd for the Same, It is the Opinion of the Councill, that the s^d Chyles be allowed for the s^d Journey fifteen Pounds, and ordered accordingly.

March the: 10 1697-8

Present

His Excellency

W^m Bird

Edward Hill

Chr Wormely

Edmond Jennings

Jn^o Lightfoot Esq^{rs}

By Vertue of a Comission from his Ma^{tie} to his Excellency, under y^e great Seal of y^e high Co^{rt} of Adm^{ty} beareing date y^e 29th day of June 1697, authorizing, and impowering his Excellency to appoint Judges, Registers, Marshalls & Advocates for the s^d Co^{rt} of Adm^{ty} persuant thereunto, & Direcons therein, His Excellency did appoint & Comissionate Edward Hill Esq^r to be Judge of the Court of Adm^{ty} in Virginia & North Carolina, who took the oaths Appointed by Act of Parlaime^t to be taken instead of the Oaths of Allegiance & Supremacy (subscribed the Test) and the Oath of a Judge.

Upon reading the Peticon of Thomas Ward in behalfe of himselfe & the Owners of the Sloop Content, to his Ex^{cy} & Councill setting forth: that whereas the Pet^r hath had a tryall the 15th of Octob^r last, before the hono^{ble} y^e Gen^l Co^{rt} upon Informacon brought by Joshua Broadbent, upon Seizure of the Sloop Content & loading, and upon a full hearing the Informacon, & Seizure, was Dismist notwthstanding w^{ch} the s^d Sloop, and goods are nott delivered to the Peticoner by Reason of w^{ch} the Pet^r is Very much hurt & damnified, The Peticoner therefore prayes his Excellency & Councill to grant order for the De-

livering the s^d sloop & goods: Referred to M^r Attorney Gen'all to Consider the Matters & make Report thereof to this Board in y^e Afternoon.

Post Meridiem

Present

W^m Bird
Chr Wormely

Edward Hill
Edmond Jennings
Jn^o Lightfoot Esq^{rs}

M^r Attorney Gen'll reports, y^t he had Considered all the Proceedings upon the Informacon of Joshua Broadbent Commander of his Ma^{ties} Sloop y^e Spywell, ag^t John Holmes Mast^r of the Sloop Content, & her loading, & finds the s^d Informacon was on the Verdict of a Jury found for the Defendant, & by the Generall Court thereupon dismiss, w^{ch} s^d Sloop and goods nott yett being delivered out of the hands of the King, The Attorney Generall is of Opinion that a writt of Restitution may Issue to a move the s^d Sloop and goods out of the hands of the King, and restore them to the s^d Jn^o Holmes in behalfe of the Owners thereof, On Consideracon thereof, It is the Opinion of the Councill that a Writt of Restitucon shall be Issued by the Clark of the Gen'all Co^{rt} on the s^d Order of the Gen'all Co^{rt} out of the Secretarys Office.

Upon Reading the Peticon of Rob^t Beckford in the behalfe of himselfe & Others Owners of the Ship W^m & Jane als [alias] Flyeing Hart, setting forth y^t y^e s^d ship W^m & Jane als Flying Hart, have [has] been lately taken from the Subjects of the French King, as a Prize between the Islands of Pettit Guaves & Hispaniola, by Cap^t Stephen Elliott Comand^r of his Ma^{ties} Ship the Bristoll, & since sould to Cap^t Willis Wilson, & the Peticoner by Cap^t Thomas Dilks Commander of his Ma^{ties} Ships of Warr in the Westindies, & forasmuch as y^e Peticoner does humbly Conceive that y^e right & property of the s^d ship by Vertue of the s^d Sale is Vested in them, The Peticoner therefore humbly prayes, that the s^d Ship may be admitted to trade after the Condemnacon in the Court of Adm^{lt'y}, the Owners thereof being ready to give Security, to answer in Virginia to his Ma^{tie} the Sum of one thousand Pound Sterling money, If they do not produce a Discharge from England wthin the Space of eighteen Months from such Persons as shall be Comissioned by his Ma^{tie} to grant the same, and also to give such security as shall be required—which being Considered, It is the Opinion of the Councill, y^t y^e s^d Ship ought to be legally Condemned by the Co^{rt} of Adm^{lt'y} before any Order or Security be taken, and y^t it does not now lye properly before his Excellency.

At a Councill held att James Citty y^e 12th Aprill
1698

Present

W^m Bird

His Excellency
Edw^d Hill
Edmond Jennings Esq^{rs}

Upon Reading a Letter from the Com^{rs} of his Ma^{ties} Customes of the 11th of November 1697, acquainting his Excellency concerning the discharge of a Bond s^d to be given att Virginia 1693 by George Walker Ma^r of the Brigantine Peyton, referred to Coll Edm^d Jennings in whose district the s^d Bond was given to Examine the Clearing & Certificate, & If agree, to affix it to the s^d Bond.

Upon Reading a Lett^r from the Com^{rs} of his Ma^{ties} Customes of the 28th of Jan^{ry} 1697 acquainting his Excell^{ncy} concerning the Discharge of a Bond, s^d to be given in Virginia by W^m Wilson Ma^r of the Ship Jane & Margerett, referred to the Attorney Gen^{ll} (in whose hands the s^d Bond is) to Examine y^e Bond & Certificate, & If agree, to affix it to y^e s^d bond.

At a Councill held at James Citty y^e 13th of Aprill 1698

Present

His Excellency

M^r Secretary Wormely

Coll Chr: Wormley

M^r Audit^r Bird

Edward Hill

Edmond Jennings Esq^{rs}

M^r James Sherlock Clerk of the Councill, being by sickness incapable of Attending, The Attorney Gen^{all} is desired and appointed to assist y^e s^d Sherlock & attest the Order.

The Gentlemen of the Councill appointed to revise the Lawes, acquainting his Ex^{ncy} y^t it being of great Moment, prayed further time for the Same, his Ex^{ncy} Desired they would give all possible dispatch therein.

The Sev^{all} Peticons exhibited by divers Ma^{rs} of Ships are referred for further Consideracon.

Upon Consideration of the Peticon of Willis Wilson concerning the Ship Flyeing Hart a Prize taken by Vice Admirall Nevill in the West Indies, & brought into Virginia, And after the death of the s^d Nevill Sould by Cap^t Thomas Dilks Command^r of his Ma^{ties} Squadron, lately Under y^e s^d Vice Admiralls Command, sould to the afores^d Wilson, & now Condemned by the Co^{rt} of Adm^{ty} in Virginia, It is ordered that the s^d Ship wth all her furniture be delivered into the Possession of the s^d Wilson, and the rest of the Owners thereof, he giving sufficient Security to his Mast^{ie} of five hundred pounds Sterling, to answer to his Ma^{tie} or Such Person & Persons as shall be by him lawfully Commissionated, such sum or sumes of money as shall be Demanded & due for the s^d ship taken & being a Prize as afores^d

The Bonds given by the Navall Officers being read, are approved and Ordered to be renewed accordingly

The Sloop of Ma^r W^m Wilson imprest to carry the Ankers, Cables & Men, to his Ma^{ties} Ship the Swift, drove on Shoar to the southward of the Cape near Rean Oak [Roanoke], is ordered wth all Expedicon to deliver the same where the s^d ship lyes, and returne into the Service of the s^d Wilson.

It being represented to his Ex^{ncy} that Rob^t Nichols Ma^r of the Ship Rachell, Tho Pretty John Ma^r of the Ship Mary & Elizabeth,

Othinell Barker Ma^r of the ship Endeavour, Abraham Cole Ma^r of y^e Ship Endeavour, W^m Churchy Ma^r of the Ship Success, & George Martin Ma^r of the Ship Mary, have unduely, & by pretended transferrs obtained their Ships to be registred & Certificates thereupon, Upon w^{ch} the Respective Collect^{rs} were Ordered, not to Permitt the s^d Ships to Sail untill the next Councill, and further Orders therein; whereupon it is the Opinion of the Councill, & accordingly Ordered, y^t they & every of them be under the same Circumstances they were before Such Regist^r or Certificate Obtained as afores^d, & the Respective Collect^{rs} are to take care therein.

Aprill the 15 1698

Present

His Excellency

M ^r Secretary Wormely	Coll Edward Hill
M ^r Auditor Bird	Coll Edmond Jennings
M ^r Chr: Wormely	John Lightfoot Esq ^{rs}

The Bond of Willis Wilson, & W^m Bird Esq^r concerning the Ship flyeing Hart is ordered to be lodged wth the Councill Papers.

The Severall Peticons exhibited to this Councill by divers Ma^{rs} of Ships concerneing the Entring and Clearing of Ships, being debated & maturely considered, It is Ordered that the respective Navall officers & Collect^{rs} do proceed in their duty and give Dispatch to y^e Ships having regard to their Severall Circumstances according to law.

Aprill the 19 1698

Present

His Ex^{ney}

Ralph Wormly	Edm ^o Jennings
W ^m Bird	Rich ^d Johnson
Chr: Wormely	Char Scarburgh
Edward Hill	Jn ^o Lightfoot Esq ^{rs}

Bartholmew Fowler haveing taken y^e Oaths Appointed by Act of Parlaime^t to be taken instead of the Oaths of Allegiance and Supremacy (Subscribed the Test) as also An Oath to keep the acts of Councill Secrett, is appointed the Kings Councill at Law, & assistant to the Clerk of the Councill.

Ralph Wormely, Chr Wormely, Edw^d Hill Edmond Jennings, Charles Scarburgh, Peter Heyman Esq^{rs} & Navall Officers of their Sev^{all} Districts having first taken the Oaths appointed by act of Parlaime^t, to be taken instead of y^e Oaths of Allegiance & Supremacy (Subscribed y^e Test) were Sworn to the trew Performance of the Place of Navall Officer & Collect^r, according to the Acts of Parlaime^t of the 7th & 8th of his Ma^{ties} & other acts for Trade & Plantations

Upon Reading y^e Peticon of Cap^t W^m Bostock praying further Assistance of men & Materialls, for the getting of his Ma^{ties} Advice Boat the Swift, It is the Opinion of the Councill, that Nothing further Necessary to be done for that Service, then has been already done.

Aprill the 21 1698

Present

His Excellency

Ralph Wormely	Edw ^d Hill
Rich ^d Lee	Edm ^o Jennings
W ^m Bird	Rich ^d Johnson
Christo: Wormely	Charles Starburge [Scarburgh]
	Jn ^o Lightfoot Esq ^{rs}

Rich^d Lee Esq^r, Navall Officer for the Upper District of Potomack River, haveing first taken the Oaths Appointed by act of Parliam^t to be taken instead of the Oaths of Allegiance & Supremacy (subscribed the Test) was sworne to the True Performance of Navall Officer, according to the Acts of Parliam^t of the 7th & 8th of his Ma^{tie} & other acts for Trade & Plantations.

Upon Peticon of James Perryman Ma^r of the Ship Called y^e Seaventh Sonn Friggott, It is the Opinion of the Councill y^t M^r Peter Heyman Collecto^r of the lower district of Jam.s River, who has made seizure hereof, do immediately bring the s^d Ship to tryall According to Law.

Aprill the 26th 1698

Presnt His Excellency

Ralph Wormly	Edw ^d Hill
Rich ^d Lee	Edm ^o Jennings
W ^m Bird	Rich ^d Johnson
Chr: Wormely	Char: Scarburgh
	Jn ^o Lightfoot Esq ^{rs}

Upon the Peticon of Cap^t Henry Jenkins concerning y^e Ship the St Lewis of Martinicoe, A Prize taken by the Squadron belonging to Vice Admirall Nevill in the West Indies, & brought to Virginia, & sold by the s^d Nevill to the s^d Jenkins, now Condemned by a Court of Adm^{lty} in Virginia; It is Ordered that the s^d Ship wth all her furniture be delivered into the Possession of the s^d Jenkins, he giveing Sufficient Security to his Ma^{tie} of one hundred pounds sterling money, to answer to his Ma^{tie} or such other Person or Persons as shall be by him lawfully Commissionated, such Sum or Sumes of Money, as shall be demanded, and due for y^e s^d Ship taken & being a Prize as aforesd

His Excellency was Pleased this Day to Appoint & Commissionate Sherriffs for the severall Countys, w^{eh} in this his Ma^{ties} Collony & Dominion of Virginia.

His Ex^{ney} was Pleased this day to signe the following War'ts upon the Establishment.

To his Ex ^{ney} one years Sallary ending Lady day last.....	2000
To his Ex ^{ney} for one years house rent Ending on Lady day	
Last.....	150
To y ^e Gen ^t of y ^e Councill Ending y ^e 27 th Aprill.....	350
To W ^m Blaythwayt Esq ^r ending Lady day last.....	100
To Jno Povey Solicito ^r Ending Lady day last.....	100

To y ^e Attorney Gen ['] all ending 21 st Apr: last.....	40
To M ^r James Sherlock Clerk of y ^e Councill Ending the 26 th of Feb ^r last.....	50
to Jn ^o Chyles ending Lady day last.....	25
To Jn ^o Chyles sent Express to Maryland & New York w th Packetts for those Govern ^{ts} from Whitehall.....	15
To y ^e Ministers for y ^e Gen ['] all Co ^{rt} s & Assembly.....	15
To Edward Ross Gunn ^r of James Citty ending at Lady day last.....	15
To Joshua Broadbent for eight months Sloop hire, & c to y ^e day he was Discharged out of his Ma ^{ties} Service.....	144
The Audit is appointed to be y ^e 6 th of July Next.	

At a Councill held at y^e Main the 1st June 1698

Present

His Excellency

Edward Hill

Rich^d Johnson

Edmund Jennings

Jn^o Lightfoot Esq^{rs}

His Excellency was pleased to lay before y^e Board, a Letter from his Grace y^e Duke of Shrewsbury of the 25th of Septemb^r 1697. signifying to his Excell^{cy}, that his Maj^{ties} having taken into Consideration, how much it concerns the good of his Subjects, and the Security of Trade, That all Pirates, & Sea Rovers should be surprest, who are observed to increase in their Numbers, & to have done great damage as well to his Ma^{ties} Subjects, as to y^e Subjects of other Princes, & that they have been encouraged to their Boldness by y^e easy admittance they have found into his Maj^{ties} Colonies & Plantations in America; He therefore signifies his Express pleasure to y^e respective Governours of the Colonies aforesd, that they use their utmost diligence, & strictly injoyne y^e same to all Officers under their Command, to arrest, seize & secure the Ships, Persons, & Effects of all such Pirates & Sea Rovers. His Excell^{cy} acquainted the Councill, that persuant thereunto, he had Issued his Orders (w^{ch} he shewed to y^e Board) to all Navall Officers, Collecto^{rs}, Sheriffs & Justices wthin this Govern^t to use their utmost diligence, to arrest, seize, & secure the Ships, Persons, & Effects of all such Pirates & Sea Rovers accordingly, & desired their advice If any thing more necessary, who are of Opinion, that there is nothing wanting or further to be done therein.

His Excellency was pleased to lay before the board a Letter from y^e Lords of y^e Councill for Trade & Plantations, of y^e 23^d of February 1697-8, wth a Proclamacon inclosed, prohibiting his Maj^{ties} Subjects to enter into y^e service of Forreign Princes, & States, & to cause it to be published in the Usuell places wthin this Maj^{ties} Govern^t, & that he did forthwth send his Orders wth Proclamacons to y^e respective Countys for publishing the same in y^e Usuell Places wthin this Govern^t, w^{ch} he recommended to their particular care to be observed; his Excell^{cy} also desired y^e Opinion of y^e Councill, on a Paragraph of the s^d Letter, intimating the needfullness of having persons constantly

residing in England as Agents, It is further the Opinion of y^e Councill, that the further Consideration thereof (there being so few of them) be referred to y^e Next Councill.

Upon Reading a Letter from the Com^{rs} of his Maj^{ties} Customs of y^e 29th day of Novemb^r, 1697 for y^e discharge of a Bond s^d to be given in y^e year 1694 by Cap^t Williams Command^r of y^e Ship Katherin foundred at Sea; His Ex^{cy} delivered to M^r Attorney Gen^l the Lett^r & Affidavitt to be affixed to y^e s^d Bond.

His Excellency having directed a Coppy of y^e Laws now in force to be put into one body persuant to their Lordships Commands of y^e 2^d of Septemb^r w^{ch} having been considered by y^e Gentlemen appointed to revise y^e same, persuant to former Ord^{rs} of Councill, they report, they cant further proceed therein, being a matter of great Weight & Importance. It is y^e Opinion of y^e Councill, that y^e further consideration thereof, is referred to y^e Next Councill.

His Excell^{cy} was pleased, persuant to commands from y^e Lords of his Maj^{ties} Councill for Trade & Plantacons in their Letter of y^e 2^d of Septemb^r 1697, (w^{ch} his Excellency formerly laid before y^e Board) relating to y^e Act for Ports, signifying that though y^e Act made for y^t purpose hath been thought inconvenient, & therefore y^e Execution thereof suspended, & though perhaps it may not be adviseable to make any full, or possitive regulation therein, Yet the end being good, wished his Ex^{cy} that he would prepare, & send their Lordships a draft of an Act, y^t may have some tendency toward it (though not full) that might best suite y^e Circumstances of y^e Country. His Excell^{cy} desired y^e advice & assistance of y^e Board, for such a draft of an Act, as is directed by their Lordships, who upon reading & further Consideracon thereof, are of Opinion, the appointing of Places, for y^e loading, & unloading of goods & Merchandizes only tends to y^e same Effect, & the most suitable to y^e Circumstances of y^e Country & Conceives, answers an act for that purpose.

E Jenings Dep^{ty} Sec^{ry}

At a Councill held at James City the 6th July 1698.

Present

His Excellency

William Byrd

Edward Hill

John Lightfoot Esq^{rs}

There being so few of the Councill Adjourned 'till tomorrow morning.

The 7th July 1698.

Present

His Excellency

W^m Byrd
Edw^d Hill

Edm^d Jenings
Jn^o Lightfoot Esq^{rs}

There being no more of the Councill present The Consideration of y^e draught of an Act relateing to Ports referred to this Councill tho

omitted to be Inserted in the last order. as also the reviseall of y^e lawes & Sending of Agents to reside in England is Continued to a fuller Councill.

The 8th July 1698.

Present

His Excellency

W^m Byrd
Edw^d Hill

Edmund Jenings
John Lightfoot Esq^{rs}

It haveing pleased Almighty God to visit Severall parts of this his Maj^{ties} Colony & Dominion of Virginia with great Sickness & Mortality. His Excy was pleased with the Advice of y^e Councill to appoint a Day of publick fasting & humiliacon to be kept & observed at James City & parts adjacent on fryday the 15th of this Instant July and on fryday y^e 22^d through the whole Dominion to Deprecate the Divine displeasure for our Sins & implore his Mercy & favour in the restoreing health in our habitations and that M^r Attorney Generall do prepare Proclamations to Signify the Same accordingly.

Coll^r Christopher Wormeley Navall officer & Collector of his Maj^{ties} Dues Ariseing in this Country of the lower district of Potomack river being lately dec^d his Excy was pleased to aske the advice of y^e Gent: of the Board what persons proper in those parts to Execute the said office who acquaint his Ex^{cy} that they know none there but M^r Sam^l Griffin late Dep^{ty} to Coll^r Wormeley.

Upon reading the petition of Walter Cock Setting forth that he with John Smart of this Collony haveing purchased a Shipp at Caroso called the Hope one Deck & a halfe, Square Stern'd about Seventy five Tuns built at New York in America in 1695, which Shipp being without Register as appointed by Act of Parliament. the Petition^{rs} therefore pray that the Ship Hope may be Registered & Admitted to trade, or [on] consideracon thereof It is y^e opinion of the Councill that the s^d Shipp be Registered he the said Cock giving bond with good & Sufficient Security of five hundred pounds Sterl. that the Shipp Hope Shall goe for England & Answer the Comission^{rs} of his Maj^{ties} Customs to what may be objected against her.

His Excy was pleased to appoint the Councill to meet the 17th of August next.

At a Councill held att James City the 18th August 1698

Present

His Excellency

M^r Sec^{ry} Wormeley
William Byrd

Edward Hill
Edm^d Jenings
Richard Johnson Esq^{rs}

His Excy haveing formerly laid before this Board a Letter from the Lords of the Councill for Trade & plantations directing the draught of an Act that hath Some tendency to the Act for Ports that may best

Suit to the present Circumstances of this Country for their proceedings thereon upon further Consideracon and Debate of the Same It is the opinion of the Councill that it be referred to next Councill for a fuller Board.

The Gentlemen of the Councill appointed to revise the Lawes of this Countrey pursuant to Comands & Directions from the Lords of the Councill for Trade & plantations are Ordered to make their report to the Board in writing why they have made no effectuall progress therein

The Lords of the Councill for Trade & plantations by their Letter of the 23^d of Feb^ry 1697-8 haveing intimated the needfullness of Sending Agents to reside in Engl^d for this his Maj^{ties} plantation which haveing been laid by his Excy before former Councills for their Considerations & proceedings thereon & being referred from the last Councill & againe read & debated It is the opinion of the board that the same be referred to the meeting of the next Gen^l Assembly.

His Excy was pleased to have read in Councill a Letter from the Lords of the Councill for Trade and plantations of the 21st March 1697-8 in which was inclosed a copy of an Act passed in the Island of Jamaica for the restraineing & punishing Pyrates & Privatiers directing his Excy to promote the passing of an Act to the Same effect in this His Maj^{ties} Colony of Virginia.

His Excy was pleased with the Advice of the Councill to appoint a Gen^l Assembly to meet at James Town the 28th September next and Ordered, that writts be prepared for the Election of Burgesses accordingly.

His Excy laying before the Board a Letter from the Governo^r of Maryland of the 2^d June 1698. with severall other papers & a copy of a warrant lately issued under the hands & Seales of the Governo^r and three of the Councill directed to the Sherriff of S^t Maryes for the apprehending M^r John Cood Gerrard Sly & others in which he desires his Excy to give Orders for the apprehending of the s^d Cood & Sly & others if within this Government, on Consideracon of the whole matter and in regard his Excellencys warrant was before issued & still lyes out for y^e apprehending of the s^d M^r John Cood if within this Governm^t and also that it doth not appear that the s^d Sly & others are fledd or any proceedings to warrant the taking them up but in S^t Maryes County. It is the opinion of y^e Board that nothing can or Ought to be more done by his Excellency therein.

The 19th August 1698

Present

His Excellency

M^r Sec^ry Wormeley
William Byrd

Edward Hill
Edm^d Jenings

Rich^d Johnson Esq^{rs}

Upon reading a Letter from M^r will^o Allerton of the 14th July 1698. acquainting his Excy that M^r Spencer was gone for England &

had left him his Deputy in the Collecto^{rs} Office & requested him that he would send to his Excy a Complaint against the Court of Northumberland County Dated the 20th May 1698, for not admitting y^e Shipp Johannah of New York (under Seizure) to tryall which Letter his Excy rec^d the 26th of July last and Immediately referred the Same to the Attorney Gen^l who reports that he can find no Sufficient ground of Complaint against the said Court. It appeareing also that the Shipp Johannah of New York was Registered and Sailed before y^e time of the date of the aforesaid Letter on Consideration thereof It is the opinion of the Councill and Ordered that the said Court of Northumberland County do return answer to the afores^d Complaint and that M^r Allerton do forthwith return an account of y^e s^d Shipp Johannah & also what further proceedings hath been made therein.

The Severall Petitions to his Excy wth Accounts and Claimes of money due for publick Services Referred to M^r Auditor Byrd to Examine and report the next Councill.

Abraham Spranger Attorney of James Wagstaff and Owners of the Shipp Ruth & Mary by his petition Setting forth that whereas the said Shipp Ruth & Mary was brought into this his Maj^{ties} Governm^t and her with the Loading put into the possession of Coll^o Edmund Jenings And that whereas by a Decree of the high Court of Admiralty the s^d Shipp & Loading was adjudged to the said Wagstaff & Owners. It is therefore Ordered, that the said Coll^o Edmund Jenings Deliver the Same pursuant to the s^d Decree.

E Jenings Dep^{ty} Sec^{ry}

Virginia Sc^t

At a Councill held at James City y^e 29th September 1698.

Present

His Excellency S^r Edm^d Andros Kn^t Gov^r & c.

M^r Auditor Byrd

Edm^d Jenings

Edward Hill

John Lightfoot Esq^{rs}

His Excellency acquaints the Board he was in hopes of a fuller Councill especially on this Occasion of the Assembly which now was necessary to be Spoke to. And that there Stood referred to the Councill his Maj^{ties} Comands relating to the revisall of y^e Lawes and for Ports, the matter relating to Agents, and the Lords of the Councill's Comands for restraineing of Pyrates & Privateers, and further named the heads of what he thought proper to be mentioned to the House of Burgesses in his Speech viz^t His Maj^{ties} Command^s for the passing an Act for restraineing & punishing of Pyrates & Privateers to recomend to them the observing an Act of Parliam^t of the 7th & 8th of his maj^{ty}, his Maj^{ties} Indulgence to this Governm^t, And the Debt on the revenue And also their Consideracons of Settling ferryes & Licentious abuse of Strong drink & Occasions of immorality & Vice, and ascertaineing Jury men to attend Courts; And desired the Councill if they thought any thing further Necessary they would acquaint him with it, the Councill are of Opinion that what is above recited is well And Nothing further proper to be Spoke to by his Excellency on this Occasion.

October 5th 1698.

Present

His Excellency

Richard Lee
M^r Auditor Byrd

Edward Hill
Edm^d Jenings
John Lightfoot Esq^{rs}

His Excellency was pleased to lett the Councill Know that there Stood referred to their Consideration his Maj^{ties} Comands relateing to the revisall of the Lawes & Act for Ports And the matter relateing to Agents of which desired their resolution.

His Excellency was pleased to Acquaint the Board that he understood there was one of the House of Burgesses that was not a Native of England, Ireland or the plantations, the Act of Parliam^t for preventing Frauds & regulating abuses in the plantation trade and the Lords Justices Comands therein being read desired the Advice & Consideration of the Councill thereupon, which being a matter of Moment the Councill pray further time for Consideration thereon, and is referred 'till tomorrow Morning.

October 6th 1698.

Present

His Excellency

Richard Lee
William Byrd

Edward Hill
Edm^d Jenings
John Lightfoot Esq^{rs}
Francis Clements Sworn Clerke of y^e Councill

His Excellency haveing been yesterday pleased to acquaint th's Board that he und rstood there was one of the members of the House of Burgesses who was not a Native of England Ireland or the plantations, the Act of Parliam^t for preventing Frauds & regulating abuses in the plantation trade And the Lords Justices Comands thereon being read: desired the Advice & Consideration of the Councill thereupon which being a matter of Moment the Councill prayed further time for Consideration thereon And the Same Standing referred to this day—It is the Opinion of the Councill that the Same is within the above recited Act of Parliam^t His Excellency thereupon desired the Opinion of the Board what measures might be proper to be taken on this occasion, Are of Opinion that the House will hardly be prevailed with to discharge the said member, whereupon his Excellency was pleased to Say that for Avoyding greater inconveniencies he could think of no other way but to give them a recess.

October 7th 1698

Present

His Excellency

Richard Lee
William Byrd

Edward Hill
Edm^d Jennings
John Lightfoot Esq^{rs}

On Informacon from y^e Lords of His Maj^{ties} Councill of trade of great Complaints against Pyrates & Sea Robbers, Ordred that a Proclamation issue prohibiting y^e Entertaineing. And for Seizeing of Such if found in this Government.

Ordered that the Gentlemen of the Councill appointed to revise the Lawes of this Countrey pursuant to Commands & directions from the Lords of the Councill of Trade & plantations And Order of this Board have Notice given them to make their report at the next Councill.

The Consideration of a Letter from the Lords of the Councill for trade & plantations directing the draught of an Act that hath Some tendency to the Act for Ports that may best Suit to the present circumstances of this Country referred by an Order of Councill to the next for a fuller Board is referred to the next Councill

The Consideration of Sending of Agents to reside in England referred to the next Councill

His Excellency haveing laid before this Board a Letter from his Excellency the Governo^r of Maryland of the 6th of September 1698. wherein it is Signified that he had transmitted to his Excell^{cy} a transcript of a Second Bill of Indictment against M^r John Cood now found by the Grand jury, Also copies of the representations of his Maj^{ties} Justices of the Provincia^l Court & the Grand-Jury relateing to the said Cood, & the late troubles & Comotions by him raised & Set on foot in that Province, upon which Occasion, he is obliged with the Advice of his Maj^{ties} Hono^{ble} Councill there to press his Excellency once more that he will take Such effectuall care that the said Cood may be very Speedily Secured & delivered up to Justice in that Province, for prevention of further disturbance for Securing the peace of that his Maj^{ties} Province, this Board haveing fully Considered the whole matter, And his Excellency haveing upon the first Notice thereof issued his Warrant for Apprehending the said Cood by which he might have been taken if in Virginia. Are of Opinion that nothing further is proper to be done at this time but that copyes of all papers & proceedings concerning the Same be transmitted for England.

A Survey of a certain quantity of Land on the South Side of the blackwater Swamp given by his Maj^{ties} gracious Charter to the Trustees for the use of the Colledge of William & Mary being brought from the Secretaries Office & laid before this Board is referred to the said Trustees for their approbation.

Ordered, that all Shippes or vessells coming into this Dominion be rated for payment of the fort Duties according to the tunage Exprest in the Certificates of their Severall Registers.

The Consideration of the Rangers is referred to the meeting of the Council in the time of the Generall Court.

At a Council held at James City the 15th October 1698.

Present

His Excellency S^r Edm^d Andros Gov^r & c.

Richard Lee

Edm^d Jenings

Edward Hill

John Lightfoot Esq^{rs}

His Excellency was pleased this day to move in Council that there being a vacancy in the Council, whether there was not an absolute & immediate Necessity of Supplying thereof. It is the Opinion of this Board that the s^d Vacancy be forthwith Supplied, His Excellency thereupon was pleased to name Maj^r Dudley Digges which was to the great Satisfaction of y^e Council.

His Excellency having this day Communicated to this Board a Letter from his Excellency the Governo^r of Maryland dated the 3^d of October Instant wherein he desires his Excellency to Give Orders for the apprehending & delivering up of M^r John Cood Sen^r to Justice in that Province with Duplicates of the presentment of the Grand-Jury & the representations of the Grandjury and Gentlemen the Justices of his Maj^{ties} Provinciall Court & copy of a Proclamation issued there which being Considered by this board, are of Opinion, that all care therein hath been taken hitherto but upon the copy of a Proclamation Sent by the Governo^r of Maryland dated the 14th of September last Ordered that a Proclamation be prepared for apprehending the Said Cood if in Virginia.

October 17th 1698.

Present

His Excellency

Richard Lee

Edm^d Jenings

Edward Hill

John Lightfoot Esq^{rs}

Majo^r Dudley Digges having first taken the Oathes appointed by Act of Parliament to be taken in Stead of the Oathes of Allegiance & Supremacy & Subscribed the test was Sworn of his Maj^{ties} Council and took his place at the Board accordingly.

Present

His Excellency

Richard Lee

Richard Johnson

Edward Hill

John Lightfoot

Edm^d Jenings

Dudley Digges Esq^{rs}

A Proclamation being prepared & read at the Board for the apprehending John Cood Sen^r late of S^t Maryes County in Maryland (if found within this his Maj^{ties} Dominions of Virginia) in which the respective Sherriffs are Comanded to Secure y^e Said Cood if taken And

forthwith to give Notice to his Excellency or One of his Maj^{ties} Council of this Dominion. Ordered, that the Same be issued And upon such Notice given of the Said Cood apprehended to be forthwith Signified to the next Justice of the Peace resideing in Maryland Acquainting him in what County & whose Custody the said Cood is, for the said Governments Sending to receive him And that Care be taken for the Safe delivery of the Said Cood to Such person or persons as they shall Send, & for all necessary Assistance for his Safe Conveyance hence.

At a Councill held at James City the 20th October 1698.

Present

His Excellency S ^r Edm ^d Andros Kn ^t Gov ^r & c.	
Ralph Wormeley	Edm ^d Jenings
Richard Lee	Rich ^d Johnson
Edward Hill	John Lightfoot
	Dudley Digges Esq ^{rs}

His Excellency takeing into Serious Consideration the unfortunate Accident which this day happened to the State house by being burnt down & the Publick records & papers of this Countrey (there kept) which were forced to be hurried Out & thrown into heaps & desiring the Opinion of the Councill what present Care Should be taken thereof likewise called into The Councill Chamber Such of the Noted Gentlemen of this Countrey as were present in Town of which appeared William Randolph Esq^r Maj^r Lewis Burwell, Coll^o Phillip Lightfoot Cap^t W^m Leigh Cap^t Gawin Corbin, M^r Benjamine Harrison Maj^r Peter Beverley, Maj^r Thomas Ballard, Cap^t Miles Carey, Cap^t John Taylor Cap^t W^m Buckner & Cap^t George Marable. It is considered & accordingly agreed that M^{rs} Sherwoods brickhouse in James City (if it may be obtain'd) is the Most Secure & Convenient place for the present Lodging the said Records Whereupon the said Gentlemen being retired It is Ordered that Peter Beverley Gent. Clk. of the House of Burgesses and Robert Beverley Gent Clk Gen^l Court do forthwith go to M^{rs} Sherwoods & aske her Consent for the use of her Porch Chamber & Chamber Adjoyning in her said house for the said papers & the said Peter Beverley & Robert Beverly being returned report to this Board that She is well Satisfied & willing to Spare the Said rooms for that use.

It being represented to this Board that it is Suspected the State house was purposely and willfully Sett on fire. Ordered, that Phillip Lightfoot Esq^r & George Marable Gent two of his Maj^{ties} Justices of the Peace for this County of James City being now in town together with Lewis Burwell William Leigh Benj^a Harrison John Taylor & Miles Cary Gent make Strict inquiry into the begining & Cause of the said fire & take what Orders Shall be necessary therein.

His Excellency being pleased to aske the advice of the Councill in what place the Gen^l Court Should now be held the State house being lost by fire It is the opinion & Advice of y^e Council that the

Same be held in the great Hall at M^{rs} Sherwoods house 'till farther conveniencies are made, And Ordered accordingly.

Coll^o Samuell Griffin who was formerly Continued Deputy Navall officer & Collector *pro tempore* upon the Death of Coll^o Christop^r Wormeley Navall officer & Collecto^r of the Country Dues in the Lower district of Potomeck river being unable to discharge so great a trust and Service by reason of age & Infirmities & the Council not knowing of any other person near Thereto capable & responsible for the s^d office & trust but Coll^o Richard Lee The present Navall Officer & Collecto^r in the upper district his Excellency thereupon was pleased to appoint the said Rich^d Lee to be Navall officer & Collecto^r of the said Lower district.

October 21st 1698.

Present

His Excellency

Ralph Wormely
Richard Lee
Edw^d Hill

Edmund Jenings
Richard Johnson
John Lightfoot

Dudley Digges Esq^{rs}

Ordered, that Publication be immediately made in all publick places in James City that all persons that have found or know of any persons that have found or taken up any bookes or papers which may have been Scattered by reason of the Accident of fire which happen'd to the State House forthwith give an account Thereof & bring the Said Bookes & papers into the Secretaryes office now kept at M^{rs} Sherwoods brick house in James City. And Proclamations to be prepared for the whole Country.

His Excellency understanding that the Gen^{ll} Records & papers of this Countrey both those belongin to the Assembly those belonging to the Gen^{ll} Court & Secretaryes office are altogether disordered & mixed one with the other desired the Advise of the Council what further Care Should be taken of them It is the opinion & Advice of the Council that the Same Should be listed as well all the papers as bookes & records & to be lodged in their Severall offices and that Peter Beverley & Robert Beverley being best acquainted with the s^d Records perform The Same as Soon as Conveniently may be & that they return an Account of their proceedings therein.

The Gentlemen appointed to make inquiry into the rise & first Cause of the firing the State house haveing made return thereof Ordered, that it be put into M^r Attorney Gen^{lls} hands for his regard thereof.

William Randolph his Maj^{ties} Attorney Gan^{ll} haveing petitioned to his Excellency as he hath done Severall times before to have Leave to Lay down the office of Attorney Gen^{ll} & to be discharged therefrom which his Excellency was pleased to lay before this Board. It is the opinion of the Council that he have Leave to lay Down his Said place at the End of this present Gen^{ll} Court, & be then discharged.

October 22, 1698.

Present

His Excellency

Ralph Wormeley

Edward Hill

Richard Lee

Edm^d Jenings

Rich^d Johnson Esq^{rs}

Pursuant to his Excellencies Comission Granted to Rich^d Lee for Navall officer & Collecto^r in the Lower district of Potomeck river the said Lee haveing first taken the oaths appointed by Act of Parliament to be taken in Stead of the Oathes of Allegiance & Supremacy & the test took the Oath of Navall Officer & Collector of two shillings per hh^d & port Duties.

Pursuant to his Excellencies Comission Granted to Gawin Corbin Gent to be Collector of his Maj^{ties} Duties Ariseing by Virtue of the Stat: 25th King Charles the Second within the district of Rappahanock river in the roome of Coll^o Ch^r Wormeley dec^d The said Corbin haveing first taken the Oathes appointed by Act of Parliam^t to be taken in Stead of the Oathes of Allegiance & Supremacy & the test tooke the Oath of Collecto^r aforesaid.

October 24th 1698

Present

His Excellency

Ralph Wormeley

Edm^d Jenings

Richard Lee

Rich^d Johnson

Edward Hill

Dudley Digges Esq^{rs}

Cap^t John Aldred Commander of his Maj^{ties} Shipp the Essex Prise haveing by Letter Complained to his Excellency for want of provisions and Credit for Supply of his Maj^{ties} said Shipp, which his Excellency was pleased to Lay before this Board, and haveing sent for said Aldred who Said that when he wrote the said Letter his Excellency prest him in time to Cruise but now the Season of the yeare haveing a Little further Advanced he had the promise of as many Beeves as he wanted & believed he could now be Supplied with all the provision he wanted haveing time given him, is allowed he makeing dispatch & his Shipp to be at point Comfort in readiness for present Service.

The Gent. of the Councill appointed for the reviseall of the Lawes being called upon do Say they Shall be ready to make their report tomorrow morning.

Pursuant to former Orders of Councill Rich^d Lee, Richard Johnson & Dudley Digges Esq^{rs} are appointed to make report of the draught of the Act for Ports tomorrow.

His Excellency remindeing the Councill upon a Paragraph of the Letter from the Right Hono^{ble} the Lords of his Maj^{ties} Councill for trade & plantations for appointing Agents for this Colony to reside in England. It is the opinion of the Councill that M^r William Byrd be appointed Agent.

October 26th 1698.*Present*

His Excellency

Ralph Wormeley

Edm^d Jenings

Richard Lee

Rich^d Johnson

Edward Hill

John Lightfoot

Dudley Digges Esq^{rs}

The Gentlemen of the Councill appointed to revise the Lawes haveing made their report in these words Whereas the R^t Hono^{ble} the Lords of his Maj^{ties} Councill for trade & plantations by their Letter of the Second of September 1697 Were pleased to Comand his Excellency that the Lawes of this Countrey should be revised & those in force Compiled in one body & ca. And Whereas his Excell^{cy} thought fitt to Lay the Same before the Councill And by Order of Councill of the 8th march 1697-8 We the Subscribers were appointed to revise the Same And his Excellency haveing Caused the Said Lawes in force to be put into one body which being perused & Considered by us, do report that the Same is as effectuall & full as can be done by us, dated the 25th day of October 1698. which the Councill agreed to.

It being moved at the board whether all Tobacco brought from other ports to be Shipped in this Government should pay the Duties here Ordered all Tobacco Shipped in Virginia pursuant to his Maj^{ties} Commands pay Virginia Duties.

October 28th 1698*Present*

His Excellency

Ralph Wormeley

Edm^o Jenings

Richard Lee

Rich^d Johnson

Edward Hill

John Lightfoot

Dudley Digges Esq^{rs}

The Letters & papers concerning the proceedings in Maryland against John Cood Sen^r being transcribed & perused in Councill, Ordered that they be transmitted to England with the other publick papers.

The Gentlemen appointed haveing made report of a draught of an Act for Ports, in y^e following words (viz^t) the paragraph of the Letter to his Excellency from the Lords of his Maj^{ties} Councill of Trade & plantations relateing to the Act for Ports in Virginia. Signifying that tho the Act made for that purpose hath been thought Inconvenient and therefore the Execution thereof Suspended, And though perhaps it may not be advisable to make any full & positive regulacon therein yet y^e End being good, wished his Excellency that he would prepare & Send their Lordships the draught of an Act that may have some tendency towards it that might best Suit the circumstances of y^e Country being formerly by his Excellency laid before y^e Councill and referred to us to report thereupon we are of opinion that the appointing of places for ports for the Loading & unloading only the

goods and Merchandizes in the four great rivers (viz^t) two in each river Except James river where there might be three viz^t one at James City, another in the Freshes and another in the Salts in all which ports if his Maj^{ty} had ware houses built as is done in the Ports of England would mightily Advance & facilitate the End proposed & be most Suitable to the Circumstances of the Countrey especially if all due encouragement were given to such ports and to all persons that would then be invited to reside in them & that no Limitations or restrictions should be put upon them except what are absolutely Necessary to the advancement of trade & agreeable to the practice of the most Skilfull trading people it being more Adviseable to draw trade then to force it, with Generall heads we hope with Submission may Answer the draught of an Act for ports which is approved of by the Councill

In consideration of the Act appointing Rangers which expires the last of this month & his Excell^{cy} desiring the Councills opinion & Advice thereon It is the opinion & Advice of the Councill that the winter being now Entred & no apprehensions yet of any Indian Enemy there is no Occasion of keeping up the s^d Rangers any Longer.

Whereas at the last Councill the Severall Acco^{ts} of Claimes upon his Maj^{ties} revenue of this Country were referred to M^r Auditor Byrd to Examine & report to this Councill and the s^d Auditor being hindered therein by his Sickness & Indisposition which Still continued & not haveing made report thereof but return'd them to this board for their Consideration whereupon y^e Councill takeing the same into Examination doe think fitt that there be allowed as followeth

To Richard Dunbar for Extraordinary Services as Gunner at Tindalls point.....	2: 8:6
To: Edward Challice for Messages.....	4:15:0
To Hugh Challice for Messages.....	2:10:0
To: William Wager for Messages.....	12:10:0
To: m ^r James Sherlock to Messages p ^d by him.....	2:10:0
To: John Kingson of Glost ^r County for Messages.....	4: 7:6
To: Robert Beverley for Messages p ^d by him.....	15: 0:0
To: Thomas Wells for Messages p ^d by him.....	6: 0:0
To: Roger Williams Cooper for trimming the powder barrels	7:10:0
To: Edward Ross for messages.....	3:15:0
To: Coll ^o Edm ^d Jenings for so much p ^d by him for Messages & tarr for y ^e Carriages at York.....	4: 5:0
To: Cap ^t W ^m Randolph Exec ^r of Hugh Davis for Messages p ^d by him.....	
To: John Chiles for messages.....	1:10:0
To: M ^r Peter Heyman for messages.....	15: 3:0
To: W ^m Wager for messages he paying Edw ^d Ross for his horse & 20 s. borrowed of him as menconed in y ^e ac- count.....	6:15:0
	90: 9:0

Upon Examination of the Gunners Claime at Tindalls point the Councill finding a Clayme for Storage in Secureing the Stores of Warr

there. Ordered that there be a Survey made of the house built at the said point for the said Services and what the repaire thereof will Cost and that the Same be reported to the next Councill

The Severall Claymes for Services done relateing to his maj^{ties} Shipp the Swift Advice boat lost the last winter are referred to M^r Auditor Byrd to be Considered with the account of Stores left in this Countrey by the Comander of his Maj^{ties} said Shipp.

M^r Sec^{ry} Wormeley having represented to his Excell^{cy} that according to Verdict found against Arthur Jarvis of James City Yeoman for Burglary & Felony, he had passed Sentence of Death upon the said Arthur and that he the said Arthur had begged to be transported, His Ex^{cy} was pleased to aske the advice of the Councill what was proper by him to be done therein. The Councill are of Opinion & accordingly doe represent to his Ex^{cy} that the said Arthur is a fitt object of Mercy his Excellency thereupon was pleased to declare that the Said Arthur is hereby reprieved for transportation.

William Randolph Esq^r his Maj^{ties} Attorney Gan^{ll} haveing considered the Evidences taken relateing to the fireing the State house, made report that he could find no proof whereby to call any person in Question for the Same but only found some Circumstances in the depositions whereby Arthur Jarvis may be Suspected of doeing the same but not Sufficient to ground any proceedings thereupon.

William Randolph Esq^r his Maj^{ties} Attorney Gen^{ll} haveing delivered a bundle of bonds taken to his Majesty & other papers put into his hands as by list therewith delivered he haveing now laid down the said office, Ordered that they be Lodged in the Clk of the Councills office

October 29th 1698

Present

His Excellency

Ralph Wormeley

Edm^d Jenings

Richard Lee

Rich^d Johnson

Edward Hill

John Lightfoot

Dudley Digges Esq^{rs}

Upon Consideration of Cap^t William Randolphs laying down the office of Attorney Gen^{ll} And the opinion of the Councill his Maj^{ty} Should not be without An Attorney And that M^r Bartholomew Fowler who has frequently been of Councill for his Maj^{ty} in assisting the said Attorney Gen^{ll} is a fitt person his Excellency was pleased to appoint the said Fowler who being called in after haveing taken the Oathes appointed by Act of Parliament to be taken in stead of the oathes of Allegiance & Supremacy & Subscribed the test was Sworn his Maj^{ties} Attorney Gen^{ll} for this Colony.

E Jenings Dep^{ty} Sec^{ry}

Virginia fs

In the Councill Chamber At James City the Ninth day of Decemb^r 1698

Present

His Excellency Francis Nicholson Esq^r His Maj^{ty}s Lieut & Gov^r & c:
 Edward Hill Edmund Jenings
 John Lightfoot Esq^{rs}

William Byrd Esq^r and Richard Johnson Esq^r, being by sickness unable to attend at this Councill, made their Excuses (for being absent) in their severall Letters directed to his Excellency, which he was pleased to allow of, and Ordered that they be entered in the Councill Bookes.

Charles Scarburgh Esq^r by reason of the great distance of his Habitacon from James City, and the difficulty of passing the great Bay of Chissapeake could not have timely intimacon of this meeting of the Councill, therefore he was not present.

His Excellency Francis Nicholson Esq^r was pleased to Comunicate to the Councill His Most Gracious Maj^{ty}s Comicon dated the twentyeth day of July in the tenth Year of his Reign, Under the Great Seal of England, Granted unto Him to be Lieutenant and Governour Generall of Virginia, And the State House being lately (by an unhappy accident) burnt down, His Excellency desired to know which was the most proper Place for the Publicacon of His said Comicon, in Order to the Execucon thereof; And the Councill acquainted his Excellency that since the burning of the State House, the Generall Court had been held, and all other Publick affaires transacted in the Great Hall Rented at the Publick Charge (for the Service of the Countrey) of M^r William Sherwood lately deceased.

Whereupon His Excellency and the Councill went down into the Great Hall aforemenconed, and there Caused his Said Comicon to be published, the same being read (in the presence and hearing of Severall Persons then present) by Bartholomew Fowler Attorney Generall;

After which was read a Comicon from the High Court of Chancery in England, directed to Philip Ludwell Esq^r and severall others empowering them or any two of them, to administer to His Excellency the oaths thereto annext, being the Oath of a Governour, and the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy; which were accordingly administered to His Excellency together with the Test, appointed to be taken by the Statute of the twenty fifth of Charles the Second.

Then His Excellency published that parte of His Maj^{ty}s Royall Instrucccons to Him, which appoints the Councill of this Dominion of Virginia, Whereby His Maj^{ty} was pleased to nominate and constitute Ralph Wormley, Richard Lee, William Byrd, Edward Hill, Edmund Jenings, Daniel Parke, Charles Scarburgh, Richard Johnson, John Lightfoot, John Armistead, Matthew Page, and Benjamin Harrison Sen^r Esq^{rs} to be His Councill of State for this His Colony and Dominion of Virginia

And Accordingly His Excellency administered the Oaths appointed

by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy, and the aforementioned Test, and the Oath for the due Administracon of the Office of a Councillor, unto Edward Hill, Esq^r, Edmund Jenings Esq^r, John Lightfoot Esq^r, Matthew Page Esq^r, and Benjamin Harrison Esq^r, they being all the members of the Councill then present.

Then The Oath for the due observacon of the Severall Acts of Parliament relating to Trade, appointed, by the Act of the Seventh and Eighth yeares of His present Maj^{ty}s Reign, Intituled an Act for preventing frauds and regulating abuses in the Plantacon Trade, to be taken by the severall Governours of the Plantacons for the time being, or at the Entry into their Offices, by all such as should thereafter be made Governours of the Plantacons, was pursuant to a Comicon under the Great Seal of England, Dated the thirtyeth day of August, in the ninth year of His Maj^{ty}s Reign, duely Administered unto his Excellency.

Then, a Comicon to his Excellency from the Comissioners for Executing the Office of Lord High Admirall of England Ireland & c to be Vice-Admirall of Virginia, was published, and the Oaths and Test appointed by Act of Parliament, were administered to Him by Philip Ludwell, Benjamin Harrison of the County of Surrey, Matthew Page, and Benjamin Harrison of Berkeley in the County of Charles City, by Virtue of and Pursuant to a Power to a Power to them given by the said Comissioners, Dated (under the Seal of the Admiralty Office) the Eighteenth day of August 1698. After All Which, His Excellency and the Said Edward Hill, Edmund Jenings, John Lightfoot, Matthew Page, and Benjamin Harrison Sen^r Esq^{rs} Subscribed the Association menconed in an Act of Parliament made the Seaventh and Eighth yeares of His Maj^{ty}s Reign intituled An Act for the better Securing His Maj^{ty}s Royall Person and Government.

Ordered, that all the aforementioned Comicons, Oaths, and Subscriptions be entered in the Councill Bookes, and in the Records in the Secretaries Office.

A Proclamacon being prepared directing that all Officers and Magistrates both Civill and Military, should continue to execute their Severall Offices and trusts respectively within this Government, untill further Order should be given therein, His Excellency Signed the same, And by the Advice of the Councill, Ordered, that the Seal of the Colony be affixed thereto, and that the Said Proclamacon be forthwith dispersed and published in the everall Countyes throughout this Dominion.

The Councill Adjourned till tomorrow Morning.

At a Councill held at James City the tenth day of December, 1698.

Present

His Excellency Francis Nicholson Esq^r His Maj^{ty}s Lieu^t: & c.

Edward Hill

John Lightfoot

Edmund Jenings

Matthew Page

Benjamin Harrison Esq^{rs}

His Excellency thinking it for His Maj^{ty}s Service, was pleased to Communicate to the Councill Severall of His Maj^{ty}s Royall Instrucons to Him, which were Read, and Ordered, that the same be entered in the Councill Booke, that the Gentlemen of the Councill may have resort to them as Occasion shall require.

Ordered, that M^r Auditor Byrd do prepare a State of the accounts of the Publick Revenues of this Countrey, and lay the same before His Excellency as soon as Conveniently may be, that thereby it may appear in what Condiscon those Revenues Stand at this time.

His Maj^{ty} having comanded that the Councill (besides the Oath of a Councellour) be also Sworn to do impartial Justice in the Cases of all kinds whatsoever that may come before them as Judges; Ordered, that M^r Attorney Generall do prepare an Oath pursuant to the Said Comand, to be administered to the Severall Members of the Councill, and also that he do consider what Legall Power can be given them to Act as Magistrates in any partes of the Colony, and prepare a Comicon for that Service to be laid before his Excellency and the Councill at their next sitting.

It being thought necessary to declare how process should Issue against any Councellour, Ordered, that when they take the Oath of a Judge, that parte of His Maj^{ty}s Royall Instrucon which relates thereto be publicly read

The Consideracon of His Maj^{ty}s Royall Instrucons relating to the Court of Exchequer is referred to a fuller Councill and for M^r Auditor's being present.

His Maj^{ty}s Royall Instrucons relating to the Church & c being read it is thought proper that M^r Comissary Blair be made acquainted with the Said Instrucons, and with His Maj^{ty}s Comands for the allowance of one hundred pounds a year (out of the Quit-rents) to Him as Comissary, and accordingly Ordered that he be made acquainted therewith, and that the Warrant for the said allowance be entered in the Councill Booke.

Ordered, that the Clerke of the Councill do inquire in the Secretary's office for the Lists of the Militia of this Countrey and if they are not to be found in that Office, that he give intimacon thereof to the Respective Comanders in cheif in the Severall Countyes, and Accordingly Ordered, that they do prepare and transmit the same to be laid before His Excellency and the Councill at their Next sitting

Ordered, that His Maj^{ty}s Royall Instrucons concerning particular persons taking up great quantities of Land be published the next Generall Court.

Ordered, that His Maj^{ty}s Royall Comands for Surveying the Colony, be referred the Consideracon of a fuller Councill.

Ordered, that His Maj^{ty}s Royall Instrucons relating to Quitrents and Land in this Colony and concerning the Salaries of the Governour Councill and likewise that Instrucon about the Receiver Generall, and the sale of the Quit rents, be all of 'em sent to M^r Auditor Byrd that he may give his answer thereon to the next Councill.

His Maj^{ty}s Royall Instrucons for the building of a House for the Governour, is referred till the meeting of an Assembly.

Ordered, that the respective Collectors and Navall Officers of the severall Districts within this Colony do transmit to his Excellency Copyes of their Instrucons that they have received either from England or here, and what they have received from Edward Randolph Esq^r His Maj^{ty}s Surveyor Generall of the Customes, and what Deputyes they have, and what number of printed Certificates they have, and if a Booke of Rates and all the late Acts of Parliament relating to Trade, and what fees they take.

Ordered, that the Secretary give his Excellency a List of all the Records and material papers in the Secretary's Office; and also that the Clerke of the Councill, and Clerke of the House of Burgesses do the same of all Papers and Bookes in their Possessions.

His Excellency laid before the board His Maj^{ty}s Royall Instrucons upon the Acts of Trade, the Consideracon whereof is referred to the next Councill.

Ordered, that Edmund Jenings Esq^r Deputy Secretary of this Colony, do wait upon Sir Edmund Andros late Governour of Virginia, to desire and receive of him all Letters and other Publick Papers, transmitted to him either from England or any other Place, which are in his possession relating to this Government.

Ordered, that Cap^t John Aldred Comander of His Maj^{ty}s Ship the Essex-Prize do forthwith transmit to His Excellency an Account what Condicton the Said Ship is in, and how fitted and ready for His Maj^{ty}s Service, and that he also send His Excellency a Copy of His Instrucons

Mr James Sherlock Clerke of the Councill not being present and his Excellency being acquainted that he is, and for some time hath been debilitated, and asking the Opinion of the Councill if 'tis for his Maj^{ty}s service that he be continued, and the Councill thinking that he cannot, nor is capable of Officiating, and His Excellency being pleased to desire the further Opinion of the Councill to name such Person as may be capable for that Service, they nominated Cap^t Miles Cary and Benjamin Harrison Jun^r whereupon His Excellency was pleased to appoint the said Harrison, and Accordingly Ordered, that he attend to performe that Service.

His Excellency having communicated his Maj^{ty}s Royall Instructions to the Councill, he desired they would consider thereof till monday morning, and if anything was necessary to be Offered thereupon, that they would then propose it.

The Councill adjourned till monday Morning.

At a Councill held at James City December, 12. 1698

Present

His Excellency

Edward Hill
Edmund Jenings

John Lightfoot
Matthew Page
Benjamin Harrison Esq^{rs}

Mr James Sherlock attending here and being acquainted that His Excellency had been informed he was Incapacitated to Officiate as

Clerke of the Councill, and with the proceedings of the Councill on Saturday last in relation to Him; he did acknowledge that (being deprived of the Use of His hands) He was become incapable to execute that Office whereupon he was discharged of his attendance upon the Councill, and Ordered, that he make up his accounts of what is due to him for Publick service to this day and lay the same before the Councill.

Benjamin Harrison jun^r being by His Excellency appointed Clerke of the Councill, He tooke the Oaths appointed by Act of Parliament to be taken instead of the oaths of Allegiance and Supremacy, and the Oath of Clerke of the Councill, and subscribed the Test and the Association appointed by Act of Parliament, and was admitted to attend as Clerke of the Councill.

Bartholomew Fowler being continued in the Office of Attorney Generall, He tooke the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy, and the Oath of Attorney Generall and subscribed the Test and the Association appointed by Act of Parliament

Whereas a Proclamacon dated the Seventeenth day of October, last was Issued out by Sir Edmund Andros late Governour of Virginia for the apprehending John Cood notwithstanding which it hath appeared to His Excellency both when he was in Maryland and since he hath been in Virginia that the said John Cood for some time hath and still doth live and hath comon Conversation in Westmorland County, and yet he is not apprehended Therefore M^r Samuell Thompson Sheriff of the said County of Westmorland is required to do his Duty in apprehending the Said Cood according to the said Proclamacon and the said Sheriff is also Ordered to appear before the Councill at James City the three and twentieth day of February next to shew Cause why he hath not already apprehended the said Cood pursuant to the said Proclamacon

Jonathan Dows Master of the ship Hannah and Elizabeth lately arrived from Barbadoes complaining to His Excellency that one of His men being his Cooper was pressed by an Officer belonging to His Maj^{ty}s ship the Essex Prize to his great detriment in the want of His said Cooper for trimming and hooping his Caske he having severall Barbadoes Goods on board his Said Ship

Ordered, that Cap^t John Aldred Comander of His Maj^{ty}s Said Ship the Essex Prize do immediately upon sight of this Order return the said man to the said Dows; and also that the said Aldred do forthwith transmit to His Excellency an account what he hath done in pursuance of a warrant lately granted to him by Sir Edmund Andros (late Governour of this Colony) to press seamen for His Maj^{ty}s Service on board His said Ship the Essex Prize.

His Excellency having communicated to his Councill His Maj^{ty}s Royall Comands to him, in Order to make answer whereunto it being requisite to have a full Councill, and also it being required to have severall Returnes made to His Excellency from the severall Partes and Respective Officers of this Colony, which, by reason of the badness of the season of the Year the Rivers being Usually about this time frozen

and unpassable, and the Habitacons of the severall Gentlemen of the Councill being very remote from James City, and for severall other reasons of the like nature, cannot be conveniently had in a very short time, therefore Ordered that the next meeting of the Councill be at James City the three and twentieth day of February next, at which time Consideracon is to be had of the meeting of a Generall Assembly, and what other matters His Excellency hath been pleased to lay before the Councill.

His Maj^{ty}s Service requiring his Excellency's presence in Maryland, He declared in Councill His intencons of going thither for a few days, and accordingly Sealed up His Maj^{ty}s Royall Instrucons to him as Governour of Virginia, and delivered the same into the hands of the Clerke of the Councill, to be by him in Case of Accident (which God prevent) delivered to the President of the Councill, the Comicons relating to the Government being already in the Councill Office.

Examinat et Concord cum Original

Test Benja: Harrison C^{le} Coⁿ:

[From C. O. 5, Volume 1309, N^o 53ⁱ or fo. 157]

By his Excellency

A Proclamation

S^r Edm^d Andros Kn^t his Maj^s L^t and Gov^r Gen^{ll} of Virginia To all whom these presents shall Come Greeting whereas it hath pleased Almighty God to visit many parts of this his Maj^s dominion of Virginia with great Sickness and mortality w^{ch} may Justly be feared to increase and Spread throughout y^e whole Countrey for our manifold sins and wickedness unless averted by a timely and hearty repentance I do therefore by Advice In Councill ord^r and appoint that fryday y^e 15th of this Instant July be sett apart for a day of fasting and humiliation by all and every the Inhabitants of James City and parts Adjacent and that fryday the 22^d of the said Instant be also Sett apart for a day of fasting and humiliacion by all and every the Inhabitants in all other parts of this his Maj^s dominion with prayers to almighty God to Implore his mercys and deprecate the evils justly Impending over us and the ministers and read^{rs} in their respective parishes are hereby required in their severall Churches & Chappells to perform their duties on this occasion Given under my hand and Seal of the Colony the 8th July 1698

A proclamation for a publick fast

E. Andros.

E Jenings Dep Sec.

[From C. O. 5, Volume 1309, N^o 65ⁱⁱⁱ or fo. 187.]

By his Excellency

A Proclamation

S^r Edmund Andros Kn^t his Maj^{ties} Lieu^t & Governo^r Gen^{ll} of Virginia. To all to whom these presents Shall come Greeting Whereas I have received information from the Lords his Maj^{ties} Councill of

Trade that great Complaints have have been made & dayly Continue of Manifold mischeifs Comitted of late yeares in the East Indies & other parts of the world by Pyrates & Sea Robbers and of the two favourable Entertainem^t protection & incouragement which it is Notorious have been given to many of them in Severall of his Maj^{ties} Colonies in America both in their preparation & fitting Out from Thence & in their return thither as to Secure receptacle His Majesty takeing the Same into Consideration together with the farther Consequences of Such like pernicious practices which by the resentment of Princes and States Concerned, and other wayes will infallibly more & more tend to the prejudice of Trade & bring great Scandall upon the English name & nation I Doe by Advice in Council hereby in his Maj^{ties} name require & Command all persons whatsoever that they doe not Entertaine harbour Conceale trade or hold any Correspondence by Letter or otherwise with any person or persons that shall be Deemed Privaters or Pyrates, And that all Officers Civill & Military do use their utmost diligence to Arrest Seize & Secure the Shipps persons & effects of all Such Pyrates & Sea Robbers hereby requiring the Sherriff of the County wherein any Such Seizure or Arrest shall be made to make a true & Exact Inventory of all monies Plate Jewells Goods or other effects whatsoever brought in by or otherwise belonging to the said Pyrates or Sea Robbers and forthwith Send the s^d Inventory Attested under his hand to me. Hereby Comanding all Sherriffs & other Officers both Civill & Military to be diligent in the performance of their respective Duties and all persons whatsoever to be Aiding & assisting at their utmost perills Given under my hand & the Seale of the Colony the 7th day of October in the Tenth yeare of his Maj^{ties} Reign *Annoque Dom.* 1698.

E Andros.

A Proclamation for apprehending Pyrates ec
E Jenings Dep^{ty} Sec^{ry}

[From C. O. 5, Volume 1309, N^o 65^{iv} or fos. 189-90.]

By his Excellency

A Proclamacon

S^r Edmond Andros Kn^t his Maj^{ties} Leiu^t and Gover^r Gener^{ll} of Virg^a To all To Whome these presents Shall Come Greeting Whereas I received Informacon from his Ex^{cy} Fran: Nicholson Esq^r his Maj^{ties} Govern^r & Captain and his Maj^{ties} Councill In Maryland that Coll^{ll} Jn^o Cood Late of S^t Maryes County In Maryland afores^d having Spoken Published, & uttered, Divers blasphemous, & Athisticall words & Speeches against his Maj^{ties} Peace & ye Act of Assembly of y^e Said Province & was Prosecuted for y^e same In his Maj^{ties} name *etā*, And being Privately fled from Justice & removed out of the said Govern^t upon which I did Issue out my Warrant In these words (Viz) S^r Edmond Andros Kn^t his Maj^{ties} L^t and Govern^r Gener^{ll} of Virg^a To all Sherriffs & others Whome these shall or may Concern In This his Maj^{ties} Colony and Dominion Whereas the Govern^r & Councill of Mary-

land hath acquainted me wth Process and Proceedings for blasphemy against Coll^l John Cood Late of S^t Maryes County In that Province Sent me by M^r William Ockman L^t of his Maj^{tyes} hired Ship the Prince of Orrange of y^e S^d John Cood being fled from Justice, and Privately removed Into this Colony, These are therefore In his Maj^{tyes} name to will and Require you to apprehend and take Into your Custody y^e Said John Cood (if within your Baliwick) and him Deliver to y^e S^d L^t Ockman or Shuch other person or persons Authorised from Maryland, And all Magistrates and Officers Civill and Military and others whome It may Concern, are hereby required to bee aiding & assisting to you In The Performance thereof as Occasion, for w^{ch} this shall be your Sufficient Warrant. Given under my hand and Seale this third Day of Jan^{ry} 1696-7, which warrant So Issued and Delivered to y^e Said L^t Ockman and from time to time by advice In Councill thought y^e most effectuall & Ready way for Seizing and Surrendring y^e S^d Cood (if found within this Govern^t) to y^e Govern^t of Maryland afores^d but the Said Cood by Virtue of the S^d warrant (still In force) hath not been found and that by a Copy of a Proclamacon Dated y^e 14th of September Last Past Published In Maryland and by his Ex^{cy} y^e Govern^r of y^e S^d Province Lately Transmitted to me Setting forth that great disturbances and Comotions have been raised Sett on foot and fomented by Divers wicked P^{rs}ons Evilly effected to his Maj^{tyes} S^d Govern^t and the Peace & quiett thereof and Especially by John Cood Sen^r afores^d I do therefore by advice of his Maj^{tyes} Councill hereby In his Maj^{tyes} name Require and Comand all persons whatsoever within this his Maj^{tyes} Dominion of Virg^a that [they] do not entertain harbour, abett, Conceale, or hold any Correspondency whatsoever wth y^e s^d Jn^o Cood Either by writing or otherwise and all Sheriffs & other officers In this Dominion are hereby In his Maj^{tyes} name Strictly Comanded within their Respective Countyes to use their utmost Diligence to apprehend & take y^e S^d Cood Sen^r (if found within This his Maj^{tyes} Dominion of Virg^a) and him So taken to Secure and forthwith give notice to me or one of his Maj^{tyes} Councill for further advice for his Safe Conveyance Into y^e Govern^t of Maryland & all officers & P^{rs}ons Civill and Military are hereby required to be aiding and assisting therein, and the Sheriff to Cause this Proclamacon to be Published In all Churches, Chapples Courts and other usuall Places In this Govern^t as they & Every of them will answer the Contrary att their utmost Perrill Given under my hand & ye Seale of y^e Colony this 17th Day of October In y^e tenth year of his Maj^{tyes} Reign *Annoque Dom* 1698

God Save y^e King

A Proclamacon for y^e Apprehending Jn^o Cood Sen^r

[From C. O. 5, Volume 1309, N^o 65^vⁱ or fo. 193.]

Virginia Ss^t

Bt his Excellency

A Proclamation

Seale

S^r Edmond Andros Kn^t his Maj^{ties} Lieu^t & Governo^r Gen^l of Virginia To all to whom these presents Shall come Greeting. Whereas

by unhappy Accident the State house in which the Publick Records & Papers of this Countrey were Lodged was yesterday burnt down by which meanes in the hurry Occasioned by removeing y^e s^d Records & papers Severall may have happened to be scattered or taken up by persons, & not returned, I Doe by Advice in Councill hereby in his Maj^{ties} name require & Command all persons that have found or know of any persons that have found or taken up any Bookes or papers which have been Scattered by reason of the Said Accident of fire forthwith [to] Give Account thereof & bring or return the said Bookes & papers into the Secretaries office now kept at M^{rs} Sherwoods brick house in James City or to the Clerk of the County Court where they Live by him to be returned as they will Answer the Contrary at their utmost perills, And that the Sherriffs of the respective Counties Cause this Proclamation to be published at their Courts and all Churches Chappells & other publick places in their Said Counties Given under my hand and the Seale of the Colony at James City the 21st day of October in the tenth year of his Maj^{ties} Reign *Annoque Dom* 1698.

E Andros

God Save the King

A Proclamation for bringing in the Bookes & papers which have been Scattered by reason of the fire

E. Jennings Dep^{ty} Sec^{ry}

[From C. O. 5, Volume 1309, N^o 75ⁱⁱ or fo. 237.]

Virginia Sc^t

By his Excellency

A Proclamation

Seal impression
on paper
covering
wafer

Whereas his Sacred Maj^{ty} hath by his Royall Comission bearing date at westminster the twentyeth day of July in the tenth year of his Maj^{ties} Reign Constituted and appointed me Francis Nicholson Esq^r Leiu^t and Govern^r

Generall of this his Maj^{ties} Colony and Dominion of Virginia thereby givinge and granting unto me full power to Exercise all & all manner of Jurisdictions, powers and Authoritys to y^e Same belonging Now to y^e End that y^e peace of this his Maj^{ties} Dominion may be y^e better Secured and all proceedings at Law Continued And that the ordinary Course of Justice may not be interrupted I have thought fitt by and with y^e advice of his Maj^{ties} Councill of this Colony in his Maj^{ties} name to publish and declare that all Magistrates and officers both Civil & Military do Continue and remain in all and Singular their powers, Authorities & Jurisdictions untill further order be taken therein hereby requiringe them to proceed in the Execution of their Sever^{ll} duties And all his Maj^{ties} Subjects within this Colony are to be aiding and assisting to them therein and to Yeild all due obedience to this Proclamation Given under my hand and the Seale of the Colony the ninth day of Decemb^r in the tenth year of the Reign of our Sov-

ereign Lord William the third by the grace of God of England, Scotland, France and Ireland King defender of the faith *Annoque Dom* 1698
Fr Nicholson

God Save the King

A Proclamation Continuing officers ec^a

E Jenings Dep^{ty} Sec^{ry}

A true copy *Test C: C: Thacker Cl Gen Cur*

[C. O. 5, Vol. 1410 continued.]

Virginia st

At a Councill held at James City February 23. 1698 [1698-99]

Present

His Excellency Francis Nicholson Esq^r & c.

William Byrd

Edmond Jenings

Edward Hill.

John Lightfoot

Matthew Page Esq^{rs}

William Byrd Esq^r tooke the Oaths appointed by act of Parliament to be taken in stead of the Oaths of Allegiance and Supremacy, and subscribed the Test and association appointed by act of Parliament, and tooke the Oath of a Councillour of state of this his Majesties Colony and Dominion, and took his place at the board accordingly.

Ralph Wormeley Esq^r and Richard Johnson Esq^r being by indisposition disabled to come to this Councill, made their excuses for absence, in their severall letters to his Excellency which he was pleased to allow.

Benjamin Harrison Esq^r being absent from this Councill made his Excuse to his Excellency upon the unhappy occasion of his wives death.

M^r William Lowry Surveyor of Warwick and Elizabeth City Counties, intending shortly to go out of this Country for England he desires leave to appoint a Deputy to execute his Office during his absence, and presented Captaine Miles Cary to be his Deputy, who was accordingly accepted and approved of, as a person fitt and capable for that service.

William Randolph Esq^r late Attorney Generall, when he layed down his Office having delivered to the Clerk of the Councill severall Navigation Bonds, and other papers, which were to be prosecuted on behalf of the King's Majestie, ordered, that the Clerk of the Councill deliver the said bonds and papers to the present Attorney Generall, to be prosecuted according to Law.

Whereas John Wicket of Charles City County by his petition to his Excellency hath complained that M^r James Minge Clerk of the said County took illegall fees from him, and that he gave the said Clerks account thereof to Bartholomew Fowler Attorney Generall to prosecute which he hath not yet done, Ordered that the said Attorney Generall do prosecute the said Clerk at Law for taking the said Illegall fees.

Whereas John Taylor of Charles City County by his petition to

his Excellency hath complained that he by Virtue of a Comision from the Honorable Ralph Wormeley Esq^r His Majesties Secretary of Virginia of right ought to be admitted to the office of Clerk of the Said County Court, but is hindred in obtaining possession thereof by M^r James Minge; and whereas Richard Bland and Robert Bolling two of the Justices of the said County by their address to his Excellency have set forth the great differences and disatisfactions arisen between the Magistrates of the said County, by reason of the disputes between the said Taylor and Minge concerning the said Clerks office; and whereas Charles Goodrich one of the Justices of the said County and the said John Taylor by their petition to his Excellency have set forth that they were very much scandalized by the said Minge, in that he began a prosecution against them in the said County Court for perjury, but would not proceed therein against them, that by a fair tryall they might clear their reputations; Upon consideration of all which that an end may be put to all differences and Dissatisfactions in the said County, Ordered, that The said Taylor and Minge be for the present suspended from the execution of the said office, and that M^r Secretary do appoint some fitt person to take possession of the records and papers belonging to the said County, and to execute the said office, untill the said Disputes shall be ended by due Course of Law, and that M^r Attorney Generall at the next generall Court do prosecute the Information for perjury by the said Minge Exhibitted against the said Goodrich and Taylor.

Richard Bradford of Charles City County by his petition to his Excellency having Complained against James Minge Clerk of the said County Court, for that by negligence of the said Clerk in his office, the Children of the said Bradford had suffered greatly in their right to parte of the personall estate of Richard Taylor late of the said County, of which adminstration was granted in that Court, but no security taken by the said Clerk, and that the inventory of the said estate was returned to the said Court but was lost by the said Clerk, all which appearing to be matter of Law, and not properly tryable before the Councill, the said Bradford is left to take his remedy at Law.

Richard Bland and Robert Bolling two of the Magistrates of the County of Charles City having addressed his Excellency for a new comision of the peace for the said County with the addition of some Magistrates to the same, his Excellency is pleased to order a new Comision to be prepared accordingly, and that Cap^t William Hunt, M^r Micajah Low, M^r Richard Bradford, and M^r Joshua Winn, be added to the same, whereof the first six to be named in the said Comision, shall be of the Quorum.

M^r Auditor Byrd laid before the board the accounts of the publick revenues of the Country which appear to be indebted as followeth, to witt, Due to the Auditor for Money by him paid 2774 lbs.-9-8½, warrants past but not yet paid 1577 lbs.-15-8, Salary's due on the 9th of December 1698 Exclusive, for which no warrants are issued 441 lbs.-9-3. all which summs amount to 4793 lbs.-14-7½ of which M^r Auditor hath received about 160 lbs. since his last account.

M^r Auditor Byrd laid before the board the accounts of his Ma-

jesties Quitrents in this Colony, whereby their appears to be due to His Majestie the summ of 4405 lbs.-19-00.

The petition of some of the inhabitants in the lower parts of Wilmington Parrish desiring to be taken into James City Parish refered for further Consideration till the meeting of a Generall Assembly.

A Letter from his Excellency Richard Earle of Bellamont Governour of New Yorke to his Excellency the Governour of Virginia, relating to a new trade with the Indians to the west-ward was read, and the Consideracon thereof referred till the meeting of a Generall Assembly.

Collonell Cadwallader Jones having made a proposition for the discovery of a new trade with the Indians the Consideration thereof is referred to a Generall Assembly.

Whereas the state house belonging to this his Majesty's Colony and Dominion hath lately (by accident) been burnt down, so that now there is no convenient place for the holding of the Generall Courts, and Generall Assembly's, or for transacting any other publick affairs, of that nature, and whereas there are severall publick debts due both in money and Tobacco, as particularly a years arrears to the rangers on the heads of the rivers, and the rent of the house hyred of M^r Sherwood for the Country's service, and severall other debts of that nature; and whereas there are severall of his Majestys Royall Instructions to his Excellency which are of publick concerne and great Importance requiring the advice and assistance of a Generall Assembly, as particularly the building of a house for the Governour, and surveying the Colony, this board are therefore of opinion that it is for his Majesties Service that a generall Assembly be called to meet as soon as conveniently may be, which cannot well be, till the business of the next Generall Court be dispatched for that at present James City is reduced to so mean a condition that it cannot give entertainment to the people attending both a Generall Assembly, and a generall Court together, therefore ordered, that writts be prepared for the calling a Generall Assembly to meet at James City upon thursday the 27th day of Aprill Next.

February 24. 1698 [1698-99]

The honorable Collonell Robert Quarry, from the honorable Thomas Harvey Deputy Governour and the Councill of the province of North Carolina, acquaints his Excellency and the Councill, that the said Deputy Governour and Councill of North Carolina had received orders from England for Surveying and laying out the bounds of this his Majesty's Colony and Dominion of Virginia, and that province of North Carolina and that they would in a short time send some of the members of their Councill to this Government to be joyned with such persons as should be appointed here to lay out and settle the said bounds and prayed that his Excellency and the Councill would be pleased to appoint and Impower such persons as shall be thought necessary for that service, to proceed therein when those Gentlemen from Carolina shall arrive, to which his Excellency with the advice of this board did answer that the settling the bounds between these two Col-

ony's is a matter of very great importance and publick concerne, and most proper to be done by the advice and consent of a Generall Assembly; that a Generall Assembly was to meet at James City upon thursday the 27th of Aprill next, and therefore he desired that those Gentlemen of Carolina would be here by the 29th day of the said month of Aprill, and that they might then be sufficiently impowered from that Government to lay out and settle the said bounds.

Writs to the severall sheriffs within this his Majesties Colony and Dominion for the Election of Burgesses to meet in a generall assembly at James City the 27 of Aprill next being prepared, they were signed in Councill

Ordered, that the sheriffs of the severall County's within this his Majesty's Colony and Dominion upon receipt of writs for election of Burgesses to Serve in Generall Assembly's do give timely notice to the Electors of the time and place of Election, and take all possible care and use their utmost endeavours that the said Elections shall in all points be regularly and legally made according as the laws of England and this Country in that case do provide.

February 25 1698 [1698-99]

It is the opinion and advice of this board that it is for his Majesty's service that his Excellency recomend to the Generall Assembly the settling some particular office for Mariné affairs.

The consideration of his Majesties Royall Commands relating to a Court of Exchequer is refered till the meeting of a Generall Assembly.

It is the opinion and advice of this board that it is for his Majesty's service to recommend the state of the revenues and fortifications of this Government to the consideration of the next Generall Assembly.

Upon Consideration of a fit place for the reception and sitting of the house of Burgesses in the next Generall Assembly this Board are of opinion that the house where M^{rs} Sarah Lee ^{alias} Smith lately lived now in the possession of M^r John Tullit is most convenient for that purpose, and accordingly ordered that the said Tullit do repair and fit up the said house, as he shall be directed by his Excellency, and that he lay his claim for the charge thereof before the next Assembly.

It is the advice and opinion of this board that it is for his Majesty's service that his Excellency recommend the consideration of the act for settling the Militia to the next Assembly

The Consideration of making particular officers of the Militia to Command on the frontiers of this Government is refered to the next Councill.

February 23. 1698 [1698-99]

Edward Ross Gunner of the fort at James City and Richard Dunbar Gunner of the fort at Tindalls point laid before the Councill the account of those Fortifications

February 25. 1698 [1698-99]

Ordered that William Byrd and Edward Hill Esq^{rs} do view the Fortifications at James City, and that Edmund Jenings and Matthew

Page Esq^r do view the Fortifications at Yorke and Tindalls point, and examine the severall Gunner's accounts thereof, whether they be exactly taken, and report the same to the next Council.

Ordered, that the severall Commanders in Cheif of the respective Countyes within this Colony, do take an exact account of all such Armes and Amunition as have at any time been sent into the Countyes under their commands for the publick service, and how the same have been disposed of and in what condition they are now; and transmitt such account to be laid before his Excellency and the Councill at their next Sitting.

February 23. 1698 [1698-99]

John Smiths Petition for the Escheat of Land in Middlesex, George Jordans Petition for the Escheat of Land in Surrey County; and Abraham Edwards Petition for the Escheat of William Codugin's land in Nansemund County, are referred for further Consideration till the method of Granting Escheat lands shall be settled

Ordered, that M^r Attorney Generall to [do] Consider the Statutes and laws of England and charter of Virginia and prepare a Scheme of a regular, Legall, and practicable, method of granting Escheat lands, and lay the same before the Councill against the next Generall Court

February 25 1698 [1698-99]

Ordered, that the Sheriffs of the Severall Countyes do make Proclamacon within their respective Countyes, that all persons who have any Claim to make to any Lands either in Pamunkey Neck, or on the South side of the Black Water Swamp, shall lay such Claim before his Excellency and the Councill by the end of the next Generall Court.

February 23. 1698 [1698-99]

David Jones by his Petition to his Excellency having Complained against M^r Peter Heyman, the matter of the said Petition is referred to M^r Attorney Generall for him to Consider and make report thereof.

February 25. 1698 [1698-99]

The Complaint of David Jones against M^r Peter Heyman being referred to M^r Attorney Generall M^r Attomey reports that they have composed their differences.

February 23. 1698 [1698-99]

Upon reading a Letter from the Magistrates of King and Queen County, recommending severall persons to his Excellency to be added to the Commission of the peace for that County, his Excellency was pleased to declair that M^r Henry Fox in his former place; Cap^t William Clayborne, Cap^t Willis Wilson, M^r James Howell, M^r John Waller, and M^r Richard Anderson, should be added to the said Commission, and ordered, that it be prepared accordingly, the first six in the Com-

mission to be of the Quorum, M^r William Byrd, and M^r James Taylor, who were recommended by the said Magistrates are left out of the said Commission being thought to be under age.

Matthew Driver's Information[s] against illegall traders were read, and ordered that they be Entered in the Councill Books.

Two Letters from the honorable Commissioners of the Customes, one Dated June 4. 1698 and the other Dated June 1. 1698 being for the Discharge of two navigation Bonds taken in this Country, being read, Ordered, that they be entred in the Councill books, and then delivered to the persons concerned therein, to be by them carried to the respective Collectors, and by them affixed to the said bonds

Ordered, that at the time appointed by Law for taking the lists of tythables for the Year 1699, the severall persons who shall be appointed to take the same, shall also take lists of all the people within this his Majesty's Colony and Dominion of what age, sex, condition, or Religion, soever they be, which lists shall be taken in severall Columns, according to a Scheme thereof to be sent to the respective Sheriffs of the severall County's, and by them communicated to the severall persons who are to take the said Lists, which as soon as they are so taken shall be transmitted by the said Sheriffs to be laid before his Excellency and the Councill.

February 24: 1698 [1698-99]

Ordered that the Clerk of the Councill do make inquiry what publick seales belonging to any offices, are in this his majesty's Colony and Dominion, and what warrants there are for using the seal of the Colony, and make report thereof to the next Councill.

Feb 25, 1698 [1698-99]

Ordered that M^r Attorney Generall do Consider whether the Councill of State of this his Majesty's Colony and Dominion, be a Court of record, and whether the Councill books be Records, and that he report his opinion therein to his Excellency and the Councill at their next sitting

February 24 1698 [1698-99]

His Excellency in Councill signed a Warrant to M^r Auditor Byrd to pay unto M^r Commissary Blair out of the Quitrents 400 lbs. Sterl, being due to him according to his Majesties Royall Commands for the allowance of 100 lbs. a year with the arrears till the 11th day of July 1698.

February 25. 1698 [1698-99]

Edmund Jenings Esq^r Collector and Navall officer of Yorke River came before his Excellency in Councill and made oath to the accounts of the penny per lib [*librum*] due to the Colledge of William and Mary in Virginia.

Edward Hill Esq^r Collector and Navall officer of the upper District of James River, Came before his Excellency in Councill and made

oath to the accounts of the peny per lib due to the Colledge of William and Mary in Virginia, and also to his accounts of skinns & furrns.

M^r Peter Heyman Collector and Navall officer of the lower district of James River, came before his Excellency in Councill and made oath to the accounts of the penny per lib, due to the Colledge of William and Mary in Virginia, and also to his accounts of Skins and Furrns.

Cap^t Miles Cary being by the trustees and founders of the College of William and Mary in Virginia appointed to execute the office of surveyor Generall of this Dominion, according to his Majesty's Grant to the said Colledge, the said Cary before his Excellency in Councill was sworn to the due execution of the said trust in these words Viz^t You shall swear as Surveyor Generall of this his Maj^t's Colony and Dominion of Virginia that you will well and truly execute the said office according to the best of your knowledge and Judgment and you shall do equall justice in all cases whatsoever in which by virtue of your office you shall be Concerned.

So help you God

February 24 1698 [1698-99]

The Honorable Edward Hill judge of the Court of Admiralty acquainting this board that no certaine fees to the Judge and officers of the said Court were settled for Proceedings in private causes, and praying their advice therein they are of Opinion it is reasonable in such cases to take the following fees; viz^t to the Judge five per cent upon the sum decreed to be paid; to the Register 2½ per cent on the said Summ; and to the Marshall 2½ per cent also; till further directions shall be given therein, by the right honorable the Lords Commissioners for executing the office of Lord high Admirall of England and Ireland & c

February 25. 1698 [1698-99]

Edward Hill Esq^r judge of the court of Admiralty in this his Majestys Colony and Dominion of Virginia, took the oaths appointed by act of parliament to be taken instead of the Oaths of Allegiance and Supremacy, and subscribed the test and association appointed by act of Parliament, and took the oath of a judge of the said Court in these words, viz^t You shall swear as Judge of the Court of Admiralty for this his Majesty's Colony and Dominion of Virginia, that you will do Equall Right to Rich and poor in all things that shall come before you, according to the laws Customes and presidents of the said Court, and that his Majesty's Rights and previledges shall be duly mentained and kept, according to the best of your knowledge and Understanding, and that you will not delay nor hinder Justice, nor take any bribe or reward to the intent to delay pervert or deny the same, and that you will in all things relating to the said Office behave yourself justly and honestly, according to the best of your skill and knowledge and Understanding.

So help you God.

Miles Cary Gent. Register of the Court of Admiralty took the oaths appointed by act of parliament to be taken instead of the oaths of Allegiance and Supremacy, and Subscribed the test and association appointed by act of parliament, and took the oath of a Register of the said Court in these words, Viz^t You shall swear that as Register of this his Majesty's Court of Admiralty, in this his Majesty's Colony and Dominion of Virginia, You will well and truly serve his Majesty and the honorable Judge in all things relating to Your said Office and place, You shall duly and truly Register all Decrees, Rules, Orders, and all other proceedings in the said Court, You shall deny nor delay no man out of envy or hatred. you shall take no bribe to pervert Justice, You shall do no fraud to any nor shall you consent to any to be done in the said Court, and in all things you shall execute the said office according to the best of your knowledge and Understanding.

So help you God.

John Taylor Gent his Majesty's Advocate in the Court of Admiralty, took the oaths appointed by act of parliament to be taken instead of the oaths of Allegiance and Supremacy, and Subscribed the test and association, appointed by act of parliament, and took the oath of his Majesty's said advocate in these words, Viz^t You shall swear that you will well and truly execute the office of his Majestys advocate in his Court of Admiralty in this his Majesty's Colony and Dominion of Virginia, according to the best of your skill and knowledge, You shall use your utmost endeavour for his Majesty's Interest and Advantage in the said Court, you shall advise in all things relating to his Majesty according to the best of your skill and knowledge.

So help you God

Micaell Sherman Gent. Marshall of the Court of Admiralty, took the oaths appointed by act of parliament to be taken instead of the oaths of Allegiance and Supremacy, and subscribed the test & association appointed by act of parliament, and took the oath of Marshall of the said Court in these words, Viz^t You shall swear as Marshall of his Majesty's Court of Admiralty in this his Majesty's Colony and Dominion of Virginia, you will well and truly serve his Majesty and the honorable Judge in all things appertaining to the said office, according to the practise and usage of the said Court, to the best of your knowledge and Understanding; you shall duly and truly execute all such writs and precepts as shall be to you directed, issuing out of the said Court; and make due and true returnes thereof, and see that his Majesty's rights be duly preserved, You shall delay no man [out] of envy hatred or malice, you shall take no bribe to pervert Justice; You shall do no fraud nor consent to any to be done in the said Court; you shall truly and faithfully behave yourself in the said office of Marshall in the said Court according to the best of your knowledge and Understanding.

So help you God.

Whereas Cap^t Willis Wilson by his petition to his Excellency hath sett forth that he by order of the Government hath been at sundry

expences for his Majesty's Service in endeavouring to save his Majestys Ship the Swift, and praying that he may be reimbursed his said Expences out of the produce of such of the Tackle, apparell, and furniture of the said Ship as was saved, and Whereas Edmond Jenings Esq^r hath acquainted his Excellency and the Councill, that there are severall things in his possession which were saved, belonging to his Majesty's Ketch the Row, which being perishable and in Danger of great damage by lying, therefore Ordered, that Edward Hill judge of the Court of Admiralty, do take all the said Tackle, apparrell, and furniture, and all other things whatsoever belong [ing] to the said Ships the Swift, and the Row, and all other things in the like Circumstances within this Government, and cause the same to be sold by publick sale, as shall be most for his Majesty's service, and Make report of his proceedings therein to his Excellency and the Councill at their next Sitting.

Ordered, that M^r Auditor Byrd do receive and adjust all claims against his Majestys Ship the Swift, and make report thereof to the next Councill.

Pursuant to an Order of the last Councill Cap^t John Aldred Commander of his Majesty's Ship the Essex Prize having transmitted to his Excellency An Acco^{tt} of the Condition of his said Ship and what men he had pressed by Virtue of a Warrant received here, and a Copy of his Instructions the same Were lay'd before this board.

M^r George Blighton producing a Letter from the right honorable the Earl of Rumney signifying that his Majesty had been pleased to grant his part of all prizes taken in War, And Carried into any of the American Plantations, unto his Lordship, under whom was appointed the said Blighton to receive his Majesty's part of all such prizes in Virginia, His Excellency promised the said Blighton that he would at all times be ready to assist him therein, but his Letters of Attorney not being yet proved, he directed that they might be legally proved, and that he would make his claim of any such prizes as were due to him thereby, against the next Councill

Whereas Cap^t Francis Clements is mentioned in the Councill Books to have been sworn Clerk of the Councill, but it not appearing what, or how long he acted in that Office, or how he was discharged therefrom, therefore Ordered, that the Sheriff of Surry County do require the said Clements to attend his Excellency and the Councill at James City, the 17th day of Aprill next, to give such a particular account of his Actions as Clerk of the Councill, as shall then be required of him, and that the said Sheriff do make returne thereof to the Councill office

Ordered, that the Indian Interpreters upon the first day, May next, do bring the severall nations of Indians whereto they are Interpreters, to Pay their tribute to his Excellency at Middle plantation, and that they come with the said Indians, and cause them to bring some of the best and most active of the youth of their severall nations, With their bowes and arrowes.

There being severall matters of Importance refered from the last Councill by reason of the Small number of Councillors then present,

the same are again refered till a fuller Councill. Severall of the Collectors and Navall officers in this Government wanting books of rates, acts of parliament relateing to trade, Certificates, & c. and the same being in a Chest sent hither from England to Edward Randolph Esq^r, and he being dayly expected here, therefore the opening the said Chest is referred till the next Councill.

Ordered that M^r Attorney Generall do Consider of the offence of M^r Samuel Thompson Sheriff of Westmoreland, in not apprehending John Cood according to his Duty and that he do prosecute the said Sheriff at law for his said offence.

Whereas M^r William Thompson (by way of excuse for his son the present sheriff of Westmoreland for not doing his duty in apprehending John Cood according to the proclamation issued for that purpose) hath by his Letter to his Excellency, suggested that the said Cood had timely notice to withdraw himself before the said proclamation was sent to the said Sheriff, therefore ordered, that the said Thompson do attend his Excellency and the Councill, at James City the 17th day of Aprill next, to prove his Allegacons in his said Letter.

Whereas the honorable Robert Yard Esq^r secretary to their Excellency's the Lords Justices of England by his Letter dated at Whitehall the 20 day of September 1698, directed to Sir Edmund Andros his Majesty's late Lieutenant and Governour Generall of this his Majestys Colony and Dominion of Virginla, did intimate to him that their Excellency's by his Majesty's Command required and directed him upon receipt thereof forthwith to give orders for the releasment of such persons as were named in an inclosed list, and all other Frenchmen who were detained within this Government upon the account of being prisoner of war only; therefore Ordered, that a proclamation do issue to be published by the severall Sheriffs in the respective County's, of this his Majesty's Colony and Dominion of Virginia, signifying his Majesty's Royall Will and pleasure therein, and strictly requiring and enjoying all persons whatsoever, that upon their knowledge of any such persons being within this Government, they do immediately Certify the same to his Excellency or to some one member of his Majesty's hon^{ble} Councill of State; and that M^r Attorney Generall do prepare the said proclamation.

Whereas a proclamation dated the 17 of October last by Sir Edmund Andros his Majesty's late Lieutenant and Governour Generall of this his Majestys Colony and Dominion of Virginia, was issued out for the apprehending of John Cood Senior, notwithstanding which the said Cood is not yet apprehended, tho he hath resided and had common Converstion in the County of Westmoreland since the issuing of the said proclamation, and for as much as it is of great importance to the peace and good Government of this his Majesty's Colony and Dominion of Virginia, and of the province of Maryland that the said Cood be apprehended, and brought to Condign punishment, for those many high Crimes and Misdemeanours he is guilty of, the grand jury for his Majesty's said province of Maryland having already found severall bills of Indictment against him for blasphemy, and endeavouring to raise a rebellion in that province, and he being chargeable with sev-

erall other matters, and things, of great Consequence therefore ordered, that another proclamation be prepared and issued forth to the severall sheriffs throughout this his Majesty's Colony and Dominion to be by them published within their respective County's Forbidding all persons to entertain harbour or hold any Converse or Communication with the said Cood or to give him any releif sustenance aid or assistance whatsoever and strictly commanding all officers Civill and Military and all other persons to use their utmost Endeavours to apprehend him, promising a reward of 20 lbs. Sterl to be given to any person or persons who shall apprehend him, or give intelligence to any Magistrate of the place of his abode, so that he may thereby be taken and secured and that M^r Attorney do prepare a proclamation accordingly.

Examinat: et Concord cum Original

Test: B: Harrison Cl Con.

[C. O. 5. Volume 1309 N^o 75ⁱⁱⁱ or fo. 239]

By his Excellency

A Proclamation

[Seal
pressed on
paper over
wafer.]

Whereas their Excellencys the Lords Justices of England (by his Maj^{tyes} Comand) did require & Direct S^r Edm^d Andros Late his Maj^{tyes} Leiu^t and Govern^r Generall of this his Maj^{tyes} Colony and Dominion of Virginia forthwith to give orders for y^e Releasement of

Such persons, as were named in a List therewith Sent and all other French men who were detained within this his Maj^{tyes} Government upon y^e account of being Prisoners of Warr onely.

I Francis Nicholson Esq^r his Maj^{tyes} Leiu^t & Governor Gener^{ll} of Virginia do hereby Signify to all his Maj^{tyes} Loveing Subjects his Maj^{tyes} Byall [Royall] will and pleasure therein And In his Maj^{tyes} name do strictly Charge Comand and require all officers Civill & Military and all Persons whatsoever within this his Maj^{tyes} Colony and Dominion that upon their Knowledge of any of the person or persons named in the under written list or of any other French person or persons that were taken and brought in hither as Prisoners of Warr dwelling or abiding in any place within this his Maj^{tyes} Colony & Dominion that they do immediately Certify the Same to me or to Some one of his Maj^{tyes} Hon^{ble} Councill of State in order that I may pay obedience to his Maj^{tyes} Royall Comands therein And I do Charge & Comand all sheriffs to Cause this My Proclamacon to be Publish'd in all Churches, Chapples, Court houses and other publick places within their Severall Countys as they will answer the Contrary at their peril Given under my hand and the Seale of the Colony at James Town this 25th day of February in the Eleventh yeare of his Maj^{tyes} Reign *Annoque Dom* 1698 [1698-99]

Fr. Nicholson

A Proclamation for y^e Releasm^t of
French Prison^{rs} of Warr

E Jenings Dep^{ty} Sec^{ry}

God Save the King

A true copy *Test C: C: Thacker Cl Gen Cur*

Soldats Francois de la Garnison du Fort du Naxoat en Arcadie pris par les Anglois avec le Sieur de Villion Capitaine de la Garnison du dit Fort et qui ont ete disperses a leur Arrivee a Baston

Envoyez Aux Isles Anglois de l'Amerique.

La Chesnaye
Maison Neuve
Caraban
Vaillant
La Roche
Prenda Boire
Le Gerze
Vallois
Boisgaret

A Madere
Des Noyers
Jean Roy
Petit

En la Nouvelle Angleterre.

S^t Jean.
La Violette
Cauton

Embarquez Sur un vaisseau Anglois

La Fleur
Loudun
La Riviere
Le Large
Chartillon
L'Esperance

Il y en a trois encore dont on ne Scait pas les noms.

A true copy

C: C: Thacker *Cl. Gen. Cur.*

[C. O. 5, Volume 1309, N^o 75^{iv} or fo. 241]

Virginia ss

By his Excellency

A Proclamation

[Seal impressed on paper over wafer.] Whereas John Cood (Sometimes called Parson Cood, Sometimes Cap^t Cood & Sometimes Coll^o Cood) late of S^t Maryes County in the Province of Maryland hath had Severall Bills of Indictm^t found against him in his Maj^{ties} Province of Maryland by the Grand Jurys of that Province as well for horrid & Impious Blasphemy as for Contriveing and Endeavouring to raise Rebellion in that Province against his Maj^{ties} Government and for other Notorious & detestable Crimes and Offences And Whereas the s^d John Cood being Conscious of his Guilt for the avoyding of the Just punishmt due to Such wicked and abominable Crimes hath absconded himselfe & fled from Justice in his Maj^{ties} s^d Province and hath been

harboured & Entertained by Severall Evill disposed persons in this his Maj^{ties} Colony & Dominion of Virginia and Whereas the s^d John Cood is a dangerous & profligate person not only in his Rebellious & Seditious practises but also in his Morals he being of Atheisticall principles and greatly debauch'd & wicked in his life and Conversation and makes it his business & practice to infuse his wicked principles and to Corrupt & Debauch the manners of others his Maj^{ties} good Subjects Especially the unlearned & younger Sort of them which makes him not fit for human much less Christian Society!

I Francis Nicholson Esq^r his Maj^{ties} Lieu^t & Governo^r Gen^l of Virginia by Advice in Councill do in his Maj^{ties} name Strictly Charge & Comand all his Maj^{ties} good & Loveing Subjects within this his Maj^{ties} Colony & Dominion that they do not presume to Entertaine harbour Cherish Aid or assist the said John Cood or hold any manner of Correspondence or Communication with him either by writing or otherwise or Give or afford him any releif assistance or Sustenance as they will answer y^e same at their perill of Incurring the utmost rigour & Severity of the Law in Such Cases made & provided. And I do further in his Maj^{ties} name Strictly Charge Comand & require all officers Civill & Military and all other persons to use their utmost Endeavour to take Seize & apprehend the Said John Cood and also to be Aiding & assisting therein (he being of a Middle Stature a deformed person, his face resembling that of a Baboon or munkeys, Club-footed his feet Standing inwards one to the other and a Notorious Coward) And him haveing taken to Secure and carry before the next Magistrate (or in Case he doth resist or fly to pursue & take him by force) which Magistrate I Command & require upon Such apprehension Safely to Secure the s^d John Cood and immediately to Certify the same to me in order to my delivering him up to Publick Justice in his Maj^{ties} s^d Province of Maryland as he or they will answer the Contrary at their peril of incurring the utmost rigour & Severity of the Law. And if any person or persons shall apprehend & take the s^d John Cood or Shall give Intelligence of him to any Magistrate or officer so that he be apprehended & taken I do promise to give as a reward to Such person or persons the Sume of Twenty pounds Sterling. And I Do further Charge & Comand all masters of Shippes & Vessells that they do not presume to take y^e said John Cood on board their Shippes & Vessells to carry & Export him out of this his Maj^{ties} Colony & Dominion as they will Answer the same at their perill. And I do further in his Maj^{ties} name Charge & Comand the Severall Sheriffs in this his Maj^{ties} Colony & Dominion that they Cause this Proclamation to be published in all Churches Chappells Court houses and other publick places of meeting within their Severall Counties as they will answer the Contrary at their perills Given at James Town under my hand & the Seale of the Colony this twenty fifth day of Febr^y in the Eleventh yeare of his Maj^{ties} Reign *Annoque Dom: 1698* [1698–99]. Fr. Nicholson

A Proclamation for the apprehending

& takeing of John Cood.

E Jenings Dep^{ty} Sec^{ry} God Save the King

A true copy Test C: C: Thacker *Cl Gen Cur*

[C. O. 5, Vol. 1410 continued].

At a Councill held at James Citty the fifteenth day of Aprill 1699:

Present

His Excellency Francis Nicholson Esq^r His Majesties Lieutenant & c
 William Byrd Edward Hill
 Edmund Jenning's Esq^{rs}

This day being the first day of the Generall Court, and only three Member's of the Councill, in Towne, which Number tho they make a Quorum, yet for as much as by His Maj^{ty}s Royall Instrucons to His Excellency, he is not to Act with a Quorum of less than five Members unless upon Extraordinary Emergencies when a greater Number cannot conveniently be had, therefore the Generall Court was only opened and adjourned till Monday.

Severall petitions being this day exhibited in the Generall Court for Grant's of Deserted Land's, and the Peticoners produceing Negro Rights to take up the said Land's, His Excellency was pleased to Communicate to the Councill His Maj^{ty}s Royall Instrucons concerning the taking up of Land, whereby that priviledge is restrained to His Maj^{ty}s Subjects comeing to inhabite in this His Colony and Dominion, and Desired the Opinion of the Councill what is most requisite to be done in that Case, Whereupon it is Resolved, and accordingly Established for a Rule, that by the Said Instrucons, His Maj^{ty}s Lands in this Colony ought not to be granted to any others then His Xian Subjects comeing to reside here.

The Councill adjourned till Monday the Seventeenth Instant.

Monday April 17th 1699

Present

His Excellency
 William Byrd Edmund Jennings
 Edward Hill John Lightfoot
 Benjamin Harrison Esq^{rs}

Benjamin Harrison Esq^r makes his Excuse for not waiting on His Excellency on Saturday last, he being at that time Very much indisposed.

M^r Attorney Generall according to Order of Councill of the tenth day of December last presented the Draught of an Oath by him prepared to be taken by the Member's of the Councill as Judges of the Generall Court, pursuant to His Maj^{ty}s Royall Instrucons, which Oath consisting of Severall part's and Seemeing to make a distinction in the Proceeding's of the Generall Court, between the Comon Law and Chancery, Whereupon a Debate ariseing in the Councill, whither Such a Distinction ought to be made in the Said Oath, and it being a Matter wholly depending upon the Law for Setling the proceedings in the Generall Court, therefore

Ordered, that for the present a Short Oath be drawne to be taken

by the Member's of the Councill as Judges of the Generall Court, wherein they Shall be Generally Required to doe Justice & c without mentioning any distinction as to the proceedings in Comon Law or Chancery and that the further Setlem^t thereof be recomended to the Generall Assembly.

And accordingly the following Oath being agreed upon Ordered that it be taken by the Members of the Councill as Judges of the Generall Court, till Some other forme be Settled, and prescribed,

You Shall Swear that you will Serve Our Sovereign Lord the King in the Office of a Judge in the Generall Court and in all Cases in which you are or Shall be authorised to Act Judicially according to the Law's of England and this His Maj^{ty}s Colony and Dominion and that you will not counsell or assent to anything that by any waies or meanes may turne to his Maj^{ty}s damage or Dishersion, and that in all Cases both of Law and Equity you Shall doe equall Justice and Right to all person's Rich and poore without Hate fear Favor Malice Affection or Partiallity.

Ordered that the Said Oath be first administred by His Excellency to the Severall Members of the Councill in the Generall Court and Afterward's they shall administer the same to him.

Mathew Page Esq^r Present

Whereas the Magistrates for the County of New-kent have addressed His Excellency for a New Comicon of the Peace for that County, with an Addicon of Severall Gentlemen recomended by them, His Excellency was pleased to Order that a New Comission of the Peace for the Said County be prepared and that Cap^t Thomas Bray M^r John Lewis M^r Nicholas Merriweather and M^r George Keeling be added to those already in Comission there (Cap^t Bray being putt in next after those heretofore in the Quorum) the first five in the Said Comission to be of the Quorum.

Whereas Cap^t John Aldred Comander of His Maj^{ty}s Ship the Essex prize hath represented to his Excellency, that he is in great want of powder for His Maj^{ty}s Service on board His Said Ship and that he hath written to the Office of the Ordinance for a Supply butt had not yet received any Answer and desires that His Excellency will please to Supply him at present with ten Barrells for which he will either be accountable to the Office in England, or returne the like Quantity again here, therefore

Ordered, that the Gunner at James Citty doe deliver unto the Said Aldred Tenn Barrells of Powder for His Maj^{ty}s Service on Board the Said Ship, and that he takes the Said Aldred's receipt and Obligation to return the like quantity again, if his Supply from England arrives before he Sailes out of this Country, if not, that he Shall give a Certificate to the Ordinance Office of Soe much by him received as aforesaid, that the Same may be repaied from thence.

Whereas there have been Severall Navigacon Bond's given in this His Maj^{ty}s Colony and Dominion, for the dischargeing of which noe Certificates have been hitherto produced according to the Acts of Trade and Navigacon, altho many person's who have not produced

Such Certificates have really complied with the Condicons of their Bond's, therefore

Ordered, that a proclamacon be prepared (to be published in every County throughout this His Maj^{ty} Colony and Dominion) declareing that none of the Said Bond's Shall be prosecuted in less then eighteen months, now next comeing, unless particular Direcons Shall be given therein from England, and requireing all persons who have any Such Bond's lyeing out and not discharged, within that time to provide Such Certificates or other Legall proofes as Shall be necessary for the discharge thereof.

The Councill adjourned till tomorrow morning Eight of the Clock.

Tuesday April y^e 18th 1699

Present

His Excellency

William Byrd.

John Lightfoot

Edward Hill,

Mathew Page

Edmund Jennings.

Benjamin Harrison Esq^{rs}

Richard Johnson Esq^r being by His Maj^{ty} Royall Instruccons appointed a Member of the Councill of State for this His Maj^{ty} Colony and Dominion, he tooke the Oaths appointed by Act of Parliament to be taken instead of the Oath's of Supremacy and Allegiance, Subscribed the Test and Association, appointed by Act of Parliam^t tooke the Oath of a Councillor and tooke his place at the Board accordingly.

Whereas their Excellencies the Lord's Justices of England have been informed by Severall advices from the East Indies of the Notorious Piracies comitted by Cap^t Kidd Commander of the Adventure Galley, and of his haveing seized and plundered divers Ships in those Seas, and Whereas the Right Hon^{ble} James Vernon Esq^r One of His Maj^{ty} Principall Secretaries of State by his Letter to His Excellency the Governo^r of this His Maj^{ty} Colony and Dominion hath Signified the Direcons of their Excellencies the Lord's Justices of England, to the Respective Governo^{rs} of the Colonies under His Maj^{ty} Obedience in America. that they give Strict Orders and take particular Care for apprehending the said Kidd and his Accomplices whenever he or they Shall arrive in any of the Said plantacons, as likewise that they Secure his Ship and all the Effects therein, to the intent that right may be done to those who have been injured and robbed by the Said Kidd, and that he and his Associates be prosecuted with the utmost rigour of Law; and requireing His Excellency the Govern^t of Virginia, to be Carefull duely to Observe the Said Direcons and if the Said Kidd or any of his Accomplices happen to be Seized within the Province under his Governm^t that he doth forthwith transmitt an account thereof thither and take Care that the Said person's Ship and Effects be Secured, till His Maj^{ty} Pleasure Shall be known concerning them, therefore

Ordered, that the Commanders in Cheife of the Militia and the Sheriffs of the severall Counties, and the Collectors and Navall Officer's

of the Severall Districts within this His Maj^{ty}s Colony and Dominion doe take all possible Care within their Respective precincts for apprehending the Said Kidd and his Accomplices, and for Securing the Said Ship and Effects according to the Command of their Excellencies the Lord's Justices, and if the Said Kidd or any of his Accomplices Shall be apprehended by the Said Officers or any of them, That they doe immediately transmitt an account thereof to His Excellency the Govern^r, and take Care that the Said persons, Ship and Effects be Secured, till they Shall receive His further direcons therein; And that this Order may be the better and more effectually putt in Execucon, the Said Officers and every of them respectively are hereby required and Comanded to use their utmost diligence in the prosecucon and performance but not to make any publicacon of the Contents hereof, lest Intimacon be given, to the Said Pirates, and they be thereby Enabled to Escape,

Ordered, that the Order of His Excellency in Councill relateing to Cap^t Kidd and his Accomplices, be Sent to the Sheriffs of the Severall Counties and that they communicate the Same to the Comanders in Cheife, Collectors and Navall Officer's, within their respective Counties.

Whereas their Excellencies the Lords Justices of England by their Warrant bearing Date at Whitehall the fifteenth day of November 1698 in the tenth Year of His Maj^{ty}s Reigne Countersigned by the Right Hon^{ble} the Lord's Comiconers of His Maj^{ty}s Treasury, have directed and required His Excellency the Governour of this His Maj^{ty}s Colony and Dominion to Issue a Warrant for allowing unto William Byrd Esq^r Auditor Generall of his Maj^{ty}s Revenues in Virginia the Sume of two Thousand nine hundred fifty five pounds nine Shilling's Eight pence half penny Sterl out of the Ballance which remained on his account of the Revenue of Quitrents upon the thirty first day of May 1697 for Soe much by him Expended upon Extraordinary Occasions for his Maj^{ty}s Service in this His Colony and Dominion of Virginia, therefore

Ordered, that a Warrant be prepared for the Allowance of the Said Sume unto the Said William Byrd according to the Said Warrant from their Excellencies the Lord's Justice's.

Whereas Cap^t John Aldred Comander of his Maj^{ty}s Ship Essex Prize hath complained to His Excellency that Severall of his Men have deserted His Maj^{ty}s Service on Board the Said Ship, and that, he not haveing a Sufficient power to pursue and take them upon land, they gett into the remote parts of the Countrey and enter themselves on board other Ship's, and by those meane's make their Escape, Soe that they cannot be apprehended and returned to his Maj^{ty}s Service on board the Said Ship; and therefore the Said Aldred prayed His Excellency that he would please to give Such direcon's therein as he Should thinke requisite, upon Consideracon whereof His Excellency with the Advice of the Councill is pleased to Order that a proclamacon be prepared requiring all His Maj^{ty}s Officers and Subjects in this Colony and Dominion to be at all times to the utmost of their Ability and power Aiding and Assisting to the Said Aldred In the apprehending any Such Seamen as Shall Desert and in returning them to His Maj^{ty}s

Service on board His Said Ship and that none of His Maj^{ty}s Said Subjects doe presume to Conceal or harbour any Such Seamen as aforesaid or be assisting in or contributeing to their Escape, and also that the Collectors and Navall Officer's of the Severall Districts within this His Maj^{ty}s Colony and Dominion doe Strictly charge and forewarne all Masters of Ships or Vessells comeing into their respective Districts, that at their utmost perill they do not entertain harbour or receive on board their Ships or Vessells any Strange Seamen without Authentick Certificate from whence they came, to the intent that they may not contribute to the Escape of the Said Deserters or of any other's which Shall hereafter desert His Maj^{ty}s Service on board any of His Ships of War.

Cap^t John Aldred Comander of His Maj^{ty}s Ship Essex prize haveing represented to His Excell^{cy} that the Master of the Said Ship not being acquainted with the Coast of Virginia he had hitherto had a Warrant for a Pilot, and desired the Continuance thereof therefore, Ordered, that a Pilot be allowed the Said Aldred as formerly he providing for the paym^t and Satisfaccon thereof.

Whereas the Hono^{ble} the Comissioners of the Ordinance Office by their letter dated the twelfth day of November 1698 have acquainted His Excellency, that Cap^t Nathaniell Bostock Comander of His Maj^{ty}s Late Advice Boat the Swift haveing given them an Account of the Ordinance and Guners Stores Saved out of her and delivered into the Custody of M^r Willis Wilson, they have Sent him inclosed a Copy thereof and desires him for His Maj^{ty}s Service to give the necessary Direcons for their being Sent for England in the first Man of Warr tha[t] comes from Virginia or by such Ship as Shall bring the Stores Saved out of the Said Advice Boat belonging to the Navy, and Consigne them to be delivered into His Maj^{ty}s Stores within the Ordinance Office as they Shall direct upon the Arrivall of the Said Stores, therefore

Ordered, that the Said Willis Wilson doe take Care the Said Stores be safely kept and Sent for England according to the desire of the Said Comissioners.

M^r Bertram Servants haveing by his peticon complained to His Excellency of a forceably [forceable] Entry into Some of his Land's in Elizabeth Citty County by Robert Beverley and other's the Said peticon is referred to M^r Attorney Generall for him to consider and report what is proper to be done therein.

Ordered, that M^r Auditor Byrd doe lay a State of the publick accounts, before His Excellency and the Councill, after he hath allowed to himself two thousand nine hundred fifty five pounds nine Shillings eight pence half penny Sterl pursuant to the Warrant of their Excellencies the Lords Justices of England, directing the Said Allowance.

Richard Lee Esq^r being by His Maj^{ty}s Royall Instrucons appointed a Member of the Councill of State for this Colony and Dominion, he tooke the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Supremacy and Allegiance Subscribed the Test and Association appointed by Act of Parliament, took the Oath of a Councillour and tooke his place at the Board Accordingly.

A proclamacon being prepared according to Order for Respiteing

the Prosecucon of Navigacon Bond's the Same was read and being approved was Signed in Councill and Ordered to pass the Seal of the Colony in Order to the Publicacon thereof as Soon as possible.

Aprill 26th 1699

Present

His Excellency

Richard Lee	Richard Johnson
William Byrd	John Lightfoot
Edward Hill	Mathew Page
Edmund Jennings	Benj ⁿ Harrison Esq ^{rs}

By the State of the Publick accounts laid before his Excellency and the Counc'll it appearing that the Revenue is not above two hundred poind's Sterl in arrears, therefore it is not thought necessary to Recomend the Same to the Generall Assembly.

Ordered, that a Comicon be prepared in [to] Impower Richard Lee, William Byrd, and Edward Hill Esq^{rs} or any two of them to Administer the Oath's Test and Associacon unto the Members of the house of Burgesses in this ensuing Generall Assembly and to the Clerke of the house of Burgesses.

Thursday, Aprill y^e 27th 1699

Present

His Excellency

Richard Lee	Richard Johnson
William Byrd	John Lightfoot
Edward Hill	Mathew Page
Edmund Jennings	Benj ⁿ Harrison Esq ^{rs}

His Excellency in Council was pleased to appoint Benjamin Harrison Clerke of the Generall Assembly and William Randolph Clerke of the house of Burgesses of the Generall Assembly, and Comissions being prepared According[ly] the Same was Signed in Councill.

A Comission being prepared according to Order for Impowering Richard Lee, William Byrd, and Edward Hill Esq^{rs} or any two of them to Administer the Oaths Test and Associacon unto the Member's of the house of Burgesses of this present Generall Assembly, and also to the Clerke of the house of Burgesses [The sentence is left unfinished].

Fryday, Aprill, 28th 1699

Richard Lee Esq^r acquaints His Excellency that as he came to James Town to the Generall Court he was at the house of M^r Secretary Wormeley who was then very ill and not able to ride, therefore he prayed that His Excellency would be pleased to Excuse his not attending according to his Duty.

M^r Carter and M^r Corbin two of the Members of the house of Burgesses doe also acquaint His Excell^{cy} that they had very lately been

at M^r Secretary Wormley's and that he being at that time very ill and weake by reason of his long Indisposicon, did desire them to make his Excuse to his Excellency, that he was not able to attend his Duty in Councill, this Generall Court, and Assembly and therefore begs His Excellency would be pleased to pardon his Absence.

His Excellency being directed by His Maj^{ty}s Royall Instrucons to transmitt accounts of all the Armes and Ammunition and other Stores in this His Maj^{ty}s Colony and Dominion, and His Excellency haveing accordingly caused Inquiry to be made; it Appear's there are not any Armes Amunicon or Stores, Except only those at James Citty Yorke and Tindalls pointe, of which Accounts have been already transmitt, nor hath any Armes been Sent into this Colony Since the year 1692 at w^{ch} time about two hundred were Sent in by Jeoffry Jeffryes Esq^r which were all burnt last fall in the State house Except three or four menconed in the Account of Edward Ross Gunne^r at Jame's Citty.

It is the Opinion and Advice of the Councill that it is for His Maj^{ty}s Service That His Excellency doe Communicate to the Generall Assembly, His Maj^{ty}s Royall Comands, concerning the fortifying the Harbours and Landing places, and for Setling Storehouses for Armes Ammunition and other Military Stores in Severall places throughout this His Maj^{ty}s Colony and Dominion and that the Said Instrucon's be recommended to the Consideracon of the house of Burgesses for their advice thereupon.

Whereas by an Order of the Last Councill Cap^t Francis Clements was required to attend and give an account what he had done as Clerke of the Councill, And how he was discharged therefrom, In Obedience to which Order the Said Clements, Attended and acquainted His Excellency and the Councill, that after being Sworne he tooke y^e minutes of the Orders of three or four Councill's but by means of a great Indispocon then attending him could not stay to perfect the Same, was thereupon forced to leave them with M^r Deputy Secretary Jennings and prayed that he would intreat the Governo^r and Councill, that he might be discharged from the Said Office; and continueing Indisposed, And not haveing Since received any Comand's to appear as Clerke of the Councill, concluded himself discharged, Whereupon the Said Jennings Acknowledgeing that he had received the paper's from the Said Clements and had given them to M^r Robert Beverley and desired him to make up the Councill Bookes, but who did it he doth not know therefore Ordered that the Clerke of the Councill make Inquiry about the Same, and that he accordingly acquaint His Excellency and the Councill, who Entred those Order's which are of a different hand Writeing from the other parts of the Booke.

Upon the peticon of Israell Voss to be Authorised to pilot Ships up James River, Ordered that a power be granted him accordingly.

Whereas M^r Bertram Servants hath complained to His Excellency of a Forceably [forceable] Entry made into and upon certain Land's belonging to him in Elizabeth Citty County by M^r Robert Beverley and others, and M^{rs} Mary Pitt hath complained to His Excellency of a forceably Entry made into and upon certain Land's belonging to her in the Isle of Wight County by M^r Thomas Gyles and other's, And

whereas M^r Attorney Generall hath Reported to [that] the Offenders by Law ought to be prosecuted accoring to the Severall Statutes in that Case made and provided, therefore Ordered, that M^r Attorney doe prosecute the Said Offenders as the Law directs.

Saturday, April y^e 29th 1699

M^r Francis Mackenmie [Mackemie] a dissenting Minister by His peticon to His Excellency haveing prayed that a proclamacon may Issue declareing the freedome and Liberty of Conscience, that is allowed by the Laws of England, and forbidding all persons whatsoever to Interrupt any Sect of Dissenter's in the free and open Exercise of Religion according to their Severall perswasion's, the Said Mackennie was called into the Councill Chamber and His Excellency by the advice of the Councill, was pleased to lett him know, that all Dissenters under His Governm^t Shall have such Liberty allowed them as the Law directs Provided they use it Civily and Quietly and doe not disturb the peace of the Governm^t which is all the Encouragm^t they can or ought to expect from him; that if he on his part had Complied with the law, he was free to prosecute such as molested him contrary to the Law.

Tuesday, May y^e 2^d 1699

Whereas His Maj^{ty} hath been pleased to cause a new Seale to be made for this His Colony and Dominion, and the Same hath been Sent to His Excellency together with a Warrant Impowering him to use it in all the publick affaires of this Governm^t and Ordering that all other Seales which have been formerly made use of to that purpose Should be broken therefore,

Ordered, that all other Seales and the Warrants for making use of them, be prepared and brought before His Excellency and the Councill, that those Seales may publickly be broken and Defaced, in Order to the makeing Use of the new Seal Onley.

His Excellency haveing received a Letter from the Hon^{ble} Thomas Harvey Esq^r Deputy Governour of North Carolina Dated the Sixteenth day of March 1698 wherein he acquainted His Excellency that he had Appointed Daniell Akehurst Esq^r and Cap^t Henderson Walker Members of their Councill, to wait upon His Excellency with their Charter, in Order to the Setling the bound's between those two Governments. he was pleased to Communicate the Same to the Councill and also to acquaint them, the Said Akehurst and Walker were come to James Citty and desired that they would Consider and Advise what was necessary to be done in that affair, and what method Should be observed in treating wth those Gentlemen. Whereupon it was agreed and Resolved, that before any proceeding were entered into with them, it was requisite and necessary to enquire how they were impowered to treat and conclude with any Such person's as Should be appointed by this Governm^t and particularly that it may be enquired of them whether their Governour was approved by His Maj^{ty} and had taken the Oaths according to the Act of Parliament of the Seventh and Eighth year of the Reign of His present Maj^{ty} Intituled an Act for preventing fraud's

and regulateing Abuses in the plantacon Trade and for their better Satisfaccon It is also thought necessary That His Maj^{ty}s Letters patents appointing His Excellency Francis Nicholson Esq^r His lieu^t and Governour Generall of this His Colony and Dominion of Virginia be Communicated to them; And in Order thereunto the Clerke of the Councill is Directed to wait upon them, and desire them to be at the Councill Chamber this Afternoone.

Whereas the Right Hon^{ble} James Vernon Esq^r One of His Maj^{ty}s Principall Secretaries of State hath Signified His Maj^{ty}s Comand's to His Excellency That he Issue proclamacon Strictly forbidding all his Maj^{ty}s Subjects in this His Colony and Dominion to hold any Correspondence with the Scotch, whilst they are upon their present expedicon into the West Indies, therefore,

Ordered, that M^r Secretary Vernon's letter to that purpose be delivered to M^r Attorney Generall and that he be directed to draw a proclamacon pursuant thereto and lay the Same before His Excell^{ty} and the Councill.

The Clerke of the Councill acquainted His Excellency that according to Order he made Inquiry who had entered the Proceeding's in the Councill Booke which were of a different hand writeing, from the Rest, and he was Informed, it was the writeing of M^r William Beverly.

Post Merediem

His Excellency and the Councill being acquainted that according to their Desire M^r Akehurst and Cap^t Walker were in the Hall ready to waite upon them, the Said Akehurst and Walker were desired to walk up into the Councill Chamber; Whither being come, His Excellency Laid His Comicon before them that they might be Satisfyed he was fully Impowered to Act under His Maj^{ty} as Lieutennant and Governour Generall of this His Colony and Dominion of Virginia, And desired to know of them, how they were Impowered to Act in the Affair the [they] came about

Whereupon they produced a Comicon under the hand and Seal of Thomas Harvey Esq^r Deputy Governour of North Carolina, which being read, His Excellency caused the Act of the Seventh and Eighth Yeares of the Reign of His present Maj^{ty} to be read, and desired to know whither the said Deputy Governour was Quallified according to that Act, to which they answered that he was not approved by the King as that Act directs; then His Excellency desired them to withdraw and he would advise with His Maj^{ty}s Honnourable Councill, what was proper to be done, and acquaint them therewith, and accordingly they withdrew.

Then the Councill entered upon the Debate and a Consideracon whither it was convenient to treat any further with those Gentlemen from North Carolina and for as much, As it appeares that the Govenour by and under whom they are Comissionated is not Qualified according to Law, the Councill are of Opinion, that he cannot give Sufficient power to any persons, to Act under him in this affair, and to make a finall Conclusion and Determinacon thereof, and that therefore it is not Convenient, to proceed any further therein at this time, but that

the Government of North Carolina be desired to procure Sufficient power and Instrucons from England for Setling the bounds between these two Governments as soon as may be, And that there may be the less trouble hereafter, when it is to be done, if M^r Akehurst and Cap^t Walker will agree thereto, it is thought Convenient, that the Charter of the proprietors of Carolina be recorded in the Secretaries Office; and accordingly the Said Akehurst and Walker being called in and acquainted with the proceedings of the Councill herein, they consented to the recording of their Charter; and haveing told His Excellency they would waite His Commands' by a letter to their Government they withdrew.

Ordered, that the Clerke of the Councill doe prepare a letter from His Excellency to the Hon^{ble} Thomas Harvey Esq^r Deputy Governour of North Carolina acquainting him with the proceedings of His Excellency and the Councill with the Gentlemen from that Government and the Reasons they have proceeded upon; And also to Signify to him His Excellencies power of making a Judge and other Officers of the Court of Admiralty in that Province, that accordingly they are appointed, And if there be any Occasion for a Court to be held there, that His Excellency should be acquainted therewith, in Order to His giving Such direcons therein as are necessary.

May 3^d 1699

Charles Scarburgh Esq^r being by His Maj^{ty}s Royall Instrucons appointed a Member of the Councill of State for this His Maj^{ty}s Colony and Dominion he tooke the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Supremacy and Allegiance, Subscribed the Test and Associacon appointed by Act of Parliament, tooke the Oath of a Councillour and was admitted to take his place at the board accordingly

Aaron Whitsun Master of the Ship Integrity by his petition haveing Complained to His Excellency against M^r Peter Hayman Collector and Navall Office of the Lower District of James River for Severall Injuries done to the petitioner by the Said Hayman all which appearing to be matters of Law, the Petitioner is directed to prosecute the Said Hayman as the Law directs.

John Hanley by his peticon to His Excellency haveing complained of Severall Injuries done to him by Sampson Dorrell all which appearing to be matter of Law the Petitioner is directed to take his remedy by process at Common Law.

Whereas John Hanly by his petition to His Excellency hath Sett forth that he was Employed by S^r Edmund Andros His Maj^{ty}s late Lieutenant and Govenour of this Dominion to make a platforme at Tindalls point the Said S^r Edmund Andros agreeing to pay him after the Rate of thirty three Shillings a Square, and that the petitioner hath accordingly made a platforme One Hundred and Sixty foot Long in Length and Sixty foot in Breadth whereby there accrues due to him the Sume of forty four pound's Seventeen Shilling's and Six pence Sterl. which hath been oweing to him three yeares and he knoweth

not how to gett it, therefore he prayes this [his] Excellency will be pleased to take the Same into His Consideracon.

Ordered, that Edmund Jennings and Mathew Page Esq^{rs} doe Veiw the Said platforme at Tindalls pointe and make report of the Worke done thereon by the Said Hanly unto M^r Auditor Byrd, who is also Ordered to adjust the Said Hanly's Account, and Report the Same to His Excellency and the Councill.

Richard Dunbar Gunner at Tindals pointe haveing Exhibited his Claime against the Publick Revenues for His Salary and Some Extraordinary Services, the Same is referred to M^r Auditor Byrd to be examined and Reported.

George Turner haveing preferred a peticon to His Excellency in Councill for Certain Land's in New Kent County which being properly grantable in the Generall Court.

Ordered, that the Said peticon be lodged in the Secretaries Office to be preferred next Generall Court.

The Clerke of the Councill according to Order haveing prepared a letter to the Hon^{ble} Thomas Harvey Esq^r Deputy Govenour of North Carolina, the Same was read and being approved was Ordered to be Transcribed for His Excellencies Signing.

The Charter of the proprietors of North Carolina being recorded in the Secretaries Office, the Same was Examined in Councill and Compared with the Originall.

May y^e 4th 1699

Present

His Excellency

Richard Lee.
William Byrd.
Edward Hill.
Richard Johnson

Charles Scarburgh
John Lightfoot.
Mathew Page
Benjⁿ Harrison Esq^{rs}

Whereas Richard Dunbar Gunner of the Fort at Tindall's pointe hath prayed His Excellency that he may be discharged from his Said Office.

Ordered, that Edmund Jennings and Mathew Page Esq^{rs} when they Examine the Said Dunbars acc^{ts} of His Maj^{ty}s Stores at Tindals pointe, doe also consider what is most proper to be done with the Said Stores and who is the fittest person to take Care of them, and Report the Same to His Excellency and the Councill.

Ordered, that the Next Audit of the publick Revenues be upon the twentieth day of June next, at w^{ch} time all the publick Accounts Shall be made up to the twenty fourth day of the Said Month, and that thereafter an Audit be appointed and the Accounts of the publick Revenues Stated and Setled once every quarter of a Yeare.

Ordered, that His Maj^{ty}s Instruccons concerning a Court of Exchequer to be Established in this His Maj^{ty}s Colony and Dominion be given to M^r Auditor Byrd for him to Consider and report his Opinion thereupon.

Ordered, that His Maj^{ty}s Instrucons concerning the Secretaries Office, be Sent to M^r Secretary for him to Consider and give his Answer thereupon.

Ordered, that Richard Lee, William Byrd, Charles Scarborough and Benjamin Harrison, Esq^{rs} doe Consider His Maj^{ty}s Instrucons to His Excellency for the Improvement of the Country and Report their Opinions thereupon.

There being now present as many members of the Councill as can be expected this Assembly, His Excellency caused all the proceedings of the Councill from His first Coming into the Government to be read and was also pleased to acquaint the Councill that according to His Instrucons the Councill Bookes Should alwaies be ready for them to have Recourse thereunto as Occasion Shall require.

May 5th 1699

Whereas there are Severall Stores belonging to the Navy and Ordnance Offices, which were Saved when His Maj^{ty}s Late Advice Boat the Swift, and His Ketch the Roe were lost, which Stores are at present in the possession of Edmund Jennings's Esq^r and Lieutenant Coll Wilson and if Some Care be not Speedily taken to dispose of them, will be utterly Spoiled, And Whereas the Comissioners of the Ordnance Office by their Letter to His Excellency have desired that Such of their Stores as were Saved from the Said Advice Boat the Swift may be sent to them in England, therefore,

Ordered, that the Said Stores belonging to the Ordnance Office Saved from the Said Advice Boat the Swift be preserved and Sent to England according to the Said Comissioners Letter, and y^t the said Jennings and Wilson doe dispose of the Remainder of the Said Stores in their Possession's to be best advantage and give His Excellency an Account thereof from time to time as they Shall be by them disposed of.

Whereas Edward Hill Esq^r Judge of the Court of Admiralty hath acquainted His Excellency and the Councill, that the Ship Integrity of Biddeford Aaron Whitson Master by a Decree of the Court of Admiralty at the prosecucon of Peter Heyman Esq^r Collector and Navall Officer for the Lower District of James River was lately Condemned as Forfeit for a Breach of the Acts of Trade, from which Decree the said Aaron Whitson appealed to the High Court of Admiralty in England, Whereupon the Said Judge of the Admiralty had caused the Said Ship to be appraised by Understanding honest men upon their Oaths in Order to the takeing Sufficient Security, that the Said Aaron Whitson Should be answerable for the Value of the Said Ship, In case the Decree of the Court of Admiralty here, Should be affirmed in England, upon the Returne of which Appraisement, the Said Aaron Whitson Offered to pay for the Said Ship, as She was appraised, and to lett fall the presecucon of the Said Appeal; whereupon the Said Edward Hill Esq^r prayed the direcon of His Excellency and the Councill therein, And whereas William Byrd Esq^r Auditor Generall of His Maj^{ty}s Revenue in this His Colony and Dominion of Virginia is Satisfyed, that the Said Appraisement, is very well made for His Maj^{ty}s Interest, And His Excellency hath been pleased to give His Assent thereto, there-

fore it is the Advice and Opinion of the Councill that the said Aaron Whitson may be admitted to purchase, and pay for the Said Ship, according to the Said Appraisement, if the Said Peter Heyman on his part be contented therewith.

May, 9th 1699

Whereas Edward Ross Gunner at James Citty and Richard Dunbar Gunner at Tindalls pointe according to Orders unto them given, have laid before His Excellency the accounts of those Severall Fortificacons, and the Stores belonging to them whereby they appear to be wholly useless and unserviceable, And whereas William Byrd and Edward Hill Esq^{rs} to whom the same was referred have viewed the Said Fortificacons at James Citty, and examined the Gunners acc^{ts} and by their Report doe Sett forth that it is very exactly taken and Edmund Jenning and Mathew Page Esq^{rs} to whom the Same was referred doe Report that the platforme and Carriages of the Gunns at Yorke and Tindalls Pointe are decayed and Rotten; Therefore His Excellency hath been pleased to lay the Said accounts, and the Reports thereupon, before His Maj^{ty}s Honourable Councill, and to desire their Opinion and advice therein, upon which they tooke the Same into their Serious Consideracon, and after Some time Spent in the Debate thereof, they agreed upon the following Opinions and Advices;

That Land Fortifications cannot be made Sufficient to defend this Country from the dangers of Enemies Privateers or Pyrates for that the Country being Low, towards the Sea, Rivers and Creyk's, there are Landings at almost every plantacon, and many good Landing places where there are noe plantacons, Soe that it will be easy to Land and come upon the Back's of those who are to defend the Fortificacons, and after haveing possessed themselves thereof, to make use of the Gunn's against the Country, And therefore it is more dangerous for the Government, to have Such Fortificacons, then to be without them.

That to build and maintaine Land Fortificacons will be of greater Expençe than this Country can bear, nor will it Countervail the Cost to be done at His Maj^{ty}s Charge.

That the Said Fortificacons are not Sufficient to prevent Insurrecons for that it will be easy for Conspirator's to make themselves Master's both of the Armes And Amunition, When they lye without Guard in two or three places.

That the Trade cannot be Guarded or Illegall Traders prevented by Such Fortificacons, Some Rivers being Soe broad that their Gunns will not Comand their Channels.

That it is dangerous to keep all the powder in two or three places, because it is Easy to cease [seize] it as afore hath been said either by Enemies, Pyrates, or any ill disposed persons, and likewise to much exposed to the dangers of frequent and great Lightnings, to which the Clymate is very Subject.

That the only meanes to protect and defend this Government, must be by a Navall force, which will both Strengthen it against Insurrecons from within and Enemies and Pirates from without, and will also be more effectuall to detect and prevent Illegall Traders.

That to prevent the aforementioned Danger to the Powder, it is most expedient to distribute it in Small Quantities into the Severall Counties throughout the Government, where it will be more safe from accidents, and will also be ready upon any Sudden Occasion.

That therefore it is not for the Service or Interest of His Maj^{ty} or of of this His Colony and Dominion to be at any further Expence upon the Said Fortificacons, but that they be left in the Ruinous Condition wherein they are at present, and that the powder be distributed in Small Quantities, into the Severall Counties, for the better Security thereof, And that it may be more ready upon any Sudden Occasion for His Maj^{ty}s Service, and Accordingly

Resolved, that noe more expence be made upon the Fortificacons at James City Yorke and Tindall's pointe (those at Rappahannack and Nansemond being already neglected and Ruined, the Gunners discharged, and the Gunns belonging to that at Rappahannack removed) and that the powder at those places be disposed of into the Severall Counties as aforesaid.

But forasmuch as the said Fortificacons have Some times been represented to be of great consequence to this His Maj^{ty}s Governm^t, therefore

Ordered, that the Proceedings of His Excellency and the Councill, concerning them be laid before the house of Burgesses, now Sitting, and that it be recommended to them, to Consider and give their Opinions thereupon.

May 10. 1699

Whereas John Lightfoot Esq^r hath Complained to His Excellency and the Hon^{ble} Councill that he peruseing the Councill Booke, conceives two Orders therein contained doe tend much to his disreputacon, one on the twenty fifth of September 1696; the Other of the first of March 1696-7 Since both which he was admitted and Sworne One of His Maj^{ty}s Councill of this Colony.

Therefore he earnestly move's that His Excellency and the Honourable Councill, would cause an Order of Councill to be Entered either in *haec verba*, or to this Effect, (Viz^t)

That upon Consideracon of the Said Complaint this Board are oblidged in Respect to truth to declare that from the time, the Complainant was Sworne of the Councill, which is above two Yeares, he hath given his Constant Attendance, and behaved himself wth out Offence, nor hath in the least deserved, an ill Character Since, therefore

Ordered, that the Same be entered accordingly, only Mathew Page and Benjamin Harrison Esq^{rs} being but Lately Sworne into the Councill, they cannot testify for any longer, than the time they have been there.

May. 11th 1699

Whereas Anthony Holliday and Ann his Wife have complained against Samuell Hill and John Read of Warwick County, that at the Last Generall Court, they did Surreptitiously procure themselves to be assygned Guardians to Mary Brewer an Infant, Grand Daughter to

the Said Anne; of which Guardianship, they are not Capable by Law, One of them being a Professed Roman Catholick, therefore

Ordered, that the Said Samuell Hill and John Read doe upon Tuesday the Sixteenth Instant attend His Excellency and the Councill at James Citty to answer the Said Complaint, and that they cause the Said Mary Brewer to be there also.

Whereas there are Severall Sumes of money due to Severall person's for Messages in the Service of the Governm^t the last Year, as appears by the Councill Booke in the proceeding's of the twenty Eighth of October Last, therefore

Ordered, that a Warrant be prepared for y^e paying the Said money to the Clerke of the Councill, and that he pay the Same to the Severall person's respectively to whom it is due.

Whereas upon the petition of John Hanly for forty four pound's Seventeen Shillings and Six pence Sterl which he Said was due to him for makeing a platfforme at Tindalls pointe, Edmund Jennings and Mathew Page Esq^{rs} by Order of Councill of the third Instant were appointed to View the Said Worke and Make Report thereof, by which Report it appear's, that the Said platfforme is not at present of any use, nor was it first made, as it ought to have been, and were of Opinion that twenty five pound's Sterl. was Sufficient, to be paid to the Said Hanly for the Same, therefore

Ordered, that twenty five pound's Sterl be paid out of His Maj^{ty}s Revenue of two Shillings per hogshead and port Duties, unto the Said Hanly in full Satisfaccon for findeing Materialls and making the Said platfforme, and that Warrant be prepared accordingly.

May: 12: 1699

A Warrant being prepared according to Order of the eighteenth of Aprill last, for alloweing unto William Byrd Esq^r Auditor Generall of His Maj^{ty}s Revenues in Virginia the Sume of two thousand nine hundred fifty five pound's nine shillings Eight pence half penny Sterl Out of the Ballance which Remained on his Account of the Revenue of Quittrents upon the thirty first of May 1697 his Excellency Signed and Sealed the Same in Councill.

May: 16: 1699

Richard Johnson Esq^r haveing gone home on Saturday last, and being there taken very ill, made his Excuse by a letter, to His Excellency, for his Absence Yesterday, which letter being Communicated to the Councill, Ordered that the Clerke of the Councill doe prepare an answer to the Said Letter to be Signed by His Excellency, desireing the Said Johnson to be in Town, as Soon as his health will permitt.

Samuell Hill and John Read attending according to Order to answer the Complaint of Anthony Holliday, and Anne his Wife, the same is referred to M^r Attorney Generall for him to examine the matter of fact, and Report the Same together with his Opinion thereupon.

Upon the petition of Lewis Knott to be admitted a pilott for Nansmund River, Ordered, that a power be granted him accordingly

Whereas there are Severall matters of very great Import to be performed in the Intervall between this and the next Session of the Generall Assembly, as particularly the Revisall of the Laws, and the building of the Statehouse, neither of which can be concluded and finished by the next fall, So that there cannot well be another Session at that time, and Likewise it will be too great a Charge to the Country, to have two Session's in any One Yeare, And whereas the Spring is of late Yeares become a very improper Season for an Assembly, because it cannot be Convened till after Aprill Generall Court, at which time the Same Inconveniences will attend the Members, that they lye under at present, And also it will be very difficult to provide for the Accomodacons and reception of all such persons as Shall be required to attend both upon an Assembly and a Generall Court, and it may reasonably be hoped, that the Laws will be Revised and the State house well nigh finished by the month of September in the Year 1700 which will be a very fitt time for holding an Assembly, therefore

Resolved, that it be recomended to the Gentlemen of the House of Burgesses to take Care to raise money enough, to pay the publick Debts, already Contracted and build the State House, and also to make such other Sufficient provisions for the Security, Defence, and all other Contingencies which may happen to the Government, Soe that except upon Some Extraordinary Accidents (which God forbid) or direcons from England there may not be Occasion for another Session of Assembly untill September 1700

May. 17. 1699.

Whereas Informacon hath been given to His Excellency and the Councill, that Samuell Hill, John Read, and other persons disaffected to the Government and of Popish principles have been contriveing and endeavouring to carry an Infant named Mary Brewer out of this Government into the Province of Mary Land that She may be there married to a professed Roman Chatholick, and also that they have been guilty of divers other practices, tending to the disturbance of this His Maj^{ty}s Governm^t, therefore

Ordered, that William Aylward of Yorke County the Said Samuel Hill, and John Read and also John Lucas Sen^r and John Lucas Jun^r (if he is of Sufficient Age) of the County of Warwick and every One of them be Summoned by the Sheriff of each County where they reside Respectively to appear, at the next Court for the Said County; and that upon Such appearance, the Said Court do tender the Oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Supremacy, and the Test appointed by Act of Parliam^t unto the Said Aylward and the other persons before named and to every one of them Severally; and in Case of the Refusall of them or any of them to take the Said Oaths and Test, that the Said Court doe Certifie the Same to the Attorney Generall, who is hereby required to proceed against them and every of them (Soe refusing) according to Law.

Whereas Anthony Holladay and Anne his Wife have represented that at the Generall Court Last past Samuell Hill and John Read did Surreptitiously procure themselves to be assigned Guardian's to Mary

Brewer an Infant, Grandaughter to the Said Anne of which Guardianship they are not Capable by law One of them being a professed Roman Catholick; and whereas Bartholmew Fowler, Esq^r Attorney Generall to whom the Same hath been referred doth report, that, it appearing to him, that the Order of the Generall Court Granting the Guardianship of the Said Mary Brewer to the Said Samuell Hill and John Read is Conditionall, and hath not yet taken Effect, and that the Said Hill and Reed have not only obtained the Same by a false Suggestion, of their being next of Kin to the Said Mary Brewer, but also that they are One or both of them popish Recusants, and therefore incapable by law, of Such Guardianship; it is his Opinion, that His Excellency in Councill may give direcccons to the County Court of Warwick not to take any Security of the Said Hill and Read, thereby to enable them to Act as Guardians; and also to appoint Such person or person's as they shall thinke fitt, to take Care of the Said Orphan and her Estate, till the next Generall Court, where the truth of the matter may be the better inquired of and the Guardianship of the said Infant comitted to the next of Kin qualified by Law: and whereas Informacon hath been made to His Excellency and the Councill that the said Hill and Read have been contriving to carry the Said Infant out of the Governm^t into the Province of Mary Land that She may be there Married to a professed Roman Catholick, therefore

Ordered, that the Said County Court of Warwick doe not take any security of the said Hill and Read whereby to enable them to Act as Guardian's as aforesaid; and that they doe appoint Such person or person's as they Shall thinke proper to take Care of the Said Orphan and her Estate till the next Generall Court; And that till the Next Court for the Said County of Warwick the Said Infant be Comitted to the Care and Custody of the Said Anne Her Grand mother.

The Clerke of the Councill according to Order haveing prepared a Warrant for twenty five pounds Sterl. payable to John Henley in full for findeing materialls and makeing the Platforme at Tindalls point; the Same was accordingly Signed in Councill.

Whereas by a Letter from the Right Hon^{ble} the Lord's Comiconers of His Maj^{ty}s Treasury, Dated at Whitehall the fifteenth day of November, 1694 Directed unto S^r Edmund Andros Kn^t (who at that time was His Maj^{ty}s Lieutenant and Govenour Generall of this His Colony and Dominion of Virginia) And to the Govenour or Commander in Cheif for the time being, it is directed that One or more Small Vessell's of about forty Tunn's be hyred with Skillfull Commander's in these partes, for whom the Said Govenour or Comander in Cheif will be answerable, and that they be appointed to Cruise upon the Coast of Virginia, with power to examine all Ships tradeing to and from those partes and to Inspect the Clearing's of the Said Ships in the Collectors bookes in Order to the discovery of forged Cockquets and Certificates, His Excellency caused the Said Letter to be read in Councill and for as much as at present there is noe Such Vessell in the Service of this Governm^t He recommended it to the Consideracon of the Councill, whether His Maj^{ty}s Service required that Such a Vessell be hyred for the Uses aforesaid and whereas it appears that the Revenues of

the Governm^t are already Soe far ingaged in debt, partly by this meanes, that money cannot be procured to hyre Such a Vessell as aforesaid, without anticipating the Revenues contrary to His Maj^{ty}s Royall Comands; and it hath been found by the Experience of two Such Vessells sett out at Severall times, by virtue of the Said Letter, that they have been very prejudiciall to the fair Traders in these partes, but never detected any illegall practices or discovered any unfair Trader's; therefore they are of opinion that it is not for the Service, either of His Maj^{ty} or this His Governm^t, that any Vessell be hyred to Cruise as aforesaid,

Ordered, that the proceeding's of His Excellency and the Councill herein be laid before the Burgesses and that it be recomended to them to Consider and give their Opinions thereupon.

Ordered, that the Coppyes of the proclamacons against Corresponding with the Scotch, be Sent to the Collectors and Navall Officers of the Severall Districts within this His Maj^{ty}s Colony and Dominion, and that they Signify the Same to all Masters of Ship's or Vessells comeing into their Respective Districts.

Whereas by His Maj^{ty}s Royall Instrucons to His Excellency, he is directed not to Act with a Quorum of Less than five Members of the Councill, unless upon Extraordinary Emergencies, when a greater Number cannot be conveniently had: and at present Severall Member's of the Councill are often incapacitated to attend Some by Sickness and other Indisposicons and some by reason of the Remoteness of their Habitacons, and the difficulty of Comeing to James City, which is the Seat of the Government Soe that the Meetings of the Councill can be but very Seldome, and then but few of the Members can attend; therefore

It is the Opinion and Advice of the Councill that it is for His Maj^{ty}s Service that His Excellency doe represent to His Maj^{ty} the present State of the Councill, with Relacon to the particulars aforementioned, and that he Address his Maj^{ty} either to appoint a greater number of Councillours than hath heretofore been usuall, Or that he will be pleased to give him Leave to Act with a lesser number than five.

May 18th 1699

Whereas by the Letters of M^r Thomas Milner unto his Brother M^r Francis Milner, and of Daniell Sullivan to Cap^t Miles Cary, this day read in Councill, It appears that Severall undue practices were used by Maj^r Thomas Godwin, M^r Edmund Godwin and Cap^t Thomas Jordan Sheriff of Nansemund at an Election of a Burgess' for the Said County of Nansemund Upon Tuesday the ninth Instant, which Said undue practices haveing relacon to the priviledges and Liberties of the House of Burgesses, therefore

Ordered, that the Said Letters be laid before the House of Burgesses and that the Especiall Consideracon thereof be Recomended to them.

May. 19. 1699:

The petition of Francis Dance against Sampson Dorrill is referred to M^r Attorney General for him to take Care, that right be done to the Complainant.

The petition of Richard Kitson for pay for his Sloop hyred into His Maj^{ty}s Service, is referred to M^r Auditor for him to examin, the matter of fact, and Report the Same with his Opinion, thereupon.

The petition of Abiah Merchant, Widdow complaining, that She living near the Bound's between this Governm^t and that of Carolina, is compelled to pay quitt rents in both Governments, is referred to M^r Auditor for him to Enquire into the matter of fact and report the Same with his Opinion thereupon.

Whereas Informacon hath been given to His Excellency and the Councill of Severall illegall & seditious practises in the County of Nansemond, Into which it is necessaty to make Inquiry; and for as much as the present Sheriff of the said County is represented as a great Abetter of the Same, and being himself an offender, will not be active in performing his office upon such an Inquiry, therefore.

Ordered, that the Clerk of the Councill doe prepare a warrant to be Signed by His Excellency Impowering Thomas Swann Gent to Sumon such witnesses, as Shall be necessary to be examined, to appear before George Nasworthy Gent One of His Maj^{ty}s Justices of the peace for the said County, to testify the truth to the best of their knowledge in the premisses.

Whereas Cap^t Miles Cary hath laid before His Excellency and the Councill a Letter to him from M^r Daniell Sullivan, and M^r Francis Milner hath also laid before His Excellency, and the Councill, a letter to him from his Brother M^r Thomas Milner by both which letters it it represented that in Order to begitt an evill opinion of His Maj^{ty}s Governm^t of this His Colony and Dominion of Virginia, in the minds and opinions of His good & loyall Subject's, thereof and as much as in them lyes, to Stir up and cause Sedition in this His Maj^{ty}s Government, Many Scandalous, false, and malicious Rumours and Reports, have lately been invented, raised and divulged amongst His Maj^{ty}s Subjects in the County of Nansemond, by Severall persons of Seditious and disloyall principalls, and particularly by Maj^r Thomas Godwyn,, M^r Edmund Godwin, Cap^t Thomas Jordan, Andrew Ross, and others their Associates in the Said County, for the more full and effectuell detecting and discovering the Said illegall and Seditious practises, and that the Said Offenders may be brought to Condign punishment, for their Said Offences according to law.

Ordered, that George Nasworthy Gent One of His Maj^{ty}s Justices of the peace, for the Said County of Nansemond doe forthwith take the Examinacons and Depositions in Writeing of all Such persons as shall be brought before him by Cap^t Thomas Swann (who is particularly thereto Impowered by His Excellency) Relateing to the Said illegall and Seditious practices, And if it Shall come to the Knowledge of the Said Nasworthy that any person or person's, other than those that shall be So brought before him as aforesaid, can give any materiall Informacon or Evidence for His Maj^{ty}s Service therein, that he doe

forthwith cause them to be brought before him, to testify the truth to the best of their Knowledge concerning the premisses; and after such examinacons Shall be made and Depositions taken as aforesaid, that the Said Nasworthy doe with all possible expedition lay before His Excellency a particular account of his proceedings therein.

Whereas John Taylor of the County of Charles Citty Gent by his petition to His Excellency and the Councill, hath humbly represented, that by an Order of this Honorable Board dated at James Citty the twenty third day of February 1698 he is suspended from Executeing the Office of Clerke of Charles Citty County Court, untill he be tryed on an Informacon of Perjury, which he Complained was falsly and maliciously laid against him, by M^r James Minge, and prayed to be brought to tryall thereon, before the Generall Court, where the same hath since been lawfully tryed, and the Petitioner therefrom lawfully acquitted, and therefore he hath prayed that, the Said Suspension may be taken of. by Order of this Honorable Board, and that the Reasons thereof may be entred in the Same, that the Petitioners Reputacon may Stand fair on the Councill Book; and whereas it appear's, that the Said Taylor according to his former petition, was at the Last Generall Court brought to his tryall, upon the Said Informacon of perjury Exhibited against him, and that he was thereof acquitted upon very full evidence then given, the Said Informacon appearing to be frivolous, false, malicious and Vexatious and at first exhibited against him more out of design to Scandalize and blacken his Credit and reputacon than with intention or hopes to have him convicted upon a fair legall Tryall; therefore, for as much as the Reasons of the Said Suspension are now ceased,

Ordered, that the Suspension of the Said John Taylor from Executeing the said Office of Clerke of Charles Citty County Court, be and is hereby declared to be revoaked made Void and of none effect in prejudice of the Said Taylor's pretencons thereto for the future.

May. 20. 1699.

M^r Attorney Generall according to Order having prepared a proclamacon for apprehending Seamen deserting His Maj^{ty}s Service on board his Ship Essex prize and other Ships of War, the Same was read and being approved, was Signed in Councill; and Ordered, that three of them be Sent to Cap^t John Aldred Commander of the Said Ship Essex-prize.

M^r. Richard Dunbars account being adjusted and Setled, His Excellency in Councill, Signed a Warrant for Seaventeen pound's, three Shillings Sterl, payable to the Said Dunbar, for one yeare and half a quarter's Salary as Gunner of the Fort at Tindalls pointe, and for Severall other disbursements for the Use of the Said Fort.

May. 24. 1699

The petition of Arthur Whitehead Complaining of an Assault made upon him by One of the Nottaway Indian's, is referred to Benjamin Harrison Esq^r to examine the Matter of fact and Report the

Same, to His Excellency and the Councill, together with his Opinion thereupon.

Ordered, that M^r Attorney Generall doe consider what is the proper Stile that all Comicons and other publick Instruments in this His Maj^{ty}s Colony and Dominion ought to bear, and that he report his Opinion, therein to His Excellency and the Councill.

May. 26. 1699.

The petition of William Leigh Gentleman for a Grant of certain Land's in King and Queen and Essex Counties is referred to the Committee appointed to Settle the Claimes to Land's in Pamunkey Neck and on the South Side of the Blackwater Swamp, for them to Examine the matter of the Said petition and report their Opinions therein.

His Excellency haveing communicated to the Councill His Maj^{ty}s Royall Comands concerning the Collectors and Navall Officers, and desired that such of the Gent of the Councill, as were concerned in those Offices, would consider what answer was to be given, or what was to be done in Obedience thereto; which they not haveing yett done, they prayed that His Excellency would give them further time till Tuesday next, and accordingly the Same was referred till that time.

Whereas Cap^t Thomas Swann by his Letter to His Excellency, hath represented, that when he lived in the County of Surrey and had Comand in the Militia of that County, there were Severall fynes levyed upon Refractory person's, for not provideing themselves with armes, not appearing at Musters & c all which fines were deposited in the hands of Cap^t Francis Clements, who hath Converted the Same to his own use, and never made any account thereof, therefore,

Ordered, that the Said Letter be delivered to Benjamin Harrison Esq^r the present Commander in Cheif of that County, and that he doe examine the Matter of fact, and take Care that Right be done therein,

Ordered, that M^r Edwin Thacker be desired to goe to Middle plantation to assist M^r Theodorick Bland in Surveying and laying out the Land for a Town,

May. 30. 1699

James Minge Coroner of the County of Charles Citty haveing laid before His Excellency and the Councill an Inquest by him taken, upon the body of Sarah Bray Late wife of Samuell Bray of that County, Ordered that the Said Enquest be delivered to M^r Attorney Generall, and the offender's therein menconed be prosecuted, according to Law,

Ordered, that a Warrant be prepared for tenn pounds Sterl. payable to M^r Commissary Blaier to be by him Equally divided to tenn Minister's who preached at James Citty, the last Generall Court and this present Generall Assembly.

Whereas M^r Attorney Generall hath examined and considered, the Depositions of Severall persons taken before George Nasworthy Gent One of His Maj^{ty}s Justices of the peace for the County of Nansemond, relateing to Severall misdemeanours comitted in that County,

and hath reported his Opinion, that Maj^r Thomas Godwin, Cap^t Edmund Godwin, Cap^t Thomas Jordan Cap^t Thomas Godwin, and Andrew Ross, ought to be prosecuted at Law, for Severall high Crimes and Misdemeanours charged upon them in the Said Depositions therefore

Ordered, that M^r Attorney Generall doe prosecute the said Offender's and every of them, for the Severall Crime's whereof they Stand Charged.

Whereas divers Complaints have been made of the evill and Seditious practices used in Severall parts of the Country, by the people, called Quakers, therefore,

Ordered, that it be Recommended to M^r Comissary Blaier to Consider of the most proper methods for preventing the like for the future.

May. 31. 1699

Whereas M^r Peter Hack Deputy Collector of the Lower District of Potowmack River hath represented to His Excellency that One William Alding Master of the Ship good Speed of New England, at his coming into the Said District made a legall entry with him the Said Hack and the Navall Officer, but upon the twenty Second day of Aprill last he went away with his Said Ship without Clearing; and whereas M^r Attorney Generall to whom the Same was referred hath reported his Opinion therein that the Said Aldings Entry bond ought to be put in Suite against his Security, therefore

Ordered, that M^r Attorney Generall doe prosecute accordingly.

M^r Attorney Generall according to Order, that he Should consider whether the Order's of the Councill and other thing's entered in the Councill Bookes, may be esteemed to have the force and validity of Record's, Reported his Opinion thereupon, that the Order's of the Councill Board and all other things and Matters entered in the Councill Bookes (except those which are themselves Record's) cannot be accounted Record's neither can they be given in Evidence as Such in any Court of Record in this His Maj^{ty}s Dominion of Virginia.

His Maj^{ty}s Royall Instrucons relateing to the Office and Duty of the Secretary of this His Maj^{ty}s Colony and Dominion haveing been Sent to M^r Secretary Wormeley for his Answer thereupon, he being very much Indisposed and unable to come to Town, gave direcons to Edmund Jenning's Esq^r Deputy Secretary to make Such answer therein as he Should thinke necessary, in pursuance, whereof the Said Jenings laid before His Excellency the following answer

May it please Yo^r Excellency

M^r Benjamin Harrison haveing Signified Yo^r Excellencies Comands to M^r Secretary Wormeley for his Answer to two of His Maj^{ty}s Royall Instrucons relateing to the Secretaries Office and Duty, M^r Secretary being much Indisposed and not able to waite on Your Excellency and I haveing officiated that Office for Some time, prays You'l please to give me leave to make answer, That to the first for provideing Transcripts of all Acts and publick Orders & c to be transmitted for England & c M^r Secretary and Since I had the honour to be employed in

that Station hath not bin wanting and are Still ready to doe their duty therein. That to the other of Severall undue practices in the Secretaries office & c M^r Secretary nor myself are not Senseable of any havinge alwaies endeavoured the Office might be kept clean from Corruption, and if any usuall or former method's are not thought proper or ill Managem^t M^r Secretary is ready to observe Comand's therein, And hopes Yo^r Excellency will find the Record's in good Method and order, M^r Secretary and my Self are ready and Shall take Care that all other's concerned give Such Security and take Such Oaths as Your Excellency Shall direct, And pray's Yo^r Excellencys favourable constructions and report to His most Sacred Maj^{ty} And the R^t Hon^{ble} the Lord's Comissioners for trade and plantacons.

Whereupon Ordered, that M^r Attorney Generall doe prepare Such bonds and Oaths as are proper to be entered into and taken by M^r Secretary and his Clerkes and every one of them respectively, for their faithfull and true discharginge of the Severall trusts Reposed in them.

June. 1. 1699

M^r John King being examined to what he knew concerning a Scandalous Libell, published by Samuell Grey Clerke, the Said Examinacon was taken in writeing, and the said King Swore to the truth thereof, and Ordered that it be delivered to M^r Attorney Generall, for him to consider and report what is proper to be done therein.

The petition of James Mason, for a horse become forfeit to His Maj^{ty} by the death of Thomas Binns Late of Surrey County, is referred to Benjamin Harrison Esq^r for his Opinion therein.

Barentine Howells his petition Complaining of an Abuse putt upon him by Daniell Parke Esq^r late Escheator of Yorke County, is referred to M^r Attorney Generall for his Opinion thereupon.

June. 2. 1699

Whereas M^r Attorney Generall according to Order hath considered of the Examinacon of John King Gent concerning a Scandalous Libell published by M^r Samuell Grey Clerke, and doth report his opinion, that the said Grey ought to be Sent for In Custody, to give an account thereof; and also that he understands Joseph Peacock Master of the Ship Byrd in Yorke River, can give Some Materiall Informacon therein, and that it is necessary he be Sumoned, to appear at the Same time with the Said Grey therefore

Ordered, that M^r Attorney doe prepare warrants for apprehending the said Grey, and Sumoneing the Said Peacock to appear before His Excellency and the Councill on Tuesday next.

M^r Attorney Generall according to Order haveing considered what Stile Comicons Pattents and other publick Instruments, Issuing in this His Maj^{ty}s Colony and Dominion, Ought to bear; and haveing reported his Opinion therein, that all Comicons of the peace and all other Comicons ought to issue in the name of His Maj^{ty} and to bear Test from His Excellency, but the formes of Patents being Settled by Act of

Assembly ought not to be Altered, till a repeal of the Said Law, therefore

Ordered, that for the future all Comicons doe Issue in His Maj^{ty}s Name and bear Test by His Excellency and that M^r Attorney doe make Such alteracons in the present formes, as shall be agreeable to the Said Report.

M^r Auditor Byrd according to Order Reported his Opinion, concerning his Maj^{ty}s Royall Instrucons for Establishing a Court of Exchequer which is as followeth,

May it please Yo^r Excellency

Having considered His Maj^{ty}s Instrucons relateing to the Court of Exchequer, I am humbly of Opinion, that the Charge thereof may be more than any advantage Such a Constant Court will produce to His Maj^{ty}, The Cheife Revenue here consisting in the two Shilling's per hhd Port Duties and Some Small Fines and Compositions, are Yearly Accompted for. What Ships or plantacon Bond's are forfeited, I humbly conceive may be tryed in the Admiralty Court;

June. 3. 1699

In Order to the Setling of the Militia in the Severall Counties within this His Maj^{ty}s Colony and Dominion, His Excellency in Council was pleased to Nominate and appointe the principall Officer's thereof, as followeth, to witt,

Henrico County

William Byrd Esq^r Collonell and Comander in Cheif.

William Randolph Lieutenant Collonell.

Peter Feild Maj^r

Charles Citty County

Edward Hill Esq^r Collonell and Comander in Cheif.

Edward Hill Jun^r Lieutenant Colonell.

Charles Goodrich Maj^r

Surrey County

Benjamin Harrison Esq^r Colonell and Comander in Cheif.

Henry Tooker Maj^r

Isle of Wight County

Samuell Bridger Lieutenant Colonell and Comander in Cheif.

Henry Baker Maj^r

Nansemund County

George Nasworthy Lieutenant Colonell and Comander in Cheif.

Thomas Swann Maj^r

Princess Anne County.

Anthony Lawson Lieutenant Colonell and Commander in Cheif.

John Thorowgood Major.

Norfolk County.

Lemuell Mason Lieutenant Colonell and Commander in Cheif.

James Wilson Major.

Elizabeth Citty County

William Wilson Lieutenant Colonell and Commander in Cheife.
Anthony Armestead Major.

Warwick County

Miles Cary Lieutenant Colonell and Comander in Cheif.
William Cary Major

James Citty County.

Philip Ludwell Colonell and Comand^r in Cheif.
Henry Duke Lieutenant Colonell.

Yorke County.

Edmund Jennings Esq^r Colonell and Comander in Cheif.
Thomas Ballard Lieutenant Colonell.
William Buckner Major

New Kent County

John Lightfoot Esq^r Colonell and Comander in Cheif.
Joseph Foster Lieutenant Colonell
William Bassett Major.

King and Queen County

William Leigh Colonell and Comander in Cheif
Josua Story Major.

Glocester County.

Matthew Page Esq^r Colonell and Comander in Cheif.
James Ransom Lieutenant Colonell.
Peter Beverley Major.

Middlesex County

Ralph Wormeley Esq^r Colonell and Comander in Cheif.
Matthew Kemp Lieutenant Collonell.
Robert Dudley Major.

Essex County.

Ralph Wormeley Esq^r Colonell and Comander in Cheif.
William Moseley Lieutenant Colonell.
John Catlett Major.

Lancaster County.

Robert Carter Colonell and Comander in Cheif.
Joseph Ball Lieutenant Colonell.

Northumberland County

Robert Carter Colonell and Comander in Cheif.
George Cowper Lieutenant Colonell.
Rodham Kennor Major.

Westminster [Westmoreland] County.

Richard Lee Esq^r Colonell and Comander in Cheif.
Willowby Allerton Lieutenant Colonell
Francis Wright Major

Richmond County

Richard Lee Esq^r Colonell and Comander in Cheif.
George Taylor Lieutenant Colonell.
Thomas Lloyd Major.

Stafford County

George Mason Lieutenant Colonell and Comander in Cheif.
Thomas Owsley Major.

Accomack County

Charles Scarburgh Colonell and Comander in Cheif
Edmund Scarburgh Lieutenant Colonell
Richard Bayley Major.

Northampton County

John Custis Colonell and Comander in Cheif.
Nathaniell Littleton Lieutenant Colonell.
William Waters Major.

Whereas M^r William Barton Merchant hath represented to His Excellency that he hath a Ship lyeing in the lower parts of James River and in great danger of being damnified by the Worme the Sumer now comeing on; and that he is in great necessity of men to bring the said Ship up James River in some Safe harbour, therefore he prayes that His Excellency will please to Signify his pleasure to Cap^t John Aldred Commander of His Maj^{ty}s Ship the Essex-prize, that he assist him with Seamen for that purpose.

Ordered, that the Said Cap^t Aldred doe assist the Said Barton according to his desire, if it may be done without prejudice to His Maj^{ty}s Service.

His Excellency in Councill was pleased to Nominate and appoint Escheators for the Severall parts of this His Maj^{ty}s Colony and Dominion as followeth, to wit,

On the South Side of James River, William Randolph
Between James and Yorke Rivers, John Lightfoot Esq^r
Between Yorke and Rappahanack Rivers, Matthew Page Esq^r
On the Eastern Shoar, John Custis.

June. 5. 1699

Whereas Informacon hath been given to His Excellency and the Councill by M^r John Scott of the province of Maryland, that about the Year of our Lord, 1689, he was bound Jointly with Andrew Gregg then Master of the Ship Swann, for the said Gregg's performance of the Acts of Trade and navigacon, which he haveing failed to doe, the Said Scott is now prosecuted in Maryland upon the Said Bond; and the said Gregg being now Master of a Ship in this His Maj^{ty}s Colony and Dominion the Said Scott prayes, that process may be sued forth against him on His Maj^{ty}s Behalf, for his forfeiture of the Said Bond, therefore

Ordered, that M^r Attorney Generall doe prosecute the Said Andrew Gregg upon the said Bond according to Law.

His Excellency in Councill was pleased to Nominate and appoint

Sheriffs of the Severall Counties in this His Maj^{ty}s Colony and Dominion, as followeth. (viz^t)

Henrico, Thomas Cock.
Charles Citty, Robert Bolling.
Surrey. Thomas Holt.
Isle of Wight, Anthony Holladay.
Nansemund, Francis Milner.
Princess Anne John Thorowgood.
Norfolks, Richard Church.
Elizabeth City, Coleman Brough.
Warwick, William Cary.
James Citty, Henry Duke.
Yorke, Thomas Ballard.
New Kent, William Bassett.
King and Queen, John Waller.
Glocester Mordecai Cook.
Middlesex, Sr William Skipworth Baronett.
Essex, John Talliaferro.
Richmond,
Lancaster, Alexander Swann.
Northumberland, Rhodham Kennor.
Westmorland, Alexander Spence.
Stafford, George Mason.
Accomack, Thomas Welburne.
Northampton, Nathaniel Littleton.

Whereas Severall persons have laid their Claimes to land's in Pamunkey Neck, and on the South Side of the Blackwater, before His Excellency and the Council which Claimes haveing been Considered, and the Method of proceeding therein to obtain Patents for the said Lands being adjusted by a joint Comittee of the Councill and Burgeses of this Generall Assembly, to whom the Same was referred; and that all Disputes and Controversies hereafter about those Land's, may be prevented,

Ordered, that the Sheriffs of the Severall Counties throughout this His Maj^{ty}s Colony and Dominion doe make publick proclamacon in their Repsective Counties that all persons who have any Claime to Land either in Pamunkey Neck, or on the South Side of the Blackwater Swamp, and have not yet laid the Same before His Excellency and the Councill, Shall exhibite such Claime or Claimes, before the first day of the next Generall Court Or else they Shall not receive any benefitt thereby.

June. 6. 1699

Whereas William Leigh of the County of King and Queen Gent by his petition to His Excellency hath prayed that he may have a pattent for three thousand four hundred Seaventy four Acres of Land being part in the Said County of King and Queen and part in the County of Essex, pursuant to the Report of Comittee, for adjusting the Claimes to the Land's in Pamunkey Neck and on Blackwater to whom

His Excellency had been pleased to referr the Said Leigh's former Petition for the Same, therefore,

Ordered, that a Patent granting the Said three thousand four hundred Seventy four Acres of Land unto the Said William Leigh and to his Heires for ever, be accordingly prepared.

His Excellency having Communicated to the Councill the Address of the house of Burgesses in answer to the Severall thing's by him recommended to them at the Opening of this Session, desired their Opinion and Advice, whether any thing further Should be done therein, whereupon they are of Opinion, that Considering the present Circumstances of the Governm^t, the Said Address containeth very Dutifull reasonable and Satisfactory answer's to all that His Excellency hath been pleased to recommend to the House of Burgesses, and therefore that it ought to be received with good approbation.

Whereas upon the Oath's of John King of the County of New Kent Gent and Joseph Peacock Master of the Ship Byrd, Informacon hath been given to His Excellency and to His Maj^{ty}s Hon^{ble} Councill of State, that Samuel Grey of the County of Middlesex Clerke, Sometime in the month of May last past in the Said County of New Kent did utter and publish a certain Scandalous false Malacious and Seditious Libell, wherein were contained Severall wicked and Malacious Reflecons and aspersions upon His Most Gracious Maj^{ty}, the Late Queen Mary of Blessed Memory, His Maj^{ty}s Governm^t here, the Royall Colledge of William and Mary, and upon Severall other Eminent persons in this His Maj^{ty}s Colony and Dominion, And whereas the Said Samuell Grey by Virtue of a Warrant from His Excellency hath been Apprehended and brought before His Excellency and the Councill, And upon Examination hath confessed himself to be the Author and publisher of the Said Libell, and also hath confessed Severall other matters relateing to the Said Libell and to the Said Colledge, And hath most humbly Implored His Excellencies pardon and forgiveness for his Said Offences, Declareing and Solemnly protesting, that he hath confessed the truth and the whole truth to the best of his knowledge, concerning the Said Libell and all other Scandall's Reflecons and Abuses against His Maj^{ty}s Governm^t of this His Colony and Dominion, and against the Said Colledge, either by himself or by any other person or persons whatsoever, Therefore,

His Excellency is pleased to remitt the Said Offences of the Said Grey, upon Condition, that if hereafter, it shall appear, that the Said Grey hath not made a full Confession of all His knowledge in the premisses, that then he Shall be prosecuted with the utmost Severity of the Law, And this present forgiveness of Him by His Excellency Shall be of noe effect or advantage to him.

June. 7. 1699.

Ordered, that Edward Hill Esq^r doe make inquiry for and make choice of a tract of tenn thousand Acres of very good Land either upon the Black water or elsewhere, not already Claimed by any other person, and that the Same being made choice of by the Said Hill Shall be reserved for Such uses, as it Shall hereafter be appropriated unto, and

that noe Surveyor doe presume to Survey the Same for any other person.

For the prevention of any accident which may happen to the powder now lying at Jame's Citty, Ordered that the same be distributed into the Severall Counties throughout this Dominion, and that the Comanders in Cheif of the Militia have intimacon given them of this Order, that the[y] may take the first opportunity of Sending for it into their respective Counties; and that it may not be decayed and Spoiled after it is Soe distributed, the Comanders in Cheif of the Militia are hereby impowered to make sale of half the powder in their respective Counties, and with the money which they receive for the Same, they shall send for other new and good powder to be putt up either in half or quarter barrells for the more easy removall and Carriage thereof;

Ordered, that the Comicons for the Officers of the Militia be prepared in the Secretaries office, and that it be recomended to the next Generall assembly to pay for the Same.

Whereas by His Maj^{ty}s Royall Instruccons for the greater Security of this His Maj^{ty}s Colony His Excellency is directed to appoint fitt Officers and Comanders in the Severall parts of the Country bordering upon the Indians, who upon any Invasion may raise men and armes to oppose them, untill they Shall receive His Direcons therein; And that noe new Charge may arise to the Publick by Officers appointed for Such particular Occasions and noe other, therefore

Ordered, that at any time hereafter in Case of any Incursion or Invasion the next Comicon officer of the Militia, upon Notice thereof, Shall be and is hereby impowered to raise Such and Soe many Men and armes as Shall be Sufficent to oppose the Invador's, untill they Shall receive further direcons therein from His Excellency or the Commander in Cheif of the Militia in the County where such men Shall be raised, unto whom, every Such Comicon [officer] Shall imediately upon notice as aforesaid, dispatch Severall Expresses with particular accounts thereof.

For the more Speedy and better regulateing and Setling the Militia throughout this Dominion; Order'd that the Comanders in Cheife of the Severall Counties doe as Soon as may be return to the Councill Office at James City a List of the Capitaines, Lieutenants, Ensigns and Coronets in their Respective Counties; and in Case of the death or Removall of any of those Officer's that they doe Recomende other's to Supply those Vacancies; and in all Counties where other proper and Sufficent Officers may be had, it is directed, that None of the feild Officer's Shall have any Company or Troop under their Own Imediate Comand.

Ordered, that all Comicon and Non Comicon Officers of the Militia, Escheators, Coroners, Constables, and all other Officer's in this Dominion, at their Admission into their Severall Offices respectively, doe take the Oaths appointed by Act of Parliament, to be taken instead of the Oaths of Supremacy and Allegiance, and subscribe the Test and Associacon appointed by Act of Parliament; and therefore

Ordered, that M^r Attorney Generall doe prepare a Comicon for that purpose, Impowering such persons as His Excellency Shall thinke

fitt to appoint to administer the Said Oaths Test and Associacon as aforesaid.

Whereas the Councill and Burgesses of the present Generall Assembly by their Address to His Excellency have represented the great mischeifs and Inconveniences that accrew to the Inhabitants of this His Maj^{ty}s Colony and Dominion of Virginia by Killing of whales within the Capes thereof; and have prayed that His Excellency will be pleased to Issue out a proclamacon forbidding all Persons whatsoever to Strike or kill any Whales within the Bay of Chesapeake in the Limitts of Virginia; therefore

Ordered, that M^r Attorney Generall doe prepare a proclamacon, Accordingly.

Edward Hill Esq^r Judge of His Maj^{ty}s Court of Admiralty in Virginia on behalf of himself, and the other Officers of the said Court, presented the following Petition to His Excellency in Councill, to wit,

To His Excellency Fran: Nicholson Esq^r His Maj^{ty}s Lieu^t and Governour Generall of Virginia,

Edward Hill Judge of His Maj^{ty}s Court of Admiralty in Virginia, Miles Cary Register, John Taylor Advocate, and Michael Sherman Marshall.

Humbly gives Yo^r Excellency to understand and be Informed,

That His Most Sacred Maj^{ty} haveing by His particular Comands, Ordered that a Court of Admiralty be established within this Dominion, The only Cost and Charge of Attending the Said Court is farr beyond the Fees and profitts that arise thereby, Soe that we humbly pray Yo^r Excellency that You will please to recomend the Same to His Most Sacred Maj^{ty} that Such an allowance may be established unto the said Severall and respective Officer's Constituteing and attending the Said Court, that they may be the better enabled to Attend the Said Service.

June. 8. 1699.

His Excellency by and with the Advice and Consent of the Councill was pleased to Nominate and appoint the Collectors, Navall Officers and Receivers of the Virginia Duties, for the Severall Districts within this His Maj^{ty}s Colony and Dominion as followeth, to witt,

For the Upper District of James River.

Philip Lightfoot Collector.

Nathaniell Harrison Navall officer and Receiver of the Virginia Duties.

For the Lower District of James River.

Peter Hayman is allready Collector being appointed by the Honourable the Comissioner's of the Customes.

William Wilson Navall Officer and Receiver of the Virginia duties.

Yorke River.

William Buckner Collector.

Miles Cary Navall Officer and Receiver of the Virginia Duties.

Potowmeck River

Nicholas Spencer is already Collector being appointed by the Honourable Commissioners of the Customes.

Hancock Lee Navall Officer and Receiver of the Virginia Duties.

In Northumberland County.

Isaac Allerton Navall Officer and Receiver of the Virginia Duties.

In Westmorland County Including Yeocomoco River.

Rice Hoe Navall Officer and Receiver of the Virginia Duties.

In Stafford County Including Upper Matchotucks River.

[Officer's name omitted in the original.]

On the Eastern Shoar.

Henry Scarburgh Collector

John Custis Navall Officer and Receiver of the Virginia Duties.

His Excellency haveing caused a proclamacon to be prepared appointing a Solemn Day of Thanksgiveing to Almighty God for his Great Mercies and Blessings bestowed upon this Dominion, the Same was read in Councill and approved,

And Ordered, that the Clerke of the Councill doe lay the Said proclamacon before the House of Burgesses, for the approbacon thereof.

His Excellency haveing received a Message from the Burgesses, that they waited His Excellency's further Comand's haveing nothing then lyeing before them, He was pleased to Recomend to the Councill for their Advice, whether anything further was necessary to be done at present by the Generall Assembly, Or whether they Should now Conclude the Sess'on;

Whereupon the Councill are Unanimously of Opinion, that it is for His Maj^{ty}s Service and the interest of this His Colony and Dominion, that the Generall Assembly be prorogued till the Ninth day of November Next.

Post Meridiem.

Whereas by Advices from New England His Excellency hath been certainly Informed, that One Joseph Bradish and others his Accomplices to the Number of twenty and upward's did in the Year of Our Lord 1698 piratically and feloniously Seize upon and run away with a Ship called the Adventure of London of the burthen of between three and four hundred Tunns, mounted with twehty two Guns, Thomas Gulleck Comander, belonging to the Subjects of His Most Sacred Maj^{ty} William the third by the Grace of God King of England Scotland France and Ireland & c at the Island of Polonis [Polo?] in the East Indies, and brought the Said Ship and her loading unto Block Island within His Maj^{ty}s Colony of Rhode Island, where (haveing first taken out of her the money's and such parte of the Loading as was most valuable) the said Joseph Bradish, and his Accomplices have Sunke the Said Ship and dispersed themselves into Divers part's and places as hath appeared by the Confession of Some of the Said Ships Company

already apprehended in His Maj^{ty}s Province of Massachusetts Bay in New England therefore,

His Excellency takeing the Same into His Serious Consideracon, with the Advice of His Maj^{ty}s Councill Doth Strictly charge, comand and require all Commanders in Cheif of the Militia, Sheriffs of the Severall Counties, and all Collectors and navall Officers of the Severall Districts, within this His Maj^{ty}s Colony and Dominion, to use their utmost endeavours and diligence to Seize and apprehend or cause to be Seized and apprehended, the Said Joseph Bradish, and his Accomplices and Confederates in the Said piracy and felony hereafter named, to wit Andrew Martin, John Peirce, Thomas Edgehill, Ay!more Clarke, Edward Ham, Rowland Martin, John Parrott, William Simpson, Robert Nox, Cornelius Larkin, Thomas Dean, Robert Mason, and One Sweetman and all others who were Accomplices in the said piracy, with the Money, Bullion, Treasure, Good's and merchandizes taken out of the Said Ship, that Shall be found with them or any of them, or in the possession of any other person and persons whatsoever, And all Jus-rices of the Peace Constables and other His Maj^{ty}s Officers and Subjects whatsoever within this His Colony and Dominion, are hereby Strictly comanded and required to be aiding and assisting to the Said Officers and every of them in the Execucon of this present Order, and if the Said Joseph Bradish or any of his Accomplices Shall be apprehended by the Said Officers or any of them; they are immediately to transmitt an Account thereof to his Excellency, and take Care that the Said persons and their Effects be Secured till they Shall receive his further Direcons therein and that this Order may be the better and more effectually put in Execucon, the Said Officers and every of them respectively are hereby required and Comanded to use their utmost diligence in the prosecucon and performance but not to make publicacon of the Contents hereof, lest Intimacon be given to the Said Pirates and they be thereby enabled to escape.

Ordered, that the Order of His Excellency in Councill relateing to Joseph Bradish and his Accomplices be sent to the Sheriffs of the severall Counties and that they Communicate the Same to the Comander's in Cheif, Collectors and Navall Officers within their Respective Counties.

Examinat et Concord cum original

Test

B: Harrison Cl Con.

[C. O. 5, Vol. 1310, C 16 or No. 2^{xix}]

Virginia ss^t

By his Excell^y

Seal

A. Proclamation

Whereas there are severall Bonds now lying out relating to the Severall acts of Trade & Navigation w^{ch} are not comply'd with by produceing certific^{ts} from the R^t hono^{ble} Comm^{rs} of his Ma^{ty}s Customes & officers in his Ma^{ty}s Plantacons in America, & the bonds thereby in danger of being forfeited, to prevent any Surprise that may happen to his Ma^{ty}s Loving Subjects in this his Ma^{ty}s Colony & Dominion of Virginia who may be concern'd therein, I Francis Nicholson Esq^r his Ma^{ty}s Lieutenant & Gov^r Gen^l of Virginia have thought fitt to pub-

lish & declare that all persons who are concern'd or party's in the Said Bonds not already put in Suit, shall have 18 months time given them from the day of y^e date hereof to produce certificates or bring Legall Evidences or proofs to disch^a their Bonds (Except there comes Legall orders from England) before they shall be prosecuted against them (& no longer & upon failure thereof they must Expect to be prosecuted according to Law, & I do command that this proclamation be published in all Churches & Chapells & all Court houses in this his Ma^{ty}s Colony & Dominion of Virginia; Given under my hand & the Seal of the Colony at James Town, 26 Apr. 1699 in the Eleventh year of his Ma^{ty}s Reigne

Fr. Nicholson

A proclamacon giving time to produce

Certificates

E Jenings Dep^{ty} Sec^y

God save the King.

[C. O. 5, Vol. 1310, C. 16 continued, or No. 2^{xx}]

Virginia ss^t

By his Excellency

A Proclamation

Whereas Cap^t John Aldred Commander of his Ma^{ty}s Ship the Essex Prize hath made complaint to me that severall Seamen belonging to the said Ship do desert his Ma^{ty}s service therein, and are harboured & concealed by severall persons in this Governm^t I Francis Nicholson Esq^r his Ma^{ty}s Leiu^t & Gov^r Gen^l in Virginia do in his Ma^{ty}s name strictly forbid all his Ma^{ty}s Loving Subjects that they do not Entertaine harbour or conceal any of the Seamen blonging to the said ship Essex Prize w^{ch} already have or hereafter shall absent themselves from his Ma^{ty}s service on Board the Said Ship & I do also command all Magistrates upon knowledge or Information of any Person or persons that shall desert the service of the said Ship that they imediately cause such person or persons to be app^hended & taken & sent on Board the said ship, And I do likewise command all officers Civill & Military to be aiding and assisting therein, Given under my hand & the Seal of the Colony at James Citty this 20th day of May in the Eleventh year of his Ma^{ty}s Reigne *Annoque Dom* 1699

A proclamacon ag^t harbouring Seamen
belonging to his Ma^{ty}s Ship Essex
prize

Fr. Nicholson

E Jennings Dep^{ty} Se^y

God save the King

[C. O. 5, Vol. 1310, C. 16 continued, or No. 2^{xxi}]

Virginia ss^t

By his Excellency

Seal

A Proclamation

God Almighty having been most graciously pleased to prosper his Ma^{ty}s most sacred pretious & Royall person & to bring him safe home

to his Kingdome of England, after he had not Spared to Expose himselfe to the greatest hazards & most imminent dangers (in w^{ch} his Ma^{ty} had no other end then the preservation & defence of the true protestant Religion & the Libertys & propertys of Europe as also to bless him wth a glorious hono^{ble} & settled peace w^{ch} he purchased & Secured not only to Christendom, but that even by the means of his Ma^{ts} wisdome & Mediacon a peace was Concluded between his Imperiall Ma^{ty} & the Grand Seignor, to the very Turks and Infidells by w^{ch} his Ma^{ty} hath eminently appeared to be the Sole & great Arbiter both of war and peace in the largest part of the known world, and it having pleased almighty god (by the latest advice I have had from England) still to preserve & continue his Ma^{ty}s life & health & to keep a happy union between his Ma^{ty} & his parliament, as also to bless this Generall Assembly with a very good agreement & conclusion (whereby they still most justly deserve the Character of his Ma^{ts} Loyall & Dutifull Subjects) as likewise that his Ma^{ty} hath been pleased to bestow many Royall favours & Bountys from time to time on his Ma^{ts} most ancient & great Colony & Dominion of Virginia in Generall & on his Royall Colledge of W^m & Mary in particular for all these great & manifold blessings I have thought it a Duty that is owing to God to make a Gen^{ll} acknowledgm^t & thanksgiving—And therefore I do (with the advice and consent of his Ma^{ts} hono^{ble} Councill & the R^t Worshipfull the House of Burgesses) appoint this day month being the 6th of July next to be set apart as a publique day of thanksgiving & rejoycing & returning humble & unfeigned thanks to almighty God for them, as Likewise to Implore the Divine mercy for the continuance of these & all other his blessings particular that his most sacred Ma^{ty} may have a Long and happy Reigne over all his Kingdoms & Dominions and that all his Ma^{ts} Loyall Subjects may for ever bare in mind the inestimable benefitts they have recd from his Ma^{ty} who hath under God been the maine Bulwark & defence of our Religion Laws & Libertys, I do therefore in his Ma^{ts} name will & require that the said 6th day of July be Kept accordingly throughout this his Ma^{ts} most antient and great Colony & Dominion, and that in all Parishes where there is a Minister there be publique prayers & a Sermon in the Churches Suitable to the Solemnity of the day, & that in the other churches & Chappells where there be no Ministers the publique prayers be read by the Clerks, and I do further will & require that all his Ma^{ty}s Loving Subjects do reverently & religiously, Observe the said 6th day of July & that they abataine from all servile & bodily labour, And I Do command the respective Sheriffs of the severall Countys within this his Ma^{ts} most ancient & great Colony & Dominion of Virginia to read & publish, or cause to be read & published this my proclamation in all Churches, Chappells Court. houses & other publique places within their Baylywick, so that all his Ma^{ts} Loving Subjects may have timely notice to Solemnize the foresaid publique day of Rejoycing as they will answer the Contrary at their perill to this my proclamacon, I have caused his Ma^{ts} Seal of this his Ma^{ts} most antient and great Colony & Dominion to be affixed

& set my hand this present Thursday being the 8th day of June & in the Eleventh year of his Ma^{ty} Reigne

A proclamacon of a publique

Fr. Nicholson

thanksgiving

C. C. Thacker Cl. Sec^{ry}s office

God save the King.

[C. O. 5, Vol. 1310, C. 16 continued, or No. 2 xxii]

Virginia ss^t

By his Excellency

Seal

A Proclamation.

Whereas by Expresses recd from Maryland & pensylvania I am certainly informed that severall Pyrates are lately arriv'd in Delawar bay from Madagascar with a very great Quantity of East India Goods & considerable sums of money of w^{ch} pyrates some are app^rhended already & Imprisoned in the Governm^{ts} of Pennsylvania and Jersey others are fled whereof some are on Board a Sloop belonging to one * * * Gravenrod and design'd to Land & disperse themselves amongst the Inhabitants of this his Ma^{ty} Colony & Doion of Virginia to the great dishonour & prejudice of this his Ma^{ty} Governm^t by Endangering the peace & Quiet thereof, & to the disgrace & Scandall of his Ma^{ty} faithfull & Loyall Subjects in Branding [them] with the disreputable & Odious Character of being Abettors & harbourers of those wicked & abominable Theives and Robbers who are y^e Common Enemy of all Civiliz'd Governments & if not timely prevented the disturbers & destroyers of all Trade & Commerce.

These are therefore in his Ma^{ty} name Strictly to Command & require you Sherrieff of County to make diligent Enquiry & Search throughout your Baylywick in Order to the discovering app^rhending & casting into prison of the said pyrates or any such of them as shall come to your knowledge & particularly you shall Seize and app^rhend the said Gravenrod & Commit him or them so taken to safe custody there to remaine till you shall receive further Directions from me concerning the premisses of w^{ch} You shall wth all Expedition advertise me, you shall also make diligent search for all such Goods & Moneys as shall belong to them or any of them & Seize & Secure the Same that it may be forthcoming when demanded, & that the said persons or such of them as shall come into your County may be more certainly detected apprehended & taken you shall Signify these my Commands unto every particular justice of the peace in your County & require them and every of them to give their utmost obedience thereto, but not to make publication hereof unless in case of necessity for his Ma^{ty} Service herein and for your & their better guidance herein, you are to follow the Severall Rules & Directions prescribed in one Act made this Session of assembly Entituled an act for restraining and punishing pyrates & privateers, w^{ch} said act & every Clause & article thereof, you they & every of them are hereby Commanded to prosecute with the utmost of Vigour. fail not to Execute these my Commands as you will answer the Contrary at your perill & for your so doing this shall be your Warrant, Given under my

hand & Seal of the Colony at James Citty the ninth day of June in the Eleaventh year of his Ma^{ty}s Reigne *Annoque Dom* 1699

To * * * Gent Sherriff of

the County of

Ft. Nicholson

A Warr^t for Seizing & apprehending

* * * Gravenrod & other

pyrates with their Goods & c^a

God save the King

[C. O. 5, Vol. 1310 continued, or No. 2^{xxv}]

Virginia ss^t

By his Excellency

Seal

A Proclamacon

Whereas his Ma^{ty} hath been pleas'd to signify to me that he hath received advice from the Island of Jamaica that Severall Ships of Force fitted out in Scotland were arrived at the Island of S^t Thomas with an Intention as they declar'd to Settle themselves in Some parts of America their designe being unknown to his Ma^{ty} least the same should Dero-gate from the Treaties his Ma^{ty} hath entred into with the Crowne of Spain, or be otherwise prejudiciall to any of his Ma^{ty}s Colonys in the west Indies I Francis Nicholson Esq^r his Ma^{ty}s Leiu^t & Gov^r Gen^{ll} of of his Ma^{ty}s Colony & Dominion of Virginia in Obedience to his Ma^{ty}s Royall Commands, by & with the advice & consent of the hono^{ble} Councill of state, Do in his Ma^{ty}s name Strictly forbid all his Ma^{ty}s Lov-ing Subjects, & all other persons within this his Ma^{ty}s Colony & Do-minion of Virginia that they forbear holding any Correspondence with or giving any aid or assistance to any person or persons Engaged in the said Enterprize, while they are so engaged, and I do also charge & Command, all his Ma^{ty}s Loving Subjects that they do not presume to furnish or Supply any of the said Persons with provisions Armes Amu-nition or any other Necessarys whatsoever, and I do likewise charge and Command all Masters of Ships or Vessells that they do not Export or carry out any provision Armes amunition or any other necessaryes whatsoever for the use of all or any the said person or persons, And I do command and require all Sherriffs to cause this proclamacon to be published in all Churches & Chappells and all publique places in their severall Countyes Given under my hand & Seal of the Colony this 22th day of June in the Eleaventh year of his Ma^{ty}s Reign

A proclamacon to forbid Cor-responding wth Scotch [Scotch] Strangers

Fr. Nicholson

C. C. Thacker Clk Se^{ry}s Off.

God save the King

At A Councill held at James Citty June y^e 21st 1699

Present

His Excellency

William Byrd

Edmund Jenings

Benjamin Harrison Esq^r

His Excellency laid before y^e Councill a letter which he had received from his Excellency Coll Blackstone Governor of Maryland & an other letter received from y^e Hon^{ble} Coll Quarry Giveing an account of Severall Pyrates landed in Pensilvania & Jersey (whereof some are already apprehended) & of several others said to be coming towards this Governm^t, and also his Excellency laid before y^e Councill y^e warrants he had issued thereupon for apprehending y^e said pirates & recommended it to the Councill to consider if any thing more was proper to be done therein.

His Excellency laid before y^e Councill a latter which he had received from Maj^r Tho^s Owsley concerning a murder comitted by y^e Indians upon Potowmeck River; & y^e orders which he had given thereupon, & desired y^e advice of y^e Councill if any thing was necessary to be done at p^rsent.

The peticon of M^r W^m Drumond for y^t part of his Salary as Messenger to attend y^e house of Burgesses, yet unpaid, is refer'd to M^r Auditor for him to examine y^e matter of fact, & report y^e same together with his opinion thereupon.

Whereas His Maj^{ty} by his Royall Instructions to his Excellency hath directed y^t noe Schoolemaster be henceforward permitted to come from England & to keep School within this Collony of Virginia, without y^e licence of y^e L^d Bishop of London & y^t noe other person now in this Collony or that Shall come hither from other parts be admitted to keep School without his Excellency's lycence first had; therefore,

Ordered, y^t y^e Severall County Courts within this Dominion doe as soon as conveniently may be returne to y^e Councill Office a particular account, what schooles are in their Respective Counties & whither y^e Masters thereof are Lycensed according to y^e S^d Instructions; and to recomend such as are fitt & Capable for y^t Employ^mt y^t they may be lycensed accordingly; which lycenses are to be granted them without any fee or other charge.

Ordered, that y^e Court of every County within this Dominion doe as soon as possible return to y^e Councill Office at James Citty an an exact account what Publick or Private Meetings of any other Religion than the Church of England as by law Established are in their respective Counties; where they are kept, & how long they have been kept? how lycensed? how many and what persons resort thereto? what particular Religion they are of? how their Preachers are qualified? & whither any wandring Strangers come into their Counties as Preachers or upon any other pretence of Religion whatsoever.

Ordered y^t y^e Coroners, Indian Interpreters, Escheators & all other Officers Comicons be p^rpared in y^e Secretaries Office & y^t y^e Charge thereof be certified & recommended for allowance to y^e Next Generall Assembly.

M^r Attorney Generall according to order haveing p^rpared a proclamacon for apprehending the Indian called Squire Tom, y^e Same was read in Councill and approved.

M^r Attorney Generall According to his Excellency's Order haveing prepared a proclamacon, y^t all persons p^rtending to take up land by rights, doe bring in the said rights to y^e next Generall Court, in Order

to y^e p^rvention of fraud's in obtaining rights for y^e future, y^e s^d proclamacon was read in Councill and approved.

Whereas divers of his Maj^{ties} good and loyall Subjects have been at great expence & charge in seating & planting severall tracts & parcells of land in Pamunky Neck & on y^e South Side of y^e black Water Swamp, which they have held either by orders of y^e Generall Court, Leases from y^e Indian's Survey's, Entries thereof with y^e Surveyors or other defective titles, without any legall Patents, in Expectacon y^t when the Governm^t should grant patents for those land's it would be easy for them according to y^e late Practices to obtain rights to take up & patent y^e same; by which means many People have been induced for valuable consideracons, to purchase lands in those places: & whereas it is highly necessary for y^e Service of his Maj^{ty} and y^e Peace and welfare of this his Collony & Dominion that some method be settled whereby these people may obtain Legall grants for their lands; therefore

Ordered, y^t very [every] person paying five shilling Sterl to M^r Auditor for y^e use of his Maj^{ty} shall have y^e same liberty to take up & patent fifty acres of land's which [he] would otherwise have had for the Importacon of any of his Maj^{ties} Subjects into this Dominion, and y^t M^r Auditor doe accordingly grant a Certificate to every such person for y^e taking up and Patenting fifty acres of land for every five Shillings which shall be soe paid by him for his Maj^{ties} use, and every Surveyor unto whom such Certificate shall be produced, is hereby required to make entry & survey of such Quantity of land according to every such Certificate respectively, in like manner as y^e law directs upon y^e producing a Certificate of y^e Importacon of any of his Maj^{ties} Subjects into this Dominion.

Ordered that y^e Sheriffs of y^e Severall Counties within this Dominion doe make proclamacon throughout their Respective Baliwick's that y^e Comisoners appointed to adjuge & settle y^e Claimes to lands in Pamunkey Neck, pursuant to the Order of y^e last Generall Assembly, will sit and proceed therein upon Wednesday the twenty seaventh day of September next at y^e Court house of King & Queen County; and y^e Comiconers appointed to adjust & settle y^e Calimes to land's upon Blackwater will sit & proceed therein upon Wednesday y^e twentyeth day of September next at y^e Court house of Surrey County; of which all persons who have any claime to land in either of those places are to take notice & attend the prosecution thereof accordingly.

Whereas it hath been represented to his Excellency by Willaim Fisher that he haveing been in y^e Ship May Flower, of y^e burthen of one hundred Tun's, Plantation built, & registred according to law) in the Bay of Campeachy in South America loading with Logwood and being designed thence on a Voyage for London in y^e Kingdome of England, was very much distressed for want of such provisions as were necessary for y^e subsistance of his Men to performe the said Voyage, therefore he putt into this his Maj^{ty}'s Colony & Dominion (and at present his said Ship rides at Anchor at Tindall's point in Yorke River) that he might be supplied with those necessaries for his said Intended Voyage, and humbly Prayes that he may be permitted to make Sale

of Some Negroes, which he hath on board the Said Ship and also that he may have lyberty to buy & provide himself with such provisions & necessaries, as he stand's in need of, for the accomplishing his said Intended Voyage; Therefore

Ordered that Miles Cary, Gent Navall Officer and William Buckner Gent. Collector of Yorke River or either of them doe goe on board the said Ship and search her that they may know what her Loading is, and also that they inquire into her Registry and Clearing, and if She appear's to be a fair & legall Trader and qualified according to law, and if there does not appear any suspicion of fraud, that they doe permitt y^e s^d Fisher to Sell his Negroes, and provide himself with necessaries for his Voyage According to y^e prayer of his peticon And that they doe forthwith make Report of their Proceedings herein to his Excellency

June y^e 22^d 1699

Present

His Excellency

William Byrd
Edward Hill

Edmund Jennings
John Lightfoot

Benjⁿ Harrisson Esq^r

Whereas M^r Gawen Corbin Collector of Rappahanock River by his Letter to his Excellency hath acquainted him that on y^e 20th day of this Month he made Seizure of a Vessell called y^e Province [later called the Providence] of Dublin for y^e Importacon of Irish good's contrary to y^e act of Trade. And prayes his Excell^ys directions in order to y^e tryall of y^e said Vessell, which is Ordered in y^e Court of Admiralty, to be held at y^e Court house of Middlesex County y^e twelfth day of y^e next month, and ordered that the Judge and Officers of y^e said Court doe attend accordingly & y^t M^r Attorney Generall doe prosecute on behalf of his Maj^ty

Ordered that y^e Councill doe meet upon the fourteenth day of y^e next month at y^e house of M^r Secretary Wormely in order to swear him into y^e Councill of which intimacon is to be given to y^e Members of y^e Councill that are now absent.

Whereas M^r Richard Gissedy and M^r James Minge have represented to his Excellency and y^e Councill that by Order of y^e Generall Court made in Aprill 1688, three thousand acres of land in Pamunkey Neck was granted to them & Cap^t Thomas Bray, which they accordingly possessed themselves of and divided the Same amongst them; Since which time the Trustees of the Colledge of William & Mary in Virginia have made choice of y^e Peticoners part of y^e Said Land for the use of y^e Said Colledge, whereupon they pray that they may be admitted to take up and Patent a Like quantity of land (to that taken from them) on each side of Mangohick Swamp on Coll Parkes back Lines not trenching on any former Grant, therefore

Ordered, that the Said Peticon be referred to the Comiconers appointed to adjust and Settle the Claimes to Lands in Pamunkey Neck; and if the Said Peticon doe not interfere with any former Peticons of

Right that they Certify y^e Same for allowance, in like manner as they doe for other lands in those parts, pursuant to y^e Directions of the last Generall Assembly.

Ordered, that the letter of his Excellency the Earle of Bellamont and the other papers relateing to the discovery and Settling a New Trade with the Indians be laid before the Comittee appointed to Revise the Laws. and recomended to their Consideracon

Whereas by his Excellencies Order M^r Peter Hayman Collector of the lower District of James River was appointed to receive, all Such bookes Navigacon bonds' and other writings and papers belonging to the Office of the Collector and Navall officer of the Said District, from Cap^t Thomas Godwin Executor of John Lear Esq^r deceased late Collector and Navall Officer of the Said District, and from M^r Charles Jening's late Deputy to Daniell Parke Esq^r late Collector and Navall officer of the Said District; and Whereas the Said Hayman hath reported that he hath demanded the Said bookes bonds and papers but cannot gett them, and before His Exc^{ly} and the Councill upon Oath hath declared that, he never had the bookes of Entrings and Clearings or bonds or any papers or other writeings whatsoever belonging to the Collector or Navall Officer's Office of the Said Lower District of James River from any person or persons whatsoever (Save Seven or eight bonds which he received by Order of S^r Edmund Andros from M^r Charles Jenings late Deputy Collector to Coll Parke which bonds he delivered to William Randolph Esq^r His Maj^{ties} Late Attorney Generall to be prosecuted, whose receipt he hath now by him for the Same; and also one Plantacon bond of Cap^t Thomas Godwin of one Louries, which he hath now by him ready to be produced, Therefore,

Ordered, that M^r Attorney Generall doe prosecute the Securies of William Cole, the Said John Lear and Daniel Parke Esq^{rs} late Collectors and Navall Officers of the Said Lower District of James River, upon the bond's by them given (faithfully to execute and discharge the Said Offices and Trusts) for their not Delivering up the Said Bookes bonds and papers according to the aforesaid Order from His Excellency.

The Peticon of L^t Coll Henry Duke and Cap^t James Bray complaining to His Excellency against an outstanding Negro belonging to Thomas Middleton, and praying that a Proclamacon may Issue for the apprehending or Destrucon of the Said Negro; is referred to M^r Attorney Generall for him to consider and report to [word "to" superfluous] his Opinion thereupon.

Whereas Ann Grey in Custody of the Sherrieff of New Kent (having been convicted for Murther, and Severall times reprevied) hath prayed His Excellency that She may have liberty to go into the County of Accomack, where She hath a Brother that would provide for her Maintenance, She being by her Late misfortunes Soe very much impoverished, that She hath not wherewith to Subsist,

Ordered,

That M^r Attorney Generall doe enquire into the matter of fact and report the truth of her Case together with his Opinion in Point of law thereupon.

Ordered, that M^r Auditor Byrd doe give Such directions as are

necessary that the Coroners of the Severall Counties within this Dominion doe returne to him an account of all Waifes Strays and Deodand's within their Respective Counties, and that they take y^e best care they can, for the receiveing and p^rservation thereof, for which they Shall be allowed their charges expended on that behalf, together with Such other Fees for the Same as Shall be reasonable.

For the p^rvention of any Inconveniencies and Damages that may happen to Masters or Owners of any Ships or Vessells Shortly intended to Saile out of this Dominion therefore

Ordered, that all Ships and Vessells that Shall clear in Six weekes from this day to Saile out of this Dominion, Shall take their Clearing's from the Collectors and Navall Officer's of the Respective Districts with whom they entered, And all Ships and Vessells Clearing after that time Shall take their clearings from, and pay their intire Fees to the Officers that Shall be Comiconated at that time in the respective Districts where they clear.

Ordered, that the Severall persons lately discharged from y^e Office of Collectors or Navall Officers in the respective Districts within this Collony doe deliver up to his Excellency in Councill upon the Sixth day of the next Generall Court, all bookes bonds certificates and other writings and papers whatsoever in their possessions.

Lieut^t Coll. Miles Cary Surveyor General laid before his Excellency in Councill, an account of the Surveyors in the Respective Counties in this Collony, which are as follow

To witt.

Henrico County.....	Richard Ligon
Charles City.....	Theodorick Bland
Surrey.....	} Thomas Swann
Isle of Weight.....	
Elizabeth City.....	} William Lowry
Warwick.....	
Yorke.....	} Miles Cary
Gloucester.....	
Nansemund.....	} Thomas Milner
Norfolk.....	
Princess Ann.....	} John Soan
James City.....	
New Kent.....	James Minge
King and Queen.....	Richard Whitehead
Middlesex.....	Edwin Thacker
Accomack.....	} Edmund Scarburgh
Northampton.....	
Essex.....	} William Moseley
Richmond.....	
Stafford.....	Thomas Grigge
Westmorland.....	Alexander Spence
Northumberland.....	George Cooper
Lancaster.....	George Hale. dead

Ordered, that M^r Auditor Byrd doe consider of the most certain

and best way to Procure an exact Rent Roll of all the lands held of his Maj^{ty} within this His Colony and Dominion, and which will be the most effectuall method to Secure the payment of the Quitrents, and Lay a Proposition to that purpose before the Comittee appointed to Revise the Laws.

His Excellency in Councill signed the following warrants upon his Maj^{ties} Revenues of two Shillings per hogshead and Port Duties.

To His Excellency Francis Nicholson Esq^r & c. for his Salary (after the rate of two thousand pounds Sterl a year) from the ninth day of December last inclusive, to the twenty fourth day of this Instant June exclusive, being six months and fourteen daies, one thousand seaventy Six pound's eighteen Shillings five pence half penny.

To His Excellency for house Rent (after the rate of one hundred and fifty pounds Sterl a year) for the Same time eighty pounds fifteen Shillings four pence half penny.

To the Gentlemen of the Councill for one yeare ending the twenty Seaventh day of Aprill Last, three hundred and fifty pounds Sterl.

To William Blathwait Esq^r Auditor and Surveyor Generall & c for one yeare and a quarters Salary ending the twenty fourth day of this Instant June exclusive, One Hundred twenty five pounds Sterl.

To Benjamin Harrisson for the Salary of Clerke of the Councill after the rate of fifty pounds Sterl a year for one yeare and four months wanting two daies ending the twenty fourth day of this Instant June Exclusive Sixty Six pounds five Shill. One penny.

To Bartholomew Fowler Esq^r for the Salary of Attorney Generall after the rate of forty pound's Sterl a year, for one year two months and four daies ending the twenty fourth of this Instant June exclusive forty seven pound's two Shillings four pence.

To M^r James Blaier for money by him paid to tenn Ministers who preached at James Citty in the Generall Court and Generall Assembly tenn pounds Sterl.

To the Sollicitor of the Virginia affaires for one year and a quarters Salary ending the twenty fourth day of this Instant June exclusive one hundred and twenty five pounds Sterl.

To Edward Ross Gunner at James Citty for one year and one Quarters Salary after the rate of fifteen pound's Sterl a year ending the twenty fourth day of this Instant June eighteen pound's five Shillings Sterl.

To John Childs Messenger for one yeare and one Quarters Salary after the rate of twenty five pound's Sterl a year, ending the twenty fourth day of this Instant June Thirty one pounds five Shilling's Sterl.

To Benjamin Harrisson Clerke of the Councill for money by him paid to severall persons for messages in his Maj^{ties} Service since the ninth day of December last fifteen pounds eight Shill six pence Sterl.

To Benjamin Harrisson Clerke of the Councill for money by him paid to severall persons for Messages in his Maj^{ties} Service, pursuant to an order of Councill made y^e twenty eighth day of October Last, eighty pound's tenn Shill Six pence Sterl.

To Roger Williams for hooping Seaventy five barrells of powder at

James Citty, pursuant to an Order of Councill of y^e twenty eighth of October last, Seaven pounds tenn Shillings Sterl.

His Excellency in Councill Signed and Sealed a Warrant upon the Quitrents for Ninety five pounds Six Shillings tenn pence payable to M^r Commissary Blair, the same being due to him for his Salary wanting Seaventeen daies ending the twenty fourth day of this Instant June, after the rate of one Hundred pound's Sterl. a yeare.

Ordered that John Chiles be discharged from any further attendance as Messenger

Ordered that Edward Ross Shall be paid after the rate of tenn pound's Sterl. a yeare till further Order, for takeing care of the Gun's and Stores at James Citty.

Ordered, that Edmund Jenings and Mathew Page Esq^{rs} doe agree with such person as they shall thinke fitt to take care of the Gun's and Stores at Tindall's Point till further Order, for which they are impowered to agree with him after the Rate of five pounds Sterl. a yeare.

Post Merediem.

M^r Auditor Byrd havinge p^rpared the accounts of the Publick Revenue laid them before his Excelency and the Councill whereby there appeared to be due to his Maj^{ty} on Account of his Revenue of Quitrents the Sume of two thousand sixty one pounds nineteen Shillings three pence Sterl.

And on Account of the Revenue of two Shill per hogshhead and port Duties there appeares to be due to his Maj^{ty} the Sume of nine hundred seaventy four pounds thirteen Shill three pence three farthings Sterl.

Out of which are to be paid all the established Charges of the Governm^t for half a yeare next comeing, the ships being now almost all out of the Country, soe that noe more money will arise till the next Crop and therefore

Ordered that M^r Auditor doe make a particular Representacon hereof and annex the Same to his accounts, which are to be transmitted to England.

M^r Attorney Generall according to Order haveing reported his Opinion as to the method of proceedings in relacon to Escheated land's, in these word's following

May it please yo^r Excellency

I have considered y^r laws and Statutes of England relateing to Escheates and find therein these Severall Rules Established.

1. That a return of all Enquests of Escheat ought to be made by the Escheator within one Month after the office found.
2. That all Enquests ought to be taken in Towns and open places and by Good and Substantiall men and openly by Indenture between the Escheator and Jury.
3. That noe Grant be made of any Land's Seized into the King's Hand's untill offices found and that all Grants before Office found Should be void.
4. That a Months time after the return of the Inquest ought to be allowed for those that have right to traverse the Said Escheats before any Grants be made thereof.

I also find that his Late Maj^{ty} King Charles the Second by his Charter granted to this Colony and Dominion of Virginia dated the tenth day of October in the twenty eighth yeare of his Reign did for himself and Successors confirm That all Land's possessed by any subject inhabiting in Virginia which did or should Escheat Should or might be enjoyed by such Inhabitant or possessor his heirs and Assignes for ever paying two pounds of Tobacco Composition for every acre of land soe Escheated,

Soe that upon the whole matter with Submission to Yo^r Excellency and this Hon^{ble} board I humbly propose y^e following method of Escheats as the most agreeable to the laws of England, his late Maj^{ties} Royall Charter and most suitable to the Circumstances of this His Maj^{ties} Colony and Dominion.

That upon reasonable suggestion made or upon the knowledge of the Escheator himself that any land Escheats to his Maj^{ty} a Writt doe issue in the return of a *Mandamus* or *diem clausit extremum* directed to the Escheator commanding him to find the Office by the Inquest of twelve men as the Statutes of England direct.

2. That noe Inquests be taken but in publick and open places and that notice be given by the Escheato^r by Note under his hand Sett up at the Court house of County where the land doth lie upon a Court day of y^e time and place of takeing the Inquest before any Inquest Shall be made.

3. That a return of the Inquest into the Secretaries Office Shall be made within one month at furthest after the Inquest taken.

4. That noe Grant be made of any lands escheated to His Maj^{ty} untill office found.

5. That a Convenient time be allowed after Office found to Traverse the escheat of any Land's before a Grant be made thereof.

6. That the possessor In his own right Should have the p^rcedence of all Claimers provided he makes his Claime known by petition to Yo^r Excellency within Such time after the Office found as Shall be thought convenient.

7. That the buildings and improvem^{ts} made upon lands Escheated to his Maj^{ty} may be valued by the Jury findeing the Escheat and that the Grantee may pay Soe [such] per cent for Composition for the same to his Maj^{ty} as Shall be thought reasonable.

Whereupon, Ordered that in all time comeing the Escheators of the Severall Counties in this His Maj^{ties} Colony and Dominion doe proceed in Relacon to Escheats, according to the Said method proposed by M^r Attorney Generall and in noe other manner whatsoever.

His Excellency haveing upon the eighth day of this Instant caused his Maj^{ties} Royall Comands (for using the New Seale) to be published and haveing accordingly at that time affixed the Said Seale to a Proclamacon for a Solemn Day of thankesgiving, and to Severall Acts of Assembly which he then gave his Assent unto And haveing caused the Old Seales to be delivered to him that they might be broken according to his Maj^{ties} Comands; this Day the Said Old Seales, to wit, one very large Silver Seale given by the Late King James the Second, which was never used, and, one small Steel Seale given by King

Charles which was in constant use Were in the p^rsence of His Excellency and the Councill defaced and Broken.

Whereas L^t Coll William Wilson by his Peticon to his Excellency hath desired that he may have a lease of a parcell of Land lyeing in Elizabeth Citty County appropriated to the use of y^e Publick called point Comfort Island, he being willing to pay such a reasonable Rent as His Excellency Shall thinke fitt, and to Surrender it when ever it Shall be demanded for the Publick Service.

Ordered, that the Said Wilson be admitted A Tenant upon the Said Land paying the yearly Rent of five pound's Sterl.

Ordered, that it be recommended to the Committee appointed to revise the Laws, that they consider of the most convenient and best method of Settling Ferries and Posts for the Service of the Publick.

Ordered, that five pound's Sterl be paid to M^r Attorney Generall out of the produce of the Ship Integrity Biddeford lately condemned, it being for his Fee in prosecuting against the said Ship

M^r Attorney Generall according to order reported his Opinion concerning probates and Administracons and Lycenses for marriages, in these words following

May it please Yo^r Excellency

I am humbly of Opinion that probates of wills and Letters of Administracon ought to be Signed by Yo^r Excellency and by noe other it being a Judiciall Act in which noe Deputy can be appointed; but as to Lycences for Marriages I am of Opinion Yo^r Exc^{lly} may Depute such person's as you Shall thinke fitt to grant the Same, being thereunto authorised by [some word omitted] of this His Maj^{ties} Colony and Dominion of Virginia.

Whereupon it is Ordered, that for the future all probates of Wills and Letters of Administracon be p^rpared by the Clerke of the Severall County Courts where the Same Shall be granted Respectively and transmitted to James Citty to be Signed by his Excellency according to the ancient Lawe's and practice of this his Maj^{ties} Colony and Dominion, and that noe other person doe hereafter p^rsume to Sign any probate or Comicon of Administracon as of late hath been used

Whereas it hath been rep^rsented by Lewis Burwell Executor of Nathaniel Bacon Esq^r deceased Late Auditor Generall of his Maj^{ties} Revenues in this his Collony and Dominion, That at the time of the said Nathaniel Bacon's Decease there was remaineing due to his Maj^{ty} upon account of his Revenue of Quitrents in this Colony the Summe of one thousand three hundred twenty nine pound's four pence half peny Sterl. in the hands of the Said Bacon; and at the Same time there was due unto the said Bacon; from [his] Maj^{ty} upon account of his Revenues of two Shillings per hogshead and Port Duties the Summe of fourteen pound's eighteen Shillings nine pence Sterl; which being transferred to the Credit of the Said Account of Quitt Rents the Ballance then due to His Maj^{ty} was One thousand three hundred fourteen pound's one Shilling Seaven pence half penny Out of which he did afterward's by warrant from the Right Hon^{ble} y^e Lords Comiconers of His Maj^{ties} Treasury dated at Whitehall the first day of March 1692-3 Pay unto the Trustees and Founders of the Colledge of William and Mary in

Virginia the Sume of eight hundred and fifty pounds Sterl to be applied to the use of the s^d Colledge; And the remaining part of the Said Balance due to his Maj^{ty} as aforesaid being four hundred sixty four pound's one Shilling Seaven pence half penny Sterl was afterward's upon the eighteenth day of July 1694 by Virtue of a Warrant from S^r Edmund Andros his Maj^{ties} Late Lieut^t and Governo^r Generall of this his Colony and Dominion of Virginia by him pay'd unto William Byrd Esq^r His Maj^{ties} Present Auditor Generall of the Revenues in this his Maj^{ties} Colony and Dominion of Virginia, Soe that now he hath made full Satisfaction and paym^t of all Such money's as were due unto his Maj^{ty} upon account of the Said Revenues from the Said Nathaniel Bacon as appears by one account thereof Stated and Settled with the Said William Byrd Esq^r his Maj^{ties} p^rsent Auditor, and Signed by himself and Ralph Wormeley Esq^r then and at p^rsent Secretary of this his Maj^{ties} Colony and Dominion, which Account bears date the twenty fifth Day of Aprill in the Yeare of our Lord 1695 therefore he prayes that His Excellency would be pleased to take the Same into Consideracon and give him such sufficient Discharge and acquittance from any future claimes and demands on Account of the Said Revenues as Shall be thought convenient and necessary in that Case; And whereas it appears by the report of the said William Byrd Esq^r to whom the Same was referred, that he hath examined the Said peticon and find's it to be true as appeares by his Booke; therefore

Ordered, that the Said Lewis Burwell Executor as aforesaid be discharged from any further Claime or demand on account of the Said Revenues and that according to the prayer of his peticon such an Instruement be p^rpared as Shall be Sufficient for that purpose.

Whereas M^r John Gourdon Clerke was an Accomplice with M^r Samuell Gray Clerke in the publicacon of the late Scandalous Libell against the Governm^t for which being Sent for, to appear before his Excellency and the Councill the Said Gourdon in an humble Peticon to his Excellency did confess his fault and pray that it might be pardoned, promising never again to offend in the Like nature, whereupon his Excellency was pleased to Order that noe further Proceeding's should be had against the said Gourdon at that time, Notwthstanding which his Excellency hath been Informed that the Said Gourdon doth Still persist in the Publicacon of the Said Libell, therefore

Ordered, that M^r Attorney Generall doe make inquiry whither the Said Gourdon hath made any publicacon of the said Libell Since his and the Said Gray's being Convened before the Councill And if it appears that he hath made any such Publicacon, that M^r Attorney doe prosecute him at Law for all the Offences he is guilty of in relacon to the said Libell.

Ordered, that M^r Auditor Byrd doe Send to England for twelve Reams of Ruled paper for the Councill Office, out of which he is to repay the Governm^t of Maryland four Ream for soe much lately borrowed of them.

Examinat: et Concord cum Original
Test B. Harrison Cl Con.

[C. O. 5, Vol. 1310, C 16 continued, No. 2^{xxiiv}]Virginia Sc^t

By his Excellency

Seal

A Proclamation

Whereas a Piscataway Indian called & knowne by the name of Squire Tom hath been convicted upon the Records of Stafford County Court for the barbarous murther of Some of his Ma^{ts} Subjects in the said County and to avoid the just punishment due for y^e said offence is fled from Justice, Therefore I Francis Nicholson Esq^r his Ma^{ts} Lieu^t & Governour Gen^l of V^rginia by & with the adv^{ce} & consent of the hono^{ble} Councill of state do in his Ma^{ts} name command & require all officers Civill & Military & all other his Ma^{ts} Loving Subjects within this his ancient & great Colony & Dominion of Virginia to use their best & utmost Endeavour to app^hend & take the Said Indian Squire Tom, and him having taken to bring or cause to be bro^t before any of his Ma^{ts} Justices of the peace in this Colony & Dominion who is hereby commanded and required to secure the said Indian Squire Tom in order to his being brought to Condign punishm^t, and in case the Said Indian doth resist or refuse to be taken it shall & may be Lawfull for any of his Ma^{ts} Loving Subjects to Kill Shoot, or destroy the said Indain Squire Tom, & if any person or persons either Christian or heathen shall app^hend and take the said Indian Tom either Dead or alive I do promise to allow to any such p^rson or p^rsons the reward of Tenn Pounds Sterling, w^{ch} the auditor of his Ma^{ts} Revenues is hereby impowered & required to pay, And I do command all Sherriffs to cause this proclamation to be published in all Churches Chappells & other publique places in their respective Countys as they will answer the Contrary at their perills Given at James Towne under my hand & Seal of the Colony this 21th Day of June 1699 in the Eleaventh year of his Ma^{ts} Reigne

Fr Nicholson

A proclamacon for app^hending &
taking one Squire Tom an
Indian

C. C. Thacker Clk. Se^r^{ys} office
God Save the King

[C. O. 5, Vol. 1310, C. 16 continued, or No 2^{xiii}]Virginia ss^t

By his Excellency

Seal

A proclamation

Whereas many persons have made their claimes to diverse Tracts of Land on the South side of Blackwater & in pamunkey neck & are desirous to obtaine patents for the same, & for as much as many Sur-reptitious & feign'd Rights have been of late made use of contrary to the Charter Granted by his Late Ma^{ty} King Charles the 2^d to this his Colony & Dominion of Virginia bearing date at Westminster the 10th day of October in the 28th year of his Reigne, and contrary to the Instructions of their Excell^{ys} the Lords Justices of England pursuant to

the said Charter, To the end his most gracious Ma^{t^y} may be no longer deceived in his grants by such false & feign'd Rights nor his Ma^{t^s} Loving Subjects prejudiced in their just titles & claimes, I Francis Nicholson Esq^r his Ma^{t^s} Leiut & Gov^r Gen^l of Virginia with the advice of the hono^{ble} Councill of State, do hereby give notice to & require all his Ma^{t^s} Loving Subjects that expect any benefitt by any Claime to any Tract or Tracts of Land on the Southside of Blackwater or in pamunkey neck or else where not already patented that they produce Such & so many Rights as they have in their possession, & by which they have taken up or intend to take up any Tract or Tracts of Land to the hono^{ble} Gen^l Court in October next on the 6th day thereof to the intent that such effectuall ways & means may be found therein as may tend to the advancement of his Ma^{t^s} Interest and to the goof & benefitt of all his Loving Subjects by Securing to them their just Titles & Claimes, and I Comand and require all Sherriffs in their Respective Countys to Cause this Proclamacon to be published in all Churches Chappells Court houses & other Publique places as they will answer the contrary at their perills, Given at James Towne under the Seal of the Colony this 21th day of June 1699 In the 11th year of his Ma^{t^s} Reigne

Fr Nicholson

A proclamacon for bringing the
Rights for Land

C. C. Thacker C Sec^{ry} off

God save the King

APPENDIX

[Copied from the Randolph Manuscript, in the Virginia Historical Society Library, Richmond, Va.]

By the Right Hon^{ble} Herbert Jeffries Esq^r Governor & c

Governor	}	Gentlemen
<i>ad versus</i>		
Col ^o Ludwell		

You are this day met in Order to the Examination of Evidences which I have produced against one who hath been of this Honourable Council and Indeed is guilty of such Crimes which I am ashamed should proceed from a Person once invested with such Honour and therefore before I proceed to the particular Matter I shall tell you that it has been the Care of the Parliaments to preserve the Person of his Majesty as also of the Lords and others his Majesty's Officers and Ministers from all Malicious contrivances compassings or Reproachings For it is Evident that the great Mischiefs which happened in the late civil war in our Country did arise from the Malicious Speeches of divers Persons to raise a dislike First of his Majesty's person then of the Lords and great Men so of the Government For we find that as it is Treason to contrive to murder his Majesty's Person so it is to slay the Chancellor Treasurer or King's Justices nay the Law is so strict for preservation of such great men in Authority that if any man should draw a Weapon on any Judge or Justice in Execution of his Office it is misprison of Treason for which the Offender shall lose his Right hand forfeit Lands and Goods and Suffer perpetual Imprisonment And the Statute of the 13th of our present King Charles the Second Chap^t 1st is intituled for preservation of his Majesty's person and Government and thereby it is Enacted that if any person shall Maliciously express publish or declare any words to incite and stir up the people to hatred and dislike of his Majesty or the Established Government shall be disabled to enjoy any place Office or promotion either Civil or Military as also suffer such further punishment Inflicted by Common or Statute Law

I therefore here present to you that Col^o Philip Ludwell out of an unbounded Malice against me his Majesty's Lieut and Representative here in this Colony and out of dislike of his Majesty's Government here Established did speak the Several Words proved against him which Words as I conceive and may be evident to this Honourable Council proceeded from a premeditated Malice in him and I doubt not but that it will appear to you that he hath all along a wicked & Malicious Contemner of his Majesty's Authority in me and my fellow Commissioners since our arrival here being sent by his Majesty to salve the breaches of this so miserable disordered Country And altho I presume it is well known to you with what great Care and Circumspection we proceeded in Obedience to his Majesty's Commands yet he most Maliciously contrived and penned a Letter (a Copy whereof was acci-

dentally discovered) by which he contemned and despised the aforesaid Commissioners speaking Evil of their Authority and Actions And altho' he seemed outwardly sorry for the Malicious penning of that Letter yet it appears that his Malice did not end there for having a long time lain hid in his Breast as not coming to my knowledge and when I least doubted of him who so lately had expressed his Sorrow for what was past I then met with the whole information exhibited not [now?] before you and to set forth his Malice the greater I must tell you that if the often reiterating of what now is produced and his often urging it should be declared to me had not constrained those to whom it was spoke to acquaint me therewith his Malice might not have been discovered unto me until this time And indeed I conceive those offences are much greater in him than in a private person for he as a Councillor owed a Double respect to his Majesty's Authority in my Government here.

But since he hath been admitted to so great a trust I do in Honour to his Majesty's Councill for this Colony not bring him publickly to the seat of Justice for a Tryal but have thus convened a Private Court and do Expect that you should proceed in the Examination of the Depositions Exhibited against the said Col^o Ludwell and of all other Evidences and of all the Circumstances of the whole Matter And it is further Expected and required from you that you do severally give your Opinions in writing how far he is Guilty touching the Contemning his Majesty's Authority in me and what punishment he deserves in Justice for such his Contempt and also how far he is liable of defaming Scandalizing and Otherwise abusing my particular good name and Reputation And what damages he ought to Suffer for such personal Scandal to the End and purpose his Majesty's most sacred Majesty may have the full Account of this Matter And that I may have reparation for such abuse to me offered as is Just and suitable to my Quality And being confident of your great Justice and Integrity that you will not do less or Otherwise than persons so Qualified I leave you to your more serious Considerations of what is here set forth or shall be brought before you in this Cause, and so remain

Your most Affectionate Servant

Herbert Jefferies

Given at James City
the 20 of December 1677

Recorded Per Henry Hartwell Clerk Court

To the Hon^{ble} Jeffries Esq^r Governor & c

In Obedience to your Honour's Command the Council have maturely considered of the way for the trial of the Matter against Col^o Philip Ludwell to the End that there may be Justice and Right done in the Cause and taking in their Consideration in what Method they ought to proceed and having seriously Viewed and considered your Honours Commission and also the Commission of Sir W^m Berkeley by which it appears that there is none of the Quorum but the Governor and that in the Absence of the Governor the Council or any four of them are to nominate one pro tempore to preside And the Councill on Consideration of the whole Matter are of one unanimous Opinion that

it is the most Legall and Safest way for the Council to nominate one to preside pro tempore and accordingly the Council made Choice of the Honourable Sir Henry Chicheley and humbly pray your Honour to confirm Sir Henry Accordingly to the End that there may be a proceeding in the said Cause and Justice and right which is the Earnest Desire of Right Honourable,

Your most faithfull and humble Servants

Rowland Place
Ralph Wormley
Richard Lee
John Custis

Nathaniel Bacon
Daniel Park
Nicholas Spencer
Joseph Bridger

William Cole

By the Governor and Captain General of Virginia

According to the within written request of the Hon^{ble} Council of State of Virginia I do confirm the Hon^{ble} Sir Henry Chickely President of the Council in the Cause depending betwixt our Sovereign Lord the King, my self, and Col^o Philip Ludwell Given under my hand this 26th Day of March 1678

Recorded Per Henry Hartwell
Clerk Council

Herbert Jeffreys

To the Right Hon^{ble} Herbert Jeffreys Esq^r Governor and Captain General of Virginia

This Board have with Serious and mature consideration inquired into the Charge exhibited by your Honour against Colonel Philip Ludwell and have fully heard what the Council on both sides could say and perused the Statutes by them Quoted and Compared the Evidences by them produced by all which to us it seems that the words spoken by Col^o Philip Ludwell against your Honour are highly Scandalous and for the proceeding it is our Opinion that a Jury be impaneled to inquire into it being the Right of all English Subjects for we cannot in any case be Judges and Jurors too.

Rowland Place
Ralph Wormeley
Rich^d Lee
John Custis
Augus. Warner

Henry Chicheley
Nath^l Bacon
Daniel Park
Nicholas Spencer
Joseph Bridger

William Cole

Recorded Per Henry Hartwell Clerk Council

Interragatories to be given in the Cause between our Sovereign Lord the King and the Right Hon^{ble} the Governor of Virginia Plaintiffs and Col^o Philip Ludwell Defendant.

1 Do you know Col^o Philip Ludwell in the Intergatorys named how long have you known him declare the truth upon your Oath.

2 Was you not at the House of Colonel Philip Ludwell on the 20th of November 1677 in Gloucester what time of that day came you thither and on what Occasion declare the truth upon your Oath.

3 Did not you hear the said Colonel Ludwell say being fresh sober and without provocation that the present Governor Col^o Jeffries had done him several Injuries that he had refused to sign to him the

said Ludwell a *Dedimus potestatem* and that he had refused to sign in his Behalf an Execution against Ingram and therefore the said Governor was perjured for that he had done injustice delayed Justice and broke four or five of the principal Laws in this Country how many times did he repeat this declare the truth upon Oath

4 Did not you hear the aforesaid Ludwell say that he would prove and Justifie every Particular mentioned in the aforesaid Interrogatory and that he was glad he had met with John Seayes for he was sure he would acquaint the Governor with what he said in which if he did not he would make a Journey on purpose to the other side of the River and did he not say he would speak it in all Companies that it might come to the Governor's Ears for he had spoken it in divers Companies and it was for the good of the Country and he would put his Neck upon it and Justifie it with his Blood.

5 Did he not say that Col^o Jeffries was a pitiful little fellow with a Perriwig that he had done nothing but injustice since his arrival here and that he had broke more Laws in Six Months, than Sir W^m Berkeley in 35 Years Government.

6 Did he not say that the present Governor Jeffries was a worse Rebel than Bacon for that he had broke the Laws of this Country which Bacon never did

7 Did not you often hear him repeat the aforesaid discourse and did not you desire him several times to talk on some other discourse and did he not refuse saying he would never leave until he had given an Account thereof to some great persons in England for if every pitiful fellow that came in Governor to Virginia had Liberty to break the Laws of his Country as they had done the posterity would be ruined which he would never Suffer Declare the truth upon your Oath

8 Did he not say that he being accused of a Letter he had writ for England had since writ one six times worse and therefore asked what Judgment we had then

9 What other Circumstances of the said Ludwell's discourse you can remember declare it particularly to the best of your Knowledge and forget not the Oath you have taken and the Interest of his Majesty and his Governor.

Recorded Per Henry Hartwell Clerk Council

The Answer of John Seayes to the Interrogatories put to him by the Right Honourable the Governor in a difference between him and Colonel Philip Ludwell.

To the first he says that he has known Col^o Philip Ludwell seven years or thereabouts.

To the Second he says being at M^r John Throgmorton's house on the 20th of December and being destitute of a house and having Occasion to talk with Col^o Philip Ludwell on Business relating to the Estate of M^r Hugh Nevett deceased and believing him to be his Friend he declared he would go to Col^o Ludwell's House and would not only do his Business with him on the Behalf aforesaid but would likewise request the favour of him to set him over the River or lend him a Horse.

To the third he saith at his coming to the House of Col^o Philip Ludwell and at the drinking part of a Flaggon of Syder which he was pleased to call for, he began to complain of Several Injuries done him by the present Governor Herbert Jefferies Esq^r and desired him the Deponent to say whether he had not refused to sign a *dedimus potestatem* against Ingram and Walklate to which this Deponent answered that the said *Dedimus potestatem* being presented to the Governor he refused to sign it, And as to the Execution against Ingram he said he knew Nothing of it, but he doubted not the Governor would answer any thing he had done in that Case, and he did immediately say that the Governor was perjured that he had done injustice delayed Justice and had broke four or five of the Laws of this Country.

To the fourth Col^o Ludwell did say, that he would prove and Justifie every particular aforesaid, and that he was glad he had met with this Deponent for he was sure he would acquaint the Governor and that if he did not he would come over the River on purpose to speak it in such Company as it should be sure to come to his Ears, and that he would put his Neck upon it, and Justifie it with his Blood.

To the fifth Col^o Ludwell did say that Col^o Jeffreys was a pitiful Little Fellow with a Perriwig fellow I call him says he for he has broke more Laws in Six Months time than Sir W^m Berkeley Did in 35 Years Government which he could say for Sir W^m Berkeley altho' he had no Obligation from him

To the Sixth Col^o Ludwell did say that Col^o Jeffreys was a worse Rebel than Bacon for he had broke the Laws of this Country which Bacon never did.

To the seventh, Col^o Ludwell did several times repeat that the Governor was perjured for he had broke several Laws of this Country contrary to his Oath and that he would stand for the Interest of the Country which was all he aimed at, for if that every pitiful fellow that came in Governor to this Country had Liberty to break the Laws as this had Done his Children nor no Man's Else could be safe in the title or Estate left them.

To the Eighth Col^o Ludwell did say that he had been accused for writing a Letter formerly which had made a great Noise but that he had writ one since, six times worse of which there was no Notice taken

To the Ninth he cannot remember any more circumstances only that Col^o Jeffreys was not worth a Groat in England and that he had better Friends at Court than he had and he would not forbear speaking in this Cause for it was for the Interest of this Country.

Signed this 26th day of March 1678

John Seayres

Sworn before us this 26 of March 1678

August Warner
Mathew Kemp
Philip Lightfoot
Henry Whiting

} Recorded
per Henry Hartwell Clerk Council

The Answer of M^r John Throgmorton to the Intergatories put to him by the Right Hon^{ble} the Governor in the Difference depending between him and Col^o Philip Ludwell Esq^r

To the first, he answers he has known Col^o Ludwell about Seven or Eight Years.

To the Second, That it was about 10 or Eleven a Clock that M^r Seayres and myself came to Col^o Ludwell's House the 20th of November about Settling of an Account.

To the third, he did believe that Col^o Ludwell had been Drinking and without provocation Colonel Ludwell did say that if Herbert Jeffries be sworn Governor of Virginia then by his Oath he is to do Justice and not to delay it which he hath not done and therefore he is perjured for he hath broken three or four of our best Laws in Virginia and in one I will Instance which is denying to sign a *D^{edim}^{us}* to which M^r John Seayres made answer that he was then present when the Governor denied it to that Col^o Ludwell replied that he would be a good Evidence for him in that Case and Col^o Ludwell said the Governor refused to sign an Execution of Doctor Gwyn's again Ingram.

To the fourth that Col^o Ludwell said he told it to M^r Seayres that he should acquaint the Governor with it and that he had spoke it on the other side of the River

To the fifth that Col^o Ludwell did say that Sir W^m Berkeley Governed this Country 35 Years yet in that time he hath not done so much injustice as this man hath done in 6 Months as to the breach of the Laws.

To the Sixth, he answers negatively.

To the Seventh, that Col^o Ludwell did report some part of the aforesaid Discourse as to the breach of the Laws two or three times over and that he desired Col^o Ludwell to desist from that discourse and talk of somewhat else and that he said he would write home to some person of Quality about it and that Col^o Ludwell did say that if our Laws be broken our posterity will be ruined.

To the Eighth, there was something spoken by Col^o Ludwell about the Letter that was taken up and so Col^o Ludwell thought that made the Governor so unkind to him.

To the Ninth I do not remember any other discourse that had reference to this Business but what I have already declared.

John Throgmorton

Sworn before us this 26 of March 1678

Aug. Warner
Math. Kemp
Phil. Lightfoot
Henry. Whiting

} Recorded
Per Henry Hartwell Clerk Council

Griff Jones of Middlesex County sworn upon behalf of our Sovereign Lord the King and Herbert Jeffries Esq^r Governor of Virginia against Col^o Philip Ludwell. Saith.

That he this Deponent being at New Kent Court in the month of July to his remembrance and there then depending a certain suit depending between the said Col^o Ludwell and one George Walklate who had a protection from the Right Honourable the Governor aforesaid until his Majesty's pleasure the same coming in Discussion and debate to that Court whether the same should be allowed or not the Court was pleased to refer this Question to the Deponent whereupon the

Protection was Read and it appeared that the said Walklate had Complied with the said Protection according to the Governor's Order this Deponent replied then to the Court that the King might lay a *non obstante* but could not dispense with an Act of Parliament and therefore he supposed the protection to be good upon which the said Col^o Ludwell replied to the Court that if they allow'd the Governor's protection to be good they must allow and own the said Governor to rule by an Arbitrary power whereupon the said Court did disallow of the said Protection

Sworn before us the 26 of March 1678

Griff Jones.

August Warner

Mathew Kemp

Philip Lightfoot

Henry Whiting

Recorded

Per Henry Hartwell

Clerk, Council.

To the Right Hon^{ble} Sir Henry Chicheley Knight
President and the Hon^{ble} Council of State

The Humble Answer of Philip Ludwell

Whereas I have by your Honour's favour and Justice received a Copy of a Letter from the Right Hon^{ble} Herbert Jeffries Esq^r Governor & c Containing in it the Nature of an information or Charge against me of high misdemeanors committed against the Authority of his Majesty's Government here and also such time as your Honours thought meet for my Answer to the same which in all humility I here present to you as far as the nature of the Charge will allow me it being in general Terms and I altogether unacquainted with the import of these Evidences taken against me mentioned in the said Letter or Charge I most humbly desire that if it shall be found necessary upon the opening the *Dedimus* and Examination of the Evidences by Virtue thereof that I may have Liberty and time allowed me for a further answer to what may be objected against me.

I humbly conceive it may be allowed that a Man may speak his own Merits without Vanity especially where Life or Estate or which ought to be more dear Reputation is concerned I shall therefore humbly beg your Honours leave to give you a short View of my Services and then of my Sufferings for those Services to preserve the Authority of his Majesty in this Country in the person of Sir W^m Berkeley his Majesty's Governor & c and for the Interest of the whole Country which I doubt not will appear to all the World without contradiction that I was with Sir W^m Berkeley and Consequently followed and obeyed him from the very beginning to the End of the Rebellion I am confident cannot be denied and humbly hope no fault can appear against me in any Station during those times It will also appear that when Sir W^m Berkeley had not (by the General Defection) one foot of Ground on the Western Shore, he could with safety stand on I was one of the five that accompanied him to Accomack where we had not long been but Bacon pursues us with Capt Larimore's Ship with 16 Guns in her, a Small Bark with 4 Guns and a Sloop in all which were 250 well Armed Men under the command of M^r Giles Bland and Capt W^m Carver the latter being a very good Seamand and a Stout resolute Fellow and also a Vessel of

about 90 Tuns being newly come in which M^r Bland seized in his Voyage over and made prize by Bacon's Law and for his Service whilst Affairs stand in this miserable Condition God Almighty gave a Signal token of his mercy to us by stirring up Honest Capt Larimore to promote his Majesty's Interest by the preservation of this Country by sending a Note privately on Shore to the Governor that if he would send him some force he would deliver up the Ship to him which the Governor suspecting from the Ill Character unjustly given him of Capt Larimore's Loyalty commanded my Advice what was best to be done in this conjuncture of time And I advised him to accept of the Offer because our Condition was every way as desperate as that seemed to be and Consequently no Choice left us and offered my self to go on board so on my humble request the Governor presently gave me a Commission for it with which I went down immediately to the water side and with 26 Men besides my self in two small Boats got on Board the Ship took her and the other Vessels with all their Force disarmed the Men and send M^r Bland and Carver on Shore Prisoners with as many of the other as we thought Convenient.

Thus have I given your Honours a brief account of this piece of Service which tho' it wants many of its Just Circumstances I fear may seem tedious to you but I humbly beseech your Honour to consider the benefit that in all Likelyhood accrewed by this fatal Blow to Bacon's designs for with this force he must be concluded absolute Master of every Man's fortune in this Country and with that every Merchant's Ship that came in of which there were twenty before his Majesty's Ships arrived and altho' some of the Merchants' Ships arrived were of considerable force yet coming in without any Notice which they could not have but by Miracle might easily have been surprized If this had happened then I beseech your Honour to consider whether this might not have put his Majesty's Ship in some hazard considering that altho' Sir John Berry is without all doubt a Gentleman of unquestionable Conduct and Courage and would not have valued much a greater Number in a larger Room yet being in a Narrow River whether Bacon might not have burnt or Otherwise have distressed them 'tis possible it may be said that when his Majesty's forces appeared Bacon would have resigned the Likelyhood whereof may be guessed by those oaths he imposed on the people to oppose any forces his Majesty should send in and also by his declarations to the people but I shall leave this to your better Consideration.

Besides this (most Honoured Gentlemen) I do aver that after my coming into York River from Accomack by another Order from Sir W^m Berkeley I was the prime Cause of taking away and securing four of the Enemy's Sloops which was all the Vessels they had but one small Ship which we had also secured had she not been removed two days before and hauled up where we could not come at her this was no small discouragement to the Enemy neither was it performed without great hazard as many can Witness.

I doubt not most honoured Sirs but most of you here know I was never wanting at all times to oppose the Rebels all I could with all Diligence hazard and hardship I will not presume to trouble you fur-

ther with this but humbly beg your Patience while I say something of my Suffering for thus serving his Majesty under the Command and Conduct of his Governor Sir W^m Berkeley according to my duty and Allegiance, the ruinous Condition I was left in I suppose is not unknown to your Honours here present and I am sure to many in the Country besides being plundered of all within their Reach both without and within Doors besides my Books and Papers to a Considerable Value.

Yet I give God thanks I was not so much concerned at this (tho' their Malice reached to all that had relation to me) as I was Joyful for the happy restoration of the Country having the fairer hopes of such a Settlement as that we might enjoy the poor remains of our fortunes in peace and that the Laws might have their former Vigour (which for some Months had been wholly laid by) so as by them every Man might recover what should be found in Justice to belong to him.

But I did not long enjoy the Effects of these hopeful considerations for altho I applied myself as Early as any except Col^o Bridger yet it pleased the Right Hon^{ble} the Governor to take out of my hand the Collectors place of York River the only little support left for my self and family which I held by Sir W^m Berkeleys Commission the Cause whereof I do not yet know

Upon consideration that by the Act of the grand Assembly all persons were left liable to be sued for trespasses committed in the time of Rebellion I commenced my Actions against some of the principal of those that plundered me, but was hindered in the prosecution by a protection granted to George Walklate contrary to the express Words of the Laws of this Country and many Statutes of England.

Moreover when in Order to making my proofs I desired a *Dedimus potestatem* for the Examination of Witnesses It was denied me by which means tho' I had Judgment Granted me the last Assembly for a small part of what I lost Yet I could not have Judgment for my papers and Books taken with my Goods to the Value of near 40000 li Tobacco for want of Evidence a great part of which Tobacco I must pay to other people or go to Jail as being Security for an under Sheriff who died in the time of his Collection which place I was forced for the Remainder of his time to manage the best I could for my Security and had with much Care and pains procured th.. Bills and Accounts by which I should have received the Tobacco to pay those Debts for which Judgement doth daily pass against me in the Court which makes the Loss double Now I do humbly beseech your Honours to beleive me thus far that it is a great Trouble upon my Spirits beyond all my Losses that I stand here before your Honours as a Contemner of that Authority to maintain which I have severely suffered and I do further desire your belief that I take no pleasure in recounting these misfortunes but could heartily have wished none of them had happened and do further humbly desire that if there shall be any thing found in those depositions by which it shall appear to your Honours I have done any thing derogating from the Honour of his Majesty's Governor or Government here you will be pleased to consider the great Exasperation I had which possibly might raise me by their continued Course to that height of passion as to speak those things which on a better Consideration a calm-

ner Temper I should not have done and which I shall most readily and humbly acknowledge when it appears I hope Gentlemen if the strictest Enquiry be made into my past Life and consideration in this Country I shall be found no other than a true and faithful Subject to his Majesty especially in these times of our Troubles without any other design God Almighty is my Witness that I know of than discharging my Duty and Allegiance as I ought.

As to what the Right Hon^{ble} Governor is pleased to charge me with concerning a Letter casually lost and discovered to him I think it hard that that Letter should now be brought as an Aggravation against me in this Cause having laid still so long and nothing said of it neither doth it ever appear it has been mentioned in England I do not well remember it but since it is so reflected on I humbly desire a Copy of that Letter may be laid before your Honours and am most Confident there will not be found a word in it of his Majesty's Commissioners spoken but will [with] respect and shall further beg your Honours will be pleased to give your Opinions of it in General being writ only to a private Gentleman And now most honoured Gentlemen being well assured of your Justice and Integrity I shall in all humility lay my Condition before you for your serious Considerations and desire that you will please to weigh well the Import of these Depositions against me but I fear I hold your Honours too long and shall therefore humbly rest in hope that there will be nothing found whereby it may be thought that I have Injured any of a Malicious Intent But if it shall appear that any follies have casually been committed in the time past I hope this may be amended for the future by

Your Honours most humble and most Obedient Respondent.

March 28 1678

Philip Ludwell

Recorded Per Henry Hartwell Clerk Council

We the Jurors being sworn to examine the Complaint of the Right Honourable the Governor against Colonel Philip Ludwell having thoroughly examined all Evidences and weighed all Circumstances do give Verdict as to the Charge against him for abusing the Authority of his Majesty we find him not Guilty but we find the said Colonel Philip Ludwell guilty of Scandalizing the Governor by saying that he was perjured and had broke several Laws And we also find that the Law of this Country confirmed by a President of the General Court gives such inconsiderable Damage which we think too small for so great an Offence but being a Point of Law we leave it to the Hon^{ble} Court.

Southy Littleton, Foreman.

Recorded Per Henry Hartwell Clerk of Court.

At a General Court held at James City the 29th of March 1678.

Present

Sir Henry Chicheley Knight President

Col ^o Nathaniel Bacon	Col ^o W ^m Cole	Col ^o John Custis
Lieut. Col ^o Daniel Park Row ^d Place Esq ^r		Col ^o Aug ^t Warner
Col ^o Nicholas Spencer	Ralph Wormly Esq ^r	
Col ^o Jo ^s Bridger	Rich ^d Lee Esq ^r	

Whereas upon a full hearing of the Complaint exhibited against Col^o Philip Ludwell to this Board by the Right Hon^{ble} Herbert Jeffries Esq^r Governor which Complaint and the Respondents Answer with the Evidences thereunto relating were referred to an able Jury to Enquire into the whole Matter who thereupon returned their Verdict that they found the said Col^o Ludwell had scandalized the Governor and thereupon the Council for the Governor moved that the whole proceedings might be transmitted to the King's Majesty and the Right Honourable the Lords of the Privy Council that according to a Statute of the 12th of Richard the Second the King's Council may advise of Punishment proportionable to the Offence—It is therefore Ordered that the whole proceedings with all papers thereunto relating be transmitted to the King's most Excellency Majesty and the Right Hon^{ble} the Lords of the Privy Council and that Col^o Philip Ludwell do forthwith give bond for One thousand pounds Sterling Security either personally or by proxie accordingly to answer

Upon the Declaring of this Order the Defendent appealed to the grand Assembly of his Majesty's Colony urging that according to the Laws and Constant known proceedings of this Colony in all Cases except Life and Member appeals are open from general Courts to County Courts* and from General Courts to the Grand Assembly upon which appeal this Board entered into a Mature debate and thereupon have resolved that this appeal with the fore recited Order and all proceedings hereunto be transmitted to the King's most Excellent Majesty and the Right Hon^{ble} the Lords of the Privy Council most humbly begging their Lordships will be pleased to declare whether the afore recited Defendants appeal may be proceeded in to the hearing and determining by the Grand Assembly, according to Laws and practices of this Colony as yet being no President to the Contrary whether their Lordships will please to require that the whole Matter shall be first laid before their Lordships and by their Lordships receive a final decision and that in the Interim Col^o Philip Ludwell and* do give Bond for five hundred pounds sterling with good Security for his good Behaviour to the Right Honourable the Governor and likewise that the Bond in the aforecited Order and Bond for One Thousand pounds to be and remain in force till the whole Matter be concluded.

Sir Henry Chicheley, Lieut Col^o Daniel Park, and Rowland Place Esquire, dissent from all that Part of this Order, of the Defendents appeal to the Assembly.

Recorded Per Henry Hartwell

We have considered of the Questions to us proposed by the G.neral Court at Virginia upon the Case as it was stated there the 8th May 1679 being attended by John Bland

*This paragraph has evidently been badly copied by the compiler of the Randolph Manuscript. Instead of writing "are open from General Courts to County Courts", he should have written "from County Courts to General Courts." The "and" after "Ludwell" farther down should have been omitted.

and his Council but none attending on the other part and are of the following Opinion

As to the Questions Concerning the Articles made by Giles Bland how far Giles had pursued his Authority how far not we think that he having a full power to take Accounts conclude and Compound his Agreements ought not in Equity and good Conscience to be set aside but we are of Opinion that the said Articles ought not [now] to be punctually and fully performed and made good in whatsoever was wanting to the performance of them with consideration of Damages for not performing in due time and if Damage have happened since the making the said Articles the plantations are the worse or impoverish'd by the Death of the Negroes or that the Stock and goods upon the Plantation are now dead destroyed or Otherwise worse that damages and full Satisfaction and reparations ought to be made to John Bland for the same unless it were by the Occasion and thro' the Default of the said Giles and that he ought to be put in the Same Condition and plight now as when the Articles were made And that if that Agreement be made good in Specie or in Damages the Articles and Bond of Theodorick Bland ought not to be put in suit But if the last Articles made by Giles be not fully performed a Remedy ought to be given by the said Bond or Otherwise so far as to make amends to the said John Bland for what is Deficient Either in point of Value or time with Damages

Francis North
Hugh Wyndham
Robert Atkins
W^m Ellys

London November 11 1679

To the Right Honourable Sir Henry Chicheley Knight
his Majesty's deputy Governor of Virginia with the Honourable
Council of State

The Traverse or Petition of Lewis Griffin and Lewis Burwell Executors of the last will and Testament of John Burnham Deceased. Sheweth.

That whereas by Virtue of a certain Writ in the Nature of a *Diem Clausitu extremum* directed to the Escheator of the County of Middlesex to enquire of what Lands the said John Burnham died seized in fee and a certain Inquisition thereupon taken it is amongst other things found that the said John Burnham was at the time of his Death seized of two thousand two hundred and fifty Acres of Land Scituate in the upper parts of Christ Church Parish in the said County, and that the said John made no Will Effectual in Law whereby he could devise his Lands neither did he otherwise dispose of the same nor is there any heirs of his in this Country and therefore they (in Express Terms) say and find the said Land doth Escheat as by the said Inquisition appeareth. The said Lewis and Lewis saving and reserving to themselves all and all manner of benefit and advantage of exception to the manifold uncertaintys and imperfections of the said Inquisition by Protestation do say that Notwithstanding any Matter or thing therein contained the Estate Right Title and Interest of in and to the aforesaid Lands of which the said John Died seized is and by Law ought to be in them the said Lewis and Lewis and not in our Sovereign Lord the

King or any other person whatsoever without that the said John did not make a Will Effectual in Law whereby he could devise the said Lands and without that he did not dispose of the Lands as untruly found in the said Inquisition because as they the said Lewis and Lewis say the said John by his last Will and Testament in Writing under his hand and seal dated the third day of January 1680 duly proved and recorded in this Hon^{ble} Court did devise and bequeath the said Lands to them the said Lewis and Lewis and their Heirs for Ever and they say it is and ever has been a good bequest in Law and always so received and accounted in Law and for that by Law your Honours are the sole Judges of Law and the Jurors Judges of fact only and the said Jurors having taken upon them to Judge Matter of Law which was not given them in Charge which the said Lewis and Lewis say hath made the said Inquisition Vicious for if they had found specially it would have been well and for that it is contrary to the known Laws of England and especially the Statute of 2^d and 3^d of Edward 6 Cap. 8 if any Lands should be taken into the King's Hands (unless a *melius inquirendum* do issue) where an Imperfect Inquisition is made.

They humbly pray a full and thorough Examination of the Law in such cases and that the said Inquisition may be declared invalid in Law and reason for the Insufficiency thereof and that a *melius inquirendum* do issue and then they doubt not but to be able to prove the Right of the said Lands in them and no other person whatsoever And they humbly pray that whatsoever claims under the aforesaid Inquisition may put in an answer in writing.

And they shall pray & c

To the Right Hon^{ble} Sir Henry Chicheley Knight his Majesty's Deputy Governor of Virginia and the Hon^{ble} Council of State.

Ralph Wormley Esq^r comes in behalf of himself as a purchaser of his sacred Majesty and answers to the Declaration of Lewis Griffin and Lewis Burwell nominated Executors of the pretended last Will and Testament of Lieut Col^o John Burnham deceas'd saying that he hath justly compounded with his Majesty for the Land therein contained to say Two Thousand Two Hundred and fifty Acres of Land Scituate in Middlesex County of which Lands the said Lieut Col^o John Burnham died seized in fee and that he conceives the proceedings in the said Inquisition to be according to the Instructions given to each Escheator in this Country and the continued and accustomed practice thereof since its first scituation And further saith that a Jury by finding an invalid Will of the said John Burnham in the said Inquisition have not exceeded their Duty in rejecting the same although proceeded to them which Will your Respondent further saith is utterly invalid both in fact and Law for want of testimony according to an Act intituled an Act to prevent frauds and perjuries made in the 29th Year of Charles the 2^d as he is ready to make appear for which reasons your Respondent prays that the said petitioners with their Petition be rejected that your Respondent may be confirmed in his quiet and just possession and that they pay him Damages for this unjust Molestation and Trouble.

And he shall pray & c

The Replication of Lewis Griffin and Lewis Burwell

The said Repliants not confessing nor acknowledging all or any the Matters or things material or Effectual in the said answer alledged but saving and reserving themselves now and at all times hereafter all advantages of Exceptions to the in certainties and insufficiencies of the said answer the said Repliants for replication say in all things before as in their Traverse they have said and that all and every the matters in their said Traverse are true good and Sufficient in the Law to be replied unto and further they say that Notwithstanding there be not three Witnesses that subscribed at the time of the publishing of it in the words of the aforesaid Act do litterally require and Notwithstanding require any other thing in the said Answer contained to the Contrary the last Will and Testament of the said John Burnham is good valid and sufficient and made in due form of Law and that the Right Title and Interest of in and into the said Two Thousand Two Hundred and Fifty Acres of Land whereof the said John died seized is thereby well and sufficient conveyed settled and assured on them the Replicants and their Heirs in fee because as these repliants say.

1st It is not by the said Act nor by any Law or Authority yet declared or adjudged that the said Act shall be binding or observ'd by the Inhabitants of this Colony nor are they so much as mentioned nor is it possible it should be observed by them before the said Inhabitants have notice (which can no otherwise be given them) then by Proclamation or declaration which as yet hath not been made of the said Act it ought and hath always been accustomed both in England before printing was (and some time after) by sending written Copies of all Laws past in Each Parliament under the great Seal of England to the Sheriff and Chief Officer of every Borough City and County to be by them published to the people and now at this day since printing hath been so common the King's Printer provides a certain Number of Copies at the End of each Sessions to be Delivered to the several Members by them to be distributed in the places for which they serve to the End None may plead Ignorance of the Law and the like Course is taken in this Colony amongst us (for as has been adjudged) it would be not only unreasonable but inhuman to require Obedience and observation of a Law of which we have no means to take notice The Law compels no man to an impossibility but on the Contrary in Ability to perform the Law excuseth the performance of it For which Reason these repliants verily hope your Honours will not in your Wisdom adjudge the will of the said John to be invalid (should it happen to want some of those formalities which by the said Act are presented to be required to the perfecting thereof since according to the ancient known Laws in your Government it is Otherwise every way perfect and in due and common form made and proved and this the rather are these Repliants confident of, first, for that your Honours are not tied to the strict and punctual Observance of the Laws of England (which with submission will be impossible for you to do) but have Liberty given you by our present Sovereign Lord the King and his Royal Predecessors by their several Royal Charters granted to this Colony to do what you may. This Act cannot be admitted as a Law until he be published

and so declared to be and that the people may have Notice thereof without great Inconveniency as disorder confusion and Mischief nay utter ruin to many of the Inhabitants of this Colony.

First by making void all or the most part of those Wills and Testaments made since the 24 of June 77 Whereby the Inhabitants have as they thought settled and disposed of their Estates all or most of which want those formalities prescribed by the said yet are the people as yet in quiet and peaceable possession of the bequest thereby made the Wills allowed for good no man get disturbed or molested except your repliants most of which should this Act be pleaded against them would be void and they defeated of their possessions some by Escheat and some otherwise

Secondly most contracts leases per Roll Surrender of Leases and many other agreements will be likewise void for want of formalities by this Law required.

Thirdly and Lastly all proceedings and Judgments had in any the Courts of Law or Equity settled within this Colony upon any the said Contracts Agreements Leases & c will be erroneous and void and so will this Act which was intended to prevent Frauds prove a great Fraud and snare to all those who having settled their Estates by will made bargains Contracts let or taken Leases Surrenders & c according to common form and the Antient Laws of the Colony to them known think themselves secure not dreaming of this Act of which they never had notice.

Fourthly, Should all New Acts of the Parliament of England be of force obliging and binding to the Inhabitants of Virginia before publication or Notice thereof given to them not only our Estates but Lives and Liberties and whatsoever else is dear and precious to us would be in Danger and might be forfeited and by us and we not knowing of it nor by any possibility could know it which would be as is aforesaid not only unreasonable but inhuman and would be such an example as could not be found in the whole world no not in the most barbarous parts of it for all which reasons these repliants saving and reserving to themselves now and at all times hereafter the benefit and advantage of further Replication do humbly conceive the said recited Act ought not to be pleaded against the validity of the will of the said John to make void the same and of this they demand Judgment and pray as at first that the Lands of our sovereign Lord the King may be removed from the said Two Thousand Two Hundred and fifty Acres of Land Whereof the said John is found to have died seized by the said Inquisition as aforesaid.

To the Right Hon^{ble} Sir Henry Chicheley Knight his Majesty's deputy Governor of Virginia and to the Hon^{ble} Council of State.

The further Replication of Lewis Griffin and Lewis Burwell

The said Repliants for further replication say that notwithstanding any thing by the said M^r Wormeley in his Plea said or pleaded to the Contrary the last Will and Testament of the said John by him made and published as aforesaid is good perfect valid Sufficient and made and proved in due form of Law and according to the Intent purport and

true meaning of the said recited Act made the 29th Year of the Reign of our sovereign Lord the King but now is Intitled an act for preventing of frauds and perjuries by the said M^r Wormeley in his plea pleaded for these repliants say that the said John being of sound perfect and disposing memory minding and intending to make his Last Will and Testament in writing and having waited several days for this Repliant Lewis Griffin's coming who (and no one else) he was minded should write the same as during that time he often declared When this Repliant Lewis Griffin was come he gave him directions for the writing the said Will which the Repliant Lewis having accordingly done and the same being audibly read to him the said John and by him well understood according to the meaning of the said Act three Witnesses were called and present and desired to take Notice and in their Presence and in the presence of divers others who being Legaties were not supposed so good Witnesses The said John did according to the tenour of the said Act Subscribe seall and deliver and publish the same as his last will and Testament by which the said John had as much as in them lay performed the Direction of the said Act and more he could not do *lex non cogit ad impossibiliam* if none of the Witnesses would have subscribed it it was not in his nor in any man's power to compel them and yet the Law will look upon this his Endeavour as if he had done it and such refusal as if they had actually done it And therefore Altho' that true it be that but two of the said three Witnesses did actually subscribe in the presence of the said John according to the Letter of the said Act Yet according to the Equity of the same Act (by which and not literally this Act must be construed and taken) the other that refused is taken to have Subscribed and is as good a Witness to all intents and purposes as if he had actually Subscribed in the presence of the said John *impotentia Excusat legem* This Act as appeareth by the Title was made to prevent not to abet fraud and to that purpose according to the Rules of Law ought to be so construed as that no man that is innocent and free from injury and wrong be punished and damaged by a littoral Construction to Surpress Mischief and to advance its Remedies which should not be could it be taken literally and be understood as if the Testator must compel three Witnesses to subscribe in his presence whether they will or no. this construction would quite contrary create and advance mischief which could not have happened but by this Act for otherwise no man would have been injured by this Will none can or will Complain of it None are or could be debarred of any Right thereby The Testator was no way indirectly wrought upon by the Executors of [or] Either of them one of them not being with him all the time of his Sickness and the other but a small time after often being called and long looked for by the Testator on purpose to write this will as himself often declared refusing to have any other to do it so it cannot be supposed there was any fraud intended in making the will but there might be a fraud intended in the Witnesses that refused to subscribe the Will to hinder the making of it for he being a learned Man and one whose profession is used to drawing of Wills and coming lately out of England might have knowledge of this Act which few if any in the Colony could know

To the Hon^{ble} Sir Henry Chicheley Knight and the
Honourable Council of State

The Answer of Lewis Griffin and Lewis Burwell Executors of the last Will and Testament of Lieut Col^o John Burnham deceased to the petition of Ralph Wormeley Esq^r

These Defendants say that true it is the said John Burnham by his last Will and Testament in Writing under his Hand and Seal and since duly proved in this honourable Court did amongst other things give unto these Defendants and their Heirs for Ever all the Lands of which the said John died seized and of the said Will made these defendants Executors which Will these Defendants carried to the next Court held for the County of Rappahannock after the Death of the said John in which County he died where by the Course of Virginia the said Will ought to have been proved intending there to have a Probate thereof for that the Witnesses of the said Will resided in the said County but some of the Justices of the said Court informed these defendants that the Right Hon^{ble} Sir Henry Chicheley his Majesty's Deputy Governor had sent his precept to the Court requiring them not to proceed therein he being inform'd that the said Burnham's land escheated to his Majesty whereupon these Defendants having good Cause to believe the said information was given and the said precept so contrary to divers Laws and Statutes in that case made and provided to be sent by the Plaintiff for that the Plaintiff intended as appears by his own shewing to obtain the said Lands for himself they these Defendants finding themselves thus prevented and delayed of proving the said Will addressed themselves to the said Court held for the County of Middlesex where the greatest part of the Testator's Estate lay but the said Court of Middlesex refused to admit of proving the said Will for what reason your respondents know not and referred the same to this Honourable Court whereupon these Defendants finding themselves thus delayed and knowing that Thomas Read one of the Witnesses of the said Will being a Chirurgion of a Ship was about to depart the Country and that without his Testimony these Defendants should never have been able to have proved the said Will They these Defendants with their Witnesses made a Journey to the house of the Right Hon^{ble} the Deputy Governor there to have their Evidences sworn and taken by his Honour but the Plaintiff being then and there present and knowing these Defendants purposes told these Defendants he would hinder the same unless they would give him such a Bond as he had then prepared and ready drawn about him and tendered to these Defendants which they these Defendants refusing to do as a thing unjust to be extorted from them he the Plaintiff after much disputing in a threatening manner told these Defendants if they would not seal the said Bond they should not have their Witnesses sworn whereupon these said Defendants knowing the power and Authority of the Plaintiff and that unless these Witnesses were Examined these Defendants should never have been able to have proved the said Will but utterly lose not only the Land aforesaid but the Testator's whole personal Estate by the said Will to them given as aforesaid These Defendants for obtaining their Right and Justice of swearing their Evidences and preserving

their Evidence untill the next General Court which was denied by the Plantif were forced to give the Plantif the said Bond in the plaint mentioned wherefore these Defendants for Plea say that the said Bond on which the said Plantif brings his Action being as aforesaid by the Pre-tence of Right unjustly extorted from and given by these Defendants for obtaining the Justice and Right of having the Testimony of their Witnesses preserved as aforesaid is by Law void and of no Effect and of this they demand Judgement.

King Charles 2 by his Letters 4 August 32 *Regni* directs the Lord Culpeper to acquaint the Assembly that he should give Orders for the better management of the Quit Rents and requires him to return a true State of them

Lord Anglesey Keeper of the Privy Seal, Bridgwater, Essex, Fauconberg, Henry Coventry, Henry Capel, Winchester, Worcester, Bath, L Hyde, J Crute, H Powle, by their Letter dated 14 January 1679 acquaint Lord Culpeper that his Majesty had been pleased to appoint them to be a Committee of his Privy Council for the Inspection and Management of all Affairs relating to the Foreign plantations, and direct him and the Council to transmit unto them Quarterly a particular Account of all matters of Importance whether Civil Ecclesiastical or Military which shall concern this Colony and more Especially what shall be proposed debated or Concluded in the Council upon the framing and perusing of Laws and the present State of the trade and the Obstruction in the Course thereof, and this Account to be sign'd by the Governor and Council.

May 4th 1681. The Council acquaint their Lordships that what their Lordships required had been annually transmitted to the Secretary of State that the Lord Culpeper had carried exact Coppies of the Laws past when he was here, that the Assembly had lately represented the State of trade of the Colony, to which they could add nothing, but that it was in a more declining Condition.

The Council write to the Lord Culpeper and acquaint him with this Letter and desire his Lordships Intercession for a cessation of planting Tobacco and tell his Lordship how the inhabitants complain of the Soldiers being quartered upon them and refuse to receive them and desire that they may be paid off.

Sir Henry Chicheley prorogues the Assembly from 15 February 1681 to 18 April 1682 Commissioners Treasury 30 November 1681 Signifie his Majesty's Orders for paying of the two foot Companies according to a Schedule annexed and 3747 lbs. 6 shillings 8 pence sent over to Sir H Chicheley Nich Spenser Nath Bacon Philip Ludwell or any three of them.

King orders Sir Henry Chicheley not to call any Assembly until the 10 November 1682 Lord Culpeper being directed to repair to his Government within a few Months dated 20th January 1681.

Sir H Chicheley issues a proclamation to prohibit all Riotous and tumultuous meetings on account of plant cutting in Gloucester. May 3 1682.

Orders the Commanders of the Counties to raise the Militia to Surpress these Riots in New Kent.

By another proclamation dated 12 August 1682 declares unlawful Assembling to cut up pull up or otherwise destroying Tobacco Plants to be open Rebellion in the Actors thereof and the penalties inflicted by the Statute 13 Henry 4. upon Justices of peace who do not their duty in Surpressing Riots and upon such who refuse to assist the Justices and further declares that all persons who shall hereafter assemble in like manner shall be deemed and prosecuted as Rebels.

Calls an Assembly 18 April 1682 and directs a new Election for such Members as are dead by proclamation dated 1 March 1681

Then receiving the King's said Order by proclamation dated 29 September 1682 dissolves that Assembly and Summons another 10 November 1682 Dec 23. 1682 Lord Culpeper issues a Proclamation to all Sheriffs to issue the King's in their Respective Counties

31 January 1682 Issues a proclamation for raising the price of foreign Coin by the King's Instruction bearing date 27 January 1681 obtained upon the Address of Assembly 1680 French Crown, Rix dollar, piece of Eight—6s half pieces—3 s. $\frac{1}{4}$ pieces at 18 d. the New England Coin at 1 and at that value to be paid and received. Except for the 2^s per hhd Quit Rents and other duties payable to his Majesty and debts contracted for Bills of Exchange and declares that Money tendered at that Rate shall be deemed a Sufficient tender 31 January 1682 by proclamation commands all Church Wardians to return to the Secretary's Office an abstract of their Levies

Secretary Spencer by Order of Lord Culpeper writes to Captain Terril Commander of his Majesty's Ship Mermaid to deliver a Servant of M^r Tod by him received on board upon pay. Tyrrel answers he will be accountable to the Admiralty for that he deserted the King's Ship Orange Tree and was brought over a Servant to Virginia February 23^d 1682. 24 Feb. 1682 Lord Culpeper commands the Sherif of York to go on board Captain Tyrell and to demand and receive this Servant and bring him before the Governor and Council.

January 10. 1682. gives Order for the Rigourous prosecution of the plant Cutters pursuant to his Majesty's Commands

January 11. 1682. Makes Speech to the Council and acquaints them that his Majesty expects to receive from them an Account of the Government since his departure out of it *Anno* 1680 particularly as to the Stopping of Ships upon pretence of the late Act about making the calling the Assembly last April the Occasion Rise Growth and progress of the late Insurrection Commotions about Tobacco plants destroying. The present true State of the Country—the best Manner of Managing for the future.

Orders made by King Charles 2^d 21 December 1681 in Council whereas he was pleased by his Instructions dated December 1679 to direct the Lord Culpeper to signifie his Majesty's high resentment of a Seditious declaration made by the Assembly of Virginia during the Government of Col^o Jefferies whereby they set forth that his Majesty's Commissioners having called for and forced from the Clerk of the Assembly all the Original Journals of the Assembly which power they suppose his Majesty would not grant them for that they find not the same to have been practiced by the King's of England and did therefore

take the same to be a Violation of their priviledges desiring withall Satisfaction to be given them, that they might be assured no such Violation of their priviledges should be offered for the future To the End therefore that such unwarrantable proceedings of the Assembly may not be a president hereafter and seem to have his Majesty's Allowance he declares that as he is graciously pleased to pardon the persons offending therein so he doth wholly disapprove the said Declaration and directs that not only all Record to that Effect be taken of the File and rased out of the Books in Virginia and Signifies his Royal pleasure to the Lord Culpeper to propose a Bill in the next Assembly condemning the said proceeding and declaring the Right of his Majesty and his Officers to call for all the Public Records and Journals whenever they shall thing it necessary for his Royal service.

June 17. 1682. Upon the petition of Thomas Sands of London Merchant and the Lord Danby High Treasurer thereupon his Majesty was pleased the 24. of May 1678 to give Liberty to the Petitioner to Ship out of Virginia free of the import of that Country five hundred and Eighty Hogsheads of Tobacco for this Kingdom in lieu of like Quantity which after payment of the Duty he Exported from thence in the Year 1665 on the W^m and Sarah, which was taken by the Dutch and utterly lost which Order having not been complied with the petitioner in July last again humbly petitioned his Majesty setting forth his hard usage with the great Expence he had been put to in the prosecution of this business and humbly praying to be relieved, his Majesty was pleased to refer the same to the Right Hon^{ble} the Lord Commissioners of the treasury who having reported their Opinion that the petitioner should be allowed to ship that Quantity of Tobacco free of Virginia duty—and the King approves the Report and orders the Governor of Virginia to issue all necessary orders and directions for allowing the said import

Lord Culpeper 13th March 1682. issues a proclamation commanding the County Courts to Summon Grand Jurys to make presentment of all the Offenders against the Laws of this Colony but more especially that strict Enquiry be made by the Grand Juries after the breach of that most provident and necessary Law requiring Two Acres of Indian Corn or one Acre of Wheat to be tended by Each Tithable and that the Justices should return such presentment to the 12 day of the next and afterwards to the fifth day of the General Court.

11 June 1682 Sir Henry Chicheley, Spencer, Bacon and Ludwell certifie the Lords of the Treasury that they had paid of the 2 foot Company's.

Sheriff of York returns that Captain Tyrrel had refused to deliver skevington's servant but that Captain Rider's Boatswain offers to pay for him

13 March 1682 Lord Culpeper issues a proclamation setting forth that the Lieut Governor upon the first notice of the rising of Mutinous persons in Gloster in a rebellious Manner forceably entering many plantations and cutting up and destroying Tobacco plants had by proclamation commanded such persons to separate and required all his Majesty's Subjects to be aiding and assisting to subdue and reduce

these tumultuous plant Cutters which clemency not finding it's desired Effect, did by another proclamation declare them Traytors and Rebels who were afterwards suppressed by the Forces set forth for that service but John Haley of Gloster supposed to be an Active contriver of plant cutting stood bound for his appearance the fourth day of November General Court did not Appear but absconded therefore requires him to surrender himself and Offers 50 lbs. reward for taking him

10 May 1682 Commands the Sherif of James City not to proceed upon the Sale of goods of one W^m Morris taken by Virtue of an Attachment until he and the Council had a full information therein.

The Council make report to the Governor of the State of this Country for three Years That his Excellency left Virginia in August 1680 leaving Sir Henry Chicheley Deputy Governor with Instructions which were not made known to the most of the Council and the Government went quietly on till the usual time of Shipping Tobacco in the Year 1681 and then the traders were obstructed in their Traffick under Colour of an Act of Assembly made in June 1680 which enjoined them to bring their Merchandizes to certain places and from those places to lade all their Tobacco but several Masters and Traders not finding any reception or Shelter for themselves or Merchandize did absolutely refuse to comply with the Act and traded as they used to do for which they suffered much inconvenience and Trouble the prosecution being chiefly managed by such persons and their Instruments who had a particular regard to their own Interests whereby trade was greatly discouraged and the best part of the Country dissatisfied Afterwards the same persons insinuated with the Easy sort of people how advantageous an Act for a cessation of planting for one Year—Many people in 3 or 4 Counties sign a petition to the Governor to call an Assembly for that purpose which were favourably thereupon Summoned without Advice of the Council to meet in April 1682 which met accordingly but after some time spent in fruitless debates were dissolved and another Summoned—Then many persons in New Kent, Gloster and Middlesex petitioning Counties fall to cutting up Tobacco plants to prevent which the Deputy Governor issued several proclamations the chief Actors being inconsiderable people they forbore prosecution hoping that time would discover the Authors and Contrivers of this Scheme

The present State of the Country is Extreemely poor—people not able to buy common necessarys whereby they are led to believe all Suggestions how impeacheable soever—at peace with the Indians but Obligated to keep Forces in pay to prevent Sudden Mischiefs propose that the Indian's Trade should be confined and by the directions of his Majesty put into the hands of one or two persons, Men of Integrity and Ability for 5 Years, and they to pay for the same towards supporting the Government—That no Indians should be Slaves That the Bounds of the Country may not be encroacht on as had been attempted by the Government Carolina and Lord Baltimore. They purpose for lessening the Quantity of Tobacco that none should be planted after the 24 of June and that Maryland may be under the same restriction

and for the better Security of the Country that a Garrison and Sixty Soldiers may be maintained which would prevent disorders or suddenly suppress them—they supplicate his Majesty that he would for the Security of the Country direct that a Man of War Ketch with 12 G and 40 Men be appointed to attend upon the Government whereby many frauds in exporting Tobacco to the plantations might be prevented That whereas his Majesty had granted all the Southern part of the Colony's Quit Rents to the Lords Arlington and Culpeper for a Certain term of Years, that his Majesty would be pleased to give those Noble Lords something in Lieu and appropriate the Quit Rents together with all Escheats to the use of the Government. That his Majesty would be pleased to take under his Royal consideration the Act for Towns and Signifie his Will and pleasure to the next Assembly And whereas there are many contingent Charges which are to be paid for the Support of the Government by the Assembly there being no standing Revenue to discharge the same and the Burgesse's wages and their Officers Salaries commonly Exceed the Publick Charge therefore they propose that his Majesty will be pleased to direct the General Assembly that some more easy method may be settled for discharging the publick debts and to provide that the Governor and Council be impowered to raise 20 lb Tobacco per poll for paying the publick Debts and the Tobacco so Levied to be accounted for to the next Assembly which would be no greater power than the Justices have in every County

Signed

Robert Smith
Joseph Bridger
Philip Ludwell
John Page
William Byrd

Nicholas Spencer
Nathaniel Bacon
William Cole
Richard Lee

May 9. 1682 It is the Opinion of the Board that Robert Beverton [Beverley] hath been Eminently Instrumental in the late Commotion by Stirring up Information upon the Act of Cohabitation also by setting on foot petitions for an Assembly and from thence giving assurances of a Cessation by which the Inhabitants have been provoked to the present disorder there he is ordered to be committed a prisoner by the Sherif of Middlesex under safe custody on board the Duke of York there to remain till further Order.

May 19. Several persons ordered to be taken into Custody for uttering Words tending to encourage plant cutting till they give security.

May 25 Others ordered to be brought up to be proceeded against for plant Cutting

May 26 Others ordered to be kept in prison till the next General Court. Ralph Wormeley Esq^r Mathew Kemp and Christopher Wormeley ordered to seize the Assembly papers in the possession of Robert Beverley and to break open doors if they are refused Robert Beverley ought to be delivered by Capt. Purvis upon Purvis's petition Commander of the Duke of York to Captain Jeffries Commissioner of the Concord and a Guard appointed to keep him till further Order.

Several plant Cutters discharged giving Bond for their good Behaviour

June 15 Robert Beverley, ordered to be sent prisoner to the Eastern Shore and to be conveyed by the Sherif of York and a Guard on board Col^o Custis's Sloop and delivered to the Sherif of Northampton and the Sherif of York to return with the Guard and press any Sloop

June 19. Robert Beverley having escaped out of the Custody of the Sheriff of York from on board Col^o Custis his Sloop where he was kept in Order to be sent over to Northampton and being again taken at his House in Middlesex he is Ordered to be safely conveyed to James City and to be brought before the Governor and Council to receive such further Order as shall be found expediant He is again ordered on board Col^o Custis's Sloop and to be transported to Northampton and the Master Ordered to receive him June 25.

Henry Jenkins Ordered to be brought before the Council for speaking opprobrious Words to John Page a Member of the Council and Otho Thorp a Justice of Peace and committed till he give Bond for his good Behaviour.

June 20th Several Plant Cutters pardoned upon their petitions

June 21. The Council Orders one Threader a Plant Cutter to pay 450 lb Tobacco or 20 Shillings to one Hurd for bringing him up and if he refuse Execution to Issue; and the same order is made against another.

July 8 W^m Dyer forbid to correct his servant Rich^d Rogers and to enter into Bond not to do it. another person comitted till he enter into Bond for his good Behaviour for speaking dangerous Words.

September 25 1682 Robert Beverley petitions for a ^{h^ab.} *Cor^p.* to be directed to the Sheriff of Northampton, which was denied, the whole proceeding being transmitted to his Majesty and his pleasure not yet known

September 30 A Committee of the Council appointed to Examine plant Cutters and to make such order concerning them as they should think fit they meet and bind several of them over to the General Court and Council others till they give security for their good Behaviour

November 11 1682. Major Beverley being under vehement Suspicion of being instrumental in stirring up the people in the last Outrages of plant cutting and having being committed to the Sherif of Northampton till the King's pleasure is known and the Board having represented the Matter to the King and the Arrival of the Lord Culpeper being Daily expected with the Signification of the King's pleasure therefore to proceed upon the Charge against him wou'd speak want of duty to his Majesty and respect to his Excellency and the board being informed that the said Beverley was at that Juncture at large which might prove inconvenient They order him to be taken into Custody of the Sherif of James City who was ordered to transport him back to the Sherif of Northampton by him to be kept untill he be remanded thence by Order of the Board

John Story chief Mate of the Golden fortune petitions the Governor and Council setting forth that the Master of the ship was dead and that one Nerrey had taken upon him the command by appoint-

ment praying he may be admitted to the command being Entitled to it by the Laws of Oleron, and the board Order the Books and papers of the Master to be examined and depositions of Witnesses to be taken in Order to reconcile this Matter

16 November. Robert Beverley being detained on this side the Bay by contrary Winds is ordered to be committed to the Sherif of York by him to be kept in such a place as he shall think fit till he should be thence remanded.

November 22. Philip May being summoned to appear before this board for spreading several false reports tending the disturbance of the people appeared and confessed the Matter but that another had told him the story whose name he cou'd not remember and the Board considering the Case and the Act of Assembly had out of their clemency mitigated the fine and ordered him to pay five hundred pounds Tobacco to H Owen and to pay a Witness for his Attendance

November 27. The Sheriff of James City ordered to receive a Criminal committed for murder from the Sherif of Isle Wight.

Several plant Cutters remanded back to Gloster there to remain in Custody till they enter into Bond with security for their good behaviour and the Sherif of James City ordered to convey them and to press boats for that purpose

The Governor and Council order Captain Christopher Morgan to deliver all goods brought in by him for one Sam^l Blades deceased to be secured for the Creditors the 9 Months not being expired which the Law requires before administration shall be granted.

They order Owen March to deliver all Books and papers belonging to Argol Yardly deceased to his Widow Sarah Yardly, It being the Opinion of the board that the keeping the Books & c from the Widow might occasion great ruin to her Husband's Estate and no ways keep the Court of Northampton indemnified from any trouble occasioned by the Neglect or deceit of the said Yardly in the time of his Shrevalty, and they ordered that she should give Bond and security to indemnifie that Court from all troubles causes suits costs or causes of Suits whatsoever by reason of the said Argol Yardley not discharging the Office of Sherif of the County in the Year 1681 as the Law required

December 13. 1682 John Sackler a Notorious plant cutter pardoned upon his giving Security to build a Bridge over the Dragon Swamp and to keep it in repair for 21 Years

The Governor and Council give Judgment for the Condemnation of sundry Cask of Buck and Doe Skins Shipt on board the Ship Dolphin by John Herbert amounting to 1876 Contrary to the Act 1680 and Order Herbert to pay the penalty of the Act.

January 10. 1682. Lord Culpeper is present in Council with Sir Henry Chicheley and others of the Council and lays before them the King's Instructions about plant Cutting and thereupon Ordered that Somerset Davis John Cockin Bartho. Austin and Richard Bayley be forthwith committed for high Treason and tried the fourth day of next Court and the Attorney General ordered to do his Duty consideration was had about Robert Beverley and found that it could be proved against him—

That he had broke up publick Letters directed to the Secretary's Office with the Writs enclosed for calling the Assembly in April 1682 and took upon him the Exercise of that part of the Government which belongs to the Secretary but contrary to his

Sir H. Chickeley affirming that the same was done without his privity order or Consent

That he had made up the Journal and inserted his Majesty's Letters therein being first communicated to the House of Burgesses at their prorogation after their said prorogation.

That he refused to deliver Coppies of the Journal of the House of Burgesses 1682 to the Lieut. Governor and Council saying he might not do it without leave of his Masters

Governor and Council order Peter Perry to take Care of the Estate of Daniel Park Esq^r one of his Exectors being dead in this Country and the other haveing renounced the Executorship until Orders given by the Executors in England

January 31. 1682 John Wilcox Mariner petitions the Governor and Council setting forth that he was appointed Master of the Ship Lyon of Cork by the owners of the Ship with advice to follow the directions of Edward Bab $\frac{1}{2}$ owner who had displaced him & praying to be restored the board not being willing to make Orders
Order Bab & Clay the New Master to appear at Greenspring on the 5th day of February next before the Governor and Council at which time and place the difference should be determined and Justice done

Forasmuch as by the 13 Cap. of the Statute of Gloster It is provided that after such time as a plea shall be moved in any Court by writ the Tenant shall have no power to make any wast or of the Land in demand hanging the plea. and if he do the Court in which the Question depends shall cause it to be kept at the Suit of the Demandant and whereas there are Several suits depending in the General Court between Colo. Lewis Griffin Major Lewis Burwell Plaintiffs and Ralph Wormeley Esq^r Defendant about the Title of what Lands Col^o John Burnham died seized and the 5th day of the next General Court being appointed for the final determination of the same the Sheriff of Middlesex is commanded to see the said fully observed by going personally to the Messuages and Tenements of which the said John Burnham died seized

Edmond Jennings his Majesty's Attorney General presented a petition to the Board setting forth that in the late unhappy Rebellion there were several persons convicted of high Treason by which their Estates were forfeited and that since that time several other Fines and forfeitures are become due to his Majesty of which no care hath been taken, and likewise hitherto all information, upon the breach of any penal Law that have been brought in the General Assembly General Courts or County Courts by the Informers without his knowledge advice or Consent, which being considered, It is Ordered as to the 2 first points it being a Neglect of the King's Interest that the Attorney General or his sufficient Deputy to seize all forfeited Estates and to levy the Fines and other forfeitures and as to the last Point the practice complained of being found to be contrary to the

known and regular way of proceeding in the like regular Cases in England It is ordered that thereafter no Information whatever be admitted or prosecuted in any Court of Record in this Colony without the knowledge advice and Consent of the Attorney General or such other discreet person as he shall impower and appoint to manage the same. And that such person or persons as he shall appoint return under their respective hands a particular account of all Fines and forfeitures & c to the said Attorney General

February 21. 1682 John Buckner called before the Lord Culpeper and his Council for Printing the Laws of 1680 without his Excellency's Licence and he and the printer ordered to enter into Bond in 100 lbs. not to print any thing thereafter until his Majesty's pleasure shall be known

Davis and others plant Cutters petition the Government setting forth the Hardships they undergo in prison.

Charles 2^d by his Lettre dated 10 December 1682 declares his pleasure that in the Absence of the Governor in Chief, one half of the salary and of all the perquisites and Emoluments whatsoever, should be paid to the Lieut Governor or Commander in Chief out of the Revenue of 2 Shillings per Hhd upon Tobacco.

March 13 1682 Lord Culpeper Communicates the King's Order in Favour of Thomas Sands to the Council to which the Council Answers and desire the Governor to represent to his Majesty that the Allegations and Affidavits of M^r Sands of the usage of Virginia for re-allowing the Country duty of two Shill per hh^d upon Tobacco in case of Losses by Capture or otherwise are wholly mistaken and the Matter of Fact very wrong Represented to his Majesty for that was never promised, but once many Years by one of the Collectors here by mistake, and the constant usage of Virginia was before and hath been ever since quite Contrary besides which there are many of his Majesty's good Subjects both here and in England in the like Condition whose Cases will be full as hard and the Merits as great as that of M^r Sands who out of Modesty would not disturb his Majesty and Government with unnecessary Clamours, but will at least reasonably expect the same Liberty, whereby great Sums will be issued and the Revenue totally exhausted for which reasons they hope his Majesty will be fully satisfied and they desire his Excellency to suspend the Execution of the Order

The Council Unanimously acquaint the Governor that it hath been always the Custom of Virginia for the Sherif of James City County to impanel Grand Juries of the most able and discreet Men in Town and that the Grand Juries were Never returned Summoned out of any particular County therefore they advise the Governor that the same Method may be observed in the Trial of the present Criminals.

April 16. 1683 M^r Henry Whiting called before the Lord Culpeper and Council and accused that he had in the Session of Assembly 1682 said if Care was not taken to make a cessation we must all go a plundering with other such like which being proved by One Witness the Board Orders that he be suspended from exercising any office Civil or Military till his Majesty's pleasure be known to whom the accusation

should be transmitted and that he enter into Bond with good and sufficient Security for his good Behaviour.

April 16. Lord Culpeper's Commission being dated November 27. 1682.

May 22^d 1683. Ordered that no Patents be thereafter granted for Lands in the Northern Neck the same being Granted by his Majesty to several patentees and whereas the Estate of Edward Husband convicted of Murder and executed was granted to his Widow which was irregular (All fines Forfeitures & c being granted to the said Patentees) But at the Desire of the Council the Lord Culpeper Confirms that Grant, so as no disposal be thereafter made by that Board of any thing granted to the said patentees

May 22. Lord Culpeper issues a proclamation publishing his design suddenly to repair to England to his Majesty's Royal presence to render him an Account thereof and declaring that by his patent and Instructions the Council of Virginia in his Absence are to take upon them the administration of the Government and the Eldest Councillor to preside in the Council with such power and preeminences as any former president hath used and enjoyed until his Return or his Majesty's pleasure known therein. And that the Execution of these powers and Execution of the Authorities therein contained as in the President and Council and that Secretary Spencer is President therefore requires all due Obedience to them

May 22 his Lordship issues another proclamation declaring that whereas many evil disposed persons Inhabitants of this Colony contrary to their duty and Allegiance on the first day of May in the 34th of the King's Reign and since tumultuously and Mutinously assembled and gathered together Combining and presuming to reform this Government by cutting up Tobacco plants and to perpetrate the same in a traiterous and rebellious Manner with force and Arms entred many plantations resolving by open force a General and Total destructions of all Tobacco plants to the hazarding the Subversion of the whole Government and the Ruin and destruction of his Majesty's good Subjects if they had not been timely suppressed for which Treasons and Rebellions against his Majesty and this Government some Notorious Actors had been Indicted Convicted and Condemned and Suffered such pain and punishment they deserved for their Treason and Rebellion and for as much as many people had been seduced from their Allegiance by the Specious tho' false pretences of the designers and Contrivers of those Crimes Misdeeds Treasons and Rebellions who had since

their Sorrow by their Doleful demeanor therefore he declares that every who had engaged with or adhered to these Traiterous and Rebellious plant Cutters in the Year 1682 first taking the Oath of Allegiance mentioned in the Act of Parliament 3^o *Jacob* before 2 Justices of the peace whereof one to be of the Quorum or in Open Court shall be pardoned and forgiven all the Treasons and freed from all punishments and forfeitures for or by reason of the same except Richard Bayly lately convicted and condemned for the same John Haley Henry Inman and John Wise who are fled not daring to abide their Legal trials Robert Beverley John Suckler and Thomas Amis.

May 23. 1683 There being two of the Council dead since the Lord Culpeper's Arrival Viz^t Col^o Kemp and Sir Henry Chicheley And Col^o Custis being unable to attend by reason of Sickness and Major General Smith and Col^o Ludwell being in England John Lear is sworn one of the Council

It is proposed that his Majesty be supplicated to allow his Attorney General 20 lbs. Yearly out of fines and Forfeitures since 1680 he being allowed nothing from the Assembly for his Service since that and so forwards and the Governor and Council allow him 20 lbs. out of the 2^s per hhd for his Extraordinary Service last Year

Auditor Bacon Ordered not to pay any sum exceeding 5 pounds besides the Governor's dues, the Councillor's Salary money and M^r Blathwayt

Thomas Amis Ordered to give Security to appear at the General Court to answer such things as shall be objected against him

Somerset Davis and Bartholomew Austin being convicted of Treason and expected [executed] the Council declare that their Estates ought to satisfie all fees and they order that the Sherif of Gloster pay Edward Chilton 4300 lbs. Tobacco and Cask being fees justly due to him as Clerk of the General Court and the rest to be paid to Auditor Bacon for the use of his Majesty and the defraying other publick Charges.

Lord Culpeper Communicated to the Board an Instruction from his Majesty which directed and Appointed that no Appeal should be permitted from any Order of the Governor and Council to the Assembly as formerly and usually, nor to his Majesty in Council (a Rule futuramente to be observed) under the value of 100 lbs. Sterling the Council unanimously return his Majesty most humble thanks for his Care therein and withal most humbly propose having duly considered what great inconveniences Appeals have and may produce by constraining several honest and Indigent persons to be deprived of their just Rights and dues until the appeals be determined which in all probability cannot be expected in less time than a Year that his Majesty would be pleased to Order that no Appeal be Suffered or allowed from an Order of the Governor and Council under the Value of 200 lbs. Sterling and that immediately Execution may issue on the aforesaid Order of the Governor and Council if desired before his Majesty's Determination and that the Appelant give Bond with good Security for the payment of the Judgment with double damages if his Majesty confirmed the Judgment And it is further proposed that his Majesty should Order proclamation to issue signifying his Will and pleasure that all Appeals from the General Court depending before the Assembly should be heard before the Governor and Council.

The Governor commands the Council to return their answer to his Majesty's Letters and Inquiries reminding them of their Neglect. And upon reading their Answer was dissatisfied that they desired his Majesty to direct all Escheats & c towards the Support of the Government saying his Majesty had by his Letters patents confirmed the said to his Excellency commanding the Council in his Majesty's Name that if he had in the least misbehaved himself in any respect in his Gov-

ernment since his Entry thereon that they would represent the same to his Majesty.

May 29. 1683 Lord Culpeper issues Commissions to the Sherifs to receive one Years Quitrents and to require the Sight of every Person's patents Deeds and Conveyances and when received to pay the same to Secretary Spencer and also to produce to M^r Auditor Bacon on the Second day of April General Court a Compleat [rent roll?] with M^r Secretary's Receipt for the Quitrents

The Act (disapproved) for Towns, by the Lords of the Committee for trade and foreign plantations upon a Report from the Commissioners of the Customs that it was impracticable and they propose that it should be refered back to the Lord Culpeper and be taken into Consideration by the Council and Assembly of Virginia in Order to the framing such an Act as might be more practicable and useful and not prejudicial to his Majesty's Custom and that in the mean time such part of the Act as concerns the time wherein the same is to take place as to the Landing of goods and Shipping Tobacco be immediately suspended until his Majesty's further Order which Report his Majesty approved in Council december 21. 1681

Captain John Custis on behalf of the parishoners of Hungaries parish summon'd the Church Wardens to appear the Second day of the General Court for breach of the Laws and canons of the Church of England for continuing Church Wardens beyond the time limitted by the Canons and for removing the Church without the consent of the parish and the Defendants appeared and objected to the process it not being entered into the Secretary's Office and therefore prayed the Suit might be dismist to which the Complainant replied that the process was lawfull the Governor's Citation being sufficient in parochial and Church Affairs he having the same power and Authority in this Colony in Ecclesiastical Affairs as any Bishop in England hath in his Diocess And this Matter being seriously considered and Maturely weighed the Council are of Opinion that the process was good and the Governor only head of the Church and therefore sole Judge in all Ecclesiastical parochial Affairs and that the Council have nothing to do in it Whereupon the Governor desires the Assistance of the Council and Orders an Examination of Witnesses in the Country.

June 11th 1683

Nicholas Spencer President

A Sloop maintained at the Charge of the Country commanded by Roger Jones.

September 17. 1683 A Meeting of the Council about the Seneca Indians Rangers appointed

Lord Effingham appointed Governor of Virginia by patent dated 28 September 1683 published April 15. 1684

September 29. Joanna Hardy convicted of Murder repriev'd she being with Child

November 22 1683 Col^o Byrd sent to treat with the Senecas in Pamunkey Neck.

November 29. 1683. Whereas on the 13 of March 1682 his Excellency Lord Culpeper and Council to preserve the dominion of the water as the best and only means to prevent all commotions Tumults and disturbances on Land and to secure the trade against pirates fitted and Equipt a Sloop mounted with Guns and Men to cruise about the Capes (at their Charge) till his Excellency's return which Vessel not answering the Expectation and Design the Sloop is paid off and discharged.

Many incursions made by the Northern Indians during this Presidentship * * *

February 21. 1683

Lord Howard sworn Governor and his Commission published Issues a proclamation to continue all persons in their Offices. Summons an Assembly to meet 16 April 1684

Charles the Second by the grace of God King of England Scotland France and Ireland Defender of the Faith & c To our Right Trusty and well beloved Thomas Lord Howard of Effingham Greeting; Whereas by an Inquisition taken in our County of Middlesex the Sixteenth day of August last past in pursuance of our Commission bearing date the second day of the said Month and now both remaining upon record in our high Court of Chancery, It appears, that Thomas Lord Culpeper has forfeited the Office of our Lieut. and Governor General of our Colony and Dominion of Virginia and all his Rights, Estate, Title and Interest therein with the Sallary and Perquisites thereunto belonging which now remains in our hands to be disposed of, And we being willing to give all protection and Encouragement to our Subjects within our said Colony and Dominion of Virginia in America, and to provide in the most Effectual Manner for the Security and good Government thereof, Know Ye therefore & c.

Sarah Blands Commission read together with his Majesty's Order in Council commanding the appearance of Col^o S^t Leger Cod and Anna his Wife before his Majesty in Council to answer the Complaint of the said Sarah Bland—ordered that S^t Leger Cod appear personally before the Governor and Council then and there to answer the Suit petition and what else shall be objected against him by M^{rs} Bland.

King Charles 2^d 12 day of March 1683 in the 36th Year of his Reign issues a proclamation to this Effect. Whereas the Safeguard and protection we owe to such of our Subjects and to all others in League and Amity with us as pass and repass the Seas belonging to these our Kingdoms hath always been a part of our Royal Care and Concern and we find that the freedom and Security of Commerce and Navigation to and from our ports in time of hostility between our Neighbour princes hath been much disturbed by the piratical practices depredations and insolencies of private men of War and others pretending Commission for the present Hostilities we have thought fit by the Advice of our privy Council after an Exact View first taken of the Rules Ordinances and Provisions made upon the like occasion by our Royal progenitors and ourself to receive satisfy publish and Ratify and Establish to all the World these Rules following

1 That no force Violence surprize shall be done therein from any Ship to another who happen to be in hostility in our ports but their shall be an inviolable truce and cessation from all hostilities and the Ships of all Nations in those parts be reputed under our immediate protection—the goods of aggressors to be confiscate.

2 Men of War forbid to rove so near our Coasts as to give any occasion of fear to our Merchant Ships

3^d Where Ships of War of one party come into our ports—where there are Merchant Ships of another party such Merchants Ships shall depart two tides before the Ship of War and where two Ships of War of Contrary parts happent to come into our ports they shall not go out the same tide but those who are most likely to engage shall be detain'd two tides after the other

4 That Vice Admirals and all other Officers visit Ships Victualling in any of our ports and detain such as they suspect going on any other Voyages than trading and fishing Voyages.

5 Private Men of War Sailing by foreign Commission not to be Suffered to sell any of their prizes in our ports but be Suffered to depart peaceably unless they have the goods of Subjects and them to be restored to the Owners

6 Subjects forbid to trade or deal with any foreign Men of War or other persons coming from Sea not being a known Merchant for Wares Merchandizes Victuals Ammunition Tackle Furniture provisions or goods whatsoever not brought in by Course of Merchandize, upon pain of forfeiting all such goods and Merchandize as *bona piratarum* and of being further proceeded against as Abettors and Complices of Pirates.

7 Subjects forbid without licence to sail in any foreign Service whether Martial or Merchant Service and all persons in such Service Commanded to return upon pain of being reputed pirates and punished as such

April 15 1684 The Estates of Felons applied to pay the Attorney General Clerk of the General Court Jurymen Sheriffs and Evidences and all other fees whatsoever.

April 29. Richard Bayly convicted of high Treason (at this Bar) ordered to be executed.

May 9. 1684. M^{rs} Sarah Bland this day presented a petcon to his Excellency and Council which amongst many other things Comprehended that several Executions were lately levied on the Lands she was justly seized of for Debts due from her Son Giles Bland and desired redress to which the Council unanimously offered their Opinions that such proceedings were irreguear and contrary to Law and do therefore adjudge and Order all Executions levied as aforesaid to be Void and Vacated and do further Order that no Execution issue against the Real Estate of Sarah Bland widow for debts due from Giles Bland the Act of Assembly providing priority of payments to Country Creditors Extending it self solely to personal Estates

Robert Beverley being found guilty of high Misdemeanors upon an information per the Attorney General his Judgement being respited

and now asking pardon on his bended Knees his Crime is remitted giving Security for his good Behaviour

May 10. 1684 Lord Howard in Council Orders Capt Mathew Rider Commander of the Ship Barnaby to deliver to Nathaniel Macclanahan such Goods as he saved out of the Ship rose and Crown before she foundered, as he shall make Oath did properly and solely belong to him before Capt. Clements took the same from him.

May 10. 1684 issues a proclamation permitting the Exportation of Wheat and Meal

May 15. 1684 Edward Rawleigh appointed Ferry Keeper over at James Town.

May 19. Guard of the King's Store at Middle plantation disbanded.

June 17. Rangers appointed in the Frontiers

A Survey Ordered in a Cause depending in the General Court

Edward Alcock presents a petition to this Effect that by the last Will of Henry Smith dated 15 April 1684 duly proved by the Oaths of three Witnesses in Rappahannock Court the petitioner was appointed and Nominated CoExecutor of the Will with the Testators Relict Notwithstanding which by the Influence and prevalency of one of the principal Members of the said Court it was the Judgment of that Court that the Executors nominated by the aforesaid Will should be constituted only Administrators with the Will annex and it was likewise the Judgment of the Court that Notwithstanding a Will duly proved before them they had Sufficient Authority within themselves to constitute Administrators and to Constrain Executors to relinquish their Right of Executorship upon which the board passed this Judgment that Notwithstanding the said Will in few or no parts common sence Yet seeing the Intent of the Testator might Easily be collected from thence And that each of the Testator's Children may have the like and Equal Advantage of their Father's Will and the Eldest Son not only to be heir of his Father's Land, which consequently follows if the Order of Rappahannock Court continue of force for a Will void for part is void for the whole so the proceedings are set aside and the petitioner's allowed to perform the Will.

Ordered that the King be supplicated that the Act for Cohabitation may be in force when houses are built.

The Act made the 20 of February 1676 Entitled An Act limiting times for Receipt of publick Tobacco repealed by proclamation

Edmund Jennings Esq^r Attorney General allowed 20 lbs. per Anum out of Fines and forfeitures.

June 18. 1684 Issues a proclamation requiring all grand Juries to make Inquiry into the Size of Tobacco Hhds and whether the same be according to Law viz^t 49 Inches long and 26 over the head.

Lord Howard issues a proclamation declaring that whereas the last General Court held in James City was on the 5th of May last adjourned to the 20th September according to the 19 Act of Assembly made in the Year 1662 ascertaining days for the beginning of the General Court and forasmuch as at an Assembly held the 16th of April last an Act was made and passed whereby the days for holding the General

Court are altered pursuant whereto the next General Court is to be held the 15th of October.

Issues another proclamation prohibiting his Majesty's Subjects from trading, Harboursing or Corresponding with privateers 19th June 1684

19th June Issues another proclamation declaring his Design to take a Journey to new York to make a peace with the Northern Indians and that the administration of the Government was to be in the Council and the person first Named who was Nathaniel Bacon to be president according to the Kings Instructions.

Issues a proclamation repealing Several Acts 19. June 1684

Virginia ss.

By his Excellency

A Proclamation Repealing the five following Acts of Assembly.

Whereas his most sacred Majesty in Council was pleased to take under his most Royal Consideration the following Acts of Assembly of this his Dominion of Virginia Viz^t An Act made at an Assembly held at Green Spring in Anno 1676-7 entituled an Act for laying parish Levies An Act made in Anno 1677 at an Assembly held in middle plantation entituled an Act for Signing Executions on Judgments passed by the grand Assembly An Act made at an Assembly held at James City Anno 1683 entituled an Act prohibiting the Exportation of any Iron, Wool, Wodfels, Skins hides or Leather An Act made at an Assembly held at James City Anno 1683 repealing an Exception in the Ninth Act of Assembly made in the Year 1664 is by this proclamation repealed and the Exception made in the Ninth Act of 1664 declaring the Inhabitants of James City County to be lyable to arrests in the General Court time continues and remains in force An Act made at an Assembly held at James City 1683 entituled an Act repealing the Sixth Act of Assembly of June 1680 about Attorneys the said Act of repeal is hereby repealed and the Sixth Act of Assembly made at an Assembly in the Year 1680 about Attorneys is revived and of full force and Strength as when first Enacted All which aforesaid five Acts of Assembly his Majesty in his princely Wisdom hath found not only inconvenient but unfit to be longer continued and hath been pleased by his Royal Instructions to direct and Command me Francis Lord Howard his Majesty's Lieutenant and Governor General of this Dominion to repeal all and every the aforesaid Act and Acts of Assembly, Pursuant Whereunto I Francis Lord Howard Baron of Effingham his Majesty's Lieut and Governor General of Virginia do by this Proclamation in his Majesty's Name repeal and make void all the expressed Acts of Assembly and every part and Clause thereof is from henceforth repealed, made Void, and declared Null to all intents and purposes as if no such Act or Acts of Assembly had ever been made and Enacted, and I do by this proclamation in his Majesty's Name, strictly Charge, Command, and require all Judges, Justices of the peace, Sheriffs and other his Majesty's Subjects within this Dominion of Virginia to observe keep and duly perform this proclamation of Repeal, which to the Intent it may be the better made known and have his due observ-

ance all his Majestyes Sheriffs in their respective Counties are required to make publication hereof at the first publick Convention at their County Courthouse as also all Ministers in their parish Churches, And whereas by this proclamation the Sixth Act of Assembly made in 1680 entituled an Act ascertaining Attorney's fees is by his Majesty's special Command revived and in the full Strength and Sense of an Act of Assembly And it being thereby order'd directed and appointed that no person whatsoever shall be admitted to practice as an Attorney either in County Court or General Court but such as shall be first licenced by his Majesty's Governor and forasmuch as there are now many causes depending in the County Courts and General Court under the management of Several persons now practising as Attornies in which to the Interest none concerned in the Causes depending or Actions to be brought may want fitt and able attornies at Law to manage their Causes I have thought fit by this proclamation to make known and declare that during my intended short time of Absence from my Government I have impowered and directed M^r Secretary Spencer to issue forth Commissions of Attornies at Law to fitt and able persons under such Considerations as I have given unto him; Given under my hand and the Seal of the Colony this 19th of June 1684.

To the Sherif of
or his Deputy

Effingham

God Save the King

M^{rs} Sarah Bland's Case represented to his Majesty

Your Majesty in Council having taken under your Royal Consideration the Report made by the Honourable Lords of your Majestys most honourable Privy Council appointed a Committee of Trade and foreign Plantations, upon the Petition of M^{rs} Sarah Bland one of the Executors of John Bland of London Merchant praying to be admitted from divers Sentences given against her in your Majesty's Court in Virginia your Majesty was pleased in Council the third of August 1682 to command that a Coppy of M^{rs} Bland's Petition, and the paper th^{ereunto} annexed, should be transmitted to your Majesty's Governor and Council in Virginia with the Signification of your Majesty's pleasure that the said S^t Leger Codd and Anna his Wife be obliged to appear before your Majesty in Council personally or by their Attornies sufficiently impowered on their behalfs to receive such Judgment upon the Appeals as by your Majesty in Council shall be thought most agreeable to Justice, also ordering your Majesty's Governor and Council to take Care that as well the said Sarah Bland as Coll^o S^t Leger Codd and Anna his Wife do give good and Sufficient Security to make their Appearances as aforesaid; your Majesty was also pleased by your Order in Council of the 26 April 1683 upon the Petition of the said M^{rs} Sarah Bland setting forth that she had endeavoured all that in her lay to comply with your Majesty's Orders, in finding Security here, but could not without great difficulty, by the reason of the prevalency of Col^o Codd, and praying to be admitted to give Security in England, your Majesty was pleased in Council to Order that the Clerk of the Council in Waiting should take Security according to the said Order, both

which said Orders of your Majesty in Council, M^{rs} Sarah Bland in person produced to your Majesty's Governor and Council in your Majesty's General Court April 20. 1684 of which having begged leave to make a recital to your Majesty We humbly Continue our Supplication to your Majesty that we may by the Order of your Majesty's General Court of the 20th of April 1684 represent unto your Majesty our ready Obedience unto your Majesty's Orders upon the petition of M^{rs} Bland, tho she did not nor could produce any certificate, that she had given Security in England, but your Majesty's Governor and Council in conformity to your Majesty's Order did take it for granted that the Clerk of the Council in waiting had taken Security, your Majesty having commanded it, and thereupon Order Col^o S^t Leger Codd with Anna his Wife to give such Security as M^{rs} Bland declared herself contented with. We likewise conceive it our duty humbly to lay before your Majesty how unfairly your Majesty's Council have been used by the many untruths fallacious Allegations and pretended Affidavits sett forth by M^{rs} Bland both in her petition and State (as she termed it) of her Case thereunto annext which tho' she well knew to be most faulty, yet presumed to offer it to your Majesty for Truth, in her petition confidently affirming that the most Material parts sued for were adjudg'd against her Contrary to the Opinion of the Judges of your Majesty's Court of common pleas in England, applied to, and desired by mutual Consent; and in the like abusive and Scandalous Manner, charges your Majesty's Council with the Aggravations that your Majesty's Council here, should Say, that they were not to be directed nor, Obligated to give their Judgments according to the Opinions of the Judges nor any others, but according to their own Judgments for evincing those untruths and confronting the feigned Allegations and firmly proving the Assertions in all Parts untrue and the petition and the State of the Case thereunto annexed not less than a Libel against your Majesty's Council here We humbly Supplicate your Majesty would be pleased to Admitt the Order of your Majesty's general Court of May 1st 1680 (of which M^{rs} Bland complains) to be considered Whereby we hope it will appear your Majesty's General Court before whom the Cause was then depending did proceed therein according to the Right Hon^{ble} the Judges of your Majesty's Common Pleas. and accordingly gave Judgment in the Cause, all which is humbly submitted unto your Majesty's princly Wisdom, whereunto we your Majesty's Council humbly beg leave to appeal for such sentences against the said M^{rs} Sarah Bland, as your Majesty in your great Justice shall find fitt to decree.

I Sarah Bland Executrix of John Bland of London Merchant deceased do hereby Certifie that on this 20th of May 1684 I the said Sarah Bland Qualified as aforesaid and Col^o S^t Leger Codd of this Colony both personally appear'd before his Excellency Francis Lord Howard and his Majesty's Council of Virginia in Order to the said Col^o S^t Leger Codd's giving security pursuant to an Order of General Court April 22. 1684. in Obedience to an Order of his Majesty in Council commanding and requiring the said Col^o S^t Leger Codd and Anna his Wife either in person or by their Attorney to answer the Complaint of

the said Sarah Bland as by the Petition of the said Sarah Bland at large doth appear and to abide his Majesty's and Council's Determination thereon; And whereas the said Col^o S^t Leger Codd cannot procure Sureties for four Thousand pounds Sterling, as I the said Sarah Bland before his Excellency and Council demanded whereupon his Excellency and Council to the intent as near as possible might they might have Security answerable to the Intent of his Majesty's Order in Council and such as the Said S^t Leger Codd was capable of giving ha e Ordered the said Col^o S^t Leger Codd to Enter into a Bond for two thousand pounds Sterling for his answering as by the Order of the King and Council he is required and have for further Security Ordered that the said Col^o S^t Leger Codd do also enter into another Bond for two thousand pounds Sterling that he the said S^t Leger Codd will neither directly or indirectly alienate or alter the property of the Estate now in the possession of him the said S^t Leger Codd Formerly the Estate of Theodorick Bland Esq^r deceased until Sixth Months after the Determination of his Majesty in Council in the Difference depending between me the said Sarah Bland and him the said Col^o S^t Leger Codd, with which I the said Sarah Bland do hereby declare and make known that I am fully satisfied with and Contented, as being all the Security I find the said Col^o S^t Leger Codd is able to give;

Witness my hand May 21. 1684

Sign'd and Seal'd

Sarah Bland

in presence

Thomas Clayton.

Governor and Council Address the King Complaining of the Lord Baltimore's Government in Maryland they refusing a licence to a Master of a Merchant Ship lying in Nominy to take Tobacco out of Maryland without entring his Ship and committing him till he entred his Ship and that they claim their Bounds to the high Water mark on the south side of Potomack.

30 July 1684. Lord Howard speaks to the five Nations at Albany acquaints them that about Years before they had made a treaty with the Agents for Virginia Col^o W^m Kendall and Col^o Southy Littleton which they had broke a Peace concluded.

Letter from King Charles the 2^d dated 15 July 1684, 36^o *Regni* to Lord Howard to this Effect Whereas the Lord Culpeper had assigned and Surrendered unto him all Right Title and Interest to certain Letters Patents bearing date 25 February 25^o *Regni* whereby he demised unto him and Lord Arlington all the Colony of Virginia and Accomack with the Rents Quitrents fines and forfeitures and Escheats accruing unto him from the premises and the same being now in Virtue thereof and of a former Assignment of the Lord Arlington unto the Lord Culpeper intirely in his Majesty's hands he declares his Will and Pleasure that publication thereof be made to his Subjects within the Colony of Virginia and they be given to understand that his Majesty proceeded herein with an Intent to apply all profits accruing thereby to the benefit and for the better Support of the Government of that our Colony in such Manner as he should from time to time appoint therefore his

Majesty requires the Governor to impower the Officers of the Revenue and such others as he should think fit duly to collect the Quit Rents accruing from time to time according to the reservation of 2 Shillings for every 100 Acres of Land and so proportionably for a greater or lesser Quantity to be paid in Specie, in Money and not in Tobacco or any Other Commodity but that the Subjects might with greater ease comply with their Obligation to his Majesty. His Majesty is well pleased that instead of English Money they may Answer what is due to him is such pieces of Eight as are current in that Colony and as to Escheats Fines and Forfeitures and other profits mentioned in his Letters Patents his Majesty directs they be Satisfied according to the Demise to the Lord Culpeper in the like pieces of Eight for every five Shillings and because at that distance he could not direct the particular Method of recovering those dues, the Governor is to proceed therein as he should find most beneficial and to give him an Account of his proceedings and that the Revenue arising from the Premises be not disposed of nor suffered to be issued out Until upon certifying unto his Majesty what shall remain thereupon in the Treasury he should Order the same to be disposed of to such uses as shall be most requisite for his Service

October 18th 1684. Rappahannock Court Justifie their proceedings and ordered to attend and the Clerk to bring Coppies of their proceedings.

Col^o George Talbot in Custody in Virginia for the Murder of M^r Rousby Collector of Patuxen in the Province of Maryland petitions to be sent to Maryland to receive his Trial in Maryland where the Fact was committed. see Capt Allen's deposition

Virginia Ss

Capt. Thomas Allen Commander of his Majesty's Ketch the Quaker aged Sixty Years or thereabouts Sworn,

Sayeth

That about five of the Clock in the Afternoon on the 31st of October 1684 Col^o George Talbot came on board his Majesty's Ketch, Quaker Riding two Miles above the Mouth of Potuxon River in Maryland in a small Sloop with five Men and a Boy and asked if the Captain was on Board and they answered I was on board and the said Col^o George Talbot came on Board and came running into the Cabbin and as soon as M^r Christopher Rousby his Majesties Collector saw the said Col^o Talbot he rose out of the Chair and desired the said Col^o Talbot to sit down and we were at Supper and I never saw the said Talbot before in my Life to my Knowledge and I desired the said Talbot he would be pleased to Eat and the said Talbot's Answer was to me that it was his fast day and I asked him if he would eat any butter or Cheese and he answered No and immediately M^r Rousby called him Col^o Talbot and then I told him he was very Welcome for I had Commendations from Col^o Dungan of New York And then I took up the Cup and Drank to the said Talbot and When Supper was Ended the said Talbot fell a kissing of me and I Desired him to forbear for I was no Woman then he gave me a blow on the Breast and a Box on the Ear and I said to

him this Compliment was Something Coarse in half a Quarter of an hour after the said Talbot came and kissed me again and then I put him from me and he gave me another Blow on the Breast and Box on the Year and then I told him I would not bear it any longer and the said Talbot did say that he and I should not be friends till he and I did fight on Shore and my Answer was to him for my King's Interest I would not refuse him and then the said Talbot did say that I was a Stern and hasty Man as he did hear but he did not find any such thing and he would have kissed me again but I would not let him and my Answer was to the said Talbot that I was not stern to any man but for my King's Interest and the said Talbot wou'd drink the Lord Baltimore's Health and I said with all my Heart so I began my Lord Effingham's Health first but the said Talbot did swear that he would not drink my Lord Effingham's Health first but the Lord Baltimore's Health first and I said then there should be none of your Healths Drank and further I told the said Talbot that I would give the Lord Baltimore as many Guns as he gave my Lord and the said Talbot told me that the Lord Baltimore had as much to do with me as my Lord Effingham had and I answered him no and I told him that all the Rivers in Maryland were the King's and all the Ships that are in Maryland under the King's Command Then M^r Rousby came into the Cabin from Smoaking his pipe of Tobacco at the Capstorm and sat himself down on the other side of the Table against Col^o Talbot and I took up a Cup of Punch here is to you my very good Friend after your Tobacco M^r Rousby did answer me it is near Nine of the Clock at Night and it does not blow so hard as it did and I will go on Shore and M^r Rousby asked Col^o Talbot if he would go with him and he said he would go to Major Serval's and I proffered him my Boat to put him dry out of the Sloop for the Sloop had no Boat And I said Sir If you be wet you may catch Cold then I gave Orders to haul up the Sloop for Col^o Talbot said he wou'd lye on board and I said with all my heart and I caused my Boy to get Clean Sheets and make my Bed for Col^o Talbot and after a little while Col^o Talbot said to M^r Rousby You Son of a Whore You Dog Rousby give me your hand M^r Rousby's Answer was he would not give him his Hand without better Words and then the said Talbot said you Dog Rousby give me your Hand do not you know that I am your Governor and can do you a Kindness M^r Rousby answered I do not value any thing you can do to me and with that Col^o Talbot started up and pulled M^r Rousby's Lace of his Cravat in Pieces and M^r Rousby said Nothing to him and presently M^r Rousby rose up to go out of the Cabin and Col^o Talbot Started up and met him and Clapt M^r Rousby with his Left hand on the Right Shoulder and said Dear Rousby and had his Dagger under his Coat in his Right Hand and Stabbed the said M^r Rousby in the Right Breast One of my Servants Standing by said he had Stabed the Gentleman with that word my Doctor Standing up seized Col^o Talbot and took his Dagger out of his hand from under his Coat my Men hearing that a Man was Stabbed took the said Talbot out of the Cabin and my Doctor went to M^r Rousby that was Stabed to Stanch the Blood but could not and in half an hour M^r Rousby was dead and I commanded my Corporal to put the said Talbot in Irons

to Secure him his four Men and a Boy and as Col^o Talbot was putting in Irons the said Talbot did say several times that nothing Troubled him so much as that he had not Stabed more of them and said he hoped to Drink and Spill a Thousand more of our Bloods and if he were on Shore would raise a Thousand Men and make us Tremble at his very words and I answered if all Maryland were together they should not make the King's Commission Shake altho' you have Stabed the King's Commission

The 2^d day of November 1684

At one of the Clock in the Afternoon came on board two of the Governors of Maryland Col^o Darland and Major Serval to demand Col^o Talbot prisoner in the Lord Proprietor's Name and I made answer if they would Demand the said Talbot in the King's Name I would deliver him to them and they said they could not then my Answer was I would carry him to Virginia where the King's Name should be observed before the Lord Proprietor's and Col^o Darland and Major Serval did demand by what Authority I did ride there my Answer was to do my Duty to my King and for his Custom for now I do see the King's Interest is lost I sent them on Shore in my Boat and on the fourth day at about Eleven a Clock in the forenoon the under Sherif came on board with a Hue and Cry to look for Col^o Talbot and I told him there he is and the under Sherif did look on him and said never a Word and so went on Shore

Thomas Allen

The Council of Maryland demand Col^o Talbot of the Lord Effingham November 5th 1684 Lord Howard Orders the Militia to be ready against the Indians. 1684

November 20. 1684. Col^o Talbot being brought into Virginia and Committed for the Murder of Rousby the Collector in Patuxon River, Maryland was brought before the Governor and Council and desired to be sent to Maryland for his Trial which the Council of Maryland also insisted on This Board considering the Matter agree to represent the Case to the King for his Directions whether he shall be tried according to the Law of the Admiralty or whether he shall be returned to Maryland And the difficulty was made by reason of Rousby's being a Collector and the murder done on board the King's Ship.

King James 2^d by proclamation dated 6 February 1684 publishes his Accession to the Throne and Continues all Officers

February 15. 1684 King James 2^d Signifies his Accession to the throne and orders the Old Seal to be used until further Order The Governor and Council Address his Majesty with the Sherifs Justices and freeholders upon that Occasion

Col^o Byrd sent to ratifie the peace made by the Lord Howard with the Northern Indians

June 12. 1685. Col^o Byrd sent to Albany to ratify the Governor's Treaty

The King supplicated to appoint a Seal for the Secretary's Office
Talbot escapes out of Gloster Goal and Col^o Lee and the Sheriff of Gloster sent to Maryland to demand him.

Lord Effingham prorogues the Assembly Summon'd to meet the 1st October 1685 by writ dated 10th July 1685 to the Second of November following by reason of his Lordship's Sickness by proclamation dated 5 October 1685.

King James 2^d by patent dated 1st October 1685 continues Nich. Spencer Secretary with the same powers as before.

Lord Effingham by proclamation dated 12 October 1685 forbids all Seditious discourses.

Lord Howard by Virtue of his Commission gives power to Nath Bacon Nich Spencer Joseph Bridger Phil Ludwell W^m Cole Ralph Wormeley Rich^d Lee John Page W^m Byrd John Lear and Christopher Wormley all of his Majesty's Council or any five of them Whereof N B. J B, N S, and P Ludwell to be one to Enquire by the Oaths of good and Lawfull Men of this Colony and dominion and by all other ways and means for the discovery of the Truth of all Murders Felonies Burglaries Piracies and all Actions either Criminal and Civil Acted perpetrated done and to be done tried and Argued in this Colony And all other Offences and Actions of what Nature soever and the same Offences to hear determine and award Execution thereon according to the Laws of this Colony and as near as may be to the Laws and Statutes of England and finally as largely and amply as if he himself were personally present to execute his Commission of Governor And Vice Admiral by commission dated 12 October 1685.

Lord Howard summons an Assembly to meet the 1. Oct^r 1685 per Writ dated 10 July 1685

Governor and Council grant a hue and Cry for a runaway and the same is frequently done by them

The Council propose to raise foreign Silver to the Rate of Sterling

Lord Howard Communicates another Letter Dated 15 Dec^r 1685 from the King signed by the Lords of the Treasury signifying his pleasure that Thomas Sands should have Liberty to Ship 800 Hhds free from Virginia Duty The Council return the same Answer as before.

Secretary Spencer Col^o Phil Ludwell and Col^o John Page appointed to revise the Laws and make Annotations upon them April 19, 1686

April 22. Lord Howard Complains that Capt Crofts Commander of his Majesty's Ketch the Deptford had oftentimes in Several Companies uttered several Words tending to the lessening his Authority in the Government and Crofts ordered to attend the Board

April 24. Crofts appeared and begged pardon for his Misdemeanor upon which his Lordship admonished him to behave himself better and not to be too severe upon Merchant Ships which Crofts promised to do and took his leave.

Lord Howard acquaints the Surveyors that his Majesty by Letters Patents appointed Alexander Culpeper Esq^r Surveyor General of this Dominion—who had appointed Phil. Ludwell his Deputy but that could be Surveyors without his Majesty's Approbation and acquaints them that many Inhabitants complain that persons enter Lands with the Surveyors it is a usual Custom to say that it was formerly entered for and kept it for themselves And he suspends Major Arthur Allen for opposing the King's prerogative

April 26. Governor Orders (with the Council) a Bridge to be built over Chichohominy between Charles City and New Kent

Lord Howard Communicates a Letter from his Majesty Signifying his pleasure that the Indian Tribute be accounted for The Council answer that the Same hath always hitherto been a Perquisite of the Governor and was so settled by the Articles of Peace and pray the same be continued to his Lordship

Also that the profits of Wine Licences be accounted for the Council Answer that hitherto no houses have been set up for the Vending of Wine only, and that the Ordinary Keepers do pay a fee to the Governor every Year upon renewing their Licence. The Case of Thomas Ballard a Creditor of Bacon the Rebel represented to the King.

Adjournments of Court forbid. Justices Ordered to fine such of their fellows as do not attend. County Clerks directed to send an Account of Fines and Forfeitures to the Auditor in April and October General Courts. Commission of Peace Ordered to be published at the Opening of every Court according to the Practice in England. And New Kent lying on both sides the River and holding Courts on both sides made an Order that Causes arising on the South Side shall not be tried on the North side they are commanded to lay aside that distinction. Edmund Bowman Ordered to Appear before the Council for Words uttered against the King and that the Justices of Accomack take his Bond with Security for his Appearance and if he fails depositions to be taken

8th July. Lord Howard by proclamation commands the Law for Registering Births Marriages and Burials which had been Neglected to be put in Execution

Issues a proclamation to this Effect, Whereas the Lord Bishop of London under whose Spiritual Care this his Majesty's Plantation of Virginia is held to be out of his great Zeal and Pious desires that the Inhabitants here may be instructed according to the Uniform Order of common Service and Parayer and the Administration of the Sacraments hath desired me Francis Lord Howard of Effingham that no Minister coming under that Qualification be admitted allowed or received to read or preach any Sermons or Lectures in any Church or Chapel within this his Majesty's Dominion unless he or they be first approved by the Bishop of London and that no School Master be permitted or allowed or any other person or persons instructing or Teaching Youth as a School Master so to practice before licence obtained from me. Pursuant whereto he declares that no Minister shall be permitted to Officiate until they have attended him to the Intent they might Satisfy him whether they were duly Qualified and for as much as several Parishes were destitute of Ministers he Commands the Vestries of every Parish not having a Minister to make choice of a grave sober Layman to read Divine Service and a Homily to be presented to him for his Admittance. and forbids any person to Officiate as a School-Master without his Licence to be obtained by Testimonials of his Character and Conformity from some understanding persons, of the Parish. and being informed that Several Ministers omitt several

arts of the Service all Ministers are commanded to do their Duty therein.

July 18. 1686 Ordered that according to the usual Proceedings upon Prorogations or adjournments of Assemblies M^r Secretary Spencer issue Warrants to the Sheriffs directing them to require the Burgesses to attend at James City on the 20th of October next and if any of the Members be dead or Absent out of the Country to chuse others.

James 2^d Send[s] his Letters to Lord Howard dated at Windsor August 1st 1686 to this Effect. Whereas he had been informed of the irregular and tumultuous proceedings of the House of Burgesses in the late meeting of the Assembly the Members thereof having not only spent their time in frivolous and unnecessary [proceedings ?] but likewise presumed to raise disputes touching the Negative Voice, whereas the Governor is intrusted which he could not attribute to any other cause than the disaffected and unquiet dispositions of the said Members and their Sinister Intentions to protract the time of their sitting to the great Oppression of his Subjects from whom they receive Wages as a mark of his displeasure he commands the Governor to dissolve the present Assembly to the End the Inhabitants of that Colony may at such time as he should think fit have Opportunity of Electing such other Members as may have a more careful regard to our Service and the good of the Colony. And Whereas Robert Beverley Clerk of the House of Burgesses, appears to have chiefly occasioned and promoted these disputes and contests his Majesty's Will and pleasure was that he be declared incapable of any Office or Publick Employment within that Colony and that he be prosecuted according to the utmost severity of the Law for the Altering the Records of the Assembly, if he should see cause. And his Majesty charges and requires the Governor or Commander in Chief for the time being upon the Convening Assemblies to find a fit person to execute the Office of Clerk of the House of Burgesses and not to permit any other person whatsoever upon any place whatsoever to execute that and requires the Assembly to make them the usual Allowance.

Sunderland P.

Lord Effingham issues a Proclamation 1 September 1686 *2o Jacobi 2di* to this Effect that the Assembly prorogued to the November 6 met and sat whilst the 13 December and was prorogued to the 20th of October 1686 unless he should see cause by Proclamation to convene the Assembly sooner and occasions requiring their Meeting he resolved with Advice of Council according to the usage of the Country in convening Assemblies either adjourned or prorogued New Writs should issue from the Secretary's Office for the giving timely Notice to the Burgesses to meet at James City 20 October 1686 and if any of the Members were dead to cause others to be Elected in their Room

November 9. 1686. The Assembly at the grand Inquest of the Country present a Charge to the Governor against Col^o W^m Fitzhugh for cheating the County of Stafford of a certain Quantity of Tobacco and that they were ready with their Managers to Manage the Charge against him.

The Governor answers that they were not then sitting at a Court of Judicature but that they would take so much Notice of the Presentment as to Order the Attorney General to prosecute and Order a special Warrant to take Fitzhugh till he give Bond with Security for his Appearance at the next General Court.

April 25. 1687. A Complaint against Capt Crofts by several Merchants represented to his Majesty, Crofts having refused to appear Edmund Jennings Attorney General's Petition for a Salary of 40 lbs. per Annum (his Business Encreasing) out of the 2 Shillings per Hhd which is represented to his Majesty as reasonable.

Robert Beverley being lately dead his Widow is Ordered to deliver the Assembly Papers and Records to Ralph Wormley and Christopher Wormeley

October 21. 1687 James Collins Ordered to be Imprisoned and put in Irons for speaking treasonable Words and to be prosecuted by the Attorney General

James Haward committed for Slighting Col^o Lear's Authority and disobeying his Order and the Attorney General is ordered to prosecute him.

Christopher Berryman for disobeying President Bacon's Warrant ordered to beg pardon upon his Knees

All Probates and Administrations Ordered to be in the same form

October 24. 1687. A Negro Plot discovered in the Northern Neck and the Laws Ordered to be put in Execution

Lord Howard communicates the King's Letter for reviving the Laws

October 26. Lord Howard was this day pleased to declare that for reducing of causes depending in Chancery to a more methodical Manner than at present he had thought for the future to Assign Order and appoint the 7 and 10 Days of each General Court to Sit hear and determine all Causes depending in Chancery and that his Excellency such and so many of the Council to his Assistance as the Weight of Matters depending might require and Ordered that all Chancery Bills might be filed 4 Days before the hearing and Answers 2 days that there might be no room for unnecessary delay of business

Lord Howard issues a proclamation declaring his Intention of going to New York for Recovery of his Health by Change of Air having laboured under a long and Severe Sickness and that the Administration of the Government was by the King's Instructions lodged in the President then Col^o Bacon and the Rest of the Council

King James 2^d proclamation dated 4 April 1687 for Liberty of Conscience in Virginia (Published)

King James 2^d confirms the Suspension of Phil. Ludwell Esq^r one of the Council for Misbehaviour in that Trust and Orders Isaac Allerton to be sworn of the Council in his Room by his Letter dated 12 June 1687

King James by his Letter dated 22^d October 1687 commands that one Moiety of all plate Silver Gold and Treasure taken from the wrack at Hispaniola to be reserved for his Majesty's Use the same being due by the Ordinances of the Admiralty

King James 2^d sends his Letter to the Governor of Virginia dated 13 of October 1687 to this Effect Whereas we have received frequent Informations from our Several Colonies and Plantations in America that instead of a due prosecution of Pirates that have been seized either upon the high Sea or upon Land, an unwarrantable practice has been carried on to bring them immediately to their trials before any Evidence could be produced against them and such other Methods of like Nature have been used, Whereby the most Notorious pirates have, as it is well known by the facility or partiality of the Judges been acquitted, therefore commands all his Subjects to seize all pirates with their confederates and requires the Governor to cause them to be strictly imprisoned and kept in safe Custody with their Ships goods and plunder Untill his Royal pleasure should be known nor not to pardon any Pirates nor permit them to be brought to Trial unless upon Signification of their Crimes to us or upon the Arrival of Sir Robert Holmes (our Sole Commissioner in that behalf) Time and Opportunity may be allowed to all Parties Concerned for the bringing of Evidences from the parts or places where the piracies or Robberies have been committed and that we shall have given such Necessary Orders for their prosecution and trial as to Law shall appertain.

Lord Howard November 5. 1687 commanding the Law against Meetings of Negroes to be put Strictly in Execution

Lord Jefferies C. Sunderland P. and others Signify the King's Command that the Governor Council and Assembly of Virginia pass a Law for the prohibiting the Exportation of Bulk Tobacco upon the representation of the Merchants

Thomas Dungan Governor of New York signifies his Majesty King James the 2^d Instructions to him dated 10 November 1687 to build Forts for the Defence of that Country and to the Assistance of the Neighbouring Governments in defraying the Expence, and desires that Virginia would contribute, Pennsylvania E. and W. Jersey being new settlers no great Matter could be expected from them and Maryland, Boston and Connecticut were to furnish Six hundred Men and that they had expended last Year above 10000 lbs.

Auditor Bacon resigns his Office and King James 2^d by his Letter dated 4 December 1687 directs W^m Byrd Esq^r to be sworn into his place giving Security

King James 2^d sends a Over a Seal for this Colony Engraven with his Royal Effigies sitting in his Royal Robes enthroned having on each Side a Landskip and upon the Canopy (which is supported by two Angels and a Cherubim over head) this Motto *En dat Virginia Qintum* with his Royal Titles on the Circumference and on the other side his Royal Coat of Arms with the Garter grown supporters and the motto with this Inscription on the Circumference *Sigilum Domini: Nostr. Virgin. in America* and by his Letter dated 18th December 1687 directs the same to be used in the Sealing all patents and publick Grants of Land and all publick Acts and Instruments which shall be made and passed in his Name and for his Service within this Colony

February 6. 1687 Writs issued to summon an Assembly to meet

19th April 1688 upon the Occasion of the King's pleasure about Bulk Tobacco.

An Address Ordered to the King for his Indulgence of Liberty of Conscience, Col^o Bridger being dead Col^o John Armstead recommended to be of the Council in his Room Patrick Meyn Surveyor General

Capt Crofts having complained to Secretary Pepys against Lord Howard; he Summons him to appear before him which Crofts refused. Patrick Meyn and Capt Allen Justifie the Governor.

Lord Effingham by Writ dated 17 February 1687 Summons an Assembly to meet on the 19 April 1688 by his Majesty's Express commands and commands the Sherifs to Elect two Burgesses in every County.

And prorogues it to the 24 of April by reason of his Lordship's Sickness

April 25. 1688 Francis Page appointed Clerk of the House of Burgesses

The Council desire the King to accept of the Lives and fortune of his Subjects here for the inestimable Honour of a Glorious Seal sent hither.

Council complains of the Incroachments of North Carolina and that it may occasion a Fraud in the Customs of Tobacco which may easily be exported at Corratuck. which while it was under the Government of Virginia was prudently prevented by M^r Patrick Meyn who had appointed an Inhabitant of Virginia Collector there.

Governor unites Westover and Jordan's parish by consent of the parishioners.

Whereas his Majesty has been graciously pleased to give me, Thomas Lord Howard Baron of Effingham his Majesty's Lieutenant and Governor General of Virginia leave for some little time to go for England for the Recovery of my Health and to receive his Majesty's further commands in such things as shall most conduce for his Majesty's Service and the good and benefit of this his Majesty's Colony and Dominion of Virginia

I therefore pursuant to his Majesty's Instructions to me do hereby communicate unto you who are of his Majesty's Council of Virginia such and so many of his Majesty's Instructions to me as I Judge requisite for his Majesty's service during my Absence. Vizt.

Instructions for our Right Trusty and well beloved Francis Lord Howard of Effingham our Lieut and Governor General of our Colony and Dominion of Virginia in America and in his Absence to the Commander in Chief, Given at our Court at Windsor the 30 August 1683 in the first of our Reign.

1 With these you will receive our Commission under our Great Seal of England constituting you our Lieut and Governor General of our Colony and Dominion of Virginia in America. Whereupon you

are forthwith to call together the Members of our Council for that our Colony and Dominion by Name

Nathl Bacon	Richd Lee
Nicho. Spencer	Ralph Wormeley
Robert Smith*	John Page
Will Cole	Wm Byrd
Phil Ludwell†	Christo. Wormeley
John Custis	John Lear Esq ^r *

Since added { Isaac Allerton
 { John Armistead Esq^r*

At which Meeting after having published in usual Manner our said Letters Patents constituting you our Lieut & Governor General of our said Colony and Dominion you shall take yourself and also administer to each of the Members of the Council as well the Oath of Allegiance as the Oath for the due Execution of their Places and Trusts.

2d And you are to communicate unto our Council of Virginia from time to time such and so many of your instructions as you shall think convenient for our Service to be imparted unto them. And our further Will and Pleasure is that the Members of our Council shall and may have and enjoy freedom of Debate and Votes in all things to be debated of in Council.

3d And altho' by our Commission aforesaid we have thought fit to direct that any 3 of our Councillors make a Quorum It is nevertheless our Will and Pleasure that you do not act with a Quorum of less than five Members unless upon Extraordinary Emergencies.

4th And that we may always be informed of the Names of Persons fit to supply the Vacancies of our Council in Virginia you are to transmit unto us and to our Committee of Trade and foreign Plantations with all convenient Speed the Names and Character of twelve Persons Inhabitants of our said Colony whom you shall esteem the best Qualified for that Trust and so from time to time when any of them shall dye depart out of our said Colony or become otherwise unfit you are to supply the first Number of 12 Persons by nominating others to us in their stead.

5 And you are to Signifie our Pleasure unto our said Council that if any of them shall hereafter be absent without leave from our Governor for the time being first obtained or remain absent for the Space of Two Years or the greater part thereof without our leave given them under our Royal Signature their place or places in our said Council shall immediately become void and that we will forthwith take care that others be appointed in their stead.

6. And you are to send us from time to time and our Committee for foreign Plantations and Trade the Names and Qualities of any Members by you put into our said Council by the first Conveniency after your so doing.

7th. And you are to observe in the passing of Laws that the stile

* Dead.

† Displaced by his Majesty.

of Enacting the same by the Governor Council and Burgesses of the Assembly be henceforth used and none other

8th And that it may be the better understood what Acts and Laws are in Force within our Dominion of Virginia you are with the Assistance of our Council to take care that all Laws now in Force be revised and considered and if there be anything in them either in the Matter and stile which may be fit to be altered or Retrencht you are to represent the same unto us with your opinion touching the said Laws now in force whereof you are to send a Compleat Body unto us with such alterations as you shall think fit to the End our approbation or Allowance may be signified thereupon

9th And our Express Will and Pleasure is that you transmit authentick Copies under the public Seal of all Laws Statutes and Ordinances now in force or which shall at any time be made or Enacted within our said Colony unto us & our Committee of Trade and Foreign Plantations within 3 months or sooner after their being Enacted together with Duplicates thereof by the next conveyance upon pain of our highest displeasure and of the forfeiture of that Year's salary wherein you shall at any Time or upon any pretence what so ever omit to send over the said Laws and Ordinances as aforesaid within the time above Limited.

10th Our Will and Pleasure is that no Act or Order be passed In that our Colony in any Case for levying Money and inflicting fines and penalties as hereby the same shall not be reserved to us for the Public Uses as by the said Act or Order shall be directed and we do particularly require and Command that no Money or Value of Money whatsoever be given or granted by any Act of Assembly to any Governor Deputy Governor or Commander in Chief of our said Colony which shall not according to the Stile of the Act of Parliament in England be mentioned to be given and granted unto us with the humble desire of such Assembly that the same be applied to the use and behoof of such Governor Deputy Governor or Commander in Chief if we shall so think fit or if we shall not approve of such Gifts or Application that the said Money or Value of Money be then dispos'd of and appropriated to such other uses as in the said Act or Order shall be mentioned and that from the time the same shall be raised it remain in the hands of the Receiver or the Treasurer of that Colony until our Royal Pleasure shall be known therein.

11th And you shall not permit our revenue to be Anticipated for the future nor suffer any Public Money whatsoever to be issued or disposed of otherwise than by Warrant under your hand but the Assembly may be Nevertheless permitted from time to time to View and Examine the Accounts of Money or Value of Moneys disposed of by Virtue of such Laws as they shall make which you are to Signify unto them as Occasion shall serve.

12th And it is our further Will and Pleasure Expressly that all Laws whatsoever for the Good Government and Support of our said Colony be made indefinite and without Limitation of time except the same be for a temporary End and have its full Effect within a certain time.

13th And therefore you shall not reinact any Law which shall once be enacted by you except upon very urgent Occasions but in no case more than once without our express consent.

14th You shall not remit any fines or forfeitures whatsoever above the Sum of Ten pounds before or after Sentence given nor dispose of any Escheators fines or forfeitures until you shall have first Signified unto us the Nature of the Offence or Occasion of such fines forfeitures or Escheats with the particular sums or Value thereof (which you are to do with all speed unto our high Treasurer or Commissioners of our Treasury for the time being) until you shall have received our directions therein but you may in the meantime suspend the payment of the said sum fines and forfeitures

15th And you are particularly not to pass any Law or do any Act by Grant Settlement or Otherwise whereby our Revenue may be lessened or Impaired without our Especial Leave or Commands therein.

16th You are to require the secretary of our Colony or his Deputy for the time being to provide transcripts of all such Acts and publick Orders as shall be made from time to time together with a Copy of the Journal of the Council to the End the same may be transmitted unto us as above directed which he is duly to perform upon pain of Incurring the forfeiture of his place

16th And all Military Officers upon misbehaviour and unfaithfulness in the Execution of their Trust you shall suspend or discharge as shall appear upon due Examination agreeable to Justice

17th Our Will and Pleasure is that no Minister be prefer'd by you to any Ecclesiastical benefice in that our Colony without a Certificate from the Right Reverend the Lord Bishop of London of his being conformable to the Doctrine and Discipline of the Church of England and of a good Life and conversation and if any person already preferred to a benefice shall appear to you to give scandal either by his Doctrine or Manners you are to use the best means for the removal of him and to supply the Vacancy in such Manner as we have directed

And also our pleasure is that in all directions of Church affairs the Ministers be admitted into the Respective Vestries.

And to the End the Ecclesiastical Jurisdiction of the said Bishop of London may take place in that our Colony as far as conveniently may we do think fit that you give all Countenance and Encouragement in the Exercise of the same Except only the Collating to benefices granting licences for Marriages and probate of Wills which we have reserved to you our Governor, and Commander in Chief for the time being.

18th And we do further direct that no school-master be hence forward permitted to come from England and to keep school within our Colony of Virginia without the Licence of the said Bishop.

And that no other person now there or that shall come from other parts be admitted to keep school without the Licence first had.

19th And you are to take Care that the Courts of Judicature be not adjourned but upon Good Grounds and whereas Complaint hath been made that the Orders of Court are entered in the Absence of Magistrates and sometimes procured in private at the Magistrate's House

you are to take care to prevent the said abuses and particularly that no Orders be entred or Allowed which shall not be first read and approved by the Magistrate's in Open Court.

20th You are to take Care that Drunkenness Debauchery Swearing and Blasphemy be severly punished and that none be admitted to publick Trust and Employment whose ill fame and Conversation may bring Scandal thereupon.

21st Our Will and Pleasure is and we do hereby require and Command you that no Man's Life Member freehold or goods be taken away or harmed in our said Colony but by Established and known Laws not repugnant to but as much as conveniently may be agreeable to the Laws of our Kingdom of England.

22^d You shall Administer or Cause to be administer'd the Oath of Allegiance to the Members and Officers of our Council and Assembly all Judges and Justices and all other persons that hold any office in our said Colony by Virtue of any patent under our great Seal of England or our Seal of Virginia And you are to permit a Liberty of Conscience to all persons so they be contented with as [a] Quiet and peaceable enjoyment of it not giving offence or Scandal to the Government.

23^d You shall take care that all Planters and Christian Servants be well and fitly provided with arms and that they be listed under Officers and when as often as you shall think fit mustered and trained whereby they may be in a better readiness for the Defence of our said Colony and Dominion under your Government.

24 And you are to take special Care that neither the frequency nor unreasonableness of remote Marches Musters and trainings be an unnecessary Impediment to the affairs of the Planters.

24^d In Case of Distress of any of our Plantations you shall upon application of the Respective Governors thereof to you assist them with what aid the safety and condition of your Government can permit. And you are to take an especial Care that all Tobaccos shipt in Virginia from what Part soever they come do pay Virginia Duties

25th And that all possible means may be used for the Security of Merchants Ships in their return home you are hereby directed that in time of War no Ships do come from Virginia but in Fleets and at such times as shall be notified from hence for their meeting of Convoys And in case of other danger you are to expect directions from hence what precautions shall be necessary for their Security.

26th You are to give all due encouragements to Merchants and others who shall bring Trade into our said Colony or any other way contribute to their advantage and in Particular to the Royal African Company of England.

27th And you are to take care that there be no trading from Virginia to any part of Africa within the charter of the Royal African Company and you are not to suffer any ships to be sent thither without their leave and authority.

28th You are not for the future to Admit or Allow of any appeals whatsoever to be made from the Governor and Council to the Assembly But whereas we Judge it absolutely necessary that all our Subjects may have Liberty to appeal to our Royal Person in cases that deserve the

same our Will and Pleasure is that if either Party shall not rest satisfied with the Judgment or Sentence of our Governor and Council they may then appeal unto us in our Privy Council Provided the Matter in Difference exceed the real Value of three hundred pounds Sterling and that Security be likewise given by the Appellant to Answer such Charges as shall be awarded in Case the Sentence of the Governor and Council of Virginia be Confirmed and Provided that Execution be not suspended by reason of any such appeal unto us and in as much that it may not be fit that Appeals be too frequently and for too small a Value unto our Governor and Council you shall therefore with the Advice of the Council propose a Law to be passed wherein the Method and Limitation of appeals unto our Governor and Council may be settled and restrained in such manner as shall be found most convenient and easy to our Subjects in Virginia.

29th And whereas you have already made an Agreement between the Indians of Virginia and those of New York we do hereby approve the same and do charge and require you as much as in you lies that the same Agreement be punctually Observed as conducing to the Welfare of our Colony and your Government.

30th Whereas we have thought fit to Establish and Allow a comfortable Subsistence and Salary for you our Governor, and our other Chief Officers of that our Colony, you shall according to our said Establishment receive and take to your own use as Governor out of the first Money rais'd or to be raised there the Yearly Sum of Two Thousand Pounds by Quarterly Payments And you shall pay out of the next revenue of our said Colony to the Councillors and other Judges and Officers as well Civil as Military and to the Marshall Clerks of the Assembly Gunners and Matrosses the Several Salaries and Allowances formerly paid or such other reasonable ones as you with the advice of our Council there shall think requisite A true account whereof you shall from time to time transmit unto our Lord High Treasurer or Commis^{rs} of the Treasury for the time being And to the Lords of our Privy Council appointed a Committee of Trade and Foreign Plantations.

31st And in the mean time we are graciously pleased to allow unto you out of our said Revenue the Rent of a House wherein you shall live until a House be built Pursuant to our Directions above mentioned.

32^d Whereas upon considering the Entries at our Custom house here in England with the 2 Shillings per Hogshead on Tobacco and other Duties and impositions due to us in Virginia we are certainly informed of great Frauds and abuses both for the Payment thereof by Masters of Ships and others and the Collection of our Officers You are to use all Legal Means for the prevention thereof and for the Improvement of the said Revenues and whereas such abuses cannot be committed without the apparent Negligence of the Collectors or their Connivance with the said Masters of Ships and other Persons You are strictly to Charge and command them & every of them in our Name to be more diligent and careful for the future under Penalty of forfeiture of their respective Places by your putting others in their stead on the

first offense and of our highest displeasure And you are from time to time to give us a Particular Account of your Proceedings herein and of the Duties and impositions collected and Disposed of pursuant to former directions.

33^d You shall not upon any pretence whatsoever permit any alteration to be made henceforth in the Value of the Current Coin either forreign or belonging to any of our Dominions without first having signified unto us the reason for so doing and received our pleasure thereupon

34th We do hereby Signify unto you our Express commands that all Writs be issued in our Royal Name thro'out our said Colony and Dominion notwithstanding any former usage to the contrary.

35 And if anything shall happen that may be of advantage to our said Colony which is not herein and by our Commission provided for Our Will and Pleasure is & we do hereby allow unto you with the advice and consent of our Council to take Order for the present therein Given [ing] us by one of our Principal Secretaries of State and to the Lords of the Privy Council appointed a Committee for Trade and Foreign Plantations speedy notice thereof that so you may receive our Ratification if we shall approve the same Provided always and our Will and Pleasure is that you do not by Colour of any Power or Authority hereby given you commence or declare War without our knowledge or command therein Except it be against Indians upon Emergencies wherein the consent of our Council shall he had & speedy Notice thereof given unto us.

Lastly you shall upon all occasions send unto us by one of our Principal Secretaries of State and the Lords of our Privy Council appointed a Committee for Trade and Foreign Plantations a Particular Account of all Proceedings and of the Condition of Affairs within your Government.

By his Majesty's Command

Signed & Sealed in Council

Sunderland

February 27, 1688

per Effingham

Lord Howard Communicates his Intention by his Majesty's leave to go to England for recovery of his Health, and leaves with them such of his Majesty's Instructions as he judg'd requisite for his Majesty's Service (see the above Copy.)

King James 2^d 27 April 1688 makes an Order in Council to this Effect. His Majesty taking into Consideration an Order in Council bearing Date 3^d of November 1680 considering the absence of Governors from their respective plantations under their Government His Majesty in Council was pleased to Order That no Governor or Commander in Chief do presume henceforward upon any pretence whatsoever to come into England from the places of their respective Government without first obtaining leave for so doing under his Majesty's Sign Manual and Signet

May 3. 1688 Several of the 5 Nations taken prisoners by the French at Canada anded by King James 2 they having Submitted to his Government and thereby become Subjects.

May 12. 1688. Council Advise the Governor to dissolve the As-

sembly then sitting for refusing to repeal the Act against planting after the last of June

Governor and Council supplicate his Majesty to Signify what fee should be allowed to the Governor upon the Seal.

October 18. 1688 Col^o John Armstead sworn of the Council

Lord Howard informed the Board that Col^o Charles Scarburgh among other discourses said to him that his Majesty would wear out the Church of England and upon his Lordships asking how he said when there is any Vacancy he fills up the place with Men of another persuasion for which he reproved him, for what Major Scarburgh was Ordered to appear the 2^d day of next Court to answer what shall be objected against him.

The Order about N. Kent Court revoked

They Order the Old Seal which was small to be used until Parchment and Wax can be provided fit for the New One.

Nath^l Bacon being first in the List of the Council, named President tho' Spencer still Living which Bacon seemed to decline

King William by his Letter dated 21. Feb. 1688 Commands the Old Seal to be made use of till he should Order another.

Lord Howard writes to the Governor of North Carolina Complaining that some Officers of his Government had taken the goods of sundry Inhabitants of this Colony by distress towards defraying the Charge of that Government under pretence that their Lands which were granted to them by the King were within their Bounds and desiring that they be not hereafter disturbed.

April 16. 1689. Nath^l Bacon sits in Council President

Scarburgh appears and says he told the Lord Howard he heard another person speak the words charged thereupon. So his prosecution is remitted and he discharged from his bond

April 20. President and Council upon the Petition of Robert Thomas complaining that the County Court of Isle of Wight had made several Orders against him in the time of his Sickness and Executions issued on those Orders, order that the Clerk transcribe all those Orders and return them to the General Court

John Waugh Clerk, Ben Harrison and John West order'd to be taken into Custody by the Sherif of Stafford and conveyed on board the King's Ketch the Deptford Cap^t Berry Com^r that they may with better Security be removed to Nominy there to be Examin'd by Secretary Spencer and Rich^d Lee Esq^r touching a Commotion raised by them and Spreading abroad a Rumour that the Papists and Indians had made a plot to cut the throats of the Protestants and if they found Cause to transport them to Northampton, or otherwise to take Bond for their Appearance on the 4th day of the next General Court And George Mason being suspected to have countenanced these Factious reports turn'd out of the Commission of Peace and removed from his Command in the Militia. Other people take Arms in the upper parts of Rappahannock on Account of the same plot to defend themselves against Indians and Papists and 3 of the Council dispatched to take them and Examine them. A Committee of 3 Councillors appointed to meet in Cases requiring a speedy Meeting of the Council

April 26. 1689 President and Council appoint the 23 of May following for proclaiming King W^m and Queen Mary.

April 30. President and Council suspend the Judgments of Executions against Robert Thomas and Order the whole Affair to be settled and the matter refered back to Isle of Wight and Col^o Lear ordered to be present

Edward Davis Lionel Delawafer and John Hinson were by Capt Simon Row Commander of his Majesty's Ship Dun seized and Secured at the Mouth of James River 1688 upon suspicion of being pirates having a Considerable Quantity of Plate and Money with some other things according to an Inventory thereof taken, and were brought before the Governor (Lord Howard) then in Council and upon their examination they declared they had been trading and had come from Bermudas to Pensylvania from Pensylvania to Maryland and from Maryland in a Shallop down the Bay with Intention to go to Lynhaven in this Colony there to set themselves down and produced passes under the hand of two Justices of peace in those provinces The Governor suspected the Plates, Money & Goods to be piratical therefore secured them, and Committed the persons to James City Goal there to remain till the Matter be represented to his Majesty and his Majesty's Pleasure; But the 16 of August these persons petitioned the Governor and pray'd the Benefit of the King's Proclamation for the more effectual reducing pirates and Privateers upon which they affirmed they came in and the proclamation being published the 6 of August they apprehended themselves to be within it. The Governor told them the matter lay before the King and that he could not proceed until his Majesty's pleasure signified On the 18 of April they again petitioned the President and Council setting forth their whole case and praying to be enlarged and their plate & c restored, upon which the Council advised and for answer returned that his Majesty by the Lord Sunderland's Letter was pleased to Signifie that they or any other persons who shall be apprehended for Piracy be prosecuted according to Law at such time & in such Manner as Sir Robert Holmes or his Agent shall desire And Capt Berry being Sir Robert's Deputy was to be acquainted with the Petition before any proceeding could be had they petition'd again the 23 April to which the Council answered that Capt Berry was expected soon in Town and it was necessary to know what Orders he had received from Sir Robert Holmes and Capt Berry was afterwards acquainted with this Petition and he answered that according to his directions from Sir Robert he could not proceed to trial until the Plate & c were deliver'd to him. Which considered by the Council they were of Opinion it was not consistent with the present Case that the Money & c should be removed until the Case was fully heard and determined The 29 April they petition again to the same Effect as before upon which the Council resolve that as they came in Voluntarily and Cap^t Berry refused to proceed to trial of them that the Money should remain where it was lodged by his Excellency and that they giving Security for their good Behaviour should be permitted to take a Voyage to England in Order to receive his Majesty's Pardon or be proceeded Against according to Law and they are allowed 30

lbs. a piece out of their Money to defray their Charges and W^m Edwards, Clerk of Council ordered to take out of the Chest in presence of Ralph Wormeley and Christopher Wormeley Esq^{rs} and ordered that a further sum be paid out of it to Geo. Marble and another to Nich. Spencer

President Bacon 18 October 1689 appoints W^m Cole Secretary in the Room of Nich Spencer then lately deceased according to the form of other Commission for that Office and gives him a power to appoint County Court's Clerks

Duke of Shrewsbury by his Letter dated February 15th 1689 Notifies to the Governor of Virginia the preparations which were making for a speedy War with France and that his Majesty intended to send forth a Considerable Squadron of Ships into the West Indies for Securing the Plantations and directs the Governor to put every thing within his Government in a posture of Defence and Opposing any Attempt of the French upon his Majesty's Colony of Virginia and by another 19 April acquaints him that War was declar'd against France.

At a Court at Hampton Court 9 September 1689 the King makes an Order in Council to this Effect.

Upon Reading a Report of the Right Hon^{ble} Lords of the Committee for Trade and forreign Plantations that in Obedience to his Majesty's commands of the 18 of March they had considered the Petition of Philip Ludwell with the Address of the House of Burgesses in Virginia to late King James 2^d touching several Matters which with their Opinions are as follows

1st Whereas a Proclamation had been issued in Virginia by the Lord Howard Governor in chief in pursuance of Instructions from his late Majesty King Cha. 2 declaring an Act passed in Virginia November 1682 for repealing the 6th Act of Assembly made in June 1680 about Attorneys to be void and thereby reviving the said Act of June 1680 The House of Burgesses conceive the said Proclamation unwarrantable and of ill consequence and therefore pray the same to be made void Their Lordships consulted the Attorney and Sollicitor General who reported their Opinion that the Act of 1680 by the King's disallowing the Act of Repeal was revived Yet in as much as the said Act of Assembly is represented as inconvenient and prejudicial to that Colony they humbly offer their Opinion that the same be repealed.

2^{dly} Whereas they complain that a fee of 200 lbs. of Tobacco and Cask lately received by the Lord Howard for the use of the Seal they find that that fee upon complaint thereof was not disallowed or thought unreasonable by the Council of Virginia Yet in as much as the same had not been Established by the said Council as by the Lord Howards Commission is requisite and the same being also represented as burdensome and uneasy to the Colony they Offer their Opinion that it be discontinued as also the fee of 30 lbs. Tobacco demanded by the Secretary of that Colony for recording Surveys of Lands But as to the fee of five Pounds Sterling received by every Escheator for every Office found whereof Complaint is also made they are of Opinion that the

same is Legal and fit to be continued as being an Antient and Customary fee and paid only by such as receive a considerable benefit thereby.

Lastly as to the Complaint made that the fines and Forfeitures in Virginia are not applyed to such purposes as by the said Representation is particularly set forth and desire They represent that the said Fines and Forfeitures having by Letters Patents being granted by King Charles 2^d to the Lord Culpeper and others were repurchased by the late King for Divers considerable sums of Money actually paid to the said Lord Culpeper and a further pension of 600 lbs. per annum payable for 21 Years and now Charged upon the Establishment of his Majesty's Army so that the said Fines and forfeitures are become wholly at the Disposal of the Crown as they were before the purchase of the property of the said Patentees Yet upon Examination they find that since the said Purchase no part of the said Revenue has been employed or disposed of otherwise that for the better support of the Government of Virginia to which use they are of Opinion it may be applied in such Manner as his Majesty should direct from time to time and not otherwise, the same being not in any manner appropriated to any particular use or purpose which report his Majesty approved.

October 23: 1689 Davis Delawafer, and Hinton petition for their Effects but refused till his Majesty's Pleasure's known.

Eliza. Lewis convicted for the Murder of a Bastard Child upon the *Stat. 21. Jac. 1.* and Sentenced to dye, petitions for Mercy Affirming the Child was born dead and is reprieved till the 4th day of the Next General Court

John Waugh Clerk being Summoned to make his Appearance the 4th day of this general Court and therein failed and this Board being informed that he Stirs up the people in Stafford to Sedition by his Sermons he is forbid to preach either publicly or privately untill he appear before Col^o Lee and Allerton two of the Council and give them such Satisfaction as they shall approve.

The Council gave Judgment against the Executors of Secretary Spencer that they pay Edwards Clerk of the General Court 5000 lbs. Tobacco for half a Year's Salary due to him from Secretary Spencer.

Davis & c allowed 20 lbs. more out of their Money a Chest of Medicines Chirurgeons Instruments

King W^m by his Letter dated 14 November 1689 appoints Francis Nicholson Esq^r Lieut Governor of Virginia.

And 2^d of January 1689 gives him instruction to repair to his Government and to Communicate his Commission to the Council and after Administration of the oaths (to be taken by him) by the President and Council to take upon him the Government of Virginia until the Arrival of the Governor in chief pursuant to himself and to himself 500 lbs. per Ann^o from the Date of his Commission till his Arrival and afterward 1000 lbs. per Ann out of the Revenue of 2 Shillings per Hhd on Tobacco.

January 16. 1689. Col^o Hill raises 50 Armed Men to go in search for Gold mines without Licence, summon'd to appear before the Council on the 4th day of next General Court to answer for his high Contempt.

Two Justices of Nancemond Ordered to appear before the President, and Council on the third day of Next General Court to Shew cause why that Court of that County refused Thomas Tilly an Appeal.

The Persons who Murdered M^r Payne in Maryland apprehended and Committed till his Majesty's Pleasure should be known

A Negro ordered to be whipt

One Middleton for calling Capt Hack a Papist Son of a Bitch and a Papist Son of a Whore ordered to give Bond for his Good Behaviour and suspended from keeping Ordinary

An Order for Collecting the Library given by the Bishop of London dispensed in Several hands the Council order the Court of Surry to adjudge a Negro Woman and Child of Nich Merewether—tho three Months be expired she having been Sick after the Court had refused.

King W^m and Mary by Patent dated the 17 January 1st of th.^{ir} Reign appoint W^m Cole Secretary in as large and ample Manner as Secretary Spencer held it

And by Petition of Doctor Payne being informed that his Brother John Payne Collector of the Customs in Maryland was barbarously murdered in the Execution of his Office by several Confederates with Major Seawell late Deputy Governor Commds the Governor if any of the Malefactors be found there they be apprehended and if the Fact was committed they should be brought to a Speedy Tryal or if it was committed in Maryland that they should be sent thither by Letter 6 April 1690.

June 3: 1690 Col^o Nicholson sworn Lieut Governor his Commission bearing date November 14. 1689.

L. Governor communicates to the Council another Petition of Davis and others for their Money & c their Petition Lord Howard's Order for the sending home this Money & c In Order to its being deliver'd to Sir Robert Holmes. Ordered that the same be sent home accordingly except 300 lbs. reserved for the payment of their Debts

June 4 Lord Bishop of London's Commission to Commissary Blair laid before the Council for which they return their thanks for appointing so worthy a person and acquaint his Lordship the Commission can't be Executed without some Expense

Council apply to his Majesty to purchase the Northern Neck Grant, and to order that all Officers of the Government may reside in the Colony

June 5. Robert Thomas Ordered to be taken into Custody till he give Bond not to trade or have any Correspondence with the Indians.

July 25 The Governor supplicates the King and Queen for leave to seat the uninhabited parts of this Country reserving to the Indians such proportion of Lands as they shall declare themselves satisfied with.

July 26. The Council Supplicate the King that no grant be confirmed to the proprietors of North Carolina beyond the latitude of 36.

August 16. Several Persons escaped from Barbadoes apprehended here and Committed by the Council till they give Bond for their Appearance here when called for and not to depart the country till the Matter is further inquired into.

The Government being informed by the Government of Maryland

that one Capt Rich^d Hill had uttered several treasonable Words against the King and raised forces to oppose his Governor and was in the Fleet then bound to England and Ordered that he be called for and give Security to render himself to the Secretary of State to answer such things as should be objected against him.

Ordered that none of the Sherifs Order any precept of Col^o Philip Ludwell as Agent of the Heirs of the late Lord Culpeper, and direct Secretary Cole to Write to the Board of trade to acquaint them of Col^o Ludwell's proceedings in his Agency of the Northern Neck and of his appointing an Officer, called a Ranger General with divers unusuall powers to take up Horses Cattle & c. and of his granting Lands as Escheat altho' they were not found to Escheat by any of the King's Escheators nor was there any Court Baron erected whereby it may be found to Escheat

Council proposes a Post Office to be Erected

They represent the Case of the Northern Neck Charters and that it will be for his Majesty's service to grant the Lands there.

Governor Nicholson July 16: 1690 Issues a Proclamation for repealing this Act and the 3^d of June 1690 publishes his Accession to the Government and continues all Officers .

Governor issues a Proclamation commanding the Laws of England and this Colony (against prophaning the Sabbath and against the Sins of Cursing, Swearing Drunkenness & debauchery to be put in Execution as also the several Acts for the well Ordering of Negroes

Lord Hallifax C P S and others write to the Lord Howard to proclaim King William and Queen Mary and

King W^m sends Lord Howard's Commission to Governor Nicholson and orders him to put it in Execution with the Instructions by Letter dated 13 November 1690.

Governor Nicholson 2 December 1690 Issues a proclamation commanding all Justices of Peace Militia and other Officers to put all the Penal and other Laws in Execution strictly and that the Justices of Peace do take Care that there be Surveyors of the High ways and Constables duly appointed Prisons Pillories and Stocks set up, Grand Juries Elected and sworn out of the most substantial Inhabitants of their Counties and have in charge to present all Parishes (that are without Ministers) that do not provide Readers and that have not Legal Vestries that do not take Care to put the Act for processioning in Execution and all Ministers Readers and Clerks that do not keep a Registers of all Births Burials and Marriages All Ministers marrying any Persons (that are not legally published in Church) without Licence All Nunsances in the H Ways Rivers and Creeks Retailing Liquors without Licence Ordinary keepers Selling at rates exceeding the Law. And such as have not Entertainment for Men and Horse as the Law provides All persons planting less Corn than the Law requires, planting after the last of June, making Seconds, All Officers charging Exorbitant fees, All Sherifs taking Levies of People not listed and not accounting for them to the County, Concealors of Tithables, Millers taking Excessive Toll, divulgers of false News to disturb the peace breakers of the peace Rioters or Persons guilty of treasonable or illegal Associations, Persons

guilty of entertaining Negroes Persons guilty of the Breach of any other Laws of this Country or shall speak contemptuously of the Laws of Virginia and Premises. All Informers shall have the part allowed them by Law. Commands the Militia Officers to muster their Men according to Law. Sheriff ordered to raise so many of his County without further Warrant as shall be Sufficient for the apprehending any outlying Slave which they shall have Notice of and to put them in Irons.

The same day writes a Letter to all Sheriffs to this Effect that he had spoke with the Reverend Mr James Blair who is appointed by the Right Reverend Father in God Henry Lord Bishop of London, Commissary of this their Majesty's Territory and Dominion of Virginia who intends God willing in the Spring to make a General Visitation and hopes that every County will be in such that he will have no reason to punish any and to that End I have herein sent you their Majesties Letter to the Right Reverend Father in God the Bishop of London which he requires to be published at the County Court and every Church in his County

And being informed by Mr Auditor Byrd that great Quantities of Lands were held for which no Quit Rents were paid, he requires the Sheriffs to return a perfect roll and to that End to demand of every person their Patents and Evidences.

Commands the Militia Officers to list all Tithables except Slaves and two White Servants in a family, and that all Justices should take an Account of all the Stores Ammunition & c and that no Person Conceal the same and that all disorders occasioned by Drinking be prevented, and Vagabonds be proceeded against

Requires the Sheriff to demand of his County a list of all tithables and to demand of the Surveyor a Copy of his Commission and Instructions and to give an Account who are great promoters or discouragers of the good design of a free School or Colledge and what Lands in their Counties have been given to either of those uses And to acquaint the Ministers he expected they should observe the feast and fast Days.

16 January 1690 Issues a Proclamation prohibiting any person to go beyond the Inhabitants to trade with Indians the Law licensing that trade being expired whereby the Laws against were revived and appointed what places Merchant Ships shall ride according to the Act made 1667.

February 18 1690 The Council order the Parish of Southwark to provide for a poor Man till it be determined what Parish he belongs to.

19. Council Order the Sheriff of Elizabeth City to suspend an Order of the County Court for binding Geo. Waufe to good Behaviour Quakers prohibited to meet without performing what is required by the Act for Toleration

27 February. Lord Effingham's new Commission and the Lieut Governor's Communicated to the Council.

March 7. 1690. Governor's Instruction's read and Instructions for Erecting a Court of Exchequer referred to a further Council

April 15. 1691 Peter Beverley appointed Clerk of the House of Burgesses

April 21. 1691. Richard Lee, Isaac Allerton and John Armstead Esq^rs refuse to take the Oaths which reducing the Number of the Council under 9 Edmund Jennings Esq^r is appointed.

Joseph Bridger petitions the Council setting forth that by the Stat 3 Jac 5th Popish recusants should be disabled from being Executors and Administrators or Guardians and that one Peter Blake a known Papist had the Custody of Tho^s Honros and ordered that if it appear to the County Court that Blake is a Papist that they remove him

May 6. The Council give their Opinions that a Court of Exchequer and a Court of Admiralty are of absolute necessity for his Majesty's Service and that one Judge a Register and Marshall may be Sufficient for both Courts and they supplicate the Lords of trade and Plantations beseech his Majesty that rules and Methods for the proceedings in the said Courts there having been neither of these Courts ever in this Country and to direct what allowance shall be made to the Judge Register and Marshal

A Master of a Ship Summon'd up from Norfolk to give his Deposition concerning persons being carried out of the Country who was Indebted to Geo. Marable.

May 15. 1691. Vestries ordered not to entertain Ministers who cannot conform himself to the Canons of the Church of England and all Vestries that are not legally Chosen are to be dissolved and legal Vestries Chosen.

May 18th. Several persons have been deputed to grant Marriages Licences who had not done their duties it is Ordered that None but the first in Commission of the Peace Sign any such Licence

50 lbs. Sterling allowed the Clerk of the Council instead of 40 lbs.

May 23. Council Order the Militia Officers not to list the following persons, 1st in Commission of Peace Physicians Chirurgeons Readers Clerks Ferrymen Negroes

June 4 Edmond Jennings Esq^r sworn of the Council

Henry Jenkins appointed Master of a Ship he being for her in a Plantation Bond

28 June. Governor Nicholson issues a proclamation requiring all Justices and Church Wardens to return to the Secretary's Office under their respective hands a perfect abstract of the Levies that Year and that Births Marriages and Burials be duly registered and that the Justices take Care that Courts be not adjourned and the business dispatched and that the Laws for the Justices Attendance be put in Execution

Lords of the Admiralty send the Henry Prize to attend & Guard the Service of Virginia and to observe the Orders of the Chief Governor there June 16. 1691.

The Government of New York desire a Supply of 150 Men to be sent there from this Country to assist them against the French, and Canada Indians upon which the Council order Auditor Byrd to pay 102 lbs. 15 Shillings 9 pence being the Ballance of the Revenue here for Support of the Government.

August 1st 1691. The wretched State of this Country represented

to the board of Trade and Lord Nottingham Secretary of State and desire that the Quitrents may be applied to the use of the Government when the other Revenue fall short.

The Council represent the inconveniency of the Claim of the proprietors of North Carolina to the Degree of $36\frac{1}{2}$ whereby the Revenue wil be lessened and great Quantities of Land taken away which were granted by the King.

The Court of Northumberland having taken upon them to make by Laws, their Laws are suspended and 3 of the Justices ordered to be taken into Custody till they give Security for their Appearance on the 4th day of the General Court

Ordered that a person suspected of Murder be taken into Custody & c

Edwards gives up his Office as Clerk of the General Court and Miles Cary is sworn in his Room

Edwards sworn Clerk of Council, and ordered to take the Council Books out of the Secretary's Office and keep them

Secretary Cole ordered to Correspond with the Secretary of the Board of trade, and to communicate to him all the publick transactions.

King W^m gives his Letter to Chr. Robinson to be sworn of the Council dated 26 October 1691.

Edward Randolph appointed Surveyor General of the Customs in the several Colonies and Plantations upon the Coast of America by the Customers of the Customs.

April 1: 1692 Lord Effingham being charged with Male Administration sends several Quaeres which the Lieut Governor Proposes to the Council

Secretary Cole ordered not to give the County Court Clerks Power to name Deputies

Several Quakers petition for Places to be appointed for their meeting.

Andrew Hamilton appointed post Master General of the North Part of their Majesty's plantations and Colonies by Sir Robert Cotton and Thomas Frankland Post Master General of the Kingdom of England appoint Peter Heyman his Deputy by his deed dated 18 April 1692

21. April. The Ketch Crane running a Shore at the Mouth of Nancemond some of her goods were taken out and put on board a Sloop, for which she was Condemned, and the Master W^m Pennil petitions the Council for favour, and she was delivered upon his giving Security to pay the King's 3^d part and a 6th part to the Governor unless he could obtain a grant of those parts.

Resolved that the best way of Selling Quit Rents was by way of Publick Sale at the General Court Housedoor.

Ordered that all persons who have any Lands granted to them in the Northern Neck as Escheat should deliver the Coppies thereof to the Sherifs

His Excellency Francis Lord Howard of Effingham their Majesty's Lieut and Governor General of Virginia having sent three Letters to the Right hon^{ble} Francis Nicholson Esq^r their Majesties Lieut Gov-

ernor of Virginia dated November 28 December 12 and december 26: 1691 his Honour caused them to be read and being in the said Letters taxed for doing several things which he ought not to have done proposed to us their Majesty's Council of Virginia aforesaid whose names are Subscribed the Several Questions following and desired we would faithfully and Truly resolve and answer the Same Viz^t

Question, Whether since he came to this Government he had ever Acted any thing of Moment without the Council's advice?

Answer. Not that is known to us but hath very often called us together for their Majesties, and this Country's Service and therefore hope his Excellency & c will mind his promise of getting our Salary made 500 lbs. Sterling.

Q. Whether ever the Council heard or understood that at the last General Assembly he used any Clandestine or private Means with the House of Burgesses to accomplish any design?

A. We never heard or understood he did

Q. Whether (if there were occasion) he had Power to appoint Officers or had ever appointed any but such as well deserved the same?

A. It appearing by his Majesty's Commands sent with the Commission and Instructions that his Honour hath the full power of Executing the said Commission during his Excellency's absence we are of Opinion his Honour hath Sufficient good Power and hath never put any person into any Office fit for a Councillor but a Councillor where there was one Convenient and was very careful in appointing such persons Officers as were Judged properest for their Majesty's Service.

Q. Whether M^r Henry Hartwell M^r C^r Robinson Maj^r Charles Scarburgh did in the least misbehave themselves in the last Assembly?

A. Not that we know or ever heard.

Q. Whether M^r Luke should be made Sherif of Stafford County as his Excellency proposed?

A. It is our Opinion that Capt. Geo. Mason the present Sherif hath had the place but one Year be continued the Ensuing Year.

Q. Whether M^r Henry Thacker should be added to the Commission of the Peace and made Sherif of Middlesex County as his Excellency proposed?

A. M^r Robert Dudley the present Sherifs having had the Profits of the said place but one Year and officiated three Months for the Widow of another person it is our Opinion he be continued the ensuing Year and that M^r Thacker be added to the Commission of the peace for the said County.

Q. Whether M^r Auditor Byrd should Audite the Duties arising due by the Imposition on Liquors Skins & Furs?

A. It is our Opinion that if the Hon^{ble} W^m Blaithwait Esq^r Auditor General of their Majesties Revenue of this Colony shall empower him to do so he ought to do it Otherwise not.

Quest. Whether according to his Excellency's proposal Edm^d Jennings Esq^r should be turned out of his Collector's place if he would not pay the Agreement made with his Excellency for the same and if the said Jennings had misbeheaved himself since he was added to the Council?

Ans^r. We never having heard or understood the said Jennings hath misbehaved himself in the place of Collector nor since he hath been added to the Council done any thing unbecoming the Trust reposed in him and their Majesties' Instructions being considered where it is said the Governor shall not hold any Place by a Deputy It is our Opinion the said Jennings be not displaced from being a Collector

Q. Whether it was fit Edmund Jennings Esq^r should resume his Office of Attorney General or whether he could lay it down without their Majesties' Leave?

A. The said Jennings being added to the Council and not holding the place of Attorney General by Commission from their Majestys It is our Opinion it is not agreeable with the said Jennings' place of Council to be Attorney General and that he might lay it down without their Majesties leave as was formerly done by Col^o Peter Jennings and an Account that M^r Edward Chilton was appointed Attorney General during pleasure was transmitted for England in the Journal of the Council.

Q. Whether any Method in Ecclesiastical Affairs were used in this Government?

A. None, save only that the Reverend M^r James Blair Acts as Commissary for the Lord Bishop of London.

Q. Whether the Part of the Law for Ports & c relating to Furs & c was conceived necessary?

A. It was proposed as a Means to procure the Confirmation of the Laws and the House of Burgesses having proposed higher Rates than is set on them they were moderated by his Honour and us.

Q. Whether it would have been for their Majesties Service to have opposed Col^o Thomas Milner's being Speaker of the House of Burgesses?

A. It is our Opinion there was no reason to oppose the said Milners being Speaker he being a Justice of Peace in Nancemond County and placed first in that Commission by his Excellency.

Q. Whether the duties on Liquors should be disposed of without the Approbation of the House of Burgesses as his Excellency proposed?

A. By Act the said Duty is to be disposed of by Governor Council and Burgesses and we conceive It ought not to be dispos. d of Otherwise.

April 28: 1692.

Christopher Wormeley

Edward Hill

Henry Whiting

Edmund Jennings

William Cole

Ralph Wormeley

William Byrd

John Lear

Queen Mary sends her Letter to Sir Edmund Andros dated 26 May 1692 to this Effect Whereas by our Letters Patents under our great Seal of England bearing date the 17 February last We have given unto Trusty and well beloved Tho^s Neal Esq^r his Executors Administrators or Assigns full Power and Authority to Erect Establish and settle within the Chief Ports of our several Islands Colonies and Plantations in America Office or Offices for the Receiving and dispatching of Letters and Packets and to receive and deliver the same under such

rates and sums of Money as the Planters shall agree to give or as shall be proportionable to the Rates for the Carriage of Letters ascertained in the Act of Parliament for Erecting & Establishing a Post Office To hold Enjoy the same for the term of 21 Years under the Yearly Rent of Six-Shillings and Eight Pence with such Powers and Clauses as are necessary in this behalf and Whereas Sir Robert Cotton and Thomas Frankland Esq^r our Post Master General have at Nomination and Desire of the said Tho^s Neal and in pursuance to our said Letters Pattents deputed Andrew Hamilton to govern the said Post Office throughout all the Colonies and Plantations on the Continent of N. America and all the Islands lying near the same by Instrument dated 17 February last. We have thought fit at the humble request of the said Thomas Neal hereby to signify our pleasure that you assist and Countenance him the said Andrew Hamilton his Deputy Agents and Servants in the Management of the said General post office and in the due Execution of all and Singular the Powers and Authorities contained in our said Letters Pattents and that you issue such Orders and directions from time to time as shall be requisite and fit for the better performance of this Service.

July 5. 1692. Christopher Robinson appointed Secretary
Nicholson appoints the Collectors Notary Publics

Henry Whiting appointed Treasurer of the Duties arising by 2 Acts made 1691 in the Room of Edward Hill appointed by the Assembly who had accepted the Office of Collector of the upper district of James River which rendered him incapable of that Office. By Commission dated 5 July 1692

Some Questions proposed to us their Majesties' Council of Virginia by the Right Hon^{ble} Francis Nicholson their Maj^{ty}'s Lieut Governor of Virginia which his Honour desired we would faithfully and Truly Answer and is by us accordingly performed Viz^t

Q. Whether when his Honour came into this Country it was not generally discoursed by the People that they had been under some Arbitrary proceedings and whether they did not expect King William and Queen Mary would show them great favour?

A. It appears by the Journal of the House of Burgesses they greatly Complained of Arbitrary Proceedings and there was at their present Majesty's Coming to the Crown General Expectations of great Favours from them.

Q. Whether the Council after his Excellency the Lord Effingham & c was gone was not forced for their Majesties Service and Quiet of the Country to mitigate things and not punish Offenders?

A. It is presumed it was thought for their Majesties Service for it appears by the proceedings that Several things were mitigated and the Inhabitants eased of some things they complained of.

Q. Whether we were not apprehensive if the Lord Effingham & c had stayed the Country would have been in Trouble?

A. The Country was in a General Dissatisfaction when his Lordship went away and there was great Cause to doubt that some Disturbance would have been if several of those things Complained of by the House of Burgesses had not been moderated.

Q. Whether his Honour's Visiting all the Country several times and Exercising the Militia had not been for their Majesties Service and diverted the People from Melancholly Thoughts?

A. It hath been Judged so by the General Assembly and his Honour hath had their Publick thanks for the same.

Q. Whether his Honours hath not used all Possible Endeavours against false trade and always given the Collector's Strict Charge therein and whether any New Method hath been used in the trial of Ships seized

A. They have all been tried as was usual in former times according to Laws and his Honour the Lieut Governor hath always given Strict Charge to the Collectors and being very careful and diligent in Endeavouring to have all false traders discovered both in Direction and his personal Endeavours and we are humbly of Opinion that if their Majesties be graciously pleased to confirm the Law of Ports it will be a great Means to discover them.

Q. Whether it were not his Honour's constant Practice before the breaking up of Councils after he had proposed what he thought for their Majesties Service to ask if any of the Gentlemen of the Council had anything to propose and when he had proposed any thing of moment he did not advise them to Consider of it?

A. It was his Honour's constant Practice to ask if any of the Council had any thing to propose and to Advise to consider of things of Moment by him proposed.

Q. Whether what M^r Blair did was not before done by Others impowered by the Right Reverend Bishop of London?

A. M^r Temple by Virtue of a Power (as he said) caused the Clergy to meet as M^r Commissary Blair did and since M^r Blair went away nothing hath been done.

July 7th 1692

W^m Byrd

Edw^d Hill

Hen. Whiting

C^t Wormeley

John Lear

Edm^d Jennings

Chris Robinson

Hen. Hartwell

September 20th 1692 Sir Edmond Andros sworn Governor

Governor Nicholson sitting in that Council and Several others and it was moved as a Question whether the Assembly was not dissolved upon the New Governor's Arrival.

Sir Edm^d recommends the reviving the Laws and Officers fees to be regulated.

Sir Edmond Andros appointed Governor in Chief of Virginia by Patent dated 1 March 4 W & M.

September 20. 1692 Sir Edmond signs the Test.

Sir Edmond by Proclamation dated 21. September 1692 continues all Officers dissolves the Assembly continued by prorogation to the 20 April November 1. 1692

Sir Edmond issues a Proclamation 12 May 4 R^{egni} W & M Reciting, that Peter Heyman was appointed D. P. Master and requires all persons to be aiding and Assisting to him in the Due Execution of his Office

1 March 1692 Issues a Proclamation for a Solemn fast to Implore the Blessings of God upon the Consultations of the Assembly. &

April 5 1693 Issues an other for another fast to avert God's Judgment upon the Country being Sorely afflicted with the Measles

and 25 May 1693 another declaring that the said Tho^s Neal hath power to set up Ferries over every River Creek, or Lake within this Government where there is no grant yet made or given to any other Person.

[Report from the Governor & Council in 1673 of an attack by the Dutch on the Virginia merchant vessels.]

[Colonial Office, Class 1, Vol. 30, N^o 511 fo 112]

To the Kings Most Excellenct Ma^{tie} and the Lords of Yo^r Ma^{ties} most Hon^{ble} Privy Councell.

The Governo^r and Councell of his Ma^{ties} Collony of Virginia, In all Humility Present,

That on Fryday the 11th of this Instant July (which was but foure dayes before the Fleet was ordered to Saile from hence) To our Very great Griefe and Damage, arrived on our Coaste Foure Saile of Holland Men of Warr from about thirty to Fourty foure Gunns Under the Command of Jacob Bincke and as many Flushingers one of Six Gunns and three from thirty to Fourty Six Gunns With one Fire Shipp, Under the Command of Cornelius Everson Junio^r, and on Saturday the 12th anchor'd in Lynhaven Bay Within our Capes; That upon their first Arrivall on Fryday they were discover'd by our Centinalls on the Coasts, and Speedy advice thereof Given to Cap^t Gardner and Cap^t Cottorell, Who Commanded Yo^r Ma^{ties} Shippes here, Who p^rsently Comanded Severall Masters of the abler Merchant Shippes in James River on Board, and order'd them to Cleare their Shippes for Fight, and press'd as many men as they thought fitt out of the Weaker Shippes; But may it please Yo^r Ma^{tie} and yo^r Most Hon^{ble} Councell, befor.. that Co[ould] be Done Cap^t Gardner Saw Eight Shippes of Maryland Under Saile in the Bay who he judg'd would fall A prey to the Enemy for Want of Advice, and therefore with Cap^t Cottorell weighed Anchor, and with them Six Merchant Shippes to Engage the Enemy thereby to Save the Marylanders, Butt before they [came?] within Reach of Gunn Shott foure of the Merchant Shippes came on Ground. One Stood backe and one Commanded by Cap^t Grove in Fighting came on Ground Soe the Two men of Warr were left to encounter Six of their biggest Shippes. The two Smaller with the Fire Ship being not yett come upp to them, Th.. Fight Continued with Great resolucon about three houres, after which Cap^t Gardner Supposeing Cap^t Grove (who fought well whilst on float) to be Gotte of [off] the Ground resolved not to lose him, and Judging that the Enemy (if he Checkt them not) Would be in with our Merchant Shippes Rideing in James River before they could Gett from them, Hee tack'd alone upon them with Exterordnary Cour- age, and for at least one houre fought them all, Butt findeing himselfe mistaken in the Condicon of Groves his Shipp, and the night in hand,

it being A Quarter past Eight before the fight ended, He with as much Courage and Conduct (and beyond the hopes or expectation of those who Saw that brave Action) disengaged himselfe from them, as he had before engaged them, and brought off all the Marylanders but one and foure of ours which were on Ground, and Gave the rest, which Were nere Fourty Saile almost A Tide Way before the Enemy, Which Undoubtedly Saved Many who otherwise Would have bin lost, Butt having all his Great Masts and his Fore topmast desperately wounded, and most of his Rigging Shott, he was forced with Cap^t Cottorell to goe into Elizabeth River to Refitt wth Roapes & Sailes Which brought the Enemy to Anchor, not Dareing to persue the James River Fleet in A Strange Channell, and Leave Yo^r Ma^{ties} Friggetts behind them, Two and twenty of our Shippes Stood upp James River and the Rest went under the Fort at Nancemond, Where the Enemy Looked on them five Dayes but Attempted them not; Five of those which Stood upp James River Comeing on Ground, They Sent upp three of their Smallest Shippes to them And Gott of one, and burnt the other foure, The rest Getting above the Fort at James Towne were Safe; And here wee expect it will be Objected that had not Soe long A Time bene given for the Departure of our Fleet this Misfortune had bin Avoided; To which wee humbly Offer this answer That Cap^t Cottorell arriveing here neere the 20th of June, and representing to us Some Dayes after (in p^sence of all the Masters) that for want of Wood and Water and other necessities, he Could not be ready before the 15th of July, Was the Reason for the appointing that Day; Next, the Masters of the Yorke Shippes were not ready till then, and the Enemy was within our Capes before the most Considerable Shippes of Maryland came to us besides Five Saile in Rappahanocke not Ready and two upp the Bay which in all were two and twenty Saile; A Number Too Considerable to be left behind by yo^r Ma^{ties} Convoy; This May it please Yo^r Ma^{tie} and Yo^r most Hon^{ble} Councell being the true State of our Misfortune in the p^sent losse of Eleaven Shippes and Goods (wherein the Inhabitants of James River bore A very Great Share) Wee thought it our Duty, for the Better Vindication of our Selves from Such Injuries as the Mallice of Some may indeavor to fix on us, by Misrepresenting us and our indeavors to Yo^r Ma^{ties} and most Hon^{ble} Councell, To Sett forth in this our Declaracon, the true State and Condicon of this Country in Generall and our particular disadvantage and disabilities to entertaine A Warr at the time of this Invasion, And therefore doe most humbly beseech Yo^r Ma^{tie} and Yo^r most Hon^{ble} Councell to Consider that though all that Land which now bares the name of Virginia be Reduced to little more than Sixty Miles in breadth towards the Sea, Yet that Small Tract is intersected by Soe many Vast Rivers as makes more Miles to Defend, then wee have men of trust to Defend them, For by our neerest computacon Wee leave at our backs as Many Servants (besides Negroes) as their are freemen to defend the Shoare and on all our Frontiers, The Indians, Both which gives men fearfull apprehensions of the danger they Leave Estates and Famelies in, Whilst they are drawne from their houses to defend the Borders, Of which number alsoe, at least one third are Single freemen (whose labour Will hardly maintaine them) or men

much in debt, both which Wee may reasonably expect upon any Small advantage the Enemy may gaine upon us, Wold revolt to them in hopes of bettering their Condicon by Shareing the plunder of the Countrey with them, Nor can wee keepe any number of Soldiers long together in A place for Want of provisions, For the aire being hott & Moist wee could never yett find the way of keeping any Sort of Corne A Yeare from being eaten out by Vermine, Which hinders our havinge publike Magazines of provisions necessary for Such occations, and our men (though there has bin Great Care taken in Exercizing them) haveing for Many yeares bene unacquainted with dainger, Wee cannot with much Confidence rely on their Courage against an Enemy Better practiced in the hazards of Warr; But May it please Yo^r most Sacred Ma^{tie} and Yo^r most Hon^{ble} Councell, Their were many more difficulties from this last attempt, for diseases this Winter before haveing destroy'd at least Fifty thousand Cattell and their Owners to p^rserve them haveing given them almost all their Corne Brought Soe great A Scarcity of provision amongst us as men Could not have bene kept long together, and the Enemies Arrivall being in A time, when all mens Cropps both of tobacco and Corne lay hardest upon their Hands (being much in the woods by reason of the great Raines which fell Some time before). It Troubles them much to be drawne away from their Worke (though for their Comon defence, Yet notwithstanding these & many more disadvantages they appeared Soe ready in Every place that the Enemy desended not on the Land though they wanted water to great Extremety, The Losse then being wholly on the Shipps and Loading (Except some fugative Servants who escapeing our dilligence gott to them and were Carried away) Our industry for their defence wee humbly hope will appeare in this that that their was not a Ship lost which run not on Ground before She gott within the protection of one or other of our Forts, Nor did Yo^r Ma^{ties} Shipps or any of the Merchant men want any Assistance wee Could possibly helpe them too, Though in this alsoe their lay very great difficulty, For In these times of warr, the Merchant gives our Inhabitants Soe very little for their labour as will not Cloath them and their Famelies, Which Soe disaffects them as they rather rejoyce at their losse, then Shew any desire to defend them nor would they have bene brought to appeare for them by any other Motive then the affection they have to the Gentleness and Justice of the Governm^t they have Soe long lived under, Yett though wee have Certainly done our utmost for them to our Very great expence and hazard of our Cropps Wee expect a Complaint against us for not haveing A Fort at Point Comfort, which Some Suppose wold have p^rvented all this losse, though the Considerablest part of it happend farr off in the Bay beyond the reach of any Gunn; To which Objection for our Justification Wee doe humbly Offer our Reasons to Yo^r most Excellent Ma^{tie} and most Hon^{ble} Councell against A Fort there, because it being A direct Chanell and A great Tide, A Shipp may ride in Safety in the Bay till it hath A Good Wind and upon A Tide may runn by A better Fort, then all the Wealth and Skill of this Countrey can build, Especially Considering the distance they may goe from it, which were it but halfe A Mile wold be to farr for us to depend Certainly on its de-

fence; Then, the time of Loading being five or Six Monthes in every River, Wee thought it best to build Forts in the Most Convenient places for their defence, during their Stay, Rather then one at Point Comfort, which at best Could but Secure James River, Butt by these two losses Received the last Warr & now they doe conclude it necessary that Point Comfort were fortified Soe as to Secure their Coming together, and wee doe truly wish Soe too, But Since wee beleive the doeing or not doeing of it will Something depend upon our advice to Yo^r Ma^{tie} Wee dare not propose A battery of lesse then fourty of fifty dimmy [demi] Canon and Culvarine of A Good length, And that will Cost Considering the inconveniency of the place (which affoards not Soe much as A Foundation to build on, much lesse any Materialls) at least Fiftene thousand pounds Sterling, which being A Some wee have not in our power; The Publique revenue not Exceeding two and twenty hundred pounds A Yeare of which the Governo^r has twelve hundred, The Councell two hundred and the rest expended in necessary workes, and the labour of our Inhabitants Scarcely Cloathing them, Wee humbly hope Yo^r Ma^{tie} will not expect it From us, Nor Dare wee propose lesse Strength, least A Weaker defence Should leave the Shipp (by depending to much upon it) more open to the Attempts of the Enemy then hitherto they have bin; And if yo^r Ma^{tie} Shall be graciously pleased to build Such A Fort as wee propose, Wee are not able to maintaine A Garrison in it Unlesse their be Such duties laid on Shipp through the whole Countrey as may Support the Charge For Soldiers will not Serve for tobacco, because the Merchants (working on their necessities) give them Soe little for it as A Yeares Sallery will hardly Cloth them, And the p^rsent Fort Duties are Soe Small as not to pay the Gunners finde powder & repaire them, but Most of that Charge lies upon the Countrey But Wee Doe most Humbly Offer it to Yo^r Ma^{tie} and Yo^r most Hon^{ble} Councells Consideration, Wether it may not be better to Send a Convoy proporconed to Such Strength as the Enemy may bring against us, Which may in Some Measure be knowne, by advice of their first Setting out, And that the Charge of Such Convoy lie Upon the Fraight of the Merchant men, And to ease them of part of the Charge every hired man of Warr may be permitted to take in two teire of tobacco in the hoald Which would Serve to ballast them and not hinder their workeing Such A Convoy would Secure the Shipp and us, who dare not be Soe Confident in our defence (the dainger of our Servants and the Indians Consider'd) as not to give your Ma^{tie} This State of our p^rsent Condicon and to implore Your Assistance; And haveing thus in all humillity laid our Cause before Yo^r Ma^{tie} and Yo^r Most Hon^{ble} Councell Wee appeale to Yo^r Goodnesse and Justice to Determine of it Most Heartily praising God for his favour to us in giveing Your Ma^{tie} Soe discerning a Judgment and Soe tender A heart towards all Your Subjects And for Assisting you

with Soe wise A Councell As wee doubt not Will direct all yo^r great and Royall Undertakeings to a Glorious end Which is the earnest Desire of Yo^r Ma^{ties}

Most Loyall and Obedient
Subjects and Servants

Will: Berkeley
Hen: Chickeley
Edward Digges
Tho: Ludwell
Nathaniell Bacon
Augustin Warner
Henry Corbyn
Daniell Parke
Tho: Ballard
Nicho: Spencer

[Two Orders of the Council of Virginia not contained in the proceedings heretofore printed in this volume.]

[From C. O. 5, Vol. 1406, 1st paper]

[This is a paper endorsed:- "Virginia Copy of the Minutes of Council of Virginia from the 25 September 1680, to the 22 April 1707, relating to the Bounds between that Colony and the Province of Carolina. referred to in Col: Jennings Lre: of the 24 June 1708.

Recd: 8 September } 1708."
Read }

Containing:-

p. 1. Copy of a letter from Lord Culpeper to the Governor & Government of North Carolina. 8 July 1680—that the inhabitants of Blackwater & Carrotuck holding their lands of Virginia, he is authorizing the sheriff to receive the Quit-rents & c.

p. 1. cont^d Copy of a letter from Lord Culpeper to Adam Keeling the sheriff as above. 8 July 1680:]

[Then comes the following order:]

At a Council held at James City y^e 25th of September 1680

Present

S^r Henry Chickeley Kn^t Deputy Governor & c

Upon the reading the Letter from the Government of Carolina & *Remonstrance therewith sent Its Ordered that M^r Secretary transmitt y^e same to his Excy the Lord Culpeper that by his Lordship the same may be represented to his most Sacred Majesty & most hon^{ble} Lords of the privy Council And it is likewise Ordered that pursuant to an order of the last Assembly the Sherif of Lower Norfolk County do proceed to collect Levys of the Inhabitants of Carrotuck as hold their Lands by Patents from this Government, and that M^r Secretary write to him effectually therein.

*Neither the letter nor the remonstrance has been found.

[p. 3 cont^d Copy of a letter from Sir Henry Chicheley to the Sheriff of Lower Norfolk. 29 September 1680. requiring him to proceed in spite of obstructions received.]

[Then comes the following order:]

At a Council held at Green Spring May 22^d 1683

Present

His Excellency Thomas Lord Culpeper Governor & c

Collonel Anthony Lawson the present Sherif of Lower Norfolk and all succeeding Sherifs are hereby Ordered and Required pursuant to an order of Assembly made in 1680 and directions thereon given to Captain Adam Keeling then Sheriff thereof to demand ask Levy require & receive Quittrents Levys fees and all other publick dues from the Inhabitants of Currituck & all others there adjoining that Claime & hold their Lands by vertue of patents issued from the Secretarys Office of this Government And in case of their or any of their refusals or failures thereof that then he & they Levy the same by distress as in ye like cases on any other his Matys Subjects of this Colony

[Proceedings follow dated 1688, 1690, and 1691 which have already been printed in this volume.]

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